

**AMERICAN UNIVERSITY OF ARMENIA**

**THE ROLE AND THE IMPACT OF INTERNATIONAL PARLIAMENTARY  
ORGANIZATIONS ON FOREIGN POLICY MAKING OF ARMENIA SINCE THIRD  
CONVOCATION  
CASE STUDIES: PABSEC, OSCE PA, PACE**

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## **Abstract**

The Republic of Armenia advocates and implements a foreign policy of complementarity which is based on the premise that it is possible to maintain good relations with a variety of friends and partners. European integration is currently a part of the complementary policy and this is the main reason for which the paper focuses on European direction of the parliament's foreign relations. Since Independence, Armenia's newly formed National Assembly joined several inter-parliamentary organizations, international parliamentary assemblies and formed several parliamentary friendship groups which provide an independent arena for parliamentary diplomacy.

For this purpose the author has conducted two months long internship project at the External Relations Department of the Armenian National Assembly. This was an opportunity to get acquainted with and to observe the works of the NA and to carry out this research. The paper is an attempt to view the parliamentary dimension in international relations of the RA through case studies. The paper gives an insight on the activity of Armenian delegations from 2003 to October 2007 with an emphasis on the multilateral form of parliamentary diplomacy through membership to PABSEC, OSCE PA and PACE. It includes studies and analysis on involvement of the Armenian National Assembly in international relations. Finally, the paper brings out several recommendations designed to improve the efforts of Armenian delegates. The goal of the paper is not only to point out the faults and shortcomings of our parliamentarians, but rather to anticipate a well-balanced foreign policy through developing continuous inter-parliamentary relations and engaging in multilateral cooperation aimed at mutual benefit and effective problem solving.

## **Introduction**

This Internship policy paper will try to put together different definitions of few scholars dealing with parliamentary diplomacy, in a multilateral setting and will try to discuss the role and the impact of the membership of Armenia's National Assembly to different international parliamentary organizations. The paper will be focused on three parliamentary organizations: Parliamentary Assembly of the Council of Europe (PACE), Parliamentary Assembly of Organization for the Security and Cooperation of Europe (OSCE PA) and one regional organization, Parliamentary Assembly of the Organization of Black Sea Economic Cooperation (PABSEC). The time frame to be discussed in this internship project is from 2003 to 2007, the third convocation of Armenian National Assembly, including the first month of forth convocation (till October 2007). The choice of presented three international organizations is conditioned by following arguments; as mentioned above PACE is an important institution for Armenia on its way to European integration. Even though the implications of the membership to this organization are obvious there is still a room for discussion and analysis on how effective the outcomes are. The OSCE PA has an influential role in Nagorno Karabagh conflict resolution and democracy building. The PABSEC is an important regional economic organization with its members in larger Europe and Armenia is one of the founding members of this organization. Armenia's case of practicing parliamentary diplomacy could be even more interesting since it does not have diplomatic relations with its neighboring countries, Azerbaijan and Turkey, but has the opportunity to use the parliamentary diplomacy for a dialogue or cooperation with these countries in different international parliamentary assemblies. The forum is there, the issue is how to use it.

The organizations are presented in a chronological order of Armenia's membership to them.

## **Research Questions**

There are six research questions that present internship policy paper will try to answer;

1. What is parliamentary diplomacy, what are its characteristics?
2. Whether membership to the OSCE PA had an impact on Armenia's foreign policy?
3. Whether membership to the PABSEC as a regional cooperation organization had an impact on Armenia's foreign policy?
4. Whether membership to the PACE had an impact on Armenia's foreign policy?
5. Whether current resources (HR, research materials, and financial means) are sufficient for the efficient work of Armenian MPs in inter-parliamentary organizations?
6. How the effectiveness of the parliamentary diplomacy can be increased in Armenian National Assembly?

## **Methodology**

The methodology used for this research is content analysis of primary and secondary sources, in-depth interviews with experts of External Relations Department of the National Assembly and deputies involved in Armenian delegations to three parliamentary assemblies. All the interviews were in Armenian and were recorded with the permission of interviewees. The selection of interviewees was purposeful since all the respondents were or are members of Armenian delegations of the mentioned three international parliamentary organizations.

## **Review of the Literature**

In the past foreign policy and international relations were regarded as the exclusive preserve of governments. Over the last 20 to 30 years the role of parliaments has developed in both of these areas and it can be argued that the increased globalization of politics and economies has given added impetus to this trend (Paterson, 2003). The prominence of parliamentary diplomacy in recent parliamentary thought has been seen in connection with globalization and the increasing need for legislatures to tackle transnational issues (Squarcialupi, 2000). Hence foreign policy and international relations are now preserving of not only the executive but the legislative as well.

After adoption of the first Armenian Constitution in 1995 Armenia adopted a strong presidential system of governance and the National Assembly, unfortunately, remained a weaker parliament by not playing a decisive role in foreign policy matters of the country. Even after constitutional amendments of 2005 the foreign policy remains under the realm of the executive. That is why the President of Armenia and the Ministry of Foreign Affairs have a unique role in formation of Armenia's foreign policy, since the Article 55, clause 7 of the Constitution, states that the President of the Republic of Armenia;

“shall represent the Republic of Armenia in international relations, execute the general guidance of the foreign policy, conclude international agreements, forward the international agreements to the National Assembly for ratification and sign their ratification forms, approve, suspend or annul the international agreements for which no ratification is required”.

After constitutional amendments of 2005 the institutional set-up of the country was changed; Armenia shifted from presidential to semi-parliamentarian system. Hence the National Assembly is supposed to become a more influential body and gain its particular role in foreign policy of the country. Anyhow, even in a semi-parliamentary system of government, the participation of the parliament in a country's foreign policy traditionally consists of scrutinizing the actions of government. However, parliaments now increasingly



participate in the preparation, initiation and shaping of foreign policy of their countries.

The challenge posed by globalization has resulted in governments working together more constructively and comprehensively than was the case in the past. This network of cooperation at the inter-governmental level is being mirrored by the involvement of parliaments at an inter-parliamentary level through their membership to numerous parliamentary organizations (Paterson, 2003). Even with constitutional limitations, the parliaments are forums where foreign policy debates take place in both committees and plenary sessions – it is in the interest of governments to ensure that a foreign policy dialogue is maintained with parliament and that parliament in turn supports government in shaping foreign policy.

In international practice parliamentary diplomacy has become a link not only between countries, both bilaterally and multilaterally, but also between nations. It is now an integral part of countries' international relations. A growing number of parliaments has increased their influence over the conduct of external relations, to ensure they no longer have the last word on the subject, but also, in certain cases, the main.

Parliamentary diplomacy provides an alternative form of diplomacy to its traditional counterpart, which is more flexible because members of parliaments are not constrained by diplomatic procedures, thus permitting freer discussion and debate. As Raymond Forni, former President of the French National Assembly has commented<sup>1</sup>, parliamentary diplomacy offers more freedom to speak out, and therefore greater sincerity, thus contributing to the success of national diplomacy. Besides, members of parliament are not necessarily bound by their countries' official stance, and sometimes express different views to those of their governments. But this does not mean that Parliamentarians do not follow the foreign policy line of their countries. It is also quite obvious that National Assembly is not made up exclusively of professionals in diplomacy, international relations or political science. This is

why parliamentary diplomacy is often practiced by people with no previous experience of foreign policy matters. It does not mean this circumstance should be viewed in a negative light, but this is a fact that distinguishes parliamentary diplomacy from professional diplomacy (Kosachev, 2005). Anyhow, the members of parliaments are well conscious about the importance of their activities, speeches or declarations made in different forums. Parliamentarians are, or should indeed be bound by their constituencies, even though this is a free mandate, each MP knows about anticipated reactions of the people he/she represents. Besides, each parliament has a department, a professional staff working on expertise. In Armenian National Assembly External relations department is responsible for provision of this expertise. This expertise is supports the MPs, compensating their lack of personal experience in foreign policy matters. But Parliamentary diplomacy is a fact, but the impact and the results of parliamentary diplomacy are not obvious, like in professional diplomacy. It can support the executive with additional channels of communication and exchange of views. The question is how effective this channel works and how prepared our MPs are to use it.

### **Conceptualization of Parliamentary diplomacy**

There is very little academic interest in the question of what ‘parliamentary diplomacy’ is, what role it plays in international affairs, and, what the normative implications of such a phenomenon could be for democracy building, diplomacy, policy-making, or conflict resolution. The concept of ‘parliamentary diplomacy’ is almost non-existent in the academic literature and the practice is far more developed than the theory. Anyhow, Parliamentary diplomacy has two different meanings. One of its meanings is established in international relations and international law as a concept describing multilateral negotiations characterized

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<sup>1</sup> In the newspaper Le Monde , of 30 September 2000

by institutionalization of rules of procedure, public debate and the vote on draft resolutions (Rusk, 1955 quoted in Gotz 2005). This concept originated from the League of Nations, more specifically its Nordic block. The other meaning of the term ‘parliamentary diplomacy’ has been increasingly applied to designate the institutional background of persons or bodies involved in diplomatic activities. According to Rabi Ray, then speaker of the lower house of the Indian legislature, “parliamentary diplomacy may mean either that Parliamentarians play the role of diplomats, or that Parliamentary assemblies intervene actively in the formulation of foreign policy”. At the same time, he emphasizes the distinction of exerting influence rather than determining policy (Ray, 1991 quoted in Gotz 2005). Hence the term parliamentary diplomacy, in its first meaning refers to specific methods of decision-making and the second to a particular type of an actor (Gotz, 2005). Parliamentary diplomacy in the first sense might be exercised by diplomats only, and in the second, the legislators that might be involved in diplomatic affairs under conditions that do not resemble parliamentary procedures (Gotz, 2005). For the purposes of this internship policy paper parliamentary diplomacy will refer to a type of actor, and will be defined as the institutional background of persons or bodies involved in diplomatic activities; meaning parliamentarians involved in diplomatic type of activities.

### **International parliamentary assemblies their purpose and role**

The first European as well as universal organizations were arenas for cooperation only between governments, and lacked direct parliamentary involvement. But gradually parliamentary involvement has grown both quantitatively and in terms of substance. Regional and international organizations have established parliamentary assemblies, which have actively contributed to their work. These include the Nordic Council, the Council of Europe, and the OSCE, Arctic cooperation, the NATO PA, the Western European Union, the Black

Sea Economic Cooperation, and cooperation in the Baltic Sea area. All these organizations have an established parliamentary assembly or hold regular parliamentary conferences. In some cases the existing assemblies function as parliamentary fora also for other international organizations (for example the Parliamentary Assembly of the Council of Europe provides the parliamentary dimension also for the Organization for Economic Cooperation and Development). ( Kiljunen, 2005)

Outside Europe, both the Commonwealth and its Francophone counterpart La Communauté have parliamentary assemblies. Latin America, Africa and South-East Asia as well as the Islamic countries likewise have inter-parliamentary bodies of their own. The same goes for the Commonwealth of Independent States (Kiljunen, 2005).

Independent networks and associations for global parliamentary cooperation have also been established. In addition to the Inter-Parliamentary Union (IPU), the oldest parliamentary organization in the world, they include for example the Global Legislators Organization for a Balanced Environment (GLOBE), the Organization of European Parliamentarians for Southern Africa (AWEPA), World Women Parliamentarians for Peace, and Parliamentarians for Global Action (PGA). A Parliamentary Network of the World Bank has been established and regular annual parliamentary conferences have been arranged since 2000. Even WTO established its parliamentary body. The members of international parliamentary assemblies are appointed by the national parliaments of member states. This aims at making international organizations more transparent and more accountable. Deputies get an opportunity to obtain global information to help their national parliaments in national decision making. Decisions of these organizations have also a growing impact on the work of national parliaments themselves. International agreements and resolutions often require decisions on a national parliamentary level. Multilateral instruments have to be ratified by national parliaments in many fields. But do parliamentarians have enough time to perambulate from one international

parliamentary meeting to another? A division of labor and coordination is needed. The answer is obviously yes, institute of assistants could compensate busy engagement of MPs in foreign affairs, because their assistants can handle local issues with constituencies. Anyhow, currently this institution is not yet formed in the Armenian National Assembly. According to Article 11 of Rules and Procedure of National Assembly, each MP can have two assistants who work on public basis and are not paid from the budget of National Assembly. There are, of course, MPs who have assistants and who are paid by MPs individually.

International connections among parliaments have also an increasing significance. Parliamentary diplomacy became an effective way for influencing topical global matters and to propose initiatives. Members of parliaments are the most efficient channels between the local communities they represent, the national parliaments where they carry out their work and the international organizations they are addressing to in respective parliamentary assemblies of which they are members. The need to strengthen parliamentary influence and democratic legitimacy is becoming increasingly urgent in decision-making of today's world. Hence, a parliamentary dimension is requested by international organizations (Kiljunen, 2005).

Summing up, it can be stated that the most institutionalized form of parliamentary diplomacy in its multilateral setting is the format of international parliamentary assemblies. Consequently, parliamentarians have the opportunity to practice parliamentary diplomacy, in international parliamentary assemblies, which are institutionalized channels of communication, and influence exertion. Resolutions, recommendations and different announcements are the most obvious outcomes of the work of parliamentary delegations.

## **The Parliamentary Assembly of Black Sea Economic Cooperation**

On 25 June 1992, leaders of 11 states and governments of the Black Sea region signed a resolution on establishing the Black Sea Economic Cooperation (BSEC) at a summit held in Istanbul. The main aim of BSEC is to transform the Black Sea region into a zone of peace, stability and prosperity through economic cooperation. The phase of formation of BSEC ended on June 5, 1998 with the adoption of the BSEC charter by leaders of states and governments at the Yalta Summit. The charter became effective after its official ratification on May 1, 1999 setting the official start of activity of the Black Sea Economic Cooperation. The charter of the organization replaced the political Resolution of Istanbul as the founding document of BSEC. BSEC does not set any preconditions for membership, except for obliging new member states to execute the principles and aims of the organizational charter. BSEC is open for all those countries that are interested in its membership. A possible obstacle for membership may be the condition stipulated by the charter according to which member states must approve the claimant on a consensus, otherwise the application will be rejected. The applications of several countries that applied for membership at different times, such as Republic of Macedonia of Former Yugoslavia, Islamic Republic of Iran, Uzbekistan, were declined because of contradicting approaches by BSEC member-states. One of the chances for other countries and international organizations to be involved in BSEC activities is to obtain a status of observer within the organization.

The priorities of cooperation within BSEC are formulated in the charter and include 15 fields; trade and economic development, banking and finance, communication, energy, transport, agriculture and agricultural industry, health and pharmacy, nature protection, tourism, science and technologies, exchange of statistics and economic information, cooperation among

customs and check point bodies, combat against organized crime, illegal import and export of drugs, arms and radioactive materials, fight against terrorism and illegal migration, cooperation in facing the consequences of emergency situations, mid and small sized entrepreneurship, and currently, also the 16<sup>th</sup> and 17<sup>th</sup> areas, i.e., education, institutional reinforcement and management. In accordance with the provisions of the charter, other areas may be included in the list based on the decision of BSEC Board of Foreign Ministers. PABSEC is a component of the BSEC structure giving to it constant support on a consultative basis. It provides legislative support to the BSEC in order to activate the relevant resolutions taken by the Council of Ministers. There are three committees of the PABSEC: the Economic, Commercial, Technological and Environmental Affairs Committee; the Legal and Political Affairs Committee; and the Cultural, Educational and Social Affairs Committee. On a regular basis they discuss relevant problems and submit their reports to the General Assembly. Within its structure the PABSEC has the Bureau of the Assembly, consisting of the President, four vice-presidents and one treasurer.

## **Findings**

The following sections will present the findings regarding the work of Armenian parliamentarians delegated to PABSEC, OSCE PA and PACE from 2003 to October 2007. These findings will later be analyzed and presented in the concluding part of the paper.

## **Participation of Armenian delegation in PABSEC sessions**

The Parliamentary Assembly of the Black Sea Economic Cooperation holds ordinary session twice a year by rotation in each member country. During each Plenary Session of the

General Assembly, discussions, debates and votes on submission of reports and specific recommendations take place, which are voted by absolute majority of the votes. Plenary sessions are the best opportunities to present initiatives and to get solutions. There have been 27 plenary sessions before PABSEC's foundation. The most important for Armenia since 2003 have been the 25<sup>th</sup> and the 26<sup>th</sup> sessions which refer to transportation projects. A proposal was submitted on re-opening Kars-Gyumri-Tbilisi-Baku railroad instead of launching a new Kars-Akhalkalaki-Tbilisi-Baku railroad project. It should be mentioned that at the previous PABSEC session in Chisinau (25<sup>th</sup> plenary session) the Armenian delegates succeeded in presenting this issue in the main document. Azerbaijan did not participate in the works of the Assembly, which was a positive impetus for a quick solution of the problem. The same document, fixed and approved by special decision, was presented at the Assembly's 26<sup>th</sup> session and voted unanimously by all the member countries including Turkey. Meantime, the project in a different format, i.e. Kars-Akhalkalaki-Tbilisi-Baku was negotiated between Azerbaijan, Turkey and Georgia. These countries applied to the USA and EU for financing the mentioned transportation project. However, the USA and EU refused to finance the KATB since it was aimed at segregating the region. Although the resolution was adopted by PABSEC, the project is being realized in its second version, bypassing Armenia. According to Gagik Minasyan, the head of Armenian delegation to PABSEC, the opinion of a democratically formed organization by the representatives of the people in that region cannot remain unnoticed and unheard. Most probably the opinion of PABSEC was taken into consideration when USA banned financing of this project. It is hard to judge if the adopted resolution failed because of inconsistency of Armenian side or, because of double standards of politics.

As Mr. Minasyan stated next significant event for Armenia was the handing over the presidency of PABSEC on 6 months term. In respect to Armenian presidency in PABSEC during 2005 it should be mentioned that the presidency in this organization passes by rotation



principle. The presidency at PABSEC is important since the presiding country gets the opportunity to present any issue promoting the development of the economy of the country in the Assembly<sup>2</sup>. Anyhow, even the presidency of Armenia at PABSEC did not add any advantage to Armenian side for reinitiating the failed resolution of PABSEC on KATB railroad.

Currently the chairman of Armenian delegation has been elected as the head of the economic committee of PABSEC, which is a procedural advantage given by the Charter. For instance, the heads of committees have the discretion to decide who will suggest amendments to the recommendations, hence in which form the final resolution will be accepted. According to another right provided to member countries, Armenia may have a representative in international secretariat. Anyhow, this position has been vacant for a rather long period, after the Greek national secretary of Armenia left this position. The staff member in the international secretariat of BASEC is responsible for preparing materials for MPs and for keeping them constantly in contact with different rapporteurs. Referring to an interview with Styopa Safaryan, a parliamentarian from Armenian delegation, the reports on Armenia are prepared by methodology of content analysis from different sources, which are not always objective, as no direct contact with Armenian delegates exist.

## **The Parliamentary Assembly of the Organization for Security and Co-operation in Europe**

OSCE is the only international parliamentary institution that includes representatives from Europe, Asia and North America. It was created pursuant to the November 1990 Charter of Paris and the April 1991 Madrid Declaration. It held its first formal session in Budapest in

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<sup>2</sup> Press conference at National Assembly of RA, 25 November 2006. Official web page of National Assembly

July 1992, following which its secretariat was established in Copenhagen. The OSCE-PA has a Special Representative on the Nagorno Karabakh Conflict, who works closely with the OSCE Minsk Group and its Co-chairmanship, as well as with the Chairman-in-Office's Personal Representative on the Conflict Dealt with the Minsk Group. The OSCE PA has 56 member states and 317 elected representatives appointed by national parliaments.

The work of Armenian parliamentarian to the OSCE PA from 2003 to 2007 was headed by Vahan Hovhannisyan, the vice-president of Armenian National Assembly. The most interesting facts from the delegation's work was the adoption of a resolution on Kosovo<sup>3</sup>. As it is known there have been several announcements and opinions among them by Ban Ki Moon and Terry Davis that Kosovo may not become a precedent for the resolution of other conflicts. Anyhow, referring to Vahan Hovhannisyan's press conference<sup>4</sup>, during the annual session of the OSCE PA in Brussels in 2006, an initiative was proposed by Azerbaijan and Georgia (Turkey supporting them) demanding to affirm that no matter what status is granted to Kosovo, it cannot become a precedent for resolution of similar conflicts. With the support of the delegation from Russia, our MPs succeeded to have such a result when only the above-mentioned three countries were for this resolution, all other 53 countries, were against it, so the further status of Kosovo may become a precedent. This resolution gives a new key for the solution of Nagorno Karabakh and other disputable regional conflict. The co-authors of the Armenian initiative were Russian Federation, Canada, Switzerland and Monaco. Although, the resolutions of the OSCE PA are not legally binding they set an atmosphere and are taken into consideration for further developments in conflict resolutions. Another initiative of Armenian delegation concerns the importance of shaping a *working commission* in Brussels for preparation of a report on the current situation of the Nagorno Karabakh conflict

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<sup>3</sup> <http://www.oscepa.org/admin/getbinary.asp?FileID=1471>

<sup>4</sup> <http://www.armtown.com/news/en/pan/20060710/18769/>, 11 July 2006, National Assembly, Yerevan, Armenia

settlement, as the reports are currently elaborated by *one reporter*, which may be subjective<sup>5</sup>. Even though Goran Lennmarker<sup>6</sup> himself adopted the reasonableness of this suggestion it has not yet found a solution.

According to Samvel Nikoyan, a former representative of Armenia's delegation to OSCE PA, the opportunities of this organization are not fully used. Armenia has three seats<sup>7</sup> in OSCE PA and the possibility to have three substitutes. As Mr. Nikoyan stated, from the three Caucasian countries only Armenia does not use the opportunity of substitutes. Currently (the forth convocation) there are two members in this delegation, both of them newcomers. The head of the delegation, Aram Safaryan, the representative of Prosperous Armenia faction, resigned after his assignment. His argument was that his experience and skills were not sufficient to lead this delegation. Unfortunately, Vahan Hovhannisyan is not leading the delegation; his experience and knowledge do not serve to the interest of Armenia. The official reason is party quotas<sup>8</sup>.

### **Parliamentary Assembly of the Council of Europe and its significance for Armenia**

Great significance was attached to Armenia's full official membership to the Council of Europe in respect to European integration of the Armenian foreign policy. This was the end result of a very long process of joining the organization by Armenia. Armenia became a full member of CoE on January 25, 2001, which has led to the adoption of several resolutions. On

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<sup>5</sup> Ibid

<sup>6</sup> Goran Lennmarker, the president of OSCE PA, is also the rapporteur of OSCE PA on Nagorno Karabagh

<sup>7</sup> The number of delegates in the national delegation depends on the number of the population of a member country

<sup>8</sup> The faction to be represented in delegations of international parliamentary assemblies depends on the seats it has in NA. An opposition faction must have a representative in national delegations according to the requirement of IPOs. Consequently OSCE PA delegation of Armenia is represented by Republican, Prosperous Armenia factions, which have more seats than RFD and Rule of Law has one seat as an opposition. Hence RFD has no chance to be represented.

one hand, the membership clarified the main features of Armenia's European inclinations, also registering the fact by the European community. On the other hand, Armenia undertook certain commitments within the framework of the membership that were to be met in due time. Their implementation is monitored by CoE Parliamentary Assembly Monitoring Committee and a special committee set up to monitor Armenia's and Azerbaijan's commitments within the framework of CoE Committee of Ministers.

The Parliamentary Assembly of Council of Europe is a related body to Council of Europe; a parliamentary dimension of cooperation and membership. On the current stage of cooperation with PACE Armenia has fulfilled its membership obligations. After Constitutional Amendments in November 2005 it became possible to implement fundamental reforms based on Constitutional amendments. Throughout the reform process Armenia received the close support of Council of Europe via the European Commission for Democracy through Law<sup>9</sup>.

An ambitious action plan for the adoption of amendments of some 51 laws over a two-year period (2006-2007) has been approved by the Armenian Government with a view to implementing the constitutional reform.

### **Participation of Armenian delegation in plenary sessions of PACE**

From September, 2003 to June, 2007, the Armenian National Assembly delegation took part in PACE plenary sessions, which are held in four parts: January, April, June and October. During year 2003-2007 about eight documents regarding honoring of obligations and commitments by Armenia as well as other documents on different issues about Armenia (resolution, recommendations) were included in PACE agenda. Particularly, during the

session held in January, 2004, the Resolution 1361<sup>10</sup> on Honoring obligations and commitments by Armenia was adopted, which postulates that progress has been recorded in interstate legislative improvements since September, 2003. The document also says that significant work has been done in relation to development of laws in Armenia. The resolution mentions that the Republic of Armenia has met all its commitments on the part of conventions, particularly underscoring the ratification of 6<sup>th</sup> protocol of the European Convention on Human Rights on the part of abolishing death penalty. The resolution appeals to implement constitutional amendments as soon as possible, which will guarantee the independence of local self-government bodies, the judicial system, ombudsman, and also amendments and adoption of laws ensuring better accessibility of the Constitutional Court. In April, 2004 session, Resolution 1374<sup>11</sup> on Honoring obligations and commitments by Armenia was discussed and adopted under an urgent procedure that refers to the developments and events following 2003 presidential and parliamentary elections.

President of the RA Robert Kocharyan was invited to June, 2004 session to make a speech on democratic, economic, social improvements implemented in Armenia and to answer the questions of the assembly members. In his speech, the Armenian president spoke, in particular, about the pace of meeting the commitments to CoE and the upcoming undertakings in this regard, the pace of economic growth, the strategy of poverty alleviation, programs on combat against corruption. President Kocharyan also spoke about the internal political situation in Armenia, the prospects for Nagorno Karabakh conflict settlement, regional cooperation and relations with Turkey.

October, 2004 session discussed Resolution 1405 on Honoring obligations and commitments

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<sup>9</sup> Also known as Venice Commission

<sup>10</sup> <http://assembly.coe.int/main.asp?Link=/documents/adoptedtext/ta04/eres1405.htm>

<sup>11</sup> Ibid

by Armenia which stipulated the execution of resolutions 1361 (2004) and 1374 (2004) and which reported progress in relation to questions raised in the abovementioned resolutions. It also appealed to implement constitutional reforms as soon as possible in order to call to life those legislative amendments that depended on them.

PACE January, 2005 session discussed and adopted Recommendations 1690<sup>12</sup> and 1416<sup>13</sup> on Nagorno Karabakh conflict settlement discussed in OSCE Minsk Group. The resolution treats the conflict settlement from the point of view of the commitments to regulate the conflict by peaceful means and through negotiations undertaken by Armenia and Azerbaijan when joining the Council of Europe in 2001. The resolution appeals to Armenia and Azerbaijan to refrain from advocacy of hatred and war, to promote bilateral inter-parliamentary cooperation both within PACE and within the framework of other parliamentary structures, as well as to meet regularly during PACE sessions. In accordance with point 5 of the resolution, an ad hoc committee of PACE bureau for the implementation of Resolution 1416 has been set up, which was chaired by Lord Rassel Jonston.

June, 2005 session of the assembly approved the urgent procedure of discussing the pace of constitutional reforms in Armenia. As an outcome of the discussion, Resolution 1458<sup>14</sup> on the Process of Constitutional Reforms in Armenia was adopted, which attached importance to swift adoption of amendments to the Armenian Constitution in cooperation with Venice Commission. It also underscored proper media coverage of parliamentary sessions and hearings, conduct of a campaign on constitutional referendum and public awareness on constitutional amendments. The resolution appealed to the Armenian authorities to conduct a referendum in November, 2005.

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<sup>12</sup> <http://assembly.coe.int/main.asp?Link=/documents/adoptedtext/ta05/erec1690.htm>, Known as Atkinson report

<sup>13</sup> <http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta05/ERES1416.htm>

<sup>14</sup> <http://assembly.coe.int/main.asp?Link=/documents/adoptedtext/ta05/eres1458.htm>

The agenda of April, 2006 session included the discussion of the report on displaced people and refugees in Armenia, Azerbaijan and Georgia, which resulted in adoption of Resolution 1497<sup>15</sup>. The report stipulates that the existence of refugees and displaced people in those countries is largely conditioned by the conflicts of Nagorno Karabakh and South Ossetia, which hinder the regional development in economic, socio-political aspects. The report refers to the problem mainly from the human point of view reflecting on the issues of integration of displaced people and refugees in those countries. Special significance is paid to their housing, education, employment and other rights.

January, 2007 session discussed Resolution 1532<sup>16</sup> and the report on honoring of obligations and commitments by Armenia. The report welcomes the balance of power of the authorities resulting from the constitutional amendments, as well as the reflection of those amendments in the legislation. Particularly, it refers to the reforms relating to the new law on constitutional court, laws on the election of human rights ombudsman by the parliament, the activity of local self governments bodies.

### **Bureau ad hoc Committee for Implementation of Resolution 1416 of PACE**

By point 5 of PACE Resolution 1416<sup>17</sup> (2005) “The Assembly testifies that Council of Ministers of European Security and Cooperation Conference agreed in Helsinki, 1992 to hold a conference in Minsk to ensure peaceful settlement forum for the negotiations of the conflict. Armenia, Azerbaijan, Belarus, Czech and former Federation Republic of Slovakia, France, Germany, Italy, Russian Federation, Sweden, Turkey and the United States of America

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<sup>15</sup> <http://assembly.coe.int/main.asp?Link=/documents/adoptedtext/ta06/eres1497.htm>

<sup>16</sup> <http://assembly.coe.int/main.asp?Link=/documents/adoptedtext/ta07/eres1532.htm>

<sup>17</sup> PACE January, 2005 session, Recommendation 1416 on Karabakh conflict settlement discussed in OSCE Minsk Group. Also known as Atkinson report

consented at that time to take part in the conference. The Assembly appeals to those countries to exert efforts in relation to peaceful settlement of conflicts and invites their national delegations to the Assembly to deliver an annual report to the Assembly on the actions undertaken by their governments in this relation. With this objective, the Assembly requests from the Bureau to set up an ad hoc committee with the participation of the leaders of the delegations of those countries.” The ad hoc committee was set up on January 28, 2005 by the PACE Bureau. The leaders of the national delegations to PACE, representatives of the committees relating to the conflict (chairmen of PACE Commissions on Monitoring and Political Affairs and the rapporteurs of the Monitoring Committee on Commitments of Armenia and Azerbaijan), the rapporteur on Nagorno Karabakh conflict under discussion in the OSCE Minsk Group, the representatives of those political groups that are not defined under the abovementioned standards as well as the representatives of the opposition of Armenia and Azerbaijan made up the initial composition of the ad hoc committee. The ad hoc Committee held hearings on Nagorno Karabakh conflict on September 12, 2005 in Paris with the participation of the foreign relations ministry representatives of Armenia and Azerbaijan, the personal representative of OSCE acting chairman, co-chairs of OSCE Minsk Group, the special representative of OSCE Parliamentary Assembly on Nagorno Karabakh conflict (rapporteur) as well as the special representative of the European Union in South Caucasus. The ad hoc Committee held a session on January 9, 2005, where it discussed and approved the report of the ad hoc committee chairman. The report reflected on recent developments of the negotiation pace of Nagorno Karabakh conflict, the meetings between the Armenian and Azerbaijani presidents, Prague process. The latter is an opportunity for the foreign ministers of both countries to have direct meetings with OSCE Minsk Group co-chairs and discuss concrete issues. The session also discussed the possibility of the ad hoc Committee delegation to visit Nagorno Karabakh, as well as deliberated on issues relating to the reconsideration of



committee's composition. During PACE October, 2005 session, a meeting was organized between the leaders of the Armenian and Azerbaijani delegations to discuss issues relating to further work of the ad hoc Committee. In 2006, the composition of the ad hoc Committee reformed including the rapporteurs of the Monitoring Committee on the issues of the Armenian and Azerbaijani delegations, the leaders of the Armenian and Azerbaijani delegations to PACE, one representative each from the political opposition forces represented in both delegations and PACE political group (groups) representative(s) that were not represented in the format. During January, 2007 session, a meeting was organized between the Armenian and Azerbaijani delegations with the participation of ad hoc Committee members during which the parties discussed issues on more active communication between the delegations, abstaining from different manipulations and on possible cooperation.

### **The Nagorno Karabakh conflict**

One of the important directions of Council of Europe (CoE) and particularly its Parliamentary Assembly is Nagorno Karabakh conflict in regard with its ad hoc committee on Nagorno Karabakh. By the membership to CoE, Armenia has undertaken commitments to settle international and internal conflict through peaceful means and in accordance with the principles of the international law.

However, Azerbaijan uses the Council of Europe as a stage to influence European public opinion on Nagorno Karabakh conflict<sup>18</sup>. Armenia's disposition to the conflict is

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<sup>18</sup> In relation to December 10, 2006 Constitutional referendum in Nagorno Karabakh, the Azerbaijani delegation distributed a draft statement proposing to adopt it as a statement of the Committee of Ministers. Since the Committee of Ministers adopts statement on a unanimous vote, Azerbaijani initiative failed. CoE Secretary General T. Davis made a statement in relation to this issue saying that the referendum organized by de facto authorities of Nagorno Karabakh has no legal force and will not be recognized by the international community.

expressed by the following provisions: by making the issue of Nagorno Karabakh conflict settlement a subject for discussion at different international organizations, Azerbaijan aims to bias the negotiation process. While not opposing hearings of Nagorno Karabakh issue within the framework of CoE and the organization's deeper awareness on the issue, Azerbaijan's attempts to move the process of conflict settlement to a new platform (in this case, CoE) or to start a new negotiation process parallel to OSCE Minsk Group, which is not acceptable for Armenia. The OSCE Minsk Group is deeply aware of the details and subtle points of the conflict and has not yet exhausted its potential to find ways of conflict settlement; Council of Europe may only bring its contribution to the conflict settlement process, particularly through Venice Committee<sup>19</sup>, at the request of conflicting parties and supporting the Minsk Group by means of legal consultations.

## **Conclusions**

The first and most obvious conclusion is that the young Armenian Parliament is still very passive in foreign policy issues. There is no tradition of an MP being actively involved in parliamentary diplomacy. Secondly, the policy of Armenian delegations in the mentioned parliamentary assemblies can be characterized as reactive rather than proactive, since the tactics of the delegates is reacting to the events taken place in different parliamentary assemblies, rather than attending sessions with previously well prepared initiatives and suggestions.

So, what is the impact of Armenian National Assembly's membership to international parliamentary organizations on the foreign policy of Armenia? The conclusion arising from

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<sup>19</sup> The Venice Committee is CoE committee "From Right to Democracy" that gives consultations of legal nature

this research is that the membership of Armenia's NA to international parliamentary organizations has a supporting and deterring impact: supporting because Armenian delegates always try to support the official policy line of their country. An example is: defending the policy of Armenia of not transferring the Nagorno Karabagh conflict into other formats than OSCE Minsk Group, such as the UN, PACE or NATO PA-something very much lobbied by Azerbaijan, but never endorsed by Armenia. The membership to mentioned IPO's has a deterring impact, because the objective of Armenian MP's is to prevent the "aggression" of Azerbaijani delegates towards Armenia and Armenian MP's. According to an interview with Mr. Samvel Nikoyan "if an Azerbaijani delegate registers to take the floor to say something at the OSCE PA sessions, regardless of the topic of his/her speech, an Armenian delegate also does the same to be ready for a counterattack". Conceptually, parliamentary assemblies are forums for cooperation and settlement of disputes; anyhow the reality proved that those forums have become a "battleground" for representatives of Armenia and Azerbaijan. The latter always uses the opportunities provided by parliamentary assemblies to harm Armenia's image on the international arena. The brightest example is that Azerbaijan twice tried to expel Armenia from PACE because "Armenia is the only country to violate the rules of PACE by occupying other sovereign's territories".

Basing upon the number and importance of adopted documents and resolutions, it is possible to state that the membership of Armenian National Assembly during 2003- 2007 has mainly been mainly been productive in PACE, rather than in OSCE PA and especially in PABSEC. Unlike PABSEC or OSCE PA, the membership of any country to CoE (and PACE) may be suspended if the member state does not or even partially does not fulfill the membership obligations. Thus it may be assumed that this requirement has also contributed to the more active involvement of MP's from any country.

In regard to human resources the conclusion is as follows; unlike in OSCE PA, the Armenian NA uses the opportunity of substitutes in PACE, which gives more flexibility in terms of group discussions, because one MP alone might not be an expert in one field and might not react properly to certain issues heard during assembly sessions. It should be noted that both Azerbaijan and Georgia use the opportunity of substitutes in PACE and the OSCE PA.

It is worth to mention that the cooperation between the Ministry of Foreign Affairs and the National Assembly in Armenia is very weak. There is no direct relationship or a link between the External Relations Department of National Assembly and the Embassies of Armenia to different countries. This relationship is guided by the Ministry of Foreign Affairs, which is slow- paced, irregular and sometimes inefficient.

Klympush-Tsintsadze (2004) asserted that the PABSEC was initially developed as a multilateral mechanism for regular meetings and consultations, exchange of views and experience. Thus the organization offers a unique forum for continuous dialogue and informal communication between states that are in open conflict (Armenia-Azerbaijan), do not have diplomatic relations (Turkey-Armenia), experience long-lasting uneasy relations. The number of PABSEC member countries is less than that of OSCE PA and PACE, therefore it is evident that cooperation in an organization with conflicting member states is difficult, moreover, it is complicated to reach fair solutions. Turkey is key player in PABSEC and it is well known for its pro-Azerbaijani sentiments. The brightest example is the failure of PABSEC and the Armenian side to be consistent in one of the most important resolutions for Armenia, Kars-Gyumri-Tbilisi-Baku<sup>20</sup> railroad.

Through joining to PACE, Armenia undertook number of obligations and commitments and those eight resolutions presented in this research express Armenia's

fulfillment of the commitments. According to Terry Davis, “In the past six years, there has been some progress. But it must also be frankly admitted that much remains to be done. Particularly the constitutional reform has changed the institutional set-up of the country and its political life. A list of obligation is fulfilled: an elected mayor for the city of Yerevan by constitution, a Human Rights Defender elected by Parliament; a more balanced separation of powers; improved safeguards for the independence of the judiciary; the abolition of administrative detention; the right for citizens, political parties, human rights defenders and local authorities to apply to the Constitutional Court; a new and more independent regulator for broadcasting”. It remains to use, practice and protect all the rights provided by Constitution.

The membership to the Council of Europe itself testifies Armenia’s becoming a member of European family as well as it indicates a certain level of democracy, rule of law and human rights protection in the country. This membership will bring Armenia’s international status to rise, which will have both politically and economically positive results. Being part of CoE will also boost further the European integration of the Republic of Armenia. Through successful membership to PACE, Copenhagen political standards<sup>21</sup> necessary for joining to EU will be more rapidly implemented in Armenia. The Republic of Armenia as well as its citizens, have the opportunity to apply to certain international mechanisms for the protection of their rights, which is currently practiced by hundreds of citizens.

## **Recommendations**

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<sup>20</sup> PABSEC Resolution N 80/2005

<sup>21</sup> The Copenhagen criteria are the rules that define whether a country is eligible to join the European Union. The criteria require that a state have the institutions to preserve democratic governance and human rights, a functioning market economy, and that the state accepts the obligations and intent of the EU

In respect to the last research question addressed to improvement of the effectiveness of parliamentary diplomacy the following suggestions are made; How the effectiveness of the parliamentary diplomacy can be increased in Armenian National Assembly?

### **Recommendations to NA**

The External Relations department should organize its internal PR campaign and offer its services to MPs. Mentioned department is capable to provide MPs with serious analytic materials, prepare suggestions for MPs to present in different sessions of Assemblies. External Relations department of the National Assembly has a young and well educated staff composed of 30 members capable of undertaking this task. The secretaries of Armenian delegations, in charge of preparing necessary materials and documents for delegates, are also staff members. The composition of NA changes with one convocation to another but the staff of External Relations department is constant, hence more informed and experienced in dealing with those international parliamentary assemblies to which Armenia is a member. Consequently the External relations department should constantly provide materials and expertise to MPs. Anyhow, MPs themselves too do not ask assistance from External Relations department. Even though the department is available for MPs many of them do not apply for its assistance. So, secretaries of Armenian delegations, who are staff members to department of External Relations, sometimes work far harder and way more professionally than MPs themselves. Here is why the image of this department should be improved among MPs. The department should have an essential input in the process of delegations' preparatory work. For instance, External Relations department can issue brochures for all MPs describing its work, telling success stories, statistics of positive impact in overall productiveness of NA's external relations work.

National Assembly should cooperate with think tanks and research centers. Think tanks and research centers are additional potential to External Relations department of National Assembly. These institutions can prepare public opinion polls, statistics and scholar research which are used in different organizations, as arguments for legislative initiatives for instance, and which External Relations department will not be able to prepare on its own. Think tanks may assist in preparing brochures, magazines, posters for distribution in various organizations that Armenian MPs visit. The state, by becoming the customer of the products of think tanks may endure formation of serious think tanks and research centers in Armenia. One of the unique cases of using brochure distribution among other MPs during sessions is the booklets telling about the vandalism of Azerbaijani authorities as regard to the Armenian cultural monuments, khachkars<sup>22</sup>.

MPs should get involved not only in matters concerning Armenia exceptionally, but also those regarding other countries; this creates an opportunity to be more engaged and to add more friendly countries, to those traditional few countries that vote in favor of Armenia. Eventually, being engaged in wide range of issues means being aware of them, hence being able to prevent possible problems that any country may face. This is called Shuttling diplomacy in international experience. It is a common practice among delegates of different nations, when MPs approach each other and ask for voting in their favor. Armenian delegates may use this opportunity as additional channels of communication and influence.

There are procedural opportunities given to all delegations in all three organizations, which some delegations use and some no. Armenia does not use the full range of possibilities it has, such as 3 vacancies for substitutes in OSCE PA, vacant post for Armenia in PABSEC international secretariat, a vacant post of the Head of Armenian delegation to OSCE PA. This

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<sup>22</sup> [www.armeniadiaspora.com](http://www.armeniadiaspora.com), Armenian Delegation to OSCE PA spread booklets on vandalism of Azeri authorities.

is an irrational waste of opportunities, which should be stopped.

### **Recommendation to NA and MFA**

The cooperation between National Assembly and Ministry of Foreign Affairs is very weak, or almost nonexistent. There is no exchange of information between MFA and NA like current information, event analysis and so on. According to an interview with a MP in Armenian delegation to OSCE PA, the MPs from Armenia are completely “free” to act and express as they find it appropriate. One might think of the level of democracy between executive and legislative because the first does not intervene in the affairs of the second. But does the competency of Armenian MPs allow them this luxury? Are they knowledgeable enough to react immediately and adequately to events taking place in different Assemblies? Or perhaps they should better be assisted at home and be prepared for possible scenarios of developments that could happen somewhere in PACE, PABSEC or OSCE PA? Anyhow, to the term “completely free” used by my interviewee I would add completely “abandoned” because the MFA must and should assist to MPs in issues of national interest, which currently does not happen. This should not be an intervention but rather assistance to legislative branch that definitely needs it.

There are procedural opportunities given to all delegations in all three organizations, which some delegations use and some do not. Armenia does not use the full range of possibilities it has, such as 3 vacancies for substitutes in OSCE PA, vacant post for Armenia in PABSEC international secretariat, a vacant post of the Head of Armenian delegation to OSCE PA. This is an irrational waste of opportunities, which should be stopped.

Obviously, many of the recommendation have financial aspects, but it’s time for our country to encourage the representatives of its people, this is of utmost importance to us. In



conclusion, it should be underlined that any result, be that of local or foreign policy importance, depends on elections in our country. It depends of the composition of our parliament, on how important the parliament is, whom we delegate our voice, and how competent our representatives are. Hence, all the recommendations stated above become null and void if we, the voters, do not delegate the right persons to the National Assembly to represent our interests. There will never be a productive and successful national assembly and parliamentary diplomacy will remain a myth if the people of Armenia do not start giving attention to elections as it worth. Hence, my recommendation to Armenian voters is to be selective and responsible, at least from election to election.

**Questionnaire used for interviews with MP's and experts of External Relations department**

1. Do you think Armenia has achievements in PABSEC/OSCE PA/ PACE?
2. Could you please mention which are the main achievements of Armenia's membership to PABSEC/PACE/OSCE PA?
3. Could you please mention few serious initiatives suggested in OSCE PA/PABSEC/PACE?
4. What are the main obstacles that Armenian MPs encounter in sessions of PABSEC/OSCE PA/ PACE?
5. Do think Armenian MPs are involved enough in discussions of various issues taken place PABSEC/OSCE PA/PACE?
6. Is the cooperation between MFA and NA is sufficient in sharing or exchanging information?

**The list of interviewees**

1. Samvel Nikoyan, MP former member to OSCE PA delegation (third convocation)
2. Styopa Safaryan, MP current member to PABSEC delegation(forth convocation)
3. Aram Safaryan, MP former head of OSCE PA delegation(forth convocation)
4. Gagik Minasyan, MP, head of PABSEC delegation(third, forth convocation)
5. Armen Ashotyan, MP member to OSCE PA delegation (forth convocation)
6. Mher Shahgeldyan, MP former member to PACE delegation(third convocation)
7. Anahit Gasparyan, secretary of Armenian delegation to OSCE PA
8. Ester Mkrtumyan, secretary of Armenian delegation to PACE
9. Arthur Martirosyan, Secretary of Armenian delegation to PABSEC

### The list of abbreviations

<b>Abbreviation</b>	<b>The name</b>
AWEPA	Organization of European Parliamentarians for Southern Africa
CoE	Council of Europe
GLOBE	Global Legislators Organization for a Balanced Environment
IPI	International Parliamentary Institution
IPU	Inter-parliamentary union
KGTB	Kars-Gyumri-Tbilisi-Baku
KATB	Kars-Akhalkalaki-Tbilisi-Baku
MP	Member of Parliament
MFA	Ministry of Foreign Affairs
NA	National Assembly
NATO PA	Parliamentary Assembly of North Atlantic Treaty Organization
OSCE PA	Organization for Security and Cooperation in Europe
PABSEC	Parliamentary Assembly of Black Sea Economic Cooperation
PACE	Parliamentary Assembly of Council of Europe
PGA	Parliamentarians for Global Action
RA	Republic of Armenia
WTO	World trade organization
WWPP	World Women Parliamentarians for Peace

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