

Developing International Democracy

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Developing International Democracy

For a Parliamentary Assembly at the United Nations
A Strategy Paper of the Committee for a Democratic U.N.

Andreas Bummel

COMMITTEE FOR A DEMOCRATIC U.N.

The Committee for a Democratic U.N. was founded to support the development of global democracy. An important milestone would be the establishment of a United Nations Parliamentary Assembly. The general rationale of the proposal is presented in this paper. This second edition includes extensive documentation in the annex.

Praise for the first edition:

“This strategy paper explains in an exceptionally tangible and realistic way how the path to international democracy could look like.”

— *Jo Leinen, Member of the European Parliament and Co-Chair of the Parliamentary Advisory Group of the Campaign for the Establishment of a UN Parliamentary Assembly*

“This paper is one of the most important and comprehensive contributions to this vital issue in the last twenty years.”

— *William R. Pace, Executive Director of the World Federalist Movement-Institute for Global Policy*

Contents

Preface to the 2 nd edition	6
Conclusions	7
1 Introduction	10
2 The International Democracy Deficit	13
3 Fundamentals of the UNPA Concept	16
The Voice of the Citizens.....	17
A Parliamentary Umbrella for International Cooperation.....	19
A Catalyst for UN Reform	21
4 The Establishment of a UNPA.....	23
Representation of Undemocratic States?.....	27
The Procedure for Electing Delegates	28
Composition of a UNPA.....	30
Financial Requirements and Further Questions.....	32
5 Stages of Development	35
The Example of the European Parliament	35
Functions and Rights.....	36
The Idea of a World Parliament.....	37
One Step after the Other	39

— Documentation —

Overview	40
1 Campaign for a United Nations Parliamentary Assembly	42
2 Parliamentary Resolutions and Statements	48
3 Further Resolutions and Reports.....	62
4 Brief overviews by KDUN	67

Preface to the 2nd edition

In the five years since the publication of the first edition of this paper in May 2005, efforts for the establishment of a UN Parliamentary Assembly have increasingly gained ground. This is best visible in the international campaign that was launched in April 2007. At the same time, the debate on the subject has deepened and intensified. Our understanding of the concept today surely is much better than it was five years ago and if this paper would be written today, it certainly would be drafted differently. Nevertheless we believe that the general rationale and the conclusions are still valid. As we have discussed important aspects in more length elsewhere already in the meantime, in particular the role of the Inter-Parliamentary Union or models and principles for the composition of a UN Parliamentary Assembly (check the publications available at www.kdun.org), we have decided to make no changes and to leave this paper in its original version. What we did do, however, was to omit the last part on state of affairs and next steps as this was obviously outdated. Instead we have added an extensive documentation of selected statements, resolutions and reports that are particularly important. For the first time they are collected here in this way. Going through these texts will allow to gain an insight into the developments over the past years and to comprehend how the policy of the Campaign for the Establishment of a UN Parliamentary Assembly looks like and what positions certain parliaments, parliamentary assemblies and non-governmental networks, among others, have taken.

Andreas Bummel,
4 February 2010

Conclusions

1. Mankind faces the task of ensuring the survival and well-being of future generations as well as the preservation of the natural foundations of life on Earth. The inclusion of the people into the institutional structure and into the decision-making mechanisms of the international system thereby has essential importance. In this paper, the Committee for a Democratic UN (KDUN) chooses to address this issue out of the comprehensive complex of global governance.

2. The populations of the UN member states have to be better and more directly included into the activities of the United Nations and its international organizations. They must be allowed to participate in order to prevent growing discontent, to secure acceptance and legitimacy of the United Nations and international co-operation as well as to strengthen the United Nation's capacity to act. The Committee for a Democratic UN conceives the establishment of a United Nations Parliamentary Assembly (UNPA) as a decisive step towards the introduction of a new quality, a new impetus and a stronger representation of citizens into the international system.

3. A Parliamentary Assembly at the United Nations would not simply be a new institution. As the voice of citizens, taking a global view in the common international interest, the Assembly would be the manifestation and vehicle of a changed consciousness and understanding of international politics. To bring about such a change is of major importance in coping with the existential challenges facing humanity.

4. The UNPA is to be regarded and designed as a parliamentary umbrella and parliamentary focal point of international cooperation. The commissions of the UNPA should regularly include national parliamentarians, who are not members of the UNPA, but are experts belonging to the respective commissions of their national parliaments. Delegations of the UNPA should be directly admitted to international governmental conferences.

5. Addressing the possibilities and concepts for reforming the United Nations and the UN system should be one of the main tasks of the United Nations Parliamentary Assembly. As a unique and institutionalized hinge between parliaments, civil society, the United Nations and governments, the UNPA could become a political catalyst for further development of the international system and of international law.

6. As a first step, the Committee for a Democratic UN recommends the creation of a Parliamentary Assembly at the United Nations as new institution which is established as consultative, semi-autonomous secondary body to the UN General Assembly through a vote of the General Assembly under Article 22 of the UN Charter. Alternatively to that, as far as the Inter-Parliamentary Union is ready and fulfills the preconditions, the Inter-Parliamentary Union could be transformed into a United Nations Parliamentary Assembly in form of a secondary body or alternatively a special organization on the basis of a decision under Article 22 or on the basis of a cooperation agreement on the mutual relations with the United Nations. Both options are open for development.

7. The Parliamentary Assembly at the United Nations should be open to all member states of the United Nations which are provided with a constitutionally embodied parliament.

8. The Committee for a Democratic UN recommends that in the first development stage, the delegates of the Parliamentary Assembly at the United Nations are uniformly elected from the midst of the parliaments of the participating countries.

9. The determination of the number of delegates per country in the UNPA should be left to the political negotiations of the governments during the preparatory process. Basis of the negotiations should be a commitment to a graduation oriented according to population size, corresponding, in principle, to existing parliamentary assemblies. Before entering into the negotiations on the actual distribution it is recommended that an upper limit for the total number of delegates be defined. This number probably lies between 700 and 900.

10. The actual financial need for the first step can only be quantified if it is clear how the UNPA is to be designed, for example composition, voting procedure, participating states and legal basis. A first rough total estimate on the basis of the conclusions of the Committee for a Democratic UN comes to 100 to 120 million Euro per year. This figure is based on the assumption that all UN member states participate which possess a constitutionally elected parliament.

11. According to the example of the European Parliament, the initially only consulting Parliamentary Assembly at the United Nations should, within further stages of development, step by step be provided with genuine rights of information, participation and control.

12. The establishment of a directly elected world parliament with

political competences is the most far-reaching concept of global democracy. The Committee for a Democratic UN supports the idea of such a world parliament. Efforts for a democratisation of the international system, however, are inextricably linked with comprehensive questions of human development. The Committee for a Democratic UN explicitly supports the initiative of the Global Marshall Plan for a world-wide eco-social market economy, since it identifies in the surmounting of extreme poverty and of the prosperity gap in the world one of the conditions for a far-reaching democratisation of international relations.

13. Under existing conditions, a world parliament cannot be realized from one day to the other. There is need for realistic and pragmatic alternatives which, however, are open for further development. In order to achieve the vision of a world parliament, a long-term development strategy has to be striven for. Manifestation and vehicle of this strategy is the UNPA.

1 Introduction

Since the end of the Cold War the world order is going through a time of upheaval. After the breakdown of socialist planned economies, capitalism has prevailed as an economic system. In the time between 1970 and 1990 the peak of world trade experienced between 1880 and 1913 has been reached again, having been interrupted by the worldwide interbellum economic crisis and the world wars. Since the last lowest point in 1950, world trade has grown by the factor of 16, the gross world product by the factor of 5.5. The corresponding term of globalization reflects the increasing interconnection of national economies through foreign trade, direct investments and movement of capital. The classical pattern of international division of labour, simplified as exchange of raw material from developing countries with manufactured products of the industrial countries, is thereby undergoing a drastic structural change. Certain industries and services now spread over the whole world or are beginning to do so. At the same time, international movement of capital has separated from foreign trade. At the end of the 1990s, the share of financial transactions related to trade lies only between 2.5 to 5 percent of overall international foreign exchange. As national economies and financial markets have transformed into a single global market, companies have had to adapt to the concerns of a world economy.

Globalization is not solely an economic phenomenon, it is all-encompassing. Developments in the fields of information, communication and transportation enable cost-effective global exchange across all national borders. Distances in space and time disappear. This development is marked by an ever increasing interdependence of the actors involved; these include states, regions, companies, non-governmental organizations and, last but not least, of individuals themselves. The emerging world civilization is highly fragile and vulnerable. Breakthroughs in biology and genetics as well as existential challenges in the fields of environmental protection, biodiversity, climate change, threats of terrorism, ethnic and religious conflicts, proliferation of weapons of mass destruction, demographic development, and the unequal distribution of resources and prosperity have made the stability of the international community and its capacity to act a critical issue of the fu-

ture. Global industrial progress is coupled with an existential threat to the ecological foundations of life on Earth and therefore makes it a necessity to ensure *the survival of future generations*.

These tasks and challenges require structures at the global level capable of effective enforcement of international policies. The United Nations (UN) and its associated system of special programs and organizations - as well as the independent financial and economic organizations - form the centre of international co-operation. This system must be fundamentally strengthened, better co-ordinated and made more transparent. To achieve real acceptance and legitimacy of decisions taken by a strengthened United Nations, its decision-making processes have to be democratized. Critical developments have taken such dimensions that they cannot be solved any longer without taking into account the will, ideas and initiatives of the people of the world. The participation of the people is not only needed for the planning of lasting solutions of the world's problems, but also to transform the UN into an effective instrument of global governance. In April 1991, the Stockholm Initiative on Global Security and World Order concluded that "the global challenges call for structural principles of worldwide say and participation".¹ In this spirit the initiative proposed "to convene a world summit which – similar to the conferences in San Francisco and Bretton Woods in the 40s – discusses institutional reforms of the world order (global governance)".² In his speech to the 43rd UN General Assembly in 1988, Michail Gorbachev proposed a meeting of civil society organizations under the auspices of the United Nations³ in order to include them into the discussions of international questions. Meanwhile, the Millennium Declaration of the heads of states and governments of the UN member states has implicitly recognized that national parliaments and civil society have to be better integrated if the Millennium Development Goals are to be achieved.⁴

However, a new adjustment of international structures still seems far distant. In his address to the joint session of the US Congress Vaclav Havel said

¹ The Stockholm Initiative on Global Security and Governance, "Common Responsibility in the 1990's", Stockholm, Office of the Prime Minister of Sweden, 1991. Quoted and translated from the German edition, published by Stiftung Entwicklung und Frieden, Bonn, 2nd ed. 1991, p. 69; participants of the initiative *inter alia* were Willy Brandt, Gro Harlem Brundtland, Fernando Henrique Cardoso, Ingvar Carlsson, Thabo Mbeki and Maurice Strong.

² *Ibid.*, p. 70

³ "Convening a regular assembly of public organizations under the auspices of the United Nations"; Mikhail Gorbachev, Address to the 43rd Session of the United Nations General Assembly, New York, 7 December 1988.

⁴ UN doc. A/55/L.2, 08.09.2000, para. 30.

in 1990 that "without a global revolution in the sphere of human consciousness, nothing will change for the better in the sphere of our Being as humans, and the catastrophe toward which this world is headed, whether it be ecological, social, demographic or a general breakdown of civilization, will be unavoidable."⁵ As rational species, we should work towards the aim of a strengthened United Nations as a *precautionary measure* - before mankind is forced to do so by the *consequences of worst catastrophes*. This cannot take place without the development of international democracy.

Conclusion 1

Mankind faces the task of ensuring the survival and well-being of future generations as well as the preservation of the natural foundations of life on Earth. The inclusion of the people into the institutional structure and into the decision-making mechanisms of the international system thereby has essential importance. In the following, the Committee for a Democratic UN (KDUN) chooses to address this issue out of the comprehensive complex of global governance.

⁵ Vaclav Havel, Address to the Joint Session of the U.S. Congress, Washington, D.C., February 21, 1990.

2

The International Democracy Deficit

As plenary of the UN member states, the UN General Assembly (GA) has a comprehensive competence with regard to "any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter." Through resolutions, the General Assembly may give recommendations related to specific questions and thereby call on the member states to act accordingly. Each member state has one vote, which is cast by representatives bound to the instructions of the governments they represents. The populations of the world are represented in the General Assembly only indirectly through their governments. The latter certainly vote democratically in the General Assembly, but the range between government and opposition parties as mostly existent in national parliaments is not reflected. The same is the case with regard to the other special organizations and programs as well as the financial and economic institutions. The governance of the international system is therefore a process between governments alone. An international representation of citizens or parliamentary control of international governmental action and international organizations as such, does not exist.

The same applies for foreign policy processes altogether: These are exclusively in the hands of government executives and their officials. At the same time, national policy is increasingly decided on multilateral levels. The traditional separation of foreign and domestic politics has frequently become a contradictory illusion. In the face of deepening global social interconnections resulting in a decreasing capacity to act on the side of national governments, these choose the direction of intergovernmental co-operation.⁶ The considerable need for coordination and regulation at the international level can be seen by the more than 500 multilateral treaties deposited with the office of the UN Secretary General. These treaties cover the whole range of human activity and form the core of international law. Negotiation and fur-

⁶ Karl Kaiser, "Globalisierung als Problem der Demokratie", in: Internationale Politik, April 1998, p. 5.

ther development of international agreements largely takes place without participation of or control through parliaments as immediate representations of the population. As results of intergovernmental negotiations, international treaties as a rule can only be accepted or rejected as a whole if it comes to ratification in the respective parliament, but without parliament having been involved in the negotiation process.⁷ In reality even oppositional groups approve most of the treaties submitted for vote by governments, unwilling to cause harm to foreign relations.⁸ Therefore, it must be noted that a democracy deficit exists on that score as well: Exclusive intergovernmental negotiations anticipate the result of national ratifications.

Globalization and related efforts to shape global policies make democracy deficits more visible and significant.⁹ The final report of the Special Commission on "Economic Globalization" of the German Bundestag of 12 June 2002 speaks about a "frequently criticized democracy deficit of the UN"¹⁰ and of "participation gaps in the field of global politics".¹¹ The report calls upon the federal government to "work, in co-operation with the EU, towards a democratization of international institutions".¹²

Consequently civil society groups try to influence international decision-making processes and negotiations directly. The protests against the conference of the World Trade Organization (WTO) in Seattle in December 1999, which have led to a mobilization thrust in parts of the international civil society, may be regarded as a mile stone in this regard. Hardly any international conference of importance passes any more without the occurrence of demonstrations with thousands of participants. Failing conferences such as the 5th WTO Ministerial Conference in Cancún in September 2003 are thus celebrated as successes. The discontent is even deeper and more widespread than these demonstrations suggest.¹³ UN Secretary General Kofi Annan said at the World Economic Forum in Davos 2001: "Our challenge is not the protests we have witnessed, but the public mood they reflect and help to spread."¹⁴

⁷ See also the final report of the study commission on "Globalisation of the World Economy - Challenges and Answers", German Bundestag 14th electoral period, doc. 14/9200 of 06/12/2002, pp. 445 f.

⁸ See Klaus von Beyme, "Niedergang der Parlamente", in: Internationale Politik, April 1998, pp. 21 ff.

⁹ See also Alessandro Pinzani, "Demokratisierung als Aufgabe. Lässt sich Globalisierung demokratisch gestalten?", in: Aus Politik und Zeitgeschichte, 33-34/2000, pp. 32, 33.

¹⁰ Final Report of the Study Commission, note 7, p. 430.

¹¹ *Ibid.*, p. 442.

¹² *Ibid.*, p. 428.

¹³ See Richard Falk / Andrew Strauss, "Toward Global Parliament", in: Foreign Affairs, January/February 2001, p. 212.

¹⁴ On 01/28/2001; http://www.un.org/News/dh/latest/address_2001.htm

This mood reflects that *wide parts* of the populations do not feel sufficiently represented by their government in international institutions and negotiation processes.

The growing dynamics in the field of global civil society, which eventually strives for a democratization of international relations, is part of an evolutionary social process which will most likely endure and become stronger.¹⁵ It is time to take this development into account and to launch tangible international initiatives in order to prevent a serious loss of confidence in international co-operation.

Conclusion 2

The populations of the UN member states have to be better and more directly included into the activities of the United Nations and its international organizations. They must be allowed to participate in order to prevent growing discontent, to secure acceptance and legitimacy of the United Nations and international co-operation as well as to strengthen the United Nations' capacity to act. KDUN conceives the establishment of a United Nations Parliamentary Assembly (UNPA) as a decisive step towards the introduction of a new quality, a new impetus and a stronger representation of citizens into the international system.

¹⁵ Falk/Strauss, note 13, p. 220.

3

Fundamentals of the UNPA Concept

A Parliamentary Assembly at the United Nations would serve to bring the voice of the citizens into the United Nations and international politics. This wouldn't merely be a new voice, it would be a fundamentally *different kind* of voice. While diplomats have to take the interest of their government as guiding principle, delegates of the UNPA would be free from instructions, free from the constraints of a *raison d'état*, free to take a global perspective and to represent the world community as such. Initially only active with consultative function, the assembly in the further development shall be step-by-step vested with comprehensive information, participation and control rights. An example for such a development is given through the European Parliament.

During the *first step* the strategy consists in affiliating the UNPA to the UN General Assembly as a secondary body or special organization with consultative function.¹⁶ This means that the assembly would be able to draft and pass recommending resolutions without binding force and to submit these officially to the General Assembly for information and further consideration. The issues with which the UNPA could deal with would be defined analogous to Article 10 of the UN Charter and therefore would contain all those issues with which the General Assembly can concern itself. These are all questions which concern the United Nations. There would be hardly any limits.¹⁷ The UNPA would be initially composed of members of national parliaments.

In later steps, the UNPA's sphere of influence should be extended to the institutions of the UN system and the economic and financial institutions through a similar gradual affiliation. The UNPA therefore would become the parliamentary umbrella of international co-operation and could as such help to overcome the fragmentation of international efforts in the UN system. In

¹⁶ The official languages would thus correspond with those of the UN.

¹⁷ However, art. 12 of the UN Charter has to be observed which provides that the General Assembly shall not make any recommendation with regard to a dispute or situation dealt with by the Security Council unless so requested by the Council.

the frame of comprehensive UN reform, the UNPA could finally be incorporated into the UN with the status as main body. In the long run, partial or complete direct election of its members could also be considered.

Corresponding to national parliaments and existing parliamentary assemblies, the work of the UNPA would be shaped by plenary, commission and party sessions. It would be obligatory that plenary hearings and sessions are held in open session. In its activities, the UNPA should cultivate a close exchange and a close co-operation with civil society and governments.

Through the parliamentarians it assembles and through its commissions, the United Nations Parliamentary Assembly would serve as an additional connecting link between civil society and the United Nations system. The concept put forward here is complementary to other forms and procedures of participation and inclusion of civil society organizations. These are not at all affected.

The conceptual basis of a Parliamentary Assembly of the United Nations was developed in 1992 by Dieter Heinrich and the World Federalist Movement.¹⁸ While considering the international developments since 1992, this paper expands on that earlier work.

The Voice of the Citizens

In the long run, a parliamentary assembly on the world level would introduce a qualitatively new dimension into international relations – the voice of parliamentarians who do not feel obliged to their governments and countries, but directly to the citizens. The relations of governments to each other are commonly marked by patterns which, in the face of the magnitude of global problems, conflict with effective action for the welfare of all. Because of the rivalry of national interests, results which would be necessary for the maintenance of global stability and development often are only produced sluggishly or hesitantly – as no government can expect that an advantage it abandons for the benefit of the common international long-term interest would not be exploited by others. In this situation the national interest seems

¹⁸ Dieter Heinrich, "The Case for a United Nations Parliamentary Assembly", World Federalist Movement (ed.), 1992; support for the establishment of a UNPA by WFM was expressed by resolutions adopted by World Congresses of 1998 in India and of 2002 in Great Britain; resolution I.2. of 2002 says: "[...] Reaffirms support for the establishment of a UN Parliamentary Assembly, conceived as a step towards a World Parliament directly elected and endowed with legislative powers; [...]". The last step of development in the envisaged strategy is meanwhile stronger emphasized.

to serve as only useful guideline of foreign policy. A paralysis comes into being which prevents the realization of the global public welfare and tends to undermine multilateral efforts.¹⁹ In an international parliamentary assembly, by contrast, parliamentarians organize according to party politics or programmatic considerations rather than by country of origin.

The symbolic strength of a UNPA is derived from its self-image as a genuine global parliamentary assembly which is directly bound to the populations of the world. Endowed with this moral authority, the UNPA could exercise more political influence even during its first phase than its merely consultative status would lead to assume. The establishment of a UNPA fosters several profound political ideas:²⁰

- the idea of a direct relationship of an individual to the planet without national governments or other bodies as go-between;
- the idea of the individual as a world citizen;
- the idea of the world as a community – and not only as a collection of states and their governments;
- the idea of the world striving for growing political integration.

Conclusion 3

A Parliamentary Assembly at the United Nations would not simply be a new institution. As the voice of citizens, taking a global view in the common international interest, the Assembly would be the manifestation and vehicle of a changed consciousness and understanding of international politics. To bring about such a change is of major importance in coping with the existential challenges facing humanity.

¹⁹ One example for this is the slow ratification and implementation of the Kyoto Protocol, negotiated in 1997, to the Framework Convention of the United Nations on Climate Change; nearly all big polluters fail to achieve the target figures, partly to a very large extent, see Fritz Vorholz, "Der Protokollverstoß - Die Klimavereinbarung von Kyoto droht zu scheitern - die Folgen werden tabuisiert", in: Die Zeit, 11-06-2003, no. 46.

²⁰ See Heinrich, note 18, p. 29.

A Parliamentary Umbrella for International Cooperation

The UN is still far from being a "centre for harmonizing the actions of nations" as the Charter proclaims in Article 1. The UN was intended to be a global centre for the coordination of measures on the field of macroeconomics as well as financial and trade policies for the benefit of all peoples. The General Assembly was supposed to decide on these and the Economic and Social Council (ECOSOC) should guard their implementation through the special programs.²¹ In fact the UN system is characterized by serious coordination problems and a consequent loss in efficiency. A particular challenge emerges from the independence of the Bretton Woods institutions and the World Trade Organization (WTO). Important fields of international policy and decision-making therefore are to be located in the special organizations and programs as well as in the Bretton Woods institutions and the WTO themselves. Because of this, proposals have been made to establish a parliamentary dimension or parliamentary assemblies (PA) directly within these bodies.²² The European Parliament especially supported the proposal for a WTO-PA.²³ Out of that the question arises how the UNPA is to be positioned within the UN system and with regard to the independent organizations and how the UNPA proposal relates to efforts on the level of these institutions.

First of all, the practical assessment has to be made that parliamentary energies and resources available for international tasks are limited. Wanting to provide each institution in question with its own parliamentary assembly therefore does not appear to be useful. In view of a multitude of already existing parliamentary bodies and institutions on the international level this would mean to dissipate and drain parliamentary energies - exactly the opposite of the strengthening which is actually intended. This could lead up to bringing discredit upon such institutions in large parts of the population and through that to a further decrease of confidence in international co-operation.

Sporadic and informal parliamentary conferences centering upon specific issues or institutions do not meet the demands of effective democratic inclu-

²¹ See Brian Urquhart / Erskine Childers, "A World in Need of Leadership – Tomorrow's United Nations". Development Dialogue 1990: 1-2, Dag Hammarskjöld Foundation, pp. 68 ff.

²² See Thilo Bode, "Die Demokratie verrät ihre Kinder", Stuttgart, München, 2003, p. 193.

²³ With the participation of the IPU, this has become the Parliamentary Conference on the WTO; see recently: Cancun Session of the Parliamentary Conference on the WTO, Cancun (Mexico), 9 and 12 September 2003, organised jointly by the Inter-Parliamentary Union and the European Parliament, with the support of the Mexican Parliament, Declaration adopted on 12 September 2003.

sion and stronger representation of citizens on the international level. However, the establishment of a UNPA and such special conferences are not mutually exclusive. On the contrary, even in the first phase of development, the UNPA should not be regarded as an isolated consultative body to the General Assembly, but rather as the central parliamentary umbrella of international cooperation. Parliamentary activities on all levels of the UN system could be practically co-ordinated and brought together by the UNPA secretariat. In regard to content as well, the UNPA as a parliamentary institution on the world level, and anchored in international law, would be the best possible centre to process the results of informal parliamentary deliberations on specific issues, to further disseminate these within the United Nations system and to support implementation of recommendations in the long run. The UNPA would be, so to speak, the institutional memory of these activities.

In a more formal shape, this means that the commissions of the UNPA could regularly, but not solely, hold sessions in which such parliamentarians are included who are not members of the UNPA, but are experts in their respective fields in their national parliaments and belong to respective commissions. The UNPA statute could proscribe that the respective parliamentary commissions of the member states decide on the delegation of a representative to the respective sessions of the corresponding UNPA commission.²⁴ Such a composition of the commissions would guarantee an enduring and close interlocking relationship with national parliaments - even if the UNPA members may be partially or completely directly elected in later stages. Through hearings, the commissions additionally could directly include information, recommendations and expertise from civil society into their deliberations.

The commissions could deal with international negotiation processes among other subjects. Forming a UNPA delegation, a certain number of members of the appropriate commissions could in each case be directly admitted to respective intergovernmental conferences. The recommendations of the commissions would go to the UNPA plenum for final treatment and voting and then would be communicated accordingly.

The results of this approach would be a concentration of parliamentary energies on the international level.

²⁴ This proposal *inter alia* takes up resolution A4-0077/1999 of the EP; the representatives of national committees can, but do not have to, be the committee Presidents.

Conclusion 4

The UNPA is to be regarded and designed as a parliamentary umbrella and parliamentary focal point of international cooperation. The commissions of the UNPA should regularly include national parliamentarians, who are not members of the UNPA, but are experts belonging to the respective commissions of their national parliaments. Delegations of the UNPA should be directly admitted to international governmental conferences.

A Catalyst for UN Reform

Since the foundation of the United Nations in 1945, there have been proposals to reform the world organization to make it more democratic, efficient, representative and more capable of asserting itself.²⁵ According to articles 108 and 109 the UN Charter can only be changed and revised under difficult conditions. Fundamentally, modifications have to be approved by the General Assembly with a majority of two thirds of the votes. Furthermore, for the purpose of a general revision of the Charter, it is possible to convene a general conference of the UN member states, whose decisions also need a two thirds majority. In both cases, changes only come into effect if ratified by two thirds of the UN members states including all permanent members of the UN Security Council. Every change of the text of the Charter therefore is subject to the veto right of the permanent Council members.²⁶

During the Cold War, the political conditions for reform of the Charter did not exist. However, hopes for reconsidering the institutional structure of the UN's main bodies, its decision-making processes and their relations to each other as well as of the UN system altogether have not been fulfilled even more than ten years after the end of the blocs' confrontation. The ceremonies on the occasion of the 50th anniversary of the UN in 1995, as well as the Millennium Summit of the heads of states and governments of the world in 2000, have not been used to give concrete impulses to reform efforts. Political interests and the extraordinary awkward procedure of the Charter still paralyze the development.

²⁵ E. g.: Emery Reves, "The Anatomy of Peace", London and New York, 1945; Grenville Clark / Louis B. Sohn, "World Peace Through World Law", Cambridge, 1958.

²⁶ For a critic of the veto see, for example, Hans Köchler, "Neue Wege der Demokratie", Wien, New York, 1998.

Conclusion 5

Addressing the possibilities and concepts for reforming the United Nations and the UN system should be one of the thematic main tasks of the United Nations Parliamentary Assembly. As a unique and institutionalized hinge between parliaments, civil society, the United Nations and governments, the UNPA could become a political catalyst for further development of the international system and of international law.

4

The Establishment of a UNPA

As a completely new institution, the UNPA formally could be established underneath the threshold of Charter reform in two ways. The first option would be to establish it through a decision of the UN General Assembly under Article 22 of the UN Charter as semi-autonomous secondary body. On the basis of Article 22 it is not possible to establish independent subjects of international law.²⁷ Option two would be to establish it as an independent special organization on the basis of an international treaty and a subsequent co-operation agreement on the mutual relations with the United Nations.²⁸ We consider an affiliation according to Article 57 of the Charter as not applicable since this rule affects a relation with the Economic and Social Council and therefore would imply undesirable thematic limitations.

The establishment through an independent international treaty with subsequent agreement providing for the inclusion of the organization into the UN system corresponds to the way which the international community has taken with regard to the International Atomic Energy Agency (IAEA) and the International Criminal Court (ICC). Theoretically this way is also applicable to a UNPA, though it is not to be recommended. It would imply a diplomatic tour de force - conviction of the greatest possible number of participating countries, whereby the problem of its reach comes up as discussed in the following. Negotiation of the exclusive UNPA Statute, the subsequent ratification process in the respective national parliaments and then - after its success - negotiation of the co-operation agreement with the United Nations, followed by a vote in the General Assembly. The less countries participating, the less likely it becomes that such an agreement comes about – whereas the more participating, the more difficult it would be to initiate the process in the beginning altogether. The transformation of the United Nations Industrial

²⁷ Bruno Simma (ed.), "The Charter of the United Nations: Commentary", Art. 22, p. 390.

²⁸ Proposed by Thilo Bode, note 22, pp. 192 f.; more precisely Joseph E. Schwartzberg, "Creating a World Parliamentary Assembly" , in: *Federalist Debate*, November 2002, pp. 10 ff.

Development Organization (UNIDO) as a semi-autonomous body to a special organization based on an international treaty demonstrates that the result of option 2 can also be achieved through option 1, only much faster and more comprehensively. In this case the conversion of an existing secondary body, which is already active and with which governments have already experience, to an organization based on an international treaty is incomparably easier than to establish a completely new international institution.

In the case of the establishment of the UNPA as a new institution, option 1 therefore is to be preferred. Through the establishment of the UN Children's Fund (UNICEF), the UN World Trade Conference (UNCTAD), the UN Development Program (UNDP) and the UN Environmental Program (UNEP) the General Assembly has already created several institutions under Article 22 which, as "quasi-autonomous special bodies", have a legal status as secondary bodies within the UN system, but however are largely autonomous in the observation of their responsibilities.²⁹ The status of the UNPA could be shaped in a similar way, in case of which, however, a complete autonomy regarding the observation of parliamentary responsibilities would have to be granted. Membership though would have to be open to every member of the United Nations with a constitutionally embodied parliament. Votes according to Article 22 have so far been taken by the General Assembly in consensus. If no consensus is reached, passage could also be conceivable by simple majority vote. If it comes to a vote, the establishment of a body under such circumstances could also be regarded as "important decision" according to Article 18:II of the UN Charter. In this case a two-thirds majority would be necessary.³⁰

Besides of the establishment of the UNPA as completely new institution, it could also be considered whether the Inter-Parliamentary Union (IPU) could be "developed and turned into" a UNPA.³¹ The IPU, founded 1889, is the international umbrella organization of national parliaments, of which 138 are currently members.³² Between the IPU and the UN a cooperation already

²⁹ See Bruno Simma (ed.), note 27, p. 385.

³⁰ *Ibid.*, p. 388.

³¹ See Uwe Holtz, "2020: Das globale Dorf ist auf dem Weg zu Frieden, Demokratie und Wohlstand für alle", in: BUND/Misereor (ed.), "Wegweiser für ein zukunftsfähiges Deutschland", München 2002, p. 303.

³² For self-definition and definition of purpose see art. 1 of its Statutes: "The Inter-Parliamentary Union is the international organisation of the Parliaments of sovereign States."

exists, reflected by numerous resolutions of both institutions.³³ Since November 2002 the IPU has been granted observer status at the UN General Assembly and may circulate its official documents there.³⁴ Moreover the UN General Assembly has recommended to the special organizations of the UN system to agree on similar modalities.

Certain aspects are preconditions for the transformation of the IPU to a UNPA. The self-image of the IPU as umbrella organization of national parliaments, as reflected in Article 1 of its statute, does not yet fully correspond to the intention on which the UNPA concept is based. Mandate and self-image of the IPU would have to be extended by the representation of the populations on the international level, emphasising this point. Besides, the traditional institutional independence of the IPU from the UN system is up for discussion. One of the premises of the UNPA concept is a firm and legal integration of the Parliamentary Assembly into the UN system. Moreover, the IPU would have to open itself more extensively towards civil society.

Finally there is the question whether the IPU is, in the long run, able to carry out the development stages which are connected to the UNPA concept. If it comes to a partial or complete introduction of direct elections of the delegates in a later development stage the immediate personal connection to the national parliaments would get lost. In the respective cases, members would no longer be national parliaments as institutions, but the directly elected delegates. However, the revitalisation of national Parliaments in international questions and the establishment of an immediate parliamentary representation on international level need not contradict themselves. National regulations such as Article 45 of the German constitution which embodies the Commission on European Affairs within the German parliament could guarantee an interlocking relationship between national parliaments and the UNPA in later development stages.

Having these aspects in mind, two possibilities could be considered with regard to the IPU. The first would be the transformation of the IPU into a UNPA through a decision of the General Assembly according to Article 22 of the UN Charter, or alternatively, affiliation of the IPU to the United Nations as the UNPA through a co-operation agreement on the mutual relations. The existing cooperation would have to be increased by far reaching regulations. From today's standpoint, the most beneficial procedure for the IPU

³³ See Anders B. Johnsson, "A Parliamentary Dimension to International Cooperation", in: Mendlovitz/Walker (ed.), "A Reader on Second Assembly and Parliamentary Proposals", Center for UN Reform Education, May 2003, p. 20.

³⁴ See UN doc. A/RES/57/32 and A/RES/57/47; the IPU has to bear the costs for translating the documents into the official languages of the UN.

would be that of option 2. The IPU's organizational and financial autonomy would not be touched. Establishing the UNPA by a transformation of the IPU is an obvious way, but not a compelling one. Should the IPU not be able to go the way of either of the two options, it would continue to contribute the interests and experiences of national parliaments on the international level as their representation. The UNPA would be set up as new institution. In the European Union, for example, there does exist similar equivalents: On the one side the European Parliament (EP) as directly elected representation of the EU-population, on the over side the Commissions dealing with European affairs from the national parliaments are represented in the Conférence des Organes Spécialisées sur les Affaires Communautaires (COSAC).³⁵

Conclusion 6

As a first step, the Committee for a Democratic UN recommends the creation of a Parliamentary Assembly at the United Nations as new institution which is established as consultative, semi-autonomous secondary body to the UN General Assembly through a vote of the General Assembly under Article 22 of the UN Charter. Alternatively to that, as far as the Inter-Parliamentary Union is ready and fulfills the preconditions, the Inter-Parliamentary Union could be transformed into a United Nations Parliamentary Assembly in form of a secondary body or alternatively a special organization on the basis of a decision under Article 22 or on the basis of a cooperation agreement on the mutual relations with the United Nations. Both options are open for development.

³⁵ See the Protocols to the Treaties establishing the European Communities and to the Treaty on European Union, here: Protocol on the role of national Parliaments in the European Union 1997; by the latter, the COSAC is called to "make any contribution it deems appropriate for the attention of the institutions of the European Union and to "examine any legislative proposal or initiative in relation to the establishment of an area of freedom, security and justice which might have a direct bearing on the rights and freedoms of individuals", as well as to make "any contribution which it deems appropriate on the legislative activities of the Union" to the European Parliament, the Council and the Commission.

Representation of Undemocratic States?

A Parliamentary Assembly at the United Nations would be open to a participation of all UN member states as currently defined. Yet not all of the states represented in the UN possess a parliament which came about through democratic procedures, some do not have any. Some of the delegates in the UN-PA therefore would not be free in the execution of their mandate and actually would be subject to the instructions of their governments. There are objections that the participation of such parliamentarians could undermine the legitimacy and moral authority of the assembly altogether. This opinion contradicts the fact that the affected states are represented in the United Nations with equal rights according to international law. In view of this, excluding these states from a participation in a Parliamentary Assembly at the United Nations could hardly be explained. Furthermore, to draw the line between the criteria for an inclusion and those against would hardly be possible in a convincing way. An exclusive membership would undermine the global perspective and would make it implausible. WFM correctly states that the arguments against participation could be compensated for by arguments for in other fields: "In welcoming pseudo-parliamentarians into its midst, the assembly may well become a democratizing influence on *them*, and in this way become a force for the advancement of democracy in the non-democratic countries".³⁶ The German proposal to establish a world parliament in the framework of the League of Nations in 1919 was based, among other things, on the thought of the positive repercussions of such a body on the new democratic parliamentary system of the German republic.³⁷

The UNPA could accordingly be open for every country with a parliament, however this is constituted - in the knowledge that the majority will be democracies. The claim that the United Nations mainly is composed of undemocratic states, as opponents of the UNPA idea often put forward, is incorrect. In a study of 2003 Freedom House has classified 117 from the 192 states in the world as democracies.³⁸

³⁶ Heinrich, note 18, p. 17.

³⁷ See Gottfried Knoll, "Der Deutsche Regierungsentwurf zu einer Völkerbundssatzung vom April 1919", Leipzig 1931, p. 21; quote of Count Bockdorff-Rantzau from an interview with the Daily News of 17 February 1919: "German democracy cannot be safe unless and until there is some measure of democracy in the League...", Daily News, February 25, 1919.

³⁸ See Freedom House, Freedom in the World 2004, www.freedomhouse.org; on the definition: 1. Democracies: While these states are not all rated Free, all provide considerable political space and media access for opposition movements, and allow for elections that meet minimum international standards of ballot secrecy and vote tabulation. 2. Restricted democratic practices: These are primarily regimes in which a dominant ruling party controls

Conclusion 7

The Parliamentary Assembly at the United Nations should be open to all member states of the United Nations which possess a constitutionally embodied parliament.

The Procedure for Electing Delegates

The assembly would be composed of delegates of the participating UN member states. According to parliamentary tradition, the delegates, in execution of their mandate, decide freely and unbound by instructions of their delegations or national governments.

With respect to democratic legitimacy and the election procedure there are principally three possibilities:

- (1) The delegates are elected by the population of their country of origin in free, secret and equal elections.
- (2) The delegates are elected from the midst of the parliament, or
- (3) the national parliaments act as an electoral college and elect delegates from the midst of the whole population.

Since in democratic states the parliaments and electoral lists include opposition parties, delegates elected according to the specified procedures would reflect a cross-section of the population of their country.

Delegates elected by the procedure of the first option would have the most democratically sound legitimacy and could concentrate on their works as "UN Parliamentarians". Direct elections, however, would be logistically demanding and costly, similar to national elections. On the other hand, to reduce the cost they could be held at the same time as the regular national parliamentary elections. The second option is well tested as a practice of existing parliamentary assemblies and is technically simple. The problem here is the strain on the work of the parliamentarians. Being only delegated, they still bear the responsibilities as national MPs and therefore run the risk of neglecting the work in the UNPA. Delegates elected according to the third option would only have an indirect democratic legitimacy. The problem of

the levers of power, including access to the media, and the electoral process in ways that preclude a meaningful challenge to its political hegemony.

overwork and political obstacles regarding direct elections, however, would be evaded in this case. Moreover, this approach also allows inclusion of personalities from civil society who do not directly come from the sector of party politics.

In terms of democratic legitimacy and with regard to the ability to focus on the UNPA, direct election of the delegates is the best option. Since direct elections at the moment are only a realistic possibility within a very limited number of countries, this procedure is automatically exclusive if it is to be generally applied. So it has to be weighted whether an assembly with low outreach and best possible democratic legitimacy is preferable to an assembly with best possible outreach and an indirect election through the parliaments. In a matter of fact the proposal has been put forward to initiate a "global parliamentary assembly" even with a number of only 20 to 30 states as far as these are "geographically and economically diverse enough to be credible founders".³⁹ In our assessment it would even be difficult to convince 20 to 30 states to introduce a direct election to a consultative assembly with limited outreach right out of the gate. In spite of its high democratic legitimacy, statements and deliberations of such an assembly could hardly be regarded as representative opinion of the populations of the world. The proposal is based on the assumption that the number of participating states would grow bit by bit.⁴⁰ But before a threshold is not exceeded which is hardly determinable, say one half to two thirds of the UN member states, the assembly could scarcely fulfil the purpose aimed at here: namely to be affiliated to the UN General Assembly as consultative institution at short notice.

The question has to be considered whether the delegates of the UNPA on this stage actually would have to be elected according to a uniform procedure in all countries at all. To meet national characteristics and requirements, it would be conceivable even in the first step already, to leave it to the participating countries themselves to decide which of the three options to elect the delegates they want to apply. The inclusive character would be guaranteed while experiences with the different procedures would be of benefit to all. But because of pragmatic considerations and because of the exercise already available in the framework of existing parliamentary assemblies, option 2 is

³⁹ See Andrew Strauss / Richard Falk, "Not a Parliament of Dreams", in: WorldLink, 16 July 2002; on the GPA proposal also *id.*, "For a Global Peoples Assembly", in: International Herald Tribune, 14 November 1997; and more precisely on the criteria: Joseph E. Schwartzberg, note 28, pp. 10, 15.

⁴⁰ Also David Held seems to start from this assumption, see *id.*, "Democracy and the Global Order", Oxford 1996, p. 273.

to be recommended as uniform practice - insofar as such a uniform practice is deemed necessary.

Conclusion 8

The Committee for a Democratic UN recommends that in the first development stage, the delegates of the Parliamentary Assembly at the United Nations are uniformly elected from the midst of the parliaments of the participating countries.

Composition of a UNPA

Several aspects have to be taken into account regarding the assignment of the number of representatives per country in the UNPA.⁴¹ On the one hand, the right of all countries to be represented, derived from the principle of federalism and sovereignty, has to be considered. On the other hand political control is principally derived from and legitimized through the individual. Both aspects are equally legitimate. It can hardly be justified to grant strong advantages to the citizens of small countries, to those of miniature states even extreme ones. The principle of the General Assembly, in which all states are equally represented, would be the one extreme, the other would consist in adjusting the representation only proportionally to the population - whereby miniature states would become completely insignificant in the assembly, if still represented at all. Considerations derived from democracy theory alone obviously do not lead to satisfactory results. The mediatory solution for the UNPA hence consists in graduated levels of representation of its members. Following the sample of the European Parliament, the Parliamentary Assembly of the Council of Europe or the Inter-Parliamentary Union, the smallest states get less and the larger states get more members. The 313 members of the Parliamentary Assembly of the Council of Europe for example are elected or appointed from the midst of the 45 national parliaments of the members states. The number of representatives per country is graduated between 2 and 18 and is dependent on the respective population size.⁴² The 732 MEPs of the 6st session of the European Parliament from the 25 member

⁴¹ The following arguments are based on Ottfried Höffe's exposition in *id.*, "Demokratie im Zeitalter der Globalisierung", München 2002, pp. 311 f.; similarly already Quidde, *op. cit.*, p. 16.

⁴² See art. 26 of the Statute of the Council of Europe.

states are graduated in packages between 6 and 99 delegates according to country. The IPU only provides for two grades, 8 seats for parliaments of states with a population size under 100 million and 10 seats for parliaments for states with a population size larger than that. The IPU, however, has additionally incorporated a graduation of votes.⁴³

The examples of the Parliamentary Assembly of the Council of Europe, the European Parliament and the IPU, standing for a larger number of established parliamentary assemblies on international level, make it very clear that the question of how to compose the UNPA cannot be portrayed as fundamental or even a "scarcely surmountable"⁴⁴ problem – insofar as the political will to establish the assembly is existent. There are numerous solutions conceivable. The number of representatives per country could be determined, for example, according to the square root of the population size in millions.⁴⁵ This number could be added to a base of two representatives for all countries, so that states with a population size of less than one million could at least get two seats.

Additionally to a graduation of membership, it could be further differentiated through a graduation of votes. In the IPU each member has a base of ten votes which is increased by up to 13 votes according to population number.⁴⁶ There are further proposals to build a graduation of votes upon the principle of sovereign equality of states, the population principle and actual membership contributions to the appropriate budget.⁴⁷ According to that scheme, every contribution would be equally treated as a percentage of the total number.⁴⁸

It is obvious that the determination of the actual graduation finally can only be solved within negotiations of the participating states and not on a mere theoretical basis. The intention to propagate the UNPA concept together with a fixed ratio formula for its composition therefore would be misguided.

When determining the composition of the UNPA, an upper limit of the total number of delegates has to be considered. If the assembly has too many

⁴³ See art. 10 no. 2 of the Statutes of the IPU.

⁴⁴ But see the Final Report of the Study Commission, note 7, p. 430.

⁴⁵ So-called Penrose Method; see the proposal of Thomas Pogge according to Höffe, *op. cit.*, p. 313.

⁴⁶ Art. 15 of the Statutes.

⁴⁷ For the General Assembly: see Joseph Schwartzberg, "Entitlement Quotients as a Vehicle for United Nations Reform", in: *Global Governance*, Vol. 9, No. 1, Jan. - March 2003, pp. 81-114; and *id.*, "Revitalizing the United Nations. Reform Through Weighted Voting", Institute for Global Policy / World Federalist Movement; New York, The Hague, 2004.

⁴⁸ $EQ = (P + C + M) / 3$.

members, this would undermine its practicability. The largest possible total number probably lies between 700 and 900 delegates.

Conclusion 9

The determination of the number of delegates per country in the UNPA should be left to the political negotiations of the governments during the preparatory process. Basis of the negotiations should be a commitment to a graduation oriented according to population size, corresponding, in principle, to existing parliamentary assemblies. Before entering into the negotiations on the actual distribution it is recommended that an upper limit for the total number of delegates be defined. This number probably lies between 700 and 900.

Financial Requirements and Further Questions

The UNPA needs resources to carry out its work. The required means, however, have to be kept as low as possible. Indispensable are means for the establishment and maintaining of a permanent secretariat, the administration, of logistics and to carry out the parliamentary work. The UNPA would have a president or speaker elected from its midst, who, as well as commission chairpersons or rapporteurs, would be supported by the permanent secretariat. Among other things the secretariat would prepare and organize the meetings and sessions of the UNPA.

In the first step the plenary meetings of the UNPA in all probability will take up to two to six weeks per year. Plenary sessions could be held in the hall of the UN General Assembly in New York. Rental cost thereby should not be charged. Commission meetings which are held at different times could be carried out in rooms at the UN headquarters or at other suitable premises all over the world, free of charge as far as possible. Also with regard to plenary meetings, a annual rotating conference venue is conceivable. This would involve the opportunity to impart the work of the UNPA to a larger public in the according regions. It could additionally contribute to a global perspective of the delegates. Erecting or purchasing a UNPA building or special meeting premises does not seem to be absolutely necessary. However, suitable offices have to be found and financed for the secretariat and the administration. This is connected to the question where to locate the administrative headquarters. If a government is ready to place appropriate premises at the UNPA's disposal, at zero cost and for an indefinite duration, this could

be an argument to settle the administrative headquarters at said location. However, the possibility of carrying out plenary sessions and other meetings of the UNPA should definitely be given at the location of the administrative headquarters as well.⁴⁹

The delegates' ability to work has to be financially guaranteed. Independent from emoluments as national parliamentarians, such as certain costs for travelling, accommodation and discretionary expenses, are to be borne by the UNPA budget. This is especially the case with regard to members of parliaments of the least developed countries. The possibility to use certain means of transportation free of cost, as is granted to the members of the German parliament for example, would have to be examined. In later stages directly elected delegates, who are not members in their national parliament, have to be paid out of the UNPA budget and have to be endowed with office space and staff in their country of origin.

As a basis to estimate the financial need for the UNPA administration in the first place, the budget of the IPU can be consulted. In 2004, and with approximately 40 employees, this amounts to 6.2 million Euro.⁵⁰ In the plan for the EU budget 2004 an amount of 95.5 million Euro has been set aside for the members of the European Parliament for travelling, accommodation during sessions and summoning as well as for extra costs, costs for special travels in execution of the mandate and general reimbursements.⁵¹ These figures as well can be used as an additional basis for a rough estimate of the respective items of a UNPA budget. Costs for receptions and representative means and translations have to be added.⁵² During the first realization stage with an indirect election through the national parliaments there would not be any UNPA-specific emoluments. Allowances, however, could be considered for special posts such as for the UNPA president and commission chairpersons. A first rough total estimate for the running costs of the UNPA during the first realization stage therefore comes to an amount between 100 and 120 million Euro per year. Measured in comparison to the biannual general UN

⁴⁹ Germany could take into consideration to suggest the establishment of UNPA administrative headquarters in the former capital Bonn where many UN institutions are already seated and where the former plenary hall of the federal parliament is still available.

⁵⁰ According to the Council report of October 2003, www.ipu.org/conf-e/109.pdf, pp. 35 ff., exactly 9.815.530 Swiss Francs

⁵¹ See Final Adoption of the general budget of the European Union for the financial year 2004 (2004/132/EC, Euratom), Official Journal of the European Union, 23 February 2004, p. I/152; see also the remarks on p. I/161

⁵² The EU budget 2004 foresees 39 Mio. Euro for translation and interpretation activities of the EP (*ibid.*, p. I/160); this amount is not a good basis for a comparison since in the EU much more as the official languages of the UN have to be covered.

budget for 2004-2005⁵³ which lies at USD 3.16 billion. (ca. EUR 2.6 billion) this would make up about 7.7 percent, if EUR 100 million per annum is taken as a basis. This amount could be raised through incorporating it into the regular UN budget, as far as the UNPA is established according to Article 22, otherwise through a budget which has to be set up and financed separately.

Analogous to article 116 of the Statute of the International Criminal Court, voluntary contributions for a direct financing of the UNPA from governments, international organizations, individuals, corporations and other entities should be made possible. This could relieve the regular contributors. Precondition would be that these contributions are in accordance with relevant criteria defined for this purpose which especially have to guarantee the independence of the UNPA from donors.

In the face of yearly military expenditures of worldwide equalling USD 956 billion at the moment (ca. EUR 793 billion)⁵⁴ it is short-sighted to reject the UNPA and an improvement of the UN because of the above-mentioned costs involved. These costs are an investment which is designed to contribute to the reduction of follow-up costs of the global crisis which are, in the end, unquantifiable.

Conclusion 10

The actual financial need for the first step can only be quantified if it is clear how the UNPA is to be designed, for example composition, voting procedure, participating states and legal basis. A first rough total estimate on the basis of the conclusions of the Committee for a Democratic UN comes to 100 to 120 million Euro per year. This figure is based on the assumption that all UN member states participate which possess a constitutionally elected parliament.

⁵³ See www.un.org/News/Press/docs/2003/ga10225.doc.htm

⁵⁴ Figures for 2003, source: Stockholm International Peace Research Institute (SIPRI), see SIPRI Yearbook 2004, Armaments, Disarmament and International Security, Oxford 2004, <http://editors.sipri.se/pubs/yb04/pr04.html>.

5 Stages of Development

The Example of the European Parliament

The development of the European Parliament (EP) is an instructive example for the further development of UNPA.⁵⁵ Developing out of the Parliamentary Assembly of the European Coal and Steel Community, founded in 1952, the consulting function of the early European Parliament, set up in 1962, was widened to include the right to be heard in legislative processes. Since 1975, the EP has been allowed to co-decide with regard to the budget. Whereas the rights of the European Communities (EC) were enlarged further, the requirement for better democratic legitimacy at the European level was growing likewise. At the beginning, the EP consisted of representatives of national parliaments. In 1979, direct election of EP parliamentarians in the EC member States was introduced. Politically strengthened in that way, the EP rejected the draft budget of the Commission for the first time.

In the early 1980s, the EC became entangled in a complex of paralysing problems, the so-called "eurosclerosis". The crisis mainly stemmed from the obsolete institutions, especially from their process of decision-making - a parallel to the United Nations comes to one's mind. Under the condition that each of the twelve governments could block a decision, often no decision was made at all. As a response to this, the European Parliament in 1984 presented a draft constitution for a federal European Union with a genuine legislature.⁵⁶ With this initiative, the development of the EC and its institutional reform by governments was revived. Similarly, as mentioned above, a UNPA could work as the catalyst for a comprehensive UN reform.

⁵⁵ See Heinrich, note 18, p. 5; Brian Urquhart / Erskine Childers, "Renewing the United Nations". Development Dialogue 1994: 1, Dag Hammarskjöld Foundation, pp. 178 ff.

⁵⁶ Draft Treaty of the European Parliaments on the foundation of the European Union of 14 February 1984 (or "Spinelli draft" according to the Italian President of the institutional Commission of the European Parliament - Altiero Spinelli); Official Journal EC No. C 77 1984, p. 27.

Today, the European Parliament has the same rights as the European Council with regard to three quarters of all legislative projects. It is securing a direct democratic connection to the populations of the European Union. In accordance with the draft Treaty establishing a Constitution for Europe, adopted by the European Convention on 18 July 2003, the European Parliament acts regularly together with the Council of Ministers, has equal rights as the Council with regard to the budgetary expenditure, and elects the President of the European Commission.⁵⁷

Functions and Rights

The functions and rights of a UNPA could include, within different stages of development, for example the following:

- Submission of its own opinions/resolutions to the General Assembly, ECOSOC, the Secretary General, the Security Council, and to the organs and other institutions of the UN system;
- consultation by the General Assembly, ECOSOC and by organs of other institutions of the UN system with regard to important questions;
- the right to address questions to the Secretary General, the Presidents of the General Assembly, of ECOSOC and of the Security Council as well as to the heads of other institutions of the UN system;
- rights of information and participation in relation to the activities of the institutions of the UN system including the still independent Economic and Financial Institutions;
- readings of draft resolutions of the General Assembly and of ECOSOC with the right to submit suggestions for amendments;
- the right to submit to the General Assembly and to ECOSOC draft resolutions for further negotiation and adoption;
- co-decision with regard to the adoption of the UN budget;
- co-decision with regard to the election of the UN Secretary General;
- the right to be integrated into all treaty negotiations which are conducted under the auspices of the United Nations to found or modify international institutions;
- the right also to be integrated into the remaining multilateral treaty negotiations at the international level;

⁵⁷ See art. 19 I and art. III-302 of the draft.

- the right to submit, in accordance with Article 65 of its Statute, legal questions to the International Court of Justice.

Conclusion 11

According to the example of the European Parliament, the initially only consulting Parliamentary Assembly at the United Nations should, within further stages of development, step by step be provided with genuine rights of information, participation and control.

The Idea of a World Parliament

The most far-reaching concept of representation and participation of the populations of the world is that of a world parliament. A parliamentary representation of the population at the international level was already profoundly discussed and called for before World War I⁵⁸ and at the beginning of the League of Nations.⁵⁹ In 1913, a motion was introduced in the French National Assembly that "the French government shall open diplomatic negotiations with the purpose to reach a world parliament", which after all received 146 votes.⁶⁰ The new German Republic's governmental draft on a Covenant of the League of Nations provided for the establishment of a "world parliament" which should at first consist of representatives of the single parliaments of the League's member States, alongside with a Congress of States.⁶¹

The idea of a world parliament recently has received renewed attention not only in academia, but also in civil society. The democratic-theoretical ideal is a parliament directly elected in all countries of the world and which has all parliamentary, especially legislative, rights. This ideal today still faces insurmountable difficulties because of the existing extreme social and political differences in development and interests. The mere election of delegates

⁵⁸ See Walther Schücking, "Der Staatenverband der Haager Konferenzen", in: *Das Werk vom Haag*, Vol 1, München and Leipzig, 1912, pp. 298 ff.

⁵⁹ See R. Broda, "Das kommende Weltparlament", in: *Der Völkerbund*, 1920, pp. 347-358; L. Quidde, "Völkerbund und Demokratie", 2. ed., Berlin 1922, p. 16.

⁶⁰ Initiative of the deputy François-Fournier, see Gottfried Knoll, "Der Deutsche Regierungsentwurf zu einer Völkerbundssatzung vom April 1919", Leipzig 1931, p. 22 (translation by the author).

⁶¹ Presented in April 1919; see Chapter II. of the draft.

to such a parliament in the undemocratic states is not conceivable. Thus, its realisation, in addition, surely depends on the development of stable democratic systems at the level of nation states.

Without efforts in favour of democracy at the level of nation states, international democracy is not credible. However, democracy is not limited to the conduction of democratic elections. Democracy at the level of nation states moreover is an essential transformer for economic and social development as a whole, which contributes to surmounting the inner-state and worldwide clashes of interests.⁶² Empirically, democracy and development seem not to be separable on the long run. However, events have not always pointed towards a clear causal link between both processes. Within some countries, a certain stage of development was reached which was followed later by a trend towards democratisation. Within other countries, democratisation has paved the way for an economic revolution.⁶³

The idea of a world parliament and a democratisation of the international system is inextricably linked with comprehensive questions of human development. Having recognized this, the Committee for a Democratic UN supports holistic and integrative development concepts such as the Global Marshall Plan for a world-wide eco-social market economy.⁶⁴ In addition, the idea of a world parliament, requests a fundamental change of paradigm in international law. However, a world parliament is absolutely necessary in terms of developmental history and democratic theory.⁶⁵ It is a long-term vision to which the concept of a UNPA is directed in the long run.⁶⁶

Conclusion 12

The establishment of a directly elected world parliament with political competences is the most far-reaching concept of global democracy. The Committee for a Democratic UN supports the idea of such a world parliament. Efforts for a democratisation of

⁶² See Agenda for Development, Report of the UN Secretary General, 6 May 1995, Chapter II. E., Par. 118 ff.

⁶³ Agenda for Development, Report of the UN Secretary General, 6 May 1995, Par. 118.

⁶⁴ www.globalmarshallplan.org; see Paper of 20 January 2004

⁶⁵ See Hans Köchler, "The United Nations and International Democracy", Vienna 1997, p. 19.

⁶⁶ See the latest resolution of the WFM World Congress on the subject: "...Reaffirms support for the establishment of a UN Parliamentary Assembly, conceived as a step towards a World Parliament directly elected and endowed with legislative powers; [...]", excerpt from resolution I.2: Globalisation, International Democracy and World Parliament, WFM XXIV Congress, London 2002

the international system, however, are inextricably linked with comprehensive questions of human development. The Committee for a Democratic UN explicitly supports the initiative of the Global Marshall Plan for a world-wide eco-social market economy, since it identifies in the surmounting of extreme poverty and of the prosperity gap in the world one of the conditions for a far-reaching democratisation of international relations.

One Step after the Other

Steps have to be taken which pragmatically consider the conditions existing today, but which at the same time lay the ground for further developments and thus link reality and vision. With the establishment and gradual development of a UNPA, one reciprocally can contribute to the development of a corresponding "We"-identity at the global level and to the consolidation of national democratic systems. In order to play a role in the international political practice, serious concepts have to be directed at their institutional embedding within the existing international system and at the recognition by governments and populations as well as civil society.

The concept for a consulting Parliamentary Assembly at the United Nations which is expounded here fulfils these requirements. Its essentials draw upon a long-term strategy for development which, in its first steps, can be realised underneath the threshold of a comprehensive UN Charter reform. Moreover, the Parliamentary Assembly at the United Nations is modelled as an integral part of the UN system, which shall be set up in collaboration with governments. It shall serve as the parliamentary interface with the populations and civil society.

Conclusion 13

Under existing conditions, a world parliament cannot be realized from one day to the other. There is need for realistic and pragmatic alternatives which, however, are open for further development. In order to achieve the vision of a world parliament, a long-term development strategy has to be striven for. Manifestation and vehicle of this strategy is the UNPA.

— Documentation —

Overview

1 Campaign for a United Nations Parliamentary Assembly	
Appeal for the Establishment of a Parliamentary Assembly at the United Nations, April 2007	42
Message by former UN Secretary-General Boutros Boutros-Ghali, 16 May 2007	43
Conclusions regarding policies of the Campaign for a UN Parliamentary Assembly, November 2007	44
The establishment of a United Nations Parliamentary Assembly and the Inter-Parliamentary Union, November 2008	45
Call for global democratic oversight of international financial and economic institutions, April 2009.....	46
Statement by former WTO Director-General Mike Moore, 17 July 2009	47
2 Parliamentary Resolutions and Statements	
Joint Statement by the Heads of Delegation to the Copenhagen Climate Conference of the Pan-African Parliament and the European Parliament, December 2009.....	48
Parliamentary Assembly of the Council of Europe, 1 October 2009	49
Latin-American Parliament, 5 December 2008	50
Welcome message by the President of the European Parliament, Hans-Gert Pöttering, 4 November 2008.....	51
Pan-African Parliament, 24 October 2007.....	52
House of Commons, Canada, July 2007.....	54
Parliamentary Assembly of the Council of Europe, 23 January 2006	54
German Parliament, 16 June 2005.....	57
European Parliament, 6 June 2005	58
Open letter of 108 Swiss MPs to UN Secretary-General Kofi Annan, 8 February 2005.....	58
European Parliament, 29 January 2004	60

Parliamentary Assembly of the Council of Europe, 27 September 2000	60
European Parliament, 8 February 1994	60
House of Commons, Canada, 1993	61
3 Further Resolutions and Reports	
Global Greens Second Congress, 4 May 2008.....	62
World Federation of United Nations Associations, 10 November 2006	62
Helsinki Process on Globalisation and Democracy, August 2005.....	63
Liberal International, 14 May 2005	64
World Commission on the Social Dimension of Globalization, April 2004.....	65
Socialist International, October 2003	65
Millennium Forum of Civil Society, 26 May 2000	66
4 Brief overviews by KDUN	
Basics of a UN Parliamentary Assembly, June 2009.....	67
A Catalyst for Global Change, February 2008	69

1

Campaign for the Establishment of a United Nations Parliamentary Assembly

Appeal for the Establishment of a Parliamentary Assembly at the United Nations, April 2007

Humanity faces the task of ensuring the survival and well being of future generations as well as the preservation of the natural foundations of life on Earth. We are convinced that in order to cope with major challenges such as social disparity, proliferation of weapons of mass destruction, the threat of terrorism or the endangerment of global ecosystems, all human beings must engage in collaborative efforts.

To ensure international cooperation, secure the acceptance and to enhance the legitimacy of the United Nations and strengthen its capacity to act, people must be more effectively and directly included into the activities of the United Nations and its international organizations. They must be allowed to participate better in the UN's activities. We therefore recommend a gradual implementation of democratic participation and representation on the global level.

We conceive the establishment of a consultative Parliamentary Assembly at the United Nations as an indispensable step. Without making a change of the UN Charter necessary in the first step, a crucial link between the UN, the organizations of the UN system, the governments, national parliaments and civil society can be achieved through such an assembly.

Such an assembly would not simply be a new institution; as the voice of citizens, the assembly would be the manifestation and vehicle of a changed consciousness and understanding of international politics. The assembly could become a political catalyst for further development of the international system and of international law. It could also substantially contribute to the United Nation's capacity to realize its high objectives and to shape globalization positively.

A Parliamentary Assembly at the United Nations could initially be composed of national parliamentarians. Step by step, it should be provided with genuine rights of information, participation and control vis-à-vis the UN and

the organizations of the UN system. In a later stage, the assembly could be directly elected.

We appeal to the United Nations and the governments of its member states to establish a Parliamentary Assembly at the United Nations. We call for all organizations, decision-makers and citizens engaged with the international common interest to support this appeal.

Message by former UN Secretary-General Boutros Boutros-Ghali, 16 May 2007

It is with great pleasure that I convey these greetings to the organizations and individuals who have joined forces to advocate for the establishment of a Parliamentary Assembly at the United Nations.

States and societies everywhere in the world increasingly confront forces far beyond the control of any one state or even group of states. Some of these forces are irresistible, such as the globalization of economic activity and communications. In the process, problems which can only be solved effectively at the global level, are multiplying and requirements of political governance are extending beyond state borders accordingly. Increasing decisionmaking at the global level is inevitable. In this process, however, democracy within the state will diminish in importance if the process of democratization does not move forward at the international level.

Therefore, we need to promote the democratization of globalization, before globalization destroys the foundations of national and international democracy.

The establishment of a Parliamentary Assembly at the United Nations has become an indispensable step to achieve democratic control of globalization. Complementary to international democracy among states, which no less has to be developed, it would foster global democracy beyond states, giving the citizens a genuine voice in world affairs.

As the Campaign's appeal rightly implies, a United Nations Parliamentary Assembly could also become a catalyst for a comprehensive reform of the international system. In particular, I would like to point out, it should become a force to provide democratic oversight over the World Bank, the IMF and the WTO.

We cannot just dream, or wait for someone else to bring our dream about. We must act now. In this sense, I strongly encourage you in your struggle for a United Nations Parliamentary Assembly. Once established, this new body will be a decisive contribution to strengthen democracy at all levels

Conclusions regarding policies of the Campaign for a UN Parliamentary Assembly, November 2007

At its meeting on 19-20 November 2007 in the "Palais des Nations" in Geneva, the Campaign for the Establishment of a United Nations Parliamentary Assembly (UNPA) has reiterated the policies laid down in the "Appeal for the Establishment for a Parliamentary Assembly at the United Nations" and notes in particular that:

- the Campaign pursues a politically pragmatic and gradual approach to achieve the eventual long-term goal of a world parliament;
- in a first step the Campaign advocates the establishment of a UNPA by means which do not require a change of the UN Charter;
- the Campaign's appeal states that a consultative UNPA initially *could* be composed of national parliamentarians and that this statement does not exclude the option to advocate the participation of other entities. For example, the Campaign also advocates the participation of regional parliamentary assemblies in a UNPA, such as the European Parliament and the Pan-African Parliament, and consideration may be given for the inclusion of local authorities in the consultative UNPA ;
- the aforementioned statement also does not exclude to advocate a flexible approach to the mode of elections. The Campaign supports the approach that already in the first step the UNPA's Statutes should allow the participating states to opt for direct elections of their delegates if they wish to do so;
- the Campaign advocates a UNPA which is inclusive and open to all UN member states. However, direct elections of the UNPA's delegates are regarded as a precondition for vesting the body with legislative rights.
- the Campaign policy clearly embraces the demand that a UNPA has to provide for strong and efficient ways to include civil society,
- in particular NGOs, and local administrations into its work;
- the Campaign's policy pursues the goal that the UNPA, once established, would advocate and facilitate a reform of the present system of international institutions and global governance;
- the Campaign understands that whereas the appeal refers to “the UN and the organizations of the UN system,” that this could be interpreted to include the Bretton Woods Institutions.

The establishment of a United Nations Parliamentary Assembly and the Inter-Parliamentary Union, November 2008

At its meeting on 4-5 November 2008 in the European Parliament in Brussels, the Campaign for the Establishment of a United Nations Parliamentary Assembly (UNPA) deliberated on the relation between the proposed UNPA and the Inter-Parliamentary Union (IPU) and the possible roles and functions of the two parliamentary bodies.

The Campaign concluded that the proposed UNPA and the IPU would be complementary institutions. A UNPA would not replace or duplicate the IPU's functions. Quite the contrary, a UNPA would provide a response to the democratic deficit in global governance which the IPU in its current structure is unable to offer.

The Campaign noted in particular:

- (1) The IPU is an association of national parliaments. One of its activities is to provide for a "parliamentary dimension to international cooperation". The IPU's goal in this context is to strengthen the ability of national parliaments to exercise their oversight functions at the national level in matters of international nature. The Campaign underlines the importance of this dimension.
- (2) The purpose of a UNPA is to exercise parliamentary functions directly at the international level in its own right. One of the goals is to make the UN executives and its institutions accountable to a global parliamentary body. The IPU has no such capacity and currently also does not aspire to develop such an oversight function.
- (3) The IPU's purpose is to be a facilitator for the work of national parliaments. In contrast, a UNPA would be composed of individual parliamentarians who would be called upon to take a global view.
- (4) The precedent of the Pan-African Parliament and the African Parliamentary Union shows that the UNPA and the IPU need not be mutually exclusive.
- (5) In the long run, a UNPA could be composed of directly elected members. The precedent of the European Parliament and the Conference of Community and European Affairs Committees of Parliaments of the European Union shows that a largely directly elected UNPA and the IPU would be complementary and indeed both necessary.
- (6) The Campaign supports the work of the IPU and appreciates any and all active contributions from the IPU and IPU members in the efforts for the establishment of a UNPA.

Call for global democratic oversight of international financial and economic institutions, April 2009

Triggered by the global financial crisis, the world community faces a huge social and economic disruption. The achievement of the Millennium Development goals is seriously threatened. The poorest in the world are those most affected. Potentially grave repercussions on political stability and democracy are to be feared. The situation requires rapid and effective global responses. An appropriate institutional setting has to be set up to regulate and re-orient the financial system.

Multilateral institutions such as the World Bank Group, the International Monetary Fund and the World Trade Organization have created global policy with enormous impact on international trade, finances and national economies. At this critical juncture it must be ensured that any renewed system of international monetary, financial and economic institutions will be sufficiently mandated, more credible, legitimate, transparent, accountable, representative, responsive and more democratic. The setup of the reformed system has to guarantee that the world's citizens, those affected by its policies and decision-making, are able to have their voices heard in the formulation, implementation and evaluation of these policies. This task should be supported by the creation of a global body of elected representatives.

The establishment of a United Nations Parliamentary Assembly should be an important part of the renewed system of international financial and economic governance. Initially, the assembly could have a largely consultative function. In the long run, it could exercise genuine global oversight over the system's institutions. Such an assembly could

- monitor the interlinkage and impact of the system's financial and economic policies in other fields such as sustainable development, food supply, education, health or eradication of poverty;
- help to raise awareness of critical developments before they erupt;
- function as a watchdog ensuring that reforms and regulations are implemented effectively;
- gather feedback from the grassroots level and civil society, with special attention to the weak, poor and underprivileged;
- have a say in the election of the Executive Directors of the system's institutions;
- contribute to finding solutions for the pressing global problems.

We call on the United Nations and the governments of its member states to support the establishment of a United Nations Parliamentary Assembly in their deliberations on the reform of international monetary, financial and

economic institutions. We urge the Commission of Experts on Reforms of the International Monetary and Financial System set up by the President of the UN General Assembly to consider the proposal and to express its support. We call for all organizations, decision-makers and citizens engaged with the global common interest to support this call

**Statement by former WTO Director-General
Mike Moore, 17 July 2009**

The trend of the globalization of public policy issues will continue and cannot be ignored. I believe in parliamentary democracy as the best possible means to represent the will of the peoples. The work of parliamentarians at the national level must clearly be complemented at the international level. The global architecture is in need of refurbishing. It is necessary to build democratic principles into global governance. Informal ways of involving elected representatives in international institutions are no longer sufficient. A bolder step is necessary. The creation of a UN Parliamentary Assembly composed of national legislators could be part of the solution. This is a critical, evolving process that will grow in importance to support national governments and their peoples in this phase of making our irreplaceable international institutions more relevant and answerable to the people. The explosion of information, technology and communications make these dreams more relevant and easier to achieve.

2

Parliamentary Resolutions and Statements

Joint Statement by the Heads of Delegation to the Copenhagen Climate Conference of the Pan-African Parliament and the European Parliament, December 2009

Issued by Mary Mugenyi (Uganda) and Jo Leinen (Germany)

On the occasion of an official meeting between the delegations of the Pan-African Parliament and the European Parliament during the Copenhagen Climate Conference, the Heads of Delegations state:

The failure of the UN Climate Conference in Copenhagen was caused as well by the non-transparent and ineffective mechanisms of the United Nations working methods. A Parliamentary Assembly at UN level with parliamentary working methods linked with open discussion and majority votes could be helpful for the global decisionmaking process.

Therefore, the Heads of Delegations

- (1) Emphasize and reiterate the common position of the European Parliament and the Pan-African Parliament that a United Nations Parliamentary Assembly (UNPA) should be established within the UN system;
- (2) Stress that the creation of a UNPA can and should be initiated and pursued independently from other issues of UN reform currently on the international agenda;
- (3) Suggest that the possibility of a joint initiative of the European Parliament and the Pan-African Parliament be assessed to give further support to the goal of a UNPA;
- (4) Express their view that a common Africa-EU initiative to establish a UNPA would be in line with the general objectives and actions included in the Joint Africa-EU Strategy and the First Action Plan.

**Parliamentary Assembly of the Council of Europe,
1 October 2009**

Excerpt of resolution 1688 (2009), "United Nations reform and the Council of Europe member states"

3. Notwithstanding its considerable achievements in preserving peace and international security, the United Nations is in urgent need of far-reaching reform in order to make it more transparent, accountable and capable of facing the global challenges of today's world.

4. The Assembly notes the numerous reform proposals that have been advanced during recent years and pays tribute to former United Nations Secretary-General Kofi Annan for his efforts to promote a comprehensive reform of the organisation.

5. However, the Assembly regrets that there has so far been no reform proposal aimed at improving the democratic character of the United Nations. In this context, the Assembly recalls its well-established position in support of the introduction of a parliamentary dimension of the United Nations, as set forth in its Resolution 1476 (2006) on the parliamentary dimension of the United Nations, in order to improve the transparency, accountability and democratic oversight of the organisation and bridge the gap between the United Nations and the public.

6. The incorporation of a democratic element into the United Nations system has become even more necessary as a response to the process of globalisation: only global governance can face up to its challenges, and such global governance, embodied in the United Nations, must be based on democratic principles.

7. As to institutional reform, the Assembly reiterates its conviction that the role and the authority of the United Nations General Assembly as "the premier decision-making and political body of the United Nations" should be restored. This role could be further strengthened by the introduction, or the reinforcement, of a parliamentary element in the structure of the UN General Assembly, composed of either representatives of the parliamentary assemblies of each country or directly elected representatives.

Latin-American Parliament, 5 December 2008

XXIV. Ordinary Assembly meeting in Panamá, declaration no. 10, "Parliamentary Assembly of the United Nations"

Considering

The principle of defending democracy which governs the activities of the Latin-American Parliament, in accordance with article 3 of the Statute.

The purpose of defending the full implementation of freedom, social justice, economic independence and the exercise of representative and participatory democracy, with strict adherence to the principles of non intervention and free self-determination of the countries, expressed in article 4 of the Parlatino Statute.

The declaration of the Committee of Political and Municipal Affairs and of Integration of the Latin American Parliament, approved last 12th June in the city of Bogota, expressing its support for establishing a Parliamentary Assembly of the United Nations.

Whereas

That to guarantee international cooperation, acceptance and legitimacy of the United Nations, and to reinforce its capacity to act, human beings should be directly and effectively integrated in the UN and its agencies, which requires that they are allowed to participate in its activities.

That without the need of amending the Charter of the United Nations, an Assembly of this kind can create an important link between the United Nations, its agencies, national governments and parliaments and civil society.

The XXIV. Ordinary Assembly of the Latin-American Parliament declares

1. Its support to efforts towards the creation and establishment of a Parliamentary Assembly of the United Nations Organization (UNO) with the purpose of strengthening the effectiveness, transparency, representativeness, plurality and legitimacy of the international system.

2. Its absolute belief in the legitimacy of the decisions taken as a result of participatory, pluralist and democratic deliberation, an unavoidable condition of the effective implementation of policies which benefit our countries.

Welcome message by the President of the European Parliament, Hans-Gert Pöttering, 4 November 2008

Published on the occasion of the Conference of the Steering Committee of the Campaign for a UN Parliamentary Assembly on 4/5 November 2008 in Brussels

On the occasion of the conference of the Steering Committee of the Campaign for a United Nations Parliamentary Assembly, I warmly welcome you on the premises of the European Parliament. The selection of the European Parliament as the location of this year's international meeting of the Campaign has a special symbolic meaning in a twofold way:

Almost fifteen years ago, already the European Parliament, as one of the first parliamentary institutions in the world, has declared in a resolution on the reform of the United Nations that the establishment of a consultative parliamentary assembly shall be examined so that the elected representatives of the peoples may better participate in the work of the United Nations. The European Parliament has reinforced this position on a number of occasions. We support the cause that the United Nations becomes more transparent, more democratic, and more effective. The creation of a parliamentary dimension of the United Nations is part of this effort. Today, in times of globalization, it is much less justifiable than in the past to limit the democratic participation of the citizens of this world to the nation state. This is one of the lessons which we have learnt in Europe from the increasing integration of our societies and our economy. This is why we, as European Parliament, support ways and means to give the people a strong representation also at the global level.

The history of the European Parliament itself is very instructive for the project of a worldwide parliamentary assembly. The European Parliament, celebrating its 50th anniversary this year, has originated from the Parliamentary Assembly of the European Community for Coal and Steel, which was established in 1952. Since 1979, the representatives are directly elected. This way the European Parliament ensures, in my view, the indispensable immediate democratic connection to today's almost half a billion people in the European Union. The rights of democratic participation of the European Parliament have been expanded incrementally. For the parliamentarization of the United Nations, a similarly incremental approach should be chosen. In case of the European Parliament, this will lead to an almost complete equivalence with the Council as the body of the member states, once the Treaty of Lisbon hopefully enters into force.

The close participation of Members of the European Parliament in the Campaign for a United Nations Parliamentary Assembly, as it is eminent in

this meeting, therefore is very gratifying. Hence, I expressly support this cooperation. The experience of the European Parliament and its members is doubtlessly an important inspiration for all who advocate that the citizens have more say at the United Nations.

I wish you all the best for your deliberations and send my most cordial compliments.

Pan-African Parliament, 24 October 2007

Resolution adopted by the 8th Ordinary Session in Midrand, South Africa, "A United Nations Parliamentary Assembly"

The Pan-African Parliament:

1. Considering the objectives of the African Union, in particular to encourage international cooperation, whereby taking due account of the Charter of the United Nations and the Universal Declaration of Human Rights, and to promote democratic principles and institutions, popular participation and good governance according to Article 3 lit. e) and g) of the African Union's Constitutive Act adopted by 36th Ordinary Session of the Assembly of Heads of State and Government in Lome, Togo, from 10 to 12 July, 2000;

2. Noting the reaffirmation of the African Union's full and continued commitment to the Charter of the United Nations and to the promotion of democracy as one of the means to eradicate poverty and to place the African Union's countries on a path of sustainable growth and development, as stated in the Declaration on Democracy, Political, Economic and Corporate Governance of the New Partnership for Africa's Development by the participating Heads of State and Government of the member states of the African Union in Durban, South Africa, June 18, 2002;

3. Further considering the growing role of international organizations such as the United Nations and its specialized organizations such as UNDP, UNICEF, UNHCR, WHO and FAO in key sectors such as peace and security, economic development, health, education and environment;

4. Stressing, in this context, that a growing number of decisions affecting the African Union's citizens are taken beyond the borders of their nation state;

5. Further noting that parliamentarians of the African Union's member states are often not included in national delegations to major international summits and negotiations, leading to knowledge gaps and missed opportunities for increased legitimacy and transparency of international decision-making;

6. Bearing in mind the opening words of the Charter of the United Nations “We the Peoples of the United Nations“ which invoke the principle of democracy and root the legitimacy of the organization in the will of the peoples of its Member States;

7. Recalling the elaborations in the Report of the Panel of Eminent Persons on United Nations–Civil Society Relations mandated by the then United Nations Secretary-General published 11 June 2004 on the deficits of democracy in Global Governance, recommending a framework for global governance with democratic accountability to citizens;

8. Considering that if democratization is a major means to legitimize and improve national governance, it is also the most reliable way to legitimize and improve international organization, making it more open and responsive by increasing participation;

9. Noting that in contrast to regional international bodies such as the African Union, the European Union, the Council of Europe, or Mercosur, the United Nations and its specialized organizations is one of the last international fora lacking an integrated and institutionalized Parliamentary Assembly;

10. Taking note that the Common African Position on the Proposed Reform of the United Nations (“The Ezulwini Consensus“) adopted at the 7th Extraordinary Session of the African Union’s Executive Council in Addis Ababa, Ethiopia, from March 07 to 08, 2005, does not include positions on the shaping of a parliamentary dimension of the United Nations;

Therefore

11. Recommends that the Pan-African Parliament develop a common African position regarding the further development of citizen’s involvement in international affairs and in particular in the United Nations and its specialized organizations, thereby addressing the growing democracy deficit in international foras;

12. Thereby recommends further that the Pan-African Parliament takes the initiative to achieve the establishment of a consultative United Nations Parliamentary Assembly (UNPA) within the UN system according to Article 22 of the Charter of the United Nations which enables the UN General Assembly to establish subsidiary bodies;

13. Notes that in a first preliminary step the United Nations Parliamentary Assembly could be composed of national parliamentarians, but that eventually it should be directly elected by universal adult suffrage in the UN member states, following the example of the provisions in Article 2 (3) of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament;

14. Stresses that a United Nations Parliamentary Assembly eventually should have participation and oversight rights, in particular, to send fully participating parliamentary delegations or representatives to international governmental fora and negotiations and to establish inquiry committees to assess matters related to the actions of the United Nations, its personell and its special programmes;

15. Stresses further the potential of a United Nations Parliamentary Assembly to increase the efficiency, transparency and democratic character of the United Nations and international co-operation, thereby also increasing the participatory rights of the African Union's citizens;

16. Resolves that the establishment of a United Nations Parliamentary Assembly as envisaged before in no way contradicts the valueable and highly esteemed work of the Inter-Parliamentary Union whose aim it is, in particular, to foster contacts, coordination and the exchange of experience among Parliaments and parliamentarians of all countries and to consider questions of international interest and express its views on such issues with the aim of bringing about action by national parliaments and their members.

House of Commons, Canada, July 2007

Report of the Standing Committee on Foreign Affairs and International Development, 39th Parliament, 1st Session (excerpt)

Recommendation 21

As part of the essential role of a reformed and strengthened United Nations in global democratic development, the Parliament of Canada should give favourable consideration to the establishment of a United Nations Parliamentary Assembly.

Parliamentary Assembly of the Council of Europe, 23 January 2006

Resolution 1476 (2006), "Parliamentary dimension of the United Nations"

1. The Parliamentary Assembly refers to its Resolutions 1289 (2002) on parliamentary scrutiny of international institutions and 1373 (2004) on strengthening of the United Nations.

2. Despite wide acknowledgement that the United Nations (UN) should be reformed, reaching an agreement on the nature of this reform is proving to be a difficult and laborious task. Results have been achieved in some areas, such as the decision to set up a peacebuilding commission as well as a human rights council. No agreement has been reached on the general thrust of the reforms, however, while negotiations on some important aspects, such as those relating to the enlarged representativity of the Security Council, seem to have reached a deadlock. At the same time, events such as the war in Iraq and the Oil for Food scandal have eroded confidence in the UN multilateral system and the credibility of the organisation.

3. At this crucial moment, the Assembly calls for a renewed impetus in the continuation of the UN reform process. In its view, a durable and forward-looking reform should be led by the objective of rendering the whole United Nations system more transparent, legitimate and accountable before its member states as well as public opinion at large. For this reason, the reform cannot be limited to making the organisation more reflective of current geopolitical realities but should aim at incorporating democratic mechanisms in the UN system, with a view to redressing the democratic deficit in global governance and bring the United Nations closer to the people.

4. In this context, the Assembly believes that the issue of the closer involvement of parliamentarians in UN activities should be brought to the forefront of the current reform discussions as it is a fundamental means to associate the people – through their elected representatives – to the UN deliberative process, the oversight of UN activities and the monitoring of the implementation of UN decisions by member states.

5. Parliamentary involvement in the work of the UN should be enhanced progressively. This process should begin through the setting up within national parliaments of groups of members of parliament to support cooperation with the United Nations, by ensuring that parliamentarians are fully informed of UN activities. The process should culminate with the inclusion in the UN system of a parliamentary assembly with consultative functions.

6. The Assembly takes note of the recommendations put forward in the report of the Panel of Eminent Persons on United Nations-Civil Society Relations – the so-called Cardoso report – concerning the engagement of parliamentarians in UN work and welcomes the growing association of parliamentarians with UN activities, in the form of strengthened cooperation between the United Nations and the InterParliamentary Union (IPU).

7. This strengthened cooperation is welcome as it improves the familiarity of national parliamentarians with UN activities and provides them with a podium in UN instances. The Assembly, however, believes that in order to have a lasting impact on the legitimacy, accountability and representativity

of the United Nations system, the involvement of parliamentarians in UN work should be further developed so as to become systematic and structurally linked with the functioning of UN institutions. In particular, given its deliberative and oversight functions as well as its role as the most representative global forum, the UN General Assembly is ideally placed to act as an interface with parliamentarians.

8. A decisive step towards the development of a UN parliamentary dimension could be the establishment of an experimental parliamentary committee with consultative functions for General Assembly committees. It would be composed of national delegations, elected by national parliaments, with due respect to the principle of representativity of the different political forces present in parliament and with due consideration to gender balance. This parliamentary committee should be of reasonable size and ensure a fair geographical representation of all the regional groupings currently existing in the General Assembly. Within each regional grouping, national delegations would rotate on a periodic basis. Should this experiment be successful, the structure and functioning of this committee could inspire the establishment of a UN parliamentary assembly with consultative functions for the plenary General Assembly.

9. In light of the above, the Assembly urges Council of Europe member and observer states to:

9.1. encourage debates on issues discussed at the UN in national parliaments as well as in regional parliamentary assemblies;

9.2. allow the active participation of parliamentarians in national delegations to the General Assembly.

10. In addition, the Assembly invites the UN Secretary-General to give further consideration to the recommendations of the Cardoso report concerning the engagement of parliamentarians and suggest proposals along the same lines.

11. Finally, the Assembly invites the UN General Assembly to:

11.1. envisage appropriate ways for involving parliamentarians in its activities by:

11.1.1. working with the IPU and other interparliamentary representative bodies and devising a step-by-step strategy, which could include the following stages:

11.1.1.1. setting up a network of regional parliamentary assemblies to discuss emerging UN priorities, with consultative functions for one or more General Assembly committees;

11.1.1.2. setting up a parliamentary committee to discuss issues of special global or regional importance and/or the UN budget, with consultative functions for one or more General Assembly committees;

11.1.1.3. setting up a UN parliamentary assembly, based on national delegations, with consultative functions for the General Assembly;

11.1.1.4. setting up, together with the United Nations and its institutions, of national information and research centres for parliamentarians, local government representatives, representatives of NGOs and volunteers in member states;

11.1.2. adopting clear rules for the involvement of parliamentarians in its work, setting out their rights and responsibilities, as well as the obligation for parliamentary delegations to ensure a fair representation of the political parties or groups in their parliament and give due account to gender balance considerations;

11.1.3. setting up a panel to make precise proposals on the recommended size, composition and rota system of parliamentary committees and/or a UN parliamentary assembly;

11.2. consider additional measures to ensure better interaction between the General Assembly and national or regional parliaments, in particular those encouraging the more active involvement of the Speakers or Presidents of these assemblies in the work of the regional groupings of the General Assembly.

German Parliament, 16 June 2005

Resolution 15/5690, " In favour of parliamentary involvement in the United Nations system" (excerpt)

The German Bundestag believes it is necessary to create a parliamentary dimension of the United Nations system. It must first be examined in which areas this would be possible and in what way it could be created. Then comes the question of the most suitable institutional form, which could perhaps be described as a "Parliamentary Assembly". The InterParliamentary Union (IPU) could provide the platform for this.

2.1 Possible functions: The tasks and competences of the "Parliamentary Assembly" within the framework of the IPU could therefore include:

- up-to-date monitoring of important UN initiatives
- delivering opinions on reports produced by the UN GA, UN conferences, etc.
- following the work of UN bodies

- assessing current trends in the UN
- making recommendations ahead of negotiations/decisions
- maintaining a dialogue with the Secretariat, UN organisations and civil society,
- circulating its reports and recommendations.

2.2 The IPU as the foundation: The IPU would be a suitable starting point for the formation of a United Nations Parliamentary Assembly. The IPU, which was founded in 1889 and defines itself as the international organisation of parliaments of sovereign states, explicitly supports the efforts of the United Nations, whose aims it shares, and works closely together with it.

European Parliament, 6 June 2005

Resolution P6_TAPROV(2005)0237, "Reform of the UN" (excerpt)

[The European Parliament]

calls for the establishment of a United Nations Parliamentary Assembly (UNPA) within the UN system, which would increase the democratic profile and internal democratic process of the organisation and allow world civil society to be directly associated in the decisionmaking process; states that the Parliamentary Assembly should be vested with genuine rights of information, participation and control, and should be able to adopt recommendations directed at the UN General Assembly.

Open letter of 108 Swiss MPs to UN Secretary-General Kofi Annan, 8 February 2005

"Establishment of a Parliamentary Assembly at the UN"

Sixty years after its foundation, the United Nations is of more importance than ever in the face of global challenges. The fight against genocide, HIV/Aids or the spreading of weapons of mass destruction, are only a few examples of the problems the world faces today and which nation-states cannot solve successfully by themselves. The UN is the only international organization capable of effectively promoting and coordinating national efforts on a global level.

In a radically changed world, the structure of the world-organization still reflects the time of 1945. It is a top priority, therefore, that the UN and its system adapt to the changing conditions in order to fulfil their duties in the 21st century. The establishment of the High Level Panel on relations between the UN and civil society and the High Level Panel on threats, challenges and changes raises hopes that structural reform of the UN will occur in the sixtieth year of its existence.

With this initiative we, the parliamentary members of one of the youngest UN member states, would like to suggest a concrete reform proposal that is supported by us all: the establishment of a Parliamentary Assembly at the UN.

A Parliamentary Assembly at the UN would encompass a number of advantages. Representation of the population and participation of civil society within the organization would promote the faith of citizens in the UN and increase its acceptance and legitimation. Most of the solutions developed by the UN, moreover, have to be implemented by civil society. A Parliamentary Assembly at the United Nations could also be an important link with which to include civil society and use their ideas and experience constructively to find new solutions. The inclusion of members of parliament and civil society increases the efficiency of the UN and ensures that solutions remain pragmatic.

With the establishment of a Parliamentary Assembly, the present mechanisms of democratic control could be strengthened, thus achieving a greater level of transparency. In turn, the global population would gain a better understanding of the commitment of the UN.

On the international level, it is especially important to emphasise democratic principles. Since the UN functions as a role model, it is suitable to promote world wide democracy. To fulfil this duty, moreover, these structures have to be compatible with democratic principles. A Parliamentary Assembly could, therefore, make a contribution in this direction.

Furthermore, peoples and minorities could introduce their concerns more efficiently within a Parliamentary Assembly at the UN, ultimately promoting the preservation of global diversity.

Switzerland has a long humanitarian and democratic tradition. It has always promoted international law, democracy and respect for human rights. On the basis of this tradition we, the Swiss members of parliament, turn to you and encourage you to introduce the idea of a Parliamentary Assembly at the UN into the reform debate and to forward this suggestion to the governments of the UN member states for further discussion.

European Parliament, 29 January 2004

Excerpt of resolution 2003/2049 INI, "Resolution on the Relations between the European Union and the United Nations"

[The European Parliament]

39. Invites the UN Secretary-General and the UN's political bodies, its Agencies, Funds and Programmes, to extend the current practices of dialogue, cooperation and coordination with the EU Council and Commission to the European Parliament, by: [...] jointly launching, in cooperation with regional or world Parliamentary Assemblies (e.g. the Inter-Parliamentary Union, the Council of Europe Parliamentary Assembly) a network of parliamentarians, which should meet on a regular basis in a Consultative Parliamentary Assembly under the United Nations, to discuss major political issues related to the UN's activity and the challenges it faces, [...]

Parliamentary Assembly of the Council of Europe, 27 September 2000

Excerpt of resolution 1476 (2000), "The United Nations at the Turn of the 21st Century"

13. The Assembly encourages the United Nations to start developing, in close co-operation with the Inter-Parliamentary Union, a parliamentary dimension of the organisation with competencies similar to that of the Parliamentary Assembly of the Council of Europe. Such a body could contribute to finding new solutions where government policies have reached a deadlock.

European Parliament, 8 February 1994

Resolution A3-0331/1993, "Resolution on the Role of the United Nations within the UN and the Problems of Reforming the UN" (excerpt)

[The European Parliament]

17. Wishes consideration to be given to the possibility of setting up within the UN a parliamentary consultative assembly to enable the elected representatives of peoples to participate more fully in the work of UN bodies.

House of Commons, Canada, 1993

8th Report of the Standing Committee on External Affairs and International Trade (excerpt)

By way of building the public and political constituency for the United Nations, the Committee recommends that Canada support the development of a United Nations Parliamentary Assembly and that we offer to host the preparatory meeting of the Assembly in the Parliament Buildings as the centrepiece in our celebration of the 50th anniversary of the United Nations in 1995.

3

Further resolutions and reports

Global Greens Second Congress, 4 May 2008

Declaration adopted in Sao Paulo, Brazil, "21 Commitments for the 21st Century" (excerpt)

A long-term Green goal is overcoming the international democracy deficit. This includes greater democratisation of the UN and other international institutions. Among these reforms, Greens support the creation of a United Nations Parliamentary Assembly (UNPA) as a parliamentary body within the UN system. As a first step it should be composed of representatives of national parliaments but it should become a directly elected body. The UNPA should complement the UN General Assembly. Since the call for a UNPA is a long-term proposal meanwhile we demand that minority and opposition rights in national and regional parliaments and parliamentary assemblies like the Interparliamentary Union (IPU) have to be strengthened in order to improve active parliamentarism.

World Federation of United Nations Associations, 10 November 2006

Resolution adopted at the 38th Plenary Assembly, Buenos Aires, Argentina,
"A United Nations Parliamentary Assembly"

Globalization is marked by an increasing interdependence of economic and political decisions and developments on all levels of governance: local, national, regional and global. Whereas all citizens should have the possibility and right to participate in political decisions affecting their lives and their communities, citizens' representation and inclusion is a necessary objective on all these levels. Taking up the ideas and initiatives of the people is particularly important on the international level where the governments' joint efforts to cope with the challenges of our time are decided upon and coordinated. The Millennium Development Goals as decisive milestone to improve the

life of the world's less privileged population, for example, cannot be achieved effectively by government action alone.

- Convinced that the United Nations is more important than ever as central pillar of international cooperation, peace and security,
- Whereas stronger participation of the citizens in the activities of the United Nations would improve the world organization's legitimacy, acceptance and support among the people,
- Convinced that democratic representation is the best means available on the international level to make the voice of the people heard in a legitimate and systematic way,
- Considering the lack of parliamentary representation in the United Nations' structure,
- Drawing upon the examples of the European Parliament, the Pan-African Parliament and the variety of regional parliamentary assemblies all over the world,

the World Federation of United Nations Associations

- supports the establishment of a United Nations Parliamentary Assembly as a consultative body within the United Nations system as a voice of the citizens,
- calls upon the governments of the United Nations member states, parliamentarians and civil society representatives to jointly examine possible steps and options to create a United Nations Parliamentary Assembly.

Helsinki Process on Globalisation and Democracy, August 2005

Report "Mobilising Political Will" (excerpt)

Whilst international organisations and negotiations will remain essentially the domain of intergovernmental co-operation, the democratic accountability of existing organisations should also be improved through the increased participation of national parliaments in global economic management. This calls for increasing the role of national parliaments in monitoring and mandating the work of their governments in international forums as well as for strengthening existing and creating new forums for inter-parliamentary co-operation in different international organisations.

Liberal International, 14 May 2005

Resolution adopted by the 53. Congress in Sofia, "Strengthening citizens representation on international level through an UN Parliamentary Assembly"

Today, sixty years after its foundation, the United Nations are more important than ever to cope with global challenges. There is no alternative to international cooperation within the UN and its special agencies and programmes. The achievement of the Millennium Development Goals is an important milestone to make the life of people worldwide more secure and better. The international community's decisiveness and ability to act, particularly of the United Nations, are of major importance for that. More transparency and a broadened democratic networking enhance and strengthen the foundations and prospects of international cooperation. They also support the level of trust which people put into the United Nations and improve its acceptance and support.

Based on these considerations and

Being convinced that representation of the population and participation of civil society in the UN System supports the trust of citizens in the UN and increases its acceptance and legitimacy;

In face of growing protests against globalization in parts of civil society and the population;

Wishing to reach greater transparency and efficiency of the UN System and to make international cooperation more understandable;

In the belief that the principles of separation of powers and democracy should be made beneficial on the international level;

With reference to the proposals, which have been developed by Liberal International and presented to the UN Secretary General in 1992, bearing the title "Strengthening of the United Nations";

Referring in particular to the recommendation of the report to explore the establishment of a parliamentary body alongside the UN General Assembly;

Building upon the proposals of the Panel of Eminent Persons on United Nations-Civil Society Relations of June 2004;

And in anticipation of the impending deliberations of the UN General Assembly on the reform of the United Nations

the Liberal International calls on the member states of the United Nations to enter into deliberations on the establishment of a Parliamentary Assembly at the United Nations

- to examine its establishment as a consultative, semiautonomous secondary body to the UN General Assembly through a vote of the General Assembly under Article 22 of the UN Charter or
- to consider, as far as it is prepared to accept this, the transformation of the InterParliamentary Union into a United Nations Parliamentary Assembly on the basis of a decision under Article 22 of the UN Charter or on the basis of a cooperation agreement on the mutual relations with the United Nations.

World Commission on the Social Dimension of Globalization, April 2004

Final report "A fair globalization: Creating opportunities for all" (excerpt)

Parliamentary oversight of the multilateral system at the global level should be progressively expanded. We propose the creation of a Parliamentary Group concerned with the coherence and consistency between global economic, social and environmental policies, which should develop an integrated oversight of major international organizations. A critical requirement for better global governance is that all organizations, including UN agencies, should become more accountable to the public at large for the policies they pursue. National parliaments should contribute to this process by regularly reviewing decisions taken by their countries' representatives to these organizations.

Socialist International, October 2003

Report adopted at the XXII. Congress in São Paulo, 27-29 October 2003,"
Governance in a Global Society – The Social Democratic
Approach" (excerpt)

3.3.[...] d) The goal of the SI must be to parliamentarise the global political system – with the representation of political parties that offer alternatives of global political values, theories and projects.

e) Better-structured democratic control and accountability is needed if the world's democratic deficit is to be addressed seriously. At some point, contemplation of a UN Parliamentary Assembly will be needed. Such a development should be supported by the gradual emergence of truly global citizenship, underpinned by rights drawn from the 1948 declaration on Human

Rights and the 1966 Covenants on Civil and Political Rights and Economic and Social rights.

f) This idea is disputed and is often brushed aside as utopian. Before rejecting it, one should at least look closely at European experience, which, admittedly on a smaller scale, shows that international democracy is feasible and politically necessary.

g) Such an Assembly should be more than just another UN institution. It would have to become a building block of a new, democratically legitimate, world order. Far from being utopian, recent developments and trends are opening the way towards it. The Inter-Parliamentary Union was set up more than a century ago. Now, a WTO Parliamentary Assembly is being brought to life. The UN is already organising a Parliamentary Forum in the context of major international conferences.

h) In order to attain the goal of a UN Parliamentary Assembly, every effort needs to be made by the large party communities, and they need to strengthen their cooperation. The principal starting point could be in the assemblies of the Interparliamentary Union (IPU).

i) The large party communities will also need to seek links with parties that do not belong to one of them. That is necessary in particular in highly populated countries such as China, India, Indonesia, the United States and Russia. It will be even harder to represent the global political and democratic alternatives in a potential UN parliamentary assembly without a representative involvement of parliamentarians from these states.

Millennium Forum of Civil Society, 26 May 2000

Final Declaration adopted in New York, "Strengthening the United Nations for the 21st Century" (excerpt)

[The Forum urges the United Nations]

To consider the creation of a UN parliamentary body related to the UN General Assembly. One proposal that should be considered is the creation of a consultative Parliamentary Assembly. Any parliamentary body established at the United Nations should have its membership selected through an election process, and should conduct its business in an open, democratic manner.

4

Brief overviews by KDUN

Basics of a UN Parliamentary Assembly, June 2009

Context

Globalization and related efforts to shape global policies make democracy deficits at the international level more and more visible and significant. Wide cross-sections of the public do not feel sufficiently represented by their government in international institutions and negotiation processes.

Purpose

The basic purpose of a UNPA is to address this democracy deficit by including the citizens into global decision-making through elected officials and thus to be a truly representative voice of global public opinion.

Establishment

There are two possible routes to establishment: Firstly, a UNPA could be set up by a vote of the UN General Assembly under Article 22 of the UN Charter. Secondly, it could be created on the basis of a new international treaty between governments followed by an agreement which links it to the UN. Neither mechanism requires Charter reform.

Powers

Initially, a UNPA could be endowed with largely consultative functions. In further steps it should be vested with genuine rights of information, participation and oversight with the view of eventually developing into a principal organ complementing the UN General Assembly.

Legal scope

Initially, the UNPA could be attached to the UN General Assembly and the UN's Secretariat. Step by step, legal ties should also be established with the funds, programmes and specialized agencies of the UN system, peacekeeping

operations and the economic and financial institutions of the Bretton Woods system.

Political scope

The range of political issues that the UNPA would be entitled to deal with would be defined similarly to that of the UN General Assembly, as set out in Article 10 of the UN Charter. A UNPA thus would be able to "discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the pre-sent Charter."

Composition

In a first phase the UNPA could be composed of members of national and possibly regional parliaments. Their selection would have to reflect the political composition of the dispatching parliaments. In the long run, partial or complete direct election of its members is intended. The distribution of seats should take into account population distribution. Other factors affecting seat distribution are also under discussion. Concrete numbers will have to be negotiated between governments. It has been suggested that the upper limit may be at around 900 delegates.

Inclusiveness

A UNPA needs to be inclusive and open to parliamentarians from UN member states which possess constitutionally mandated national parliaments.

Independence

UNPA statutes may have to allow for secret and independent voting among the individual delegates, and discourage governments from influencing or instructing them.

Inter-Parliamentary Union

The IPU and a UNPA would be complementary. The IPU is an association of national parliaments that assists them to improve their oversight at the national level in matters of global nature. The UNPA's purpose, by contrast, is to exercise parliamentary functions directly at the global level in its own right. There is currently no sign that the IPU is interested to take over such a capacity.

A Catalyst for Global Change, February 2008

A UNPA could make a decisive difference in many areas

The Committee for a Democratic UN (KDUN) conceives the establishment of a United Nations Parliamentary Assembly (UNPA) as a decisive step towards the introduction of a new quality, a new impetus and a stronger representation of citizens into the international system.¹ The assembly is not an end in itself. It is regarded as "a political catalyst for further development of the international system and of international law" and could "substantially contribute to the United Nation's capacity to realize its high objectives and to shape globalization positively."² KDUN recommends that a UNPA initially is established as a consultative body of the UN General Assembly and later vested with "genuine rights of information, participation and control."³ The participants of the Campaign for a UNPA (CEUNPA) assume that the assembly should also exercise its rights directly vis-à-vis the Bretton Woods institutions, namely the International Monetary Fund, the World Bank Group and the World Trade Organization.⁴

The range of issues which the UNPA should be entitled to deal with should be defined similarly to that of the UN General Assembly, regulated in Article 10 of the UN Charter.⁵ A UNPA thus "may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter". It is therefore aspired that the range of issues a UNPA might deliberate on is not restricted, just as it is the case for the UN General Assembly itself.

Since the UNPA as it is advocated by KDUN and CEUNPA would be an integral part of the UN system, it would be bound to the rules of the UN Charter, as far as applicable. This is particularly the case with regard to Article 2 no. 7 and Article 12 UN Charter. According to Article 2 no. 7 UN Charter the United Nations are not authorized "to intervene in matters which are essentially within the domestic jurisdiction of any state". A UNPA thus would not be entitled to deliberate on issues which, according to common UN standards, would have to be qualified as an interference into the national

¹ See conclusion no. 2, KDUN strategy paper "Developing International Democracy".

² "Appeal for the Establishment of a Parliamentary Assembly at the United Nations", April 2007.

³ Conclusion no. 11, KDUN strategy paper.

⁴ See "Conclusions regarding policies of the Campaign for a UN Parliamentary Assembly", November 2007, last bullet point; see also Message from Dr. Boutros Boutros-Ghali to the Campaign, May 2007, penultimate para.

⁵ See para. 11, KDUN strategy paper.

sovereignty of UN member states.⁶ According to Article 12 UN Charter the UNPA would also not be entitled to make recommendations on matters the UN Security Council is dealing with unless invited to do so.⁷

The proponents of a UNPA anticipate impulses in a wide range of areas. Following subjects are important examples. Some of these are examples of substantive topics for discussion by a UNPA while others are examples of its functions and its effect on the international system. The list, of course, is merely a selection:

More efficient UN System

A UNPA could conduct parliamentary investigations, for example in collaboration with the Office of Internal Oversight Services, to examine allegations of fraud, corruption and squander within the UN system. The ability of the UN to cope with these problems would be significantly strengthened.

Strengthening of democracy

Through a UNPA the UN bodies for the first time would be opened up for other actors than government executives: Parliamentarians. Members of the opposition, not participating in government, would also have a voice in a UNPA. The credibility of the UN in promoting national democratization would be strengthened. The UNPA could also contribute itself, for example by sending election observers.

Advancement of human rights

A UNPA could establish its own commission on human rights. This commission would not be subject of direct government influence. Other than government representatives on the Human Rights Council, UNPA delegates, being independent from instructions, would not need to be considerate of the diplomatic relations of their country when addressing certain situations.

⁶ In UN practice, however, matters being regarded as purely internal are increasingly self-determined, in particular in the area of human rights, see for example the confirmation of the "responsibility to protect" in UNSC resolution 1674 adopted 28 April 2006.

⁷ According to the practice of the UN General Assembly exceptions should be possible here as well, as demonstrated by the "Uniting for Peace" resolution of November 1950 (A/RES/377 (V) 03/11/1950) and subsequent emergency sittings.

Environmental protection, climate policy, world trade, peacekeeping and disarmament

According to its self-conception the UNPA would be called upon to represent the citizens of the world in their entirety. Its delegates would be free and legitimated to take a global view and would not necessarily pursue national interests. Other than the governmental bodies of the UN, a UNPA therefore could come up with more progressive recommendations orientated towards the common global interest.

In the field of environmental protection and climate policy a UNPA could exert moral pressure and urge governments to find an agreement; in the area of a juster economic order it could resolve the blockade of the world trade negotiations; it could help to revitalize the work of the disarmament commission after more than ten years of deadlock and could call for the employment of UN peacekeeping missions if the international community is in disagreement or does not act quick enough.

Global political groupings

A UNPA would support the creation and strengthening of global political groupings and party networks. In mid-term its delegates would not group according to national origin but according to their political stance. Thus the international discourse would be decisively enriched.

Reform of the world order

Because of the characteristics mentioned above a UNPA could help to achieve a breakthrough in the efforts to reform the UN.

In the course of a comprehensive reform of the UN through a revision of the Charter decision-making powers could be granted to a bicameral system comprised of the UN General Assembly and the UNPA. Even though such a far-reaching reform is not due from today's perspective, in the view of KDUN such a system would have to be based on the principles of federalism and subsidiarity.⁸ This means in particular that a UNPA shall be vested with (co-)competences only in such matters which in their nature can only be effectively dealt with globally and not at a lower decision-making level.

⁸ See "Declaration of Principle of the Committee for a Democratic U.N.", February 2003, para. 4.

