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CONTRIBUTION FROM

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**THE DEVELOPMENT OF EXTRA-PARLIAMENTARY ACTIVITIES
AT THE FRENCH SENATE
AND ITS ADMINISTRATIVE CONSEQUENCES**

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All parliaments nowadays are developing activities with a focus beyond their own traditional mission. One purpose is to combat creeping hostility towards the parliamentary system, even in the most firmly established democracies. The other objective is to affirm their existence in a world where the media have taken control and where, if something is not put on public view, it is regarded as worthless.

The French Senate is no exception. As an upper chamber elected by indirect universal suffrage, this assembly runs a greater risk than other chambers of acquiring a negative image. From time to time, its legitimacy within the electoral system is challenged and too often the work of the Senate gets a cold shoulder from the media.

Traditional communication methods have been systematically used by the French Senate for the past thirty years. These have had marked successes. But they have failed to puncture the growing boredom of public opinion and overcome the problem of the Senate's image. I am not going to insist today on these well known aspects of our communication strategy. We have often discussed the part these aspects play as traditional tools of institutional communication. In a broader context, we have also talked about the role of the French Parliament in kindred domains such as parliamentary diplomacy and inter-parliamentary technical cooperation.

Instead, of going back on these aspects, I prefer to draw your attention to the importance that the French Senate attaches to new forms of communications. These new methods clearly present a new form of strategy.

These new approaches focus on two sectors:

- cultural events
- relations with civil society

In both cases, the objective is to open up the French Senate to partners outside the parliamentary world and to enable our institution to play its part in environments or fields of activity that the Senate is keen to promote. We are taking a global view of situations in which the Senate opens up its premises to outside activities and enhances these thanks to its own prestige.

The expansion of this new role for the Senate has come about progressively, particularly since its present President, Mr. Christian Poncelet, took up his office in 1998. The objective has been to obtain recognition for the Senate by approaches outside the institutional arena and which are beyond the reach of traditional methods. This development has been brought about in a pragmatic manner in administrative "territories" which parliamentary assemblies have ignored until now. This new situation has created increasing problems which have created new duties for the Questeurs – the Senators entrusted with the administrative and financial management of our house. They now have to set limits compatible with the basic principle that the assets at the disposal of Parliament should be reserved for its institutional mission.

The Senate as a partner in cultural policy

The decision to take this original path is explained by the history of the Senate and by the special nature of the property entrusted to it. As I mentioned in an earlier address to this gathering, when the Senate inherited its official seat, the Luxembourg Palace, it also received a museum and a public park into the bargain. This is a rare situation in the parliamentary world.

As inheritor of France's first public museum, which was part of the Luxembourg Palace under France's kings, the Senate had always confined itself to looking after the building. It had given the Ministry of Culture a free hand to conduct whatever cultural policy it chose. In turning the Luxembourg Museum into the Museum of the Senate, our chamber launched a real cultural policy of its own. An agreement under which the Ministry of Culture handed over to the Senate the entire programming and organisation of exhibitions at the Museum was signed on 18 February 2000. Since then the Senate has presented to the public at large a series of prestigious exhibitions. This has involved calling on all the techniques of commercial promotion. Today, just over three years later, the success of the Senate's makes it a rivals of France's great museums.

Traditionally, the activities of the Luxembourg Gardens were those one could encounter in all public parks : sports fields, and entertainment facilities for children, such as merry-go-rounds, a puppet theatre, ponys and swings. The Senate confined itself to enforcing the park regulations and maintaining law and order. But now the Senate has assumed a new mission as an exhibition centre. These events include a contemporary art show each summer as well as shows in the buildings and pavilions previously set aside for plants.

However, the most striking novelty is certainly the imaginative use of the railings around the Luxembourg Garden to display exhibitions of large size photographs. These have now set a genuine fashion. Opening one of these shows President Poncelet said : "Thanks to this new type of exhibition, the Senate has blazed a new path to meet the public. It is acting out of concern to narrow the gap which often separates citizens from their institutions. It intends to do so as frequently as possible and in a wide range of ways."

A similar innovative policy is being developed in the field of music. In the past the Senate confined itself to making the Garden's grandstand available to musical groups on request. Now more ambitious events are on the increase, including open-air opera productions as well as concerts and recitals inside the halls of the Senate.

But this policy is part of a framework for a broader cultural vision. It is accompanied by a policy of systematically commemorating events of French history. Outstanding examples have included Bastille Day in 2000, the 150th anniversary of abolition of slavery in the French colonies, Victor Hugo Year in 2002 and the bicentenary of the introduction of France's Civil Code. All these events are part and parcel of a clearly defined cultural policy which meets the objective of establishing a new type of relationship with all the partners of civil society.

The French Senate as a partner in the civil society.

The Senate wants to appear as something more than a spokesman or a whistle-blower. This explains why it has taken trail blazing initiatives that are directed

- at local elected office holders
- at the economic and social environment
- at the world of literature
- at the world of academia
- at all the elements of society

As far as local elected office holders – and mayors in particular – are concerned, the French Senate sets out to play a unifying and stimulating role. Its most spectacular operation was conducted on Bastille Day 2000 when more than 13,000 mayors from all over France gathered in the Luxembourg Palace and its Gardens to mark our republican traditions in a day of celebrations inspired by those held on 14 July 1790, the first anniversary of the French Revolution

Subsequently, full scale operations to celebrate events have been organised throughout France under the title of *"The local elected office holders' States General"*. The objective has been to stimulate awareness of the problems involved in making local bodies function and to encourage moves to remedy these problems.

With regard to the social and economic sectors, the French Senate has set out to become "The Entrepreneurs' House." Our chamber has chosen to cast itself in the role of a go-between linking the worlds of politics and business. This goal is being targeted by simultaneously sending Senators out into business firms and entrepreneurs to the Senate for brief periods of familiarisation. The Senate also seeks to encourage the creation of businesses by providing a forum where investors and business innovators can swap ideas. Over the years the Senate's "Springboard for Businesses" has become France's biggest capital risk operation. In 2003, during an "Entrepreneurs' Week" organised in concert with the world of business 130 contests promoting the creation of companies at national level took place. The prize winners were invited to a formal session in the Senate chamber.

As well as this type of encouragement to business enterprise, employment and apprenticeships are being promoted in the same manner.

Even more surprising is the initiative taken this year with regard to the judiciary. Here again a sort of exchange system has been applied, with training stints for senators in the courts and for magistrates at the Senate. This approach marks a very clear break with the classical doctrine of French law which calls for the separation of powers. According to this doctrine, the legislative power is obliged to respect the independence of the judicial authority and thus exercises nothing more than control over the administration of justice within the wider framework of control exercised over the government.

The Senate has also blazed a trail in the literary and university world by stimulating university research and joining in efforts to promote books.

For the past five years "Book Days" have been organised at the French Senate. These annual events cover a wide range of books on politics, economics and history. Each type of book has its own event. During these "Days" the public can meet and talk with authors. Visitors can also attend prize presentations.

In the university field, the French Senate has helped to promote research on two-chamber parliaments. It also holds competitions for the best theses on political and parliamentary institutions.

In a more general manner, the Senate seeks to attract to its premises all the elements of civil society regardless of their location and their field of activity. Five conference rooms have been created to play host to meetings and seminars for outside organisations as well as the institutional meetings of the Senate's own organs. In some cases, the seminars are organised by the Senate itself in order to bring together a broad gamut of hand-picked participants and enable them to exchange ideas on themes of the Senate's own choice.

Sixty per cent of these meetings can be regarded as non-institutional. That is to say: they are organised by bodies outside the Senate, such as associations, clubs, committees, institutes, and companies in both the public and private sectors.

If we wish to break down these meetings into types, we can distinguish six dominant themes:

- Subjects concerning health. These are particularly of a medical nature and are generally initiated by hospitals, professors of medicine and specialised associations;
- Subjects of local interest, at the request of elected local office and their own associations.
- Subjects concerning the environment under the impetus of associations for the protection of nature.
- Subjects of an international character, on the initiative of the embassies of the states concerned and of associations, institutes and debating clubs.
- Finally, subjects touching on society itself at the request of the associations sector.

Over the past 12 months 500 meetings of these various types have been held at the Senate.

The administrative and financial problems bound up with these new forms of action

The innovative nature of this process has continually raised new questions for the Questeurs, the Senate's financial and administrative authorities. They have been obliged to intervene time and again and then harmonise and coordinate their decisions.

In this capacity, the Questeurs have had to deal with two types of concern s:

- They have had to create a financial framework compatible with the budgetary requirements that they are required to respect. This framework also has to meet their obligation to control the use of the public funds for which they are responsible.
- The Questeurs have to define standards of organisation that reconcile the requirements of the organisers from outside the Senate with the obligations inherent to the life of a parliamentary assembly. They must also avoid situations in which the Senate could be called to account for activities that it has not originated.

The Questeurs have therefore progressively drawn up a list of rules based on a few simple principles that can be adapted to each type of situation.

The **first principle** is that the Senate must not take full responsibility for initiatives of this type except in exceptional cases.

The majority of the events listed above involve substantial budgets. It is out of the question for the Senate to bear the accumulated weight of these costs out of its own operating budget.

In other cases the Senate calls in organisations from outside and makes an agreement with them that limit the financial commitment of the Senate. Naturally, this system has the advance of protecting the Senate against the risk of having to cope with the consequences of a budget over-run.

The second principle concerns the nature of the Senate's involvement. The Questeurs are bound to guarantee that the financial and budgetary rules of the Senate are respected to the letter. They therefore lay down two conditions. Firstly they require respect for a clear link between the operation concerned and the functioning of the Senate to which a budget is devoted according to the law and which they set and manage. Secondly, the Questeurs require that the use of the funds allotted is controlled by the Senate's own financial departments and by the parliamentary commission which has specific responsibility for monitoring the budgetary accounts.

The third principle ensues from the earlier ones. It allows for the possibility of calling on the services of public or private partners. But it lays down the condition that these must be approved by the Senate and the entire financial plan must be communicated to the Senate departments which are concerned.

The fourth principle entrusts the organiser chosen by the Senate with the execution of the entire operation with all the risks that this involves. It therefore follows that the organiser is responsible for all the services involved and that those provided by the departments of the Senate must be repaid. It also ensues that the organiser has to take out all the insurance cover required and provide copies of the contracts to the Senate.

The fifth principle obliges the organisers to respect the rules concerning access to the Senate and movement around its premises as well as the rules on security both for individuals and the premises. Likewise, installations and building structures of a specific nature have to be approved by the Senate departments.

With respect for these guidelines, three types of activity calls for special comment :

- The Luxembourg Museum
- Other exhibitions
- Seminars

Managing a world-class museum makes it necessary for highly qualified professional people to work together. The programming of exhibitions needs years of preparation and therefore demands global and lasting cooperation.

The Senate has set an objective of sticking by the spirit of what I have described and has sought to cast off the control of the departments of the Ministry of Culture. Our chamber has therefore chosen to entrust the programming, organisation and financing of its exhibitions to a specialised company. This company has been given an authorisation for three years to use part of the public domain occupied by the Senate's Museum and which is maintained and managed by the Senate. The legal form of this authorisation has not required, as with an ordinary public tendering process, the publication of a call for bids. However, this arrangement explains why some special conditions have been set. The company does not have to meet any of the maintenance or equipment charges for the Museum. These remain entirely the responsibility of the Senate. On the other hand, the company is obliged as a counterpart to pay a fee proportional to the number of tickets sold for the exhibitions.

Access to other exhibitions organised in the Luxembourg Gardens has to remain free because they are held at locations open to the public. However, organisers are often allowed to sell "by-products" such as catalogues or books on themes associated with the exhibition. In this case, the Senate requires the organiser to pay a commission on sales. This arrangement is in conformity with the principle applied to all traditional commercial operations that take place in the Luxembourg Gardens.

Seminars organised by outsiders and held in the Senate's conference rooms have to meet a certain number of requirements.

To reserve a meeting room, the event has to be sponsored by a Senator. The objective of the events, the participants, the organisation involved and the manner in which it is being organised must also be submitted to the Senate. The purpose of this requirement is to exclude misuse of the Senate facilities for which the Senate itself could be held responsible. Finally, a fee for the use of the meeting room has to be paid in order to cover expenditure on Senate staff and overheads that are associated with the premises concerned.

Aside from questions of principle that may emerge from the choice by a parliamentary assembly to lead such a policy, especially as it is successful, this brief analysis enables us to conclude that the administrative and financial means involved allow the new policy to be implemented in good conditions, while allowing for the compliance with the norms that the essence of parliamentary assemblies imposes on them.