

The World of Parliaments

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KNESSET and PLC Members meet in Geneva after three years

*Establishment of a working group of Israeli and Palestinian
elected representatives*



Photo IPU/H. Saigado

A delegation from the Knesset and a delegation from the Palestinian Legislative Council (PLC) held their first meeting for three years, at the new IPU Headquarters in Geneva on the 17th July 2003.

The meeting took place at the invitation of the Inter-Parliamentary Union (IPU) and the Swiss Inter-Parliamentary Group, in cooperation with the “Manifesto – Movement for a just and lasting peace in the Middle East” and with the support of the Geneva authorities. The aim of the meeting was to renew the dialogue between the two parties, both of whom take part in the activities of the IPU. At the end of the discussions it was agreed to establish a working group of Israeli and Palestinian elected representatives that would work to increase cooperation. The group will prepare the infrastructure for cooperation between the two elected parliaments.

The meeting was chaired by Mr. Finn Martin Vallersnes, member of the Norwegian Parliament and President of the IPU’s Committee on Middle East Questions (See p.4 to 7). □

IPU welcomes overturn of Amina Lawal sentence

The IPU welcomes the decision by the *Sharia* Court of Appeal in Nigeria to overturn the death sentence of Amina Lawal and free her of all charges. Ms Lawal had been accused of adultery and sentenced to execution by stoning by the *Sharia* Court of Bakori in Katsina State (in northern Nigeria). The world organisation of parliaments condemned the practice of stoning to death in a previous case, that of Ms Safiya Husseini, and mobilized its membership to oppose it. It has done the same for Ms Lawal’s sentence. The IPU has consistently argued against the death penalty and affirmed its conviction that women and men must be treated equally before the law as required under international human rights law.

While the IPU welcomes the fact that Ms Lawal has been freed, it reiterates the need to put an end to the practice of death by stoning, and the death penalty in general, and condemns any cruel, inhuman or degrading punishment of women or men. □

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Concerned at the lack of progress in the Doha Round of multilateral trade negotiations, the Inter-Parliamentary Union and the European Parliament held a special parliamentary session in Cancun (Mexico) on 9 and 12 September, with the support of the Mexican Parliament, as a parallel event to the fifth WTO Ministerial Conference. Before his departure for Cancun, the WTO Director General gave us an interview :

Interview with the Director General of WTO, Dr. Supachai Panitchpakdi

“Parliamentarians can help us to talk with their respective governments about how the rules could be strengthened to make them as fair as possible”



The WTO Director General, Dr. Supachai Panitchpakdi

Q : Mr. Director General, the parliamentary dimension of the WTO is gradually taking shape. What is your view of the role that MPs should ultimately play vis-à-vis the WTO both nationally and internationally?

S.P. : The international trade agreements normally have to be transformed into national norms and even if they do not become laws they have to be taken up as part of the trade rules and regulations in our countries. It is in the best interests of all participating countries that the parliamentarians have a personal knowledge of what's going in our negotiations and are able to follow them. That way they gain a fuller understanding when some of the outcomes have to be transformed into national regulations. So, in terms of national interest, I am quite certain that it is in the best interests of a country to have parliamentarians among the group of people with whom governments should be consulting as they try to structure their position for entering into negotiations.

As regards the international angle, it is also useful for parliamentarians from various parts of the world to have an opportunity, alongside dialogues with governments, to have their own dialogue with other parliamentarians. It's always important to be able to understand the legal framework and constraints that countries have and the need to base negotiating positions on this set of rules. So it certainly helps to have parliamentarians embarking upon international discussions. It's important not only in trying to come to an understanding, but also because they are able to address the shortcomings of the international rules. They can also help us to talk with their respective governments about how the rules could be strengthened or removed to make them as fair as possible.

Q : Legislators often hear from their electorate that WTO should be made more transparent and accountable and should take into account the interests of the citizens. How can this be achieved?

S.P. : This has always been part of the comments which people level at the WTO. With a large number of members and with the requirement that we must always base our decisions on consensus, it is not always efficient or even possible to involve everyone at the same time in the phase leading up to any final decision. So it has been a traditional procedure in this organisation when it comes to areas of specific interest to only a few countries, to start by consulting those countries first. But it is never meant to be a totally exclusive concept. By starting this way some building-blocks of consensus can be put in place so that eventually some sort of an agreement at that level can be brought to the attention of the full membership. It is up to the full membership to agree or disagree with the proposal for it to take effect. So, transparency or lack of transparency? Sometimes people tend to attribute too much to this process of consensus-building based upon formal or informal meetings. Some impressions are totally misconceived: in fact the process is just a way to construct a final consensus. What we have been trying to do to achieve more transparency is to have what we call heads of delegation meetings. In our recent meetings leading up to Cancun we have tried as far as possible to avoid small-room meetings except when we have the heads of delegation meetings, where everyone is involved. There seem to be some problems that still need to be solved among a group of countries that appear to have some difficulty with that issue. In certain areas, the chairman can appoint facilitators to find out more details that will be useful for the chairman to approach a satisfactory solution. We all are very mindful of transparency within this organisation. I want to stress the importance of heads of delegation meetings. At the same time, the need for the small group meetings will be there but we will make sure that our procedures always dictate that small group meetings are for fact-finding and for exploring ways to construct consensus, all of which has to be reported back to the committee as a whole or the heads of delegation meetings so that a final decision can be taken.

Q : What is your assessment of the WTO and IPU cooperation ?

S.P. : Well, I think it has always been important. Since the time of my predecessors I think we have all been interested in trying to find ways to improve our relationship with the IPU. At the moment my policy is that we should attend all the IPU meetings. In fact I have recommended to the IPU that they should put a regular item on their agenda on international trade so that they can follow up what happens in Geneva and obtain first-hand information on our activities. IPU Conferences have always been attended by WTO officials and, if I can go myself I certainly will. I myself, having been a parliamentarian and having attended numerous IPU meetings, know how useful it is, so I am in favour of full support. □

In Cancún, MPs committed themselves to playing a role in trade negotiations

"We, parliamentarians, reiterate our commitment to promote free and fair trade that benefits people everywhere, enhances development and reduces poverty. The negotiations in Cancún should be a milestone on the way to implement the Doha agenda. They must deliver a framework for completing it on time and provide outcomes that are necessary to ensure that the commitments and promises made in Doha are respected", declared the 320 parliamentarians from 70 countries in a Declaration adopted in Cancún.

The MPs, gathered at the invitation of the Inter-Parliamentary Union (IPU) and the European Parliament, with the support of the Mexican Parliament, from 9 to 12 September 2003.

On 12 September, the Declaration was officially delivered to the President of the 5th WTO Ministerial Conference, Mr. Luis Derbez, Mexican Minister of Foreign Affairs.

In Cancún, the President of the Republic of Mexico, Mr. Vicente Fox, received the President and Secretary General of the IPU. At the close of the meeting, President Fox gave us his views on parliaments' role in the field of trade.



IPU President, Senator Sergio Pérez (center), and IPU Secretary General, Anders B. Johnsson (left), have been received by the President of Mexico, Mr. Vicente Fox (right), in Cancún.

Mr. Vicente Fox, President of the Republic of Mexico :

"The presence of parliamentarians provides the political ingredient making it possible to "shore up" sometimes difficult decisions"

Q : Mr. President, do you feel that parliaments and parliamentarians have a role to play within the framework of negotiations on national and international trade and in relation to the WTO?

V.F. : Yes indeed, I see a role for MPs not only with regard to trade and the WTO but also in all international fora. The presence of parliamentarians provides the political ingredient making it possible to "shore up" responsible decisions that are sometimes difficult to take. Here in Cancún, we have seen how the question of trade needed to be clarified. Today, many persons see the WTO as a "bad boy", as though the WTO were disruptive or responsible for poverty. In reality, the opposite is true: the WTO is trying to establish a dialogue that will make it easier to take serious decisions for the good of all that reduce poverty. This is where the participation of MPs is both strategic and crucial in my view.

Q : In short, parliamentarians are a kind of bridge between citizens, ministers and presidential authority?

V.F. : Exactly! That's what politics is: the search for agreements, consensus and the incorporation of citizens' views. And parliamentarians are the right vehicle for that.

Are parliamentarians aware of the power they could wield on the economic scene?

The trade negotiations held by the World Trade Organisation (WTO) in Cancún ended in failure. Officially, nobody is to blame, but in the corridors ministers, commissioners and WTO officials are wondering how they will be able to convince the more sceptical stakeholders and various pressure groups of the benefits of trade liberalisation and the importance of concluding the Doha round before the deadline expires.

There is no denying the ever-widening gap between some of the pressure groups which accuse the WTO of every ill besetting the Third World, and the ministers who came to negotiate a global accord in the name of the WTO member countries. In an age of global information technology, it is a fact that information about the WTO and the status of the trade negotiations is not getting through to the average citizen, or barely. The demonstrations in Cancun and the suicide of a desperate Korean farmer attest to this communication failure.

The reasons for such misunderstanding and its various consequences are varied. But if the WTO did not exist, somebody would have to invent it, if only to regulate the law of the trade jungle. As some people point out, the WTO is the only place where all countries can make their voices heard on an equal footing, and where decisions are taken by consensus. If the talks collapse for good, international trade will be governed by bilateral agreements, leaving the strongest to dictate their wishes to the most vulnerable.

In order to encourage people to gain a better understanding of the role of the WTO, and help their respective ministers identify some of the reasons behind their anger, parliamentarians must take action. But are they truly aware of the power they wield? Judging by the presence of the 320 MPs from 70 countries who came to Cancun, many of whom were members of their respective delegations, the answer is yes. However, their part in the multilateral trade negotiations is still in its early days. The onus is on them to show creativity and prove to their respective governments that they cannot be sidestepped in helping citizens and negotiators hammer out the compromises which will enable all to enjoy the benefits of fairer trade. The challenge is there, and should be taken up before the next ministerial conference. □

L.B.

The Head of the Israeli delegation, Mr. Avraham Burg, former Speaker of the Knesset and member of the Labour party, and the Head of the Palestinian delegation, Mr. Abdelkader Hamed Farhès Kaddoura, from the Palestinian Legislative Council and member of the Fatah party, explain the importance of this meeting.

Avraham Burg: "We will offer both sides an alternative to violence and this is our mission"



The Israeli delegation was composed by (from left to right) Mr. R. Chayne, Mr. A. Burg, Mr. A. Vilan and Mr. M. Whebee.

Q : Mr. Burg, concretely, how are you going to work with the members of the PLC ?

A.B. : I do hope that the result of this Geneva meeting will be one working group. With my experience in human life once you are sitting in the same group, during the process, you erase the differences. I am coming from side A and he is coming from side B and we work together towards the same goal. I do hope that sitting together in the same room we shall forget all the previous bad blood and we shall work together towards a better future. Parliaments represent people, democratically and publicly. We will offer both sides an alternative to violence and this is our mission.

Q : Are you also going to try to convince both of your leaders and governments ?

A.B. : I believe that persuasion of governments does not come by saying : "We think this, so you say that", but if the public sees that there is a real alternative, it will tell the governments what to do. My role is to mobilise the public and the public will mobilise the government.

Abdelkader Hamed Farhès Kaddoura :

"It is a good thing to try to have a direct dialogue because we tried another kind of dialogue in the field, the worst sort using weapons"

Q: How would you assess the importance of this meeting ?

A.H.F.K. : It is a good thing to sit down with the Israelis and to try to have a direct dialogue. We tried the worst sort, using weapons, with each side blaming the other. The Palestinians suffered from this kind of dialogue, and the Israelis did too. When it comes to dialogue, the Israelis must understand that no State in the history of the world can destroy a people that wants freedom. We understand that the Israeli State has the right to live near our State in security. In this space, we can have a final peace agreement. The question is when the Israelis will understand that they cannot have occupation and security at the same time. Unfortunately the Israelis think they can. The Israeli State made a big strategic mistake with the settlers. They know that under international law, and in the UN decisions the West Bank, Gaza, and East Jerusalem are occupied territories. They built the settlements, and now they are asking us to understand their internal problems and to change the borders for the final solution of the peace agreement. As far as the meeting is concerned, I think that the IPU must have a much more important role. It must tell us and the Israelis when we are wrong, because we feel all the time that we are right on all the issues, and the Israelis feels the same thing. This is the difficulty of the dialogue and the negotiations. During these meetings, we need to take one important issue and to discuss all the details, in order reach conclusions,

so that when we return to our countries we can do what we have accepted to do, here, together. I have belonged to Palestinian delegations and we have met hundreds of Israelis. For the last ten years we spoke about peace, saying that we want peace, we love peace, but in the field the situation is different. We are not only members of our parliaments, we are also members of parties that play a big role among our two people.

Q : Does this mean that you want to have more concrete proposals or decisions taken during the IPU meetings with your Israeli counterparts ?

A.H.F.K. : Yes. In another meeting we must try to answer the question : what kind of peace do we, the Palestinians,



(From left to right) Mr. Anders B. Johnsson, Mr. Avraham Burg and Mr. Farhès Khaddoura revising the Declaration.

want. And the Israelis must tell us what kind of peace they want. To try to understand. Maybe they want peace with settlements or they want peace without withdrawal of their soldiers from the West Bank. We must know what kind of peace they want. And they must know what kind of peace the Palestinians want. Then we will understand the difficulties. We can say : we accept these ten issues and we have three or four more that we have to continue to discuss. It is not a negotiation. The negotiations will be made by the negotiators, the governments. But maybe, in one year or more, Mr. Avraham Burg will be the Prime Minister of Israel and maybe Mr. Jawad Tibi will become Minister in another Palestinian government. Then they will draw conclusions and it

will be their policy in the government. When I return home, I will have conclusions about a concrete point, and when the media asks me, I will respond. Maybe ten Palestinians will listen to me; three will accept and seven not. And after two months, maybe seven will accept and three will reject. It is how to make public opinion.

Q : Are you ready to tell your people that this is the right moment to try to work together with your counterparts in the Knesset ?

A.H.F.K. : I think that if we wait for the right moment, we will go on waiting another 50 years ! It is the right time to speak to each other now.

They said:

Mr. Majalli Whebee (Member of the Knesset, Likud party)

“I helped the two sides to narrow the gaps between them and I will continue”

It is so easy. If the two sides are serious and meet again with an agenda, we will be able to achieve the peace process through negotiations without using any violence. It can be done without problems. One big mistake by the Palestinians is that since October 2000, they have thought that by using violence and terror they can get more than what they achieved in the peace process, before they lost it. Now, after three years, they understand very well that if they want to continue, and not return to square one as they have now, they should work only at the negotiation table.

Q : You are member of the Likud party. Are you ready to work with your PLC counterpart and do you think there is a good momentum ?

W : I want to tell you something. I never stopped talking with the Palestinians from the Authority, officials and non officials, and I will continue. You know that I was the closest assistant of the Prime Minister, in charge of relations with the Arab world, and I helped the two sides to narrow the gaps between them and I will continue that. If we really come back to the negotiation table we can continue talking. But remember that by terror and violence nothing can be achieved.

Mr. Jawad Tibi (PLC- Fatah party)

“This is an exceptional meeting as we are not allowed to meet in our own countries”

This is an exceptional meeting as we are not allowed to meet in our own countries, and I am even not allowed to meet my fellows of the Palestinian Legislative Council. I met my PLC colleague here, because I cannot go from

the Gaza strip to the West Bank ! I am not allowed to, for security reasons. In fact I don't know what type of security reason they are talking about. This is an exceptional meeting which gives us a chance to share our ideas with the representatives of the Knesset, to tell them that we want them to do things for the sake of peace. We also listened to them about their ideas for the demands from the Palestinian side, what to do for the sake of peace. As usual, the meeting started blaming each other about the list of mistakes by the other side. Now you see that the Palestinians and the Israelis, as we can imagine, cannot go very far from each other. We can meet here and we hope we can meet there as well, but for that to happen they must stop violating the Palestinian cities and the Palestinian civilians and they must stop humiliating the Palestinian people. They must also stop demolishing houses, killing children and civilians, and depriving people of their freedom movement in their cities or between cities. We put those ideas to the Israelis during the meeting and this will start rebuilding confidence between the Israelis and the Palestinian.



The Palestinian delegation was composed of (from left to right), Mr. A. Elhabbash, Mr Ab.Hamed Farhès Kaddoura and Mr. K.H. Tibi.

Reshef Chayne (Knesset, Shinouï party)

“We need to meet and discuss wiser cooperation between the parliaments”

I think we need to meet and discuss wiser cooperation between the parliaments. I have to be honest and tell you that I don't know exactly right now what kind of cooperation it should be. I also think there is going to be a lot of informal talks outside the scope of the formal agenda of the meeting. This meeting was very useful.

Avshalom Vilan (Knesset – Meretz Party)

“If we try we can make it !”

We must continue meeting and find formulas for cooperation between us and them ! Today there was a breakthrough because after three years, for the first time they decided to continue the process by trying to build a formula for regular relationships between two parliaments during a period of peace. If we try we can make it !

Ibrahim Elhabbash (PLC - Independent)

“I see a change in the mind of the Israeli leaders”

This kind of meeting is useful because today, for the first time, I see a change in the mind of the Israeli leaders. I am happy that this meeting took place. I hope that this meeting will be productive for the two peoples and I hope we will continue this kind of conference. There will be better understanding between our two peoples if there is action on the Israeli side with respect to the lands, so our people can feel that there is a basic change. We have suffered for sixty years. That is enough. They hold everything, and they just believe in power. This is not fair, for them and for us. When they do a good action on the land for our people, then I think we can continue our meetings. If there is real action concerning the principles, I can say that we succeed.

Interview with Mr. Finn Martin Vallersnes, President of the IPU Committee on Middle East Questions

*“Every time you reach agreement on a small subject,
you also put a new brick on to the wall of confidence”*

Q : What is your assessment of the meeting between Israeli and Palestinian MPs organised by the IPU and the Manifesto-Movement for a long and lasting peace in the Middle East, with the support of the Geneva authorities ?

F.M.V. : The situation and the conflict is still very serious and difficult. My expectations were therefore modest before our July meeting. My main impression after the meeting is however the positive openness, constructive activities and good atmosphere that both delegations displayed. This was in turn the reason why we succeeded in adopting by consensus the statement leading to the establishment of the working group, which we shall follow up this autumn. I highly appreciate the strong effort made by all members of the 2 delegations. Both IPU and I shall of course do our utmost to meet their expectations towards us as organizer and facilitator.

Q : What do you expect from Israeli and Palestinian MPs ?

F.M.V. : I expect them to meet the challenge of developing further the basis which was laid in July. Experience has shown us that any progress in the peace process frequently generates negative and violent reactions from extremists opposing peace as an end result. I expect the two delegations to continue their efforts even if the surrounding circumstances get difficult. I do not expect them to start up by trying to find solutions to the greater and most difficult problems. My prescription will rather be the approach of taking it step by step. Every time you reach agreement on a small subject, you also put a new brick on to the wall of confidence. That will enable us gradually to address more complicated problems.

Q : How would you evaluate the role of parliamentary diplomacy in the Middle East ?

F.M.V. : I am naturally influenced by the political culture of my own country and parliament. I see the parliamentari-



(From left to right) Mr. Anders B. Johansson, IPU Secretary General, Mr. Finn Martin Vallersnes (Norway), President of the Committee on Middle East Questions, and Mr. Takis Hadjigeorgiou (Cyprus), Member of the Committee on Middle East Questions.

ans having two important functions in this relation: as parliamentarians they have a role of overseeing the actions and the policy of their own government. That is true both for the members of the opposition and for those belonging to the governmental side. Parliaments have many functions, but they should also be a forum for quality control of the actions of the government. Second, the parliamentarians represent the people, being elected by the people. In our case, that gives them a two-way task. A majority of the peoples in Palestine and in Israel want a peaceful solution, they want security in their daily lives, - they want the "normal, good" lives we all want for ourselves and for our families. If the parliamentarians really represent their voters, their work should contribute to that end. On the other side, elected parliamentarians can be very influential towards the formation of public opinion. That gives them a special challenge to explain the necessity of a political framework for a comprehensive development towards peace, - by a process characterized by many interdependent components like economic recovery, humanitarian aid and stable military and political construction. It is my belief that the process will only move forward in a sustainable manner, if everyone concerned moves simultaneously and in the same direction. That includes governments, parliaments, civil society organizations and most important: the ordinary man and woman on the street. To that end the MP's have a crucial job to do.

"We try to push things along in the Middle East"

The IPU Committee on Middle East Questions is very important, because we are the link between the MPs of the world and the two parties: the Israeli and Palestinian MPs. We try to push things along so that we can reach the goals of the IPU. And I think that IPU serves this goal in being a facilitator in order to help the two parties to come together and really talk, especially now that a Palestinian State is going to be established and the Road Map has to be considered. The most important thing is that we as a third party help push that through with full safety.

**Mrs. Pensak Chagsuchinda, Member of the Thai Parliament.
Member of the Committee on Middle East Questions**

*"What will the Israelis and Palestinians do
when they go home?"*

In my country, Cyprus, we have a similar situation, because we have our own problem with the other community there, so I know that these meetings are very useful. They are important not when we are taking part here, but because of what you do after that, when you go back home. What will the Israelis and Palestinians do? That is the question! If the Israelis go to their radio and television stations and try to persuade the Israeli people that they are wrong, that means that the delegation here did a good job, and if the Palestinians do the same thing with media, the same thing applies. The problem is that today, the politicians in the countries which have such problems, in order to help their people, have to become "traitors" to their people.

**Mr. Takis Hadjigeorgiou, Member of the Parliament of Cyprus.
Member of the Committee on Middle East Questions**

"The Middle East Committee plays an irreplaceable role"

**Mrs. Maryse Bergé-Lavigne, a French Senator, is the second woman member
of the Committee on Middle East Questions.**

Q : What are your impressions after the meeting between members of the Knesset and the Palestine Legislative Council, organised by the IPU and the Manifesto – Movement for a Just and Lasting Peace in the Middle East, with the support of the Geneva authorities?

M. B.-L. : The Geneva meeting went very well. Both delegations were present, along with representatives of the different movements in the two parliaments. There was a real dialogue: all questions were taken up, even the most serious. A large share of the discussion was devoted to the role of the Israeli and Palestinian Parliaments in the search for peace. Granted, parliamentarians are not directly involved in the negotiations, which are conducted by the Executive. Yet the Israeli and Palestinian parliamentarians are elected by their peoples, and as such they have to answer to their fellow citizens in their yearning for peace, to which the opinion polls attest. Both sides displayed a will to move ahead, to build something that will serve the cause of peace. A joint text was adopted that calls for the establishment of a working group and for regular joint meetings to prepare for peace. I found the meeting extremely constructive and encouraging for the future.

Q : How would you assess the role of the Committee on Middle East Questions?

M. B.-L. : In the immediate present, the bad news from the Middle East underscores, yet again, the importance of maintaining a forum for dialogue. When everything is going wrong, when the crisis reaches its peak, it is extremely useful to have a structure in which the parties can still talk to each other. There is no substitute for the Middle East Committee in this role.

Mr. Alain Bittar, Co-President of the Manifesto-Movement for a just and lasting peace in the Middle-East

"The Manifesto believes that it can give added value to these inter-parliamentary meetings"

Q : What was the Manifesto's aim in organising the meeting between members of the Knesset and the Palestine Legislative Council with the IPU?

A.B. : When Swiss MPs proposed parliamentary input for example through an on-site visit by Swiss parliamentarians, the Manifesto immediately felt concerned. We believed that much could be achieved by working in this way with civil society and the elected representatives of the two peoples. We pressed ahead with the IPU, the Geneva authorities and the members of the Swiss Inter-Parliamentary Group, thus ensuring that the meeting took place in the best possible conditions.

Q : What do you think will come next?

A.B. : The Manifesto met after the meeting between Israeli and Palestinian MPs. It reaffirmed that it was fully prepared to liaise with the Geneva authorities and continued its preparations for the next meeting of this Israeli-Palestinian working group. The Manifesto also believes that it is in a position to give added value to these inter-parliamentary meetings if, at the same time, it is able to organize other meetings that promote rapprochement in Israeli and Palestinian civil society.

Handbook for Parliamentarians on the Convention on the Elimination of Discrimination against women at the UN.

On the occasion of the 29th session of the UN CEDAW Committee in New York, the UN Division for the Advancement of Women and the IPU organised on 14 July 2003 a panel to present the IPU/UN Handbook for Parliamentarians on the CEDAW and its Optional Protocol, with the participation of more than 90 participants.

Panellists including Senator Lydia Madero (Mexico), Senator Joan Fraser (Canada) and Mrs Françoise Gaspard (former MP and French member of the CEDAW Committee) stressed the role of parliaments and their members in the implementation of the Convention and in the reporting mechanism. The Handbook was welcomed by members of the Committee and other UN entities and NGOs in attendance. Participants stressed the need to ensure that the Handbook was translated in as many languages as possible and widely disseminated. The production of the Handbook was seen as a useful tool in strengthening Parliament's role in ensuring respect for women's rights. They also highlighted the need to ensure adequate follow up - the next step being to make use of the tool!



(From left to right) Senator J. Fraser (Canada), Mrs F. Gaspard (ex-French MP), Mrs C. Hannan (UNDAW), Mrs K. Jabre (IPU) and Senator L. Madero (Mexico).

Photo IPU/A Matter

Making use of the Handbook : Some Parliaments have ensured that :

- each of their members received a copy of the handbook;
- submitted the Handbook to the parliamentary committee(s) concerned,
- organised a public launch of the Handbook that would include the participation of representatives of competent government authorities and of the various sectors of civil society concerned by the subject;
- organised a parliamentary debate on the subject.

Supporting Rwandan women candidates

After years of transition, Rwanda held its own elections to the National Assembly and the Senate in September 2003. The equal participation of men and women, as both voters and as candidates, was clearly vital to the legitimacy of the new parliament and the democratic process.

In meeting the challenge, the IPU and the United Nations Development Programme, together with the Transitional National Assembly of Rwanda and the Forum of Rwandan Women Parliamentarians (FFRP), organised a seminar on "Rwandan Women and the Electoral Campaign", in Kigali (Rwanda), from 30 to 31 July 2003.

On the eve of the launch of both presidential and legislative electoral campaigns, the seminar came at a timely moment in the Rwandan electoral process. 80 women lead-

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A seminar for MPs

On 4 October 2004, the IPU and the United Nations Division for the Advancement of Women organized a training seminar for members of Parliament whose country report has recently been studied or will be examined by the UN CEDAW Committee. The seminar should identify opportunities for strengthening parliament's role in both the reporting process, including preparation and presentation of reports, and follow-up to the Committee's concluding comments in regard to the reporting State.

ers with a different backgrounds discussed a variety of subjects : gender and the Constitution, funding of electoral campaigns, relations with the media and the electorate... They benefited from the input of national and international experts from France Kenya and South Africa.

The seminar proved that women in Rwanda have what it takes to be leaders, to ensure a balanced representation in the parliament, and to articulate the views of the distinct groups they represent. The elections in Rwanda serve as a test-case for the stability and effectiveness of these institutions, and the guarantee, enshrined in the newly-created Constitution, of equality between men and women.

The Rwandan Constitution was the subject of an earlier seminar organised by the IPU in 2001 which aimed to provide a unique opportunity for Rwandans to consider practical ways and means of ensuring that Rwanda's Constitution would be gender-sensitive. Today,



IPU/UN panel in New York on the CEDAW.

Photo IPU/Metter

Rwanda has one of the most gender-sensitive Constitutions in the world. It is hoped that this first success will be followed by the arrival of an important number of women in the new Rwandan Parliament. □

"MPs mobilise to combat trafficking of children"

Men and women MPs took up the problem of trafficking of children in Santiago de Chile in April 2003, at a panel organised jointly by the IPU, UNICEF, the International Labour Organization (ILO) and the International Organization for Migration (IOM), following an initiative by the IPU's Coordinating Committee of Women Parliamentarians. The panel was presided over by the Speaker of the Chilean Chamber of Deputies, Mrs. Isabel Allende.

It is estimated that 1.2 million children fall prey every year to this form of trafficking. Their fate is prostitution, begging and other forms of work, particularly mining, farming and household duties. These children suffer multiple violations of their human rights, including the right to education, the right to health and the right to protection against ill-treatment and exploitation.

The panellists recalled that parliaments were strategically well placed to help drive the programme to combat trafficking in children nationally, regionally and internationally. Given that countries are at different stages with regard to advocacy, legislation, prevention and inter-regional cooperation relating to trafficking in children and adolescents, parliaments, with the backing of the international organisations concerned, should deploy joint leadership efforts to work towards a solution to this problem.

The participants stressed the need to ensure the cooperation of all sectors that must work towards its prevention and elimination, at the national, regional and international levels. Public and private efforts adopted under many different strategies (legal, legislative, awareness-building, assistance to victims and cooperation between countries) must target the countries of origin, transit and destination, where such practices exist. The panel ended with the presentation of a series of concrete recommendations for parliaments. The detailed text may be found at the Web site of the Inter-Parliamentary Union, www.ipu.org. □



Photo El Mercurio (Chile)

Constitutional and Parliamentary Developments

AFGHANISTAN

On 26 July 2003, the Chairman of the Transitional Administration ordered the formation of a joint Afghan-United Nations Commission to coordinate and supervise the general elections scheduled for October 2004. This Joint Electoral Coordination Office is comprised of 10 members, five of whom will be members of the Afghan Interim Election Commission, which includes the head of the electoral section of the United Nations Assistance Mission in Afghanistan (UNAMA). The remaining five members will be recommended by the UN Special Envoy, Mr. Lakhdar Brahimi, to the Joint Electoral Coordination Office.

AUSTRALIA

The Standing Orders of the Senate were amended on 13 and 14 May 2003, following recommendations made by the Senate Procedure Committee. The first amendment extends meeting time on Tuesday to give more time for business, particularly government business. The second amendment relates to senators breastfeeding an infant. Before the amendment no person other than a senator, a clerk at the table or an officer attending on the Senate was allowed to enter the part of the chamber reserved for senators while the Senate was sitting. The amendment allows a senator breastfeeding an infant to bring that infant into the chamber. Another amendment establishes that the deadline for receipt of bills does not apply when a bill comes to the Senate for a second time, while the last one relates to restrictions on meetings of committees during sittings of the Senate, which do not apply after the question for the adjournment of the Senate has been proposed by the President at the time provided on any day. The Senate also agreed to the Committee's recommendation that the budget speech not be read in the Senate.

On 6 February 2003, the House of Representatives agreed to change the Standing Orders relating to sittings of the House. As of 10 February 2003, the House shall meet for the despatch of business on each Monday, at 12.30 p.m.; Tuesday, at 2 p.m.; Wednesday, at 9 a.m. and Thursday, at 9 a.m. From the termination of the last sitting in the second week of sittings, the House shall stand adjourned until 12.30 p.m. on the third Monday after the termination, unless the Speaker shall, by writing addressed to each Member of the House, fix an alternative day or hour of meeting. As a result of this change, the rules relating to quorums and new business were also amended: on sitting Mondays and Tuesdays, if any Member draws the attention of the Speaker to the state of the House between the hours of 6.30 p.m. and 8 p.m., the Speaker shall announce that he or she will count the House at 8 p.m., if the Member so desires and it is now established that no new business may be taken after 9.30 p.m., unless the House otherwise orders.

BARBADOS

Standing Order N° 14 of the House of the Assembly was amended to introduce a ten-minute limit that a Member can use to propose to move the adjournment of the House for the purpose of discussing a specific matter of urgent public importance. Before the amendment, no limit was specified.

BELGIUM

Between 20 February and 13 March 2003, three amendments were made to the Standing Orders of the House of Representatives. The first set up a special commission in charge of monitoring the arms trade. The second introduced technical changes to adapt the Standing Orders to recent amendments to the Electoral Law (see *The World of Parliament*, Issue No. 9, April 2003), to correct various errors or to dispel possible misunderstandings with regard to interpretation; it further provides that the Standing Orders of the House of Representatives shall henceforth be published in the *Belgian Gazette*. The last amendment is aimed at encouraging a more dynamic legislative response to reports by the Petitions Committee on the recommendations of the College of Federal Arbitrators and to the petitions it has examined; it also makes provision for the appointment of a 'europromoter' within each standing committee. The Standing Orders of the House have been completely harmonised, as a result of which the House now has a modern, well-structured set of rules that are fully up to date and numbered sequentially. On 17 July 2003, Articles 21 and 86 of the Standing Orders of the Senate were amended to increase the number of committee members from 15 to 17. As far as electoral law is concerned, the reform adopted in December 2002 was published in the *Belgian Gazette* in January 2003, leading to several appeals being lodged with the Arbitration Court. On 26 February 2003, the Court suspended several provisions of the reform, which meant that for some electoral districts, the legislative elections held on 18 March 2003 were governed by the provisions applicable prior to the reform. On 26 May 2003, the Arbitration Court cancelled numerous provisions of the reform, in particular the possibility for candidates to run simultaneously for both the House and the Senate. However, as the ruling was handed down after the legislative elections, the Court decided to continue to apply some of the cancelled provisions, as authorised by the law. A law adopted on 11 March 2003 stipulates that the principles applicable to legislative elections and described in the previous issue (see *The World of Parliaments*, Issue No. 9, April 2003) shall also apply to elections to the European Parliament.

CANADA

On 19 June 2003, an Act to amend the Elections Act and the Income Tax Act (Political Financing) received Royal Assent. This bill represents the most significant reform to Canada's electoral and campaign finance laws since the 1974 Election Expenses Act established a regime for the financing of federal elections in Canada. The new act has several general components or themes:

- a ban (with minor exceptions) on political donations by corporations and unions;
- a limitation on individual contributions;
- the registration of constituency associations, with reporting requirements;
- the extension of regulation to nomination and leadership campaigns, until now outside the ambit of the *Canada Elections Act*; and
- enhanced public financing of the political system, particularly at the level of political parties.

The House of Commons adopted a new procedure for Private Members' Business effective on 17 March 2003. Its essential components are that all Members of the House should have at least one opportunity during the course of a Parliament to have a Private Members' bill or motion voted upon by the House. A list of all eligible Members will be established at the beginning of a new Parliament, from which an order of precedence of 30 items will be created from time to time. All items on the order of precedence will be debated for up to two hours, at the end of which they will come to a vote. All recorded divisions will be held on the next sitting Wednesday. The Subcommittee on Private members' Business will consider whether any of the items on the order of precedence should not be votable in accordance with specified, limited criteria; any such decision can be appealed to the Standing Committee on Procedure and House Affairs, or, ultimately, to the House of Commons, where a secret ballot will be held on the appeal. The new rules have been adopted on a provisional basis, for the remainder of the current session or to 17 March 2004, and will be reviewed by the Standing Committee on Procedure and House Affairs.

FRANCE

On 30 July 2003, a law modifying the term of office for Senators was adopted. The new law shortens the senatorial term from nine years to six, while one half of the Senate will be renewed every three years as of the partial elections in 2010. Also as of these elections, the number of senators representing French citizens living abroad will be reduced from the current 12 to six. The law further reduces the minimum eligibility age for senators from 35 years to 30 years and increases the total number of senators from 321 to 346.

HUNGARY

On 3 March 2003, the National Assembly adopted an amendment of the Act on the electoral proceedings. The change extended the opening hours of the polls until 9 p.m. when the legally binding referendum on Hungary's accession to the European Union took place on 12 April 2003. Before the amendment, voting was possible until 7 p.m.

ITALY

On 18 June 2003, the Chamber of Deputies passed a bill granting immunity while in office to the five most senior State officials: the President of the Republic, the President of the Senate, the Speaker of the Chamber of Deputies, the Prime Minister and the President of the Constitutional Court. The bill had previously been approved by the Senate on 4 June 2003. This law was criticised by the judiciary as violating the principle that all citizens are equal before the law.

JAPAN

On 9 April and 16 June 2003, partial amendments to the Rules of the House of Councillors came into effect. The first partial amendment makes adjustments to the jurisdiction of the Standing Committees. Some provisions have been amended so that the Committee on the Economy and Industry can continue to deal with matters under the jurisdiction of the Fair Trade Commission, even though the Commission's status was changed from an extra-ministerial bureau affiliated with the Ministry of Public Management, Home Affairs, Posts and Telecommunications to an agency under the Cabinet Office. The second amendment relates to walking sticks in the Chamber or Committee meeting rooms. Whereas before the amendment, the permission of the President was needed for a parliamentarian or another attendee who wished to bring a walking stick, notification of intention shall henceforth suffice.

RWANDA

On 7 July 2003, an organic law relating to presidential and legislative elections was promulgated. This instrument aims to provide information concerning MPs on, among other things the submission of candidatures, the election of members of the Chamber of Deputies and the Senate, election campaigns and the organisation of elections. As stipulated in the new Constitution, promulgated on 4 June 2003, the Transitional National Assembly was dissolved on 22 August 2003 in anticipation of the legislative elections scheduled to take place from 29 September to 2 October 2003.

TUNISIA

On 13 May 2003, Constitutional Law No. 34 – 2003 on exceptions to Article 40, para 3 was promulgated. This law takes the form of a single article which provides as follows: "Should it fail to meet the conditions for submission of a candidate set out in Article 40, para 3 of the Constitution, each political party may, on an exceptional basis, present for the 2004 presidential elections, the candidature of one of the members of its executive governing body, provided that, when the candidature is submitted, the person concerned has held this post for at least five consecutive years and that the party already has one or more MPs in the Chamber. The deputy shall be deemed to belong to the party of which he or she was a member when the candidature to the legislative elections was submitted". Article 40 of the Constitution sets out the conditions to stand for election as President of the Republic, in particular the requirement of sponsorship by 30 elected officials (deputies or mayors). The opposition has 33 deputies and is therefore able to put forward a candidate under Article 40 of the Constitution. This means that with the new law, each of the five opposition parties will be able to field a candidate.

Moreover, on 8 August 2003, an Organic Law amending and supplementing the Electoral Code was adopted. The reform introduces a system of ongoing revision of electoral lists so as to ensure that voters stay registered, and stipulates that a judge shall chair the revision committee. It also sets out ample deadlines for the distribution of electoral cards and extends the amount of time available to the committee empowered to rule in voters' petitions. The law relaxes the conditions for the accreditation of observers and reduces the number of polling booths so as to ensure that party observers are able to cover all booths. In addition, the text specifically prohibits voting by proxy and stipulates that ballot boxes must be opened in the presence of observers before vote-counting begins.

ZAMBIA

The National Assembly introduced some amendments to its Committee system. As of the reform, Committees are aligned with Government Ministries to enhance policy development and scrutiny; Committee meetings are open to the public for public participation. Bills, after the first reading stage, may be referred to an appropriate Departmental Committee, Select Committee or Ad Hoc Committee for detailed study. The Committee is required to invite submissions from the public and call for reports from Government departments most closely concerned with it. Once the appropriate Committee has completed its consideration of the bill, it will decide what, if any, amendments it wishes to recommend to the bill and reports to the House accordingly. This report is published for the information of Members and the public and then debated. Members also have the opportunity to move amendments to the bill before its third reading. Prior to the reform, bills passed from first reading to second reading and thereafter to the Committee.

IPU to help Iraqis draft Constitution

IPU Secretary General Anders Johnsson has announced that the Inter-Parliamentary Union (IPU) has decided to use its experience to assist Iraqis seeking to draft a constitution. With this in mind, the IPU has offered to help the Iraqis convene a broad-based "constitutional convention", which could hold some of its meetings in Europe with the support of IPU member parliamentarians. Mr. Johnsson explained that in an initial phase, the IPU has decided "to hold a first preparatory meeting in Geneva", if possible already in November. The proposal was floated on behalf of the French IPU Group by its President, Senator (UMP) for French citizens abroad, Robert Denis Del Picchia. It was adopted by the Governing Council (the IPU executive body) at the close of the Union's 109th Assembly, which took place in Geneva. The IPU will seek funding from donors and other international organizations, added Mr. Johnsson.

Agence France Presse (AFP) – 3 October 2003

Israeli and Palestinian parliamentarians meet to advance peace

Lawmakers from the Israeli and Palestinian parliaments met face to face for the first time in more than three years and declared their discussion on the peace process successful despite obvious tensions. "This is a real message to the people that whenever we can, dialogue is better than conflict", said Avraham Burg, former Speaker of the Israeli Knesset. "We hope this will be the first step toward more negotiation between the parliament of Israel and the Palestinian one", added Jawad Tibi, a member of the Palestinian Legislative Council. The delegation met at the headquarters of the Inter-Parliamentary Union, an organisation that links lawmakers across the globe. In a statement, the two sides said they had agreed to continue their meetings with the hope of "preparing the infrastructure" for peace in the region. They plan to meet again.

Associated Press (AP) – 17 July 2003

United Kingdom/IPU

The Inter-Parliamentary Union (IPU) has offered the Government of the United Kingdom its cooperation with a view to the reconstruction of democratic institutions in Iraq. The IPU President, Chilean Senator Sergio Páez, met in London with the English Foreign Secretary, Mr. Jack Straw, with the Speaker of the House of Commons, Mr. Michael Martin, and with a group of MPs. Senator Páez explained that the English Foreign Secretary "enthusiastically" welcomed the offer of the IPU, in which representatives of 145 national parliaments participate. "Our aim is to offer our services for this key undertaking - the re-establishment and reconstruction of democratic institutions in Iraq", the President told EFE.

Spanish press agency EFE – 21 May 2003

World lawmakers urge leading UN role in Iraq

Lawmakers from 115 countries agreed unanimously at a meeting in Chile that the United Nations should assume the leading role in post-war Iraq. A resolution passed by the Geneva-based Inter-Parliamentary Union, or IPU, which held its annual meeting in Santiago, called for an immediate end to the war in Iraq and an eventual full withdrawal of all US and British troops. Iraq and the United States did not participate in the conference. The legislators also said reconstruction efforts should not be financed exclusively by Iraq's oil wealth.

Reuters – 11 April 2003

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