12-25-2018

The role of the International Parliamentary Organizations (IPO) as a subject of international law

F. Eshmatova

Tashkent state university of law, Tashkent, 100047, Uzbekistan, tsulscience@tsul.uz

Follow this and additional works at: https://uzjournals.edu.uz/rev_law

Recommended Citation


This Article is brought to you for free and open access by 2030 Uzbekistan Research Online. It has been accepted for inclusion in Review of law sciences by an authorized editor of 2030 Uzbekistan Research Online. For more information, please contact brownman91@mail.ru.
THE ROLE OF THE INTERNATIONAL PARLIAMENTARY ORGANIZATIONS (IPO) AS A SUBJECT OF INTERNATIONAL LAW

F. ESHMATOVA
Tashkent state University of law, Tashkent, 100047, Uzbekistan

Annotation: This article is dedicated to the issues of legal status and functions of International Parliamentary Institutions. The features of their structure and functioning, the place in system of the international relation are analyzed. In particular the legal status and functions of Inter-parliamentary Organization (IPU) are discussed.

Keywords: the Law of International Parliamentary Institutions, International Parliamentary Organization, International Inter-parliamentary Organization (IPU), Inter-parliamentary bodies of International Organizations, European parliament, Inter-parliamentary Assembly, the international legal status of the international parliamentary and inter-parliamentary organizations and bodies, features of their structure and functioning, the place in system of the international relations.
The inter-parliamentary organizations are the subjects of international law, main of them were founded at the end of 1940 beginning of 1950 simultaneously in the European and American continents. Now they can be met in many authoritative organizations which purpose is integration in the world community.

The first founded universal regional organizations had no parliamentary establishments, being only intergovernmental. They operated as bodies, without the international parliamentary control. In many cases the government represented the state and peoples in the International organizations, representative parliamentary institutes operated in a national level and did not have influence on process of decision-making in the International organizations. But with the expiration of the time the role of institute of parliament in the international relations increased and developed.

Occurrence of the international parliamentary organizations is natural result of a development of internationalization of world community. One of the basic characteristic features of modern international relations is growing role of the inter-parliamentary organizations. The role of IPO in the international relations intensively grows. But it is necessary to point out, that despite of a urgency of the given theme the questions of creation, functioning and the organization of internal structure, the competence, external communications and publications of the inter-parliamentary organizations are not discribed fulfill[1]. There is a significant amount of researches by separate kinds of the inter-parliamentary organizations, in particular from generalizing works it is possible to note the articles of Klebes[2] and Dj.Pristmen[3].

It is important to emphasize, that the number of the international parliamentary institutes has increased, such as Parliamentary assembly of the Council of Europe (PASS), Parliamentary assembly of OSCE, Inter-parliamentary assembly of CIS (IPA), Parliamentary assembly of the Black Sea economic cooperation, Baltic assembly, etc.

It is very interesting to learn the issues of activity IPA of the CIS. The Agreement about Inter-parliamentary Assemblies of the states of CIS has been signed on March, 27 1992г.. The republic of Uzbekistan also is a member of this organization. IPA is created according to the own international contract, possesses own representative body – Council of IPA, auxiliary structures and own budget[4]. The assembly is independent body of CIS. The questions connected to rapprochement and harmonization of acts of the states CIS have great value. In activity of Inter-parliamentary Assembly. This direction is carried out on the basis of accepted by IPA modelling acts and recommendations. The inter-parliamentary Assembly constantly pays attention to the reduction of national laws conformity with the international contracts accepted within the framework of the CIS. The role of Assembly grows in development of the coordinated approaches to the decision of problems of social policy, observance of fundamental laws and freedom of the person, humanitarian cooperation. IPA sends to use for parliaments in national legislative process modelling acts and recommendations about the social rights and guarantees of citizens, protection of the rights of consumers, migrations of a manpower, protection of civil persons.

The inter-parliamentary Assembly accepts recommendations on synchronization of procedures of ratification by the members of parliaments of CIS of agreements. One of the major tasks of Inter-parliamentary Assembly is peace-making activity.

Also interesting to learn the activity of Parliamentary Assembly of the Organization on safety and cooperation in Europe. PA OSCE have been created on the Parisian meeting at the summit 1990, and recognized as the regional organization according to chapter8 of the Charter of the United Nations being the basic tool on prevention and the resolution of conflicts, and also a post to disputed settlement in the region. At present the primary goal of OSCE, development of the inter-parliamentary dialogue between members in efforts on promotion of democracy in region of OSCE. Members of Parliamentary Assembly of OSCE are appointed by the national parliaments and 2 times a year gather for discussion of the broad audience of questions concerning to achievement of a ultimate goal of OSCE: safety in all region of OSCE. Being the elected representatives of the population of more than 50 states, they are directly interested in safety and stability in region in the future.

Members of parliament accept declarations, statements and recommendations, addressing to the governments, parliaments and public associations on the basic questions concerning assistance of development of human rights and basic freedom, economic cooperation and cooperation in the field of preservation of the environment, and also military political questions.
It is necessary to tell, that IPOs have many the general sides such as: all of them have principles and the functions directed on development of inter-parliamentary communications, all IPO have the Charter, the agreement or the Charter which are a legal basis of their activity, also all IPO will consist of the states - members.

Thus, it is necessary to tell, that studying of the parliamentary organizations is very actual for today, but unfortunately in many works regarding International organizations are not given sufficient attention for IPO, that hardly is the lawful tendency. It is necessary to tell, that development of inter-parliamentary communications in the states is a development of interstate relations and the inter-parliamentary organizations here are a major factor in development of modern international relations. The international parliamentary organizations in that or in other sense move apart internal frameworks of parliamentary activity. Exchanging experience in sphere of realization of parliamentary authority will promote perfection of legislative activity of parliament, that in a result will lead to create of the harmonious legal system, provided, on the one hand, qualitative and not contradicting each other statutory acts, and with another - effective law-enforcement mechanisms.

The most ancient IPO we can call the Inter-Parliamentary Union, (IPU) which was founded in 1889. The IPU is the global organization of national parliaments. IPU works to safeguard and drive positive democratic change through political dialogue and concrete action. Inter-Parliamentary Union membership includes 178 national parliaments and 12 regional parliamentary bodies an associate members.

To the already known institutionalized and centennial experience of the “Inter Parliamentary Union” (IPU), we can add “Parliamentarians for Global Action” which has consolidated as a free adscription world parliamentary network, with about 1.300 legislators associated, characterised for developing virtual political debates and a world yearly meeting, plus topic seminars in different continents. Its core interest is precisely the main topics in international politics. From the perspective of inter parliamentary cooperation, we must performing parliamentary promotion projects in four continents, with the aim of strengthening professional capacity of legislators and improving accountability and transparency. This organ has a political-technical optic, with a greater emphasis on training and concrete action.

Learning activity and issues of Inter-Parliamentary institutions is very actual and important also because of membership of Uzbekistan in that organizations. Our Uzbek parliamentarians especially take part in sessions of IPU, PA OSCE and IPA of ICS in 2018.

At the end of this analysis on the inter-parliamentary organizations all over the world, we are able to appreciate that the main characteristic of the ways adopted by legislators to associate themselves is diversity; it is diverse in at least four aspects: thematic interests, objectives, structures and working methods. It is also diverse in the intensity of the work they display, even though practically all organizations we mentioned are fully active. There is another outstanding feature: they usually interact, associate and cooperate themselves, rather than compete or generate institutional conflicts.

References