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INTERNATIONAL PARLIAMENTS AND CONFLICT RESOLUTION: MAPPING THE CASE OF THE PARLIAMENTARY ASSEMBLY OF THE MEDITERRANEAN

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ABSTRACT

The literature includes numerous analyses of the role played by regional organizations during the Arab Spring. However, the emerging role played by international parliamentary institutions has not been sufficiently explored. This paper helps fill this gap by assessing the activities performed by the Parliamentary Assembly of the Mediterranean (PAM) in the context of the Arab Spring between 2011 and 2016. The analysis seeks to offer insights into the relationship between regionalism and parliamentary diplomacy and to highlight innovative diplomatic tools developed by PAM.

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1. Introduction

The literature includes numerous analyses on the role played by regional organizations during and/or in the aftermath of the Arab Spring, devoting attention especially to the European Union, the Council of Europe, the African Union, and the League of Arab States (Schumacher 2011, Kingah et al. 2011, Pinfari 2012, Sturman 2012, Börzel et al. 2015). However, the general picture offered by these works is extremely variegated. While scholars and practitioners overwhelmingly agree that the Arab Spring represented an invaluable opportunity for regional organizations to enhance their role in international crises, widely divergent views emerged about the effectiveness of the organizations' involvement in the uprisings, the typology of adopted tools, and their actual impact.

Within this broad literature, only limited space has been reserved to the (emergent) role played by international parliamentary institutions (IPIs). Moreover, the few existing works of this nature focus exclusively on the European Parliament's (EP's) reaction to the Arab Spring (Magone 2011, Stavridis and Fernández Molina 2013, Stavridis 2014, Reinprecht and Levin 2015).

This paper aims to draw on this literature and scrutinize the parliamentary diplomacy activities performed by another prominent parliamentary actor in Euro–Mediterranean relations: the Parliamentary Assembly of the Mediterranean (PAM). In particular, the analysis seeks to offer insights into the relationship between regionalism and parliamentary diplomacy and to highlight innovative diplomatic tools developed by PAM.

The structure of the paper draws on parliamentary diplomacy taxonomies already employed by the literature: accordingly, after a brief presentation of its historical evolution, composition and mandate, PAM's approach to the Arab Spring is analyzed according to five dimensions, namely moral tribune, parliamentary legislation and oversight, listening, international exchange and training, and field missions to crisis area.

2. Overview of the Parliamentary Assembly of the Mediterranean

The first attempts to include the Mediterranean on the international agenda date back to 1972, when the then Italian Prime Minister, Aldo Moro, proposed the idea of trying to promote peace in the region within the framework of the Conference on Security and Cooperation in Europe (CSCE)[1]. However, even though the issue was included in the 1975 Helsinki Final Act, and despite efforts made by some non-aligned countries, namely Malta and Yugoslavia, discussions about the Mediterranean dimension of the European security within the CSCE initially remained very limited,

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[1] Miguel Angel Martinez, *European security and threats outside Europe - the organisation of peace and security in the Mediterranean region and the Middle East*, Parliamentary Assembly of the Western European Union, Doc 1271, para. 35.

essentially because the Mediterranean was not perceived as a region by itself but as the "Southern Flank" of the European continent (Biad 1997).

An effective link between the CSCE and the Mediterranean was established only in 1990, when Italy and Spain launched the idea of a Conference on Security and Cooperation in the Mediterranean and Middle East (CSCM), which France and Portugal endorsed for submission at the CSCE Palma de Mallorca meeting on the Mediterranean (September 1990)[2]. The main rationale behind this project was to establish an overall framework of cooperation in the Mediterranean equivalent to that of Europe within the CSCE, aimed at taking a comprehensive and balanced view of all aspects of security, encouraging economic development and promoting dialogue between cultures – the so called three "baskets" (Fernandez-Ordofiez 1990). However, the project of an intergovernmental CSCM was soon off the agenda, because the proponents did not manage to convince key participants, including Germany, the United Kingdom, the Netherlands and the United States, that, for a number of reasons, either were lukewarm or openly opposed to it[3].

After the failure of the intergovernmental CSCM, the initiative was adopted by the Inter-Parliamentary Union (IPU) which, having already held seven Inter-Parliamentary Conferences on Security and Cooperation in Europe between 1973 and 1991, decided to establish a similar process for the Mediterranean. Between 1992 and 2005, IPU's Mediterranean members held four main conferences[4], finally deciding to institutionalize their meetings in the permanent Parliamentary Assembly of the Mediterranean, which held its first plenary session in Amman in September 2006.

PAM represents the only truly intraregional pan-Mediterranean institution that has emerged so far, since full membership is open exclusively to littoral countries[5]. Its institutional structure includes a plenary, which generally meets once a year; three standing committees, dealing with political and security-related cooperation, economic, social and environmental cooperation, and dialogue among civilizations and human rights; a Bureau, composed of the assembly's president, who is elected for a two-year term, four vice-presidents and the presidents of the three standing committees; and a permanent Secretariat, established in Malta in November 2007[6].

The bulk of its mandate covers democracy promotion and crisis management: accordingly, it directed considerable resources and strategic attention toward the developments of the Arab Spring, thus becoming an interesting case study of parliamentary diplomacy.

3. Moral Tribune

PAM discussed the Arab Spring events for the first time in a plenary meeting during its sixth session, October 2011, almost a year after the outbreak of the so-called Jasmine revolution in Tunisia. At the time, however, PAM's main focus was still on the Israeli-Palestinian conflict.

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[2] *Ibid.*, para. 36.
[3] For an overview of the failure of the intergovernmental CSCM initiative, see Bicchi 2007.
[4] Malaga (Spain, 1992), Valetta (Malta, 1995), Marseilles (France, 2000) and Nafplio (Greece, 2005).
[5] PAM is currently composed of 27 full member states: Albania, Algeria, Andorra, Bosnia and Herzegovina, Croatia, Cyprus, Egypt, France, Greece, Israel, Italy, Jordan, Lebanon, Libya, Malta, Mauritania, Monaco, Montenegro, Morocco, Palestine, Portugal, Serbia, Slovenia, Syria, the Former Yugoslav Republic of Macedonia, Tunisia, and Turkey.
[6] For an overview of the PAM's composition, mandate, and institutional structure, see Cofelice 2016.

Indeed, in its fifteen-page report, the first standing committee on political and security-related cooperation devoted slightly more than one page to what was defined as the "Arab Awakening," while the remaining fourteen pages dealt with the situation in Israel and the Occupied Palestinian Territories. Similarly, the subsequent Middle East Resolution adopted by the plenary referred to the "recent uprisings in the Middle East and in North Africa" exclusively in light of their direct impact on the Israeli-Palestinian conflict[7]. Arab Spring became the predominant concern of PAM plenary debates only at a later stage, during its seventh (October 2012) and eighth (January 2014) sessions, while the ninth session (February 2015) focused on what was considered as the most pressing challenge in the region: terrorism[8].

However, PAM has not followed an openly normative approach in its resolutions, nor has it ever opened a debate on the legitimacy of the Arab uprisings. Indeed, after recalling, in general terms, universal principles such as human rights, democracy, and the rule of law, as well as expressing regret and deep concern about "the scale of casualties and violence in various regional conflicts", "the indiscriminate killing and deliberate targeting of civilians", "the amount of people who fled their homes due to conflicts and civil strife", "the sharp increase in maritime migration flows" and so on, PAM's resolutions on the Arab Spring normally insist on the need to overcome the current challenges in the region by both addressing their economic and social roots and enhancing cooperation, dialogue, confidence building, and mutual comprehension among parliaments, governments, and international organizations[9].

In effect, PAM's role as an effective moral tribune has been hampered by several formal and informal factors.

A first obstacle is represented by the frequency of plenary meetings: the fact that PAM meets in plenary only once a year for a two or three-day session prevents the assembly from reacting quickly to sudden and unforeseen changes in the Mediterranean. In this sense, a crucial role in ensuring the continuity of PAM's work is played by the Bureau, which is convened by the president of the assembly at least three times a year, and the permanent secretariat. The first PAM public reactions to the Arab Spring events, indeed, came at the end of January 2011, during the fifteenth Bureau meeting, which discussed the "ongoing democratic changes in Tunisia" and during which the secretary-general issued a statement on the situation in Egypt. Both the declarations reflect a relatively balanced diplomatic protocol addressing both the population and the authorities[10], emphasizing at the same time the preparedness of the assembly to assist the

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[7] See, in particular, paragraph 1: "The Parliamentary Assembly of the Mediterranean . . . underlines that current political changes in the Middle East and North Africa offer a unique opportunity for lasting peace and urges both sides to re-launch direct or indirect talks in good faith." Middle East Resolution adopted 29 October 2011, PAM sixth plenary session, Palermo, Italy.

[8] PAM's tenth session (February 2016), being an anniversary session of the plenary, followed a different format and concentrated on an open debate between parliamentarians and key speakers on broad political and economic issues, as well as on enhancing cooperation between parliaments and regional institutions in the Mediterranean.

[9] See, in particular, the following resolutions: Middle East Peace Process and Events in the Arab World (seventh plenary session, 2012); two resolutions, Political Developments in the Middle East and North Africa and The Role of Women in the Arab Spring (eighth plenary session, 2014; and the two 2015 resolutions, Counter-Terrorism in the Middle East and North Africa and Protection of Civilians in Conflicts (ninth plenary session).

[10] "PAM invites the population and the authorities to resolve to find the most mature approach in designing a just and balanced future, based on an orderly transition process that respects the values of the fundamental principles of freedom of representation, expression and association." See "Statement: Parliamentary Assembly of the Mediterranean on the Situation in Egypt," 30 January 2011, www.pam.int/default.asp?m=news&id=186.

Tunisian parliament, "should its help be requested"[11]. However, it took more than a year before these positions could be incorporated in official assembly's resolutions.

A second factor is represented by PAM's rules of procedure, according to which resolutions and decisions have to be adopted by consensus or, if this cannot be mustered, by a four-fifths majority of the votes cast. As a consequence, PAM's documents have to necessarily reflect broad compromises among its heterogeneous members. Such a situation may not impede recalls to universally recognized human rights principles, but it is hardly compatible with the adoption of unequivocal normative standpoints.

A third and final factor preventing PAM from assuming a moral tribune role in the context of the Arab Spring is connected to its peculiar working culture. This culture is well illustrated by the words of former PAM president Rudy Salles of France), who noted, "The spirit of PAM is to create dialogue and respect differences of opinion, and . . . no single Member State will ever be condemned under the auspices of PAM"[12]. Consistent with this approach, PAM has never considered the suspension of any delegation on the grounds of effective or alleged violations of human rights norms but deliberately decided to maintain open communication channels with all national and regional actors.

If PAM's approach appears unsuited to a moral tribune role in the framework of the Arab Spring, it may be nevertheless seen as functional to its diplomatic mission. Indeed, as observed by Franklin De Vrieze (2015), the fact that PAM works with all of the parliaments of the region enables it to get involved in various initiatives of parliamentary diplomacy and mediation, including facilitating UN missions and conveying messages from the European leadership to the representatives of southern Mediterranean countries' governments and parliaments. These functions are explored in details in the following sections.

4. Parliamentary Legislation and Oversight as Diplomatic Tools

PAM is an autonomous parliamentary institution, that is, it lacks an intergovernmental or supranational counterpart. As a consequence, it cannot exercise "core" parliamentary functions, such as policy making and oversight over the executive. Given these structural constraints, over time PAM has diverted its legislative and oversight aspirations toward the national level, by seeking to harmonize member states' legislation. In this sense, PAM has frequently called on the participating national parliaments to adapt their legal and institutional frameworks to international standards in a number of fields, including domestic violence, access of people with disabilities to the labor market, strategies to combat public sector corruption, and so forth. However, its role as a "norm entrepreneur" largely remained largely on paper because it was not able to develop adequate follow-up mechanisms[13].

The Arab Springs offered PAM a window of opportunity to enhance its role in this domain. PAM has traditionally demonstrated a strong commitment to promoting the fight against terrorism, both through the adoption of several reports and resolutions and through the establishment of

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[11] "PAM Bureau Discusses Current Developments in the Mediterranean," press release, 24 January 2011, PAM, St. Julian's, Malta, www.pam.int/?m=news&id=175.
[12] Executive Report of PAM's Fourth Plenary Session, Istanbul, Turkey, 23–24 October 2009.
[13] See, in this sense, Cofelice 2016, p. 301–4.

trustful relationships with other international organizations dealing with this issue, including the UN Security Council[14]. In October 2014, on the occasion of a PAM high-level mission to the Sixty-Ninth UN General Assembly in New York, senior officials from the UN Counter-Terrorism Committee and the UN Office on Drugs and Crime informed PAM about the immediate launch of the five-year UN program Criminal Justice Responses to Foreign Terrorist Fighters[15]. Within this framework, PAM was requested to organize and coordinate the Parliamentary Programme on Counter-Terrorism Legislation, to start in early 2015, with the specific goal of assisting the UN in evaluating how national parliaments in the region are harmonizing and adapting existing legislation to the new international requirements.

The first concrete step of the UN-PAM cooperation was the organization of the Parliamentary Meeting on Counter-Terrorism Legislation in the Maghreb, held in Rome in February 2015. The meeting served the purpose of exchanging information and good practices among parliamentarians from both sides of the Mediterranean on the role they (could) play in overseeing national agencies dedicated to security services and law enforcement, in order to verify and secure the correct use of their powers, as well as to raise their awareness on the importance of this parliamentary oversight for the safeguard of human rights and rule of law. The meeting is considered to be the first phase in a process that will, at a later stage, include the Balkans and the Mashreq countries.

Even more interestingly, PAM has been recently requested by the UN to host a major conference in order to specifically assess the level of implementation, under chapter 7 of the UN Charter, of the Security Council resolutions 2170, 2178, and 2199 by the national parliaments of the Mediterranean region[16]. The conference was scheduled to take place in Rome toward the end of 2016.

In sum, the parliamentary program on terrorism has the potential to lead PAM to successfully expand its oversight capacities toward national legislatures and to turn the assembly into one of the most effective regional platforms where lawmakers can engage in dialogue, share expertise, address urgent common challenges (such as transnational terrorism), and transform these activities in effective laws.

5. Listening

Listening can be defined as "an actor's attempt to manage the international environment by collecting and collating data about publics and their opinions overseas and using the data to redirect its policy or its wider public approach accordingly" (Cull 2008, p. 32).

It is possible to affirm that listening represents a sort of inborn function of PAM, because the assembly was established precisely to serve as the ideal forum for exchange, communications,

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[14] See, in particular, the PAM report and resolution adopted in 2009, The Definition of Terrorism, PAM's Fourth Plenary Session, Istanbul, Turkey.

[15] The program is part of the implementation mechanisms of UN Security Council Resolution 2178 (24 September 2014), that calls on all UN member states to intensify and accelerate the exchange of operational information to enhance coordination of efforts on national, subregional, regional, and international levels to combat foreign terrorist fighters.

[16] The three resolutions deal with threats to international peace and security caused by terrorist acts and were adopted, respectively, on 15 August 2014, 24 September 2014, and 12 February 2015.

and interaction among parliamentarians from both shores of the Mediterranean. However, the rapid changes brought about by the Arab upheavals induced PAM organs, not to wait until the formal convening of committees or plenary meetings to exert this function, but to go directly to crises areas in order to constantly monitor the evolving state of affairs. Thus, especially thanks to the activism of the secretary-general and the Bureau, since February 2011 PAM has prepared and carried out a number of field missions to the capital cities of the concerned PAM member states, most notably in Egypt, Libya, and Tunisia. Moreover, a line of communication for consultations and exchange of information has constantly been kept open with senior officials of the UN and the League of Arab States, as well as with diplomats of actors in the region, including Russian Federation and the United States. The acquired knowledge and information have been used to implement an effective parliamentary diplomacy in the field.

Finally, it has to be recognized that PAM has not established a system of regular consultations with civil society organizations. Even though a few nongovernmental actors obtained observatory status with the assembly, PAM meetings with civil society have always been rather sporadic (including in the framework of its field missions), and no platform for regular consultation has ever been proposed. In this sense, PAM's seems to prefer dialogue with national and international institutional actors, and the Arab Spring has not altered this basic approach so far.

6. International Exchange and Training

PAM has always been active in organizing training seminars and meetings for parliamentarians on a variety of issues, with the outbreak of the Arab Spring it has started to focus its training activities on two topics: human rights and terrorism. Thus, for instance, in 2015 and 2016 two rounds of the training course "Human Rights for PAM Parliamentarians" were organized, in cooperation with the Office of the UN High Commissioner for Human Rights, the UN High Commissioner for Refugees, and the Council of Europe. As to terrorism, in October 2015 PAM organized, in cooperation with the UN, two workshops on this issue. The first, in Bucharest, was presented to the members of parliament (MPs) from the MENA region, the Balkans, the Adriatic, and southern EU countries and dealt with the challenges posed by a preventive criminal justice response to terrorism and to foreign terrorist fighters. The second, in Malta, addressed judges, police officers, and national security services and focused on the practical implementation of Security Council resolutions on terrorism. In this respect, PAM's ultimate goal is to serve as a transmission line between international standards and national policies on human rights and counterterrorism legislation.

Moreover, in order to maximize the possibilities of dialogue and exchange of views, over time PAM has granted observatory status to other regional IPIs, including the Arab IPU, the Maghreb Consultative Council, the UfM PA, and the Arab League.

7. Field Missions to Crisis Areas

Direct mediation and field missions to crisis areas represent the bulk of PAM's mandate and, at the same time, the most innovative contribution brought by the assembly to parliamentary diplomacy channels in the Mediterranean region. PAM's missions may have various objectives:

establishing diplomatic relations with new political actors (especially the early 2011 missions); conveying messages from the European leadership or international organizations to the representatives of southern Mediterranean countries' governments and parliaments; facilitating humanitarian aid; providing financial support; assisting in constitutional reform processes.

When it comes to financial support, in 2012 PAM managed, through its ongoing cooperation with the major European financial institutions, to facilitate a number of investments and make available €2.5 billion to finance pilot projects in Egypt, Jordan, Morocco, and Tunisia. The long-term sustainability of these projects was ensured by memorandums of understanding that PAM signed with the European Bank for Reconstruction and Development in 2013 and with the European Investment Bank in 2015.

PAM's technical cooperation mainly addressed Tunisia, which was assisted in every phase of its constitutional reform process and, at least until December 2013, Libya. In 2012, the IPU and PAM sent a joint mission to Libya, endeavoring to help national authorities reestablish a fully functioning parliament. Moreover, in 2013 PAM organized parliamentary training sessions abroad for Libyan MPs. However, the highly volatile situation that emerged in Libya toward the end of 2013 forced PAM to suspend its assistance program.

PAM's engagement in Libya and Syria also aimed at mobilizing humanitarian aid and supporting the various UN missions in the countries. In 2011, PAM assisted the UN envoy mission to Misrata, Libya, in securing a humanitarian corridor. Over time, however, the assembly's attention turned to the Syrian conflict. PAM was among the regional actors invited to participate at the first Syria Humanitarian Forum, which was held in Geneva on 8 March 2012. On that occasion, PAM offered its full support, through its regional parliamentary network, to humanitarian efforts and political dialogue in Syria, in view of its previous collaboration with the UN system during the 2011 Libyan crisis. From 28 June to 2 July 2013, PAM fielded a mission to Syria and Lebanon in order to address the delicate issues of humanitarian assistance, humanitarian aid delivery, and confidence-building measures. One of the major problems observed by PAM was poor communication between humanitarian agencies and the Syrian government. As a consequence, PAM proposed that frequent meetings between humanitarian agencies and the Syrian National High Relief Committee could be a step toward addressing this problem. Moreover, PAM's delegation took the opportunity to strengthen communication between the key international actors by transmitting messages from the UN and the EU to the Syrian government. A follow-up mission was carried out to Damascus and Beirut in April 2015.

However, PAM's most original initiative is probably represented by the launch, in 2014, of a Rapid Crisis Response Team mechanism. The team will consist of a pool of MPs who are ready to travel at short notice to critical areas, in order to facilitate the delivery of humanitarian assistance, the protection of civilians, respect for human rights, and the negotiation processes. Due to the nature of PAM, these delegates will have access to top officials in capitals and sensitive areas. The initiative received full support from several UN bodies, including the High Commissioner for Human Rights, the High Commissioner for Refugees, and the Office for the Coordination of Humanitarian Affairs. This program is scheduled to become operational in late 2016, following specific additional training for MPs. A first human rights induction seminar for parliamentarians of the Mediterranean region was organized by PAM and the UN Office of High Commissioner for

Human Rights in July 2015. The aim was to familiarize PAM parliamentarians with human rights issues and related mechanisms; increase their knowledge on the notion of protection of civilians; and provide tools to collect information, interview victims, report findings, and address human rights issues in the field. A second induction course was planned for 2016, with the cooperation of the United Nations High Commissioner for Refugees and the European Court of Human Rights.

Finally, in November 2015, PAM has fielded its first (and unique so far) high-level electoral observation mission to Cairo, to monitor the second phase of voting for the Egyptian parliamentary elections.

8. Conclusion

PAM reacted to the Arab Spring events with a view toward promoting long-term objectives, namely: developing democracy and the rule of law in transitioning countries, advancing human rights and fundamental freedoms, contributing to the establishment of free and fair elections, strengthening relationships with civil society, and enhancing the political dialogue among parliamentarians from the Mediterranean.

However, the typology of tools employed to pursue these goals are heavily influenced by its formal institutional features, as well as by informal working cultures. As a consequence, PAM has never endorsed a normative approach in its relations with Arab Spring countries, consistent with its inherent nature as a "centre of excellence for regional parliamentary diplomacy," where a strong egalitarian character among all members is often emphasized and dialogue and consensus are preferred to confrontation and harsh debates. PAM, indeed, drew on these peculiar features to successfully execute different diplomatic tools, such as serving as a transmission belt between international standards and national policies, especially in the fields of human rights and counterterrorism legislation (mainly through training seminars for Mediterranean MPs and the assessment of the level of implementation at the national level of Security Council resolutions). It supports and facilitates initiatives launched by third parties, in particular the UN and the IPU. And it carries out diplomatic filed missions to crisis areas. With regard to this last aspect, it is worth stressing the imminent launch of the Rapid Crisis Response Team mechanism, which represents an absolute novelty in the global framework of parliamentary diplomacy.

It has to be recognized that many of PAM's successful diplomatic activities can be ascribed to the activism of the secretary-general and the Bureau. The secretariat, in particular, not only performs an administrative task by assisting PAM's organs in the execution of their mandate and following-up on the decisions made by the assembly, but it also has a broad diplomatic role. It interacts with national delegations and international organizations that share an interest in the Mediterranean region and prepares the deployment of parliamentary missions to the sites of conflict. These missions are often headed by the PAM president or the secretary-general.

Thus the permanent Secretariat and the Bureau can be ultimately regarded as the real engine and added value of PAM´s diplomatic role, and may serve as a model for any other IPI wishing to engage with conflict resolution and crisis management activities.

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