

The World of Parliaments

Quarterly Review of the Inter-Parliamentary Union

October 2007 • N° 27

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HIV/AIDS has already claimed more than 25 million lives, and progress in halting the disease is falling far short of targets. World leaders have promised to provide universal access to treatment.

Rights of children in conflict with the law

All too often children are detained or incarcerated for committing minor, non-violent offences, or even without committing any offence at all. There are few systems specially designed to cater for the special needs of children in conflict with the law, and accurate data on the number of children detained or imprisoned is scarce. Last July, legislators from seven South Asian countries attended a regional parliamentary seminar in Pakistan on child protection and juvenile justice to address these challenges to children's rights.

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Pakistan: legislators addressed the question of child protection and juvenile justice

UN Secretary-General Ban Ki-moon at The House of Parliaments

The United Nations Secretary-General, Mr. Ban Ki-moon, paid a visit to the headquarters of the IPU in July 2007. Discussions with the IPU Secretary General focused on the question of climate change. Mr. Ban was pleased to hear that the issue had been debated at length at the recent IPU Assembly in Indonesia, which had seen the launch of a parliamentary campaign on global warming. The talks then turned to the pivotal role that parliaments can play in countries emerging from conflict where there are major UN peace

building operations, and in particular the IPU's work to promote dialogue among the political parties and factions in the Parliament of Burundi. Mr. Ban said that he was giving high priority to the work of the UN Peacebuilding Commission in Burundi and Sierra Leone, in which the IPU is also involved. They also discussed ways to for the two organizations to cooperate more closely in the areas of crime prevention, terrorism, drug trafficking and trafficking in human beings.



Photo IPU/UN, Ségato

UN-IPU COOPERATION

One week after the visit of the United Nations Secretary-General, the Advisory Group of the IPU Committee on United Nations Affairs held its first meeting at IPU Headquarters. The Advisory Group's Co-Chairpersons, Mr. Theo Ben Gurirab, Speaker of the National Assembly of Namibia, and Senator Rosario Green, a former Foreign Affairs Minister of Mexico, explain the importance of this new IPU Committee.

Mr. Theo Ben Gurirab:

"Parliaments have become partners rather than adversaries of governments"

Q: The IPU is creating a new committee. What is its purpose?

Mr. Theo Ben Gurirab: The IPU's importance as an institution representing national parliaments, which in turn represent their national citizens, has been recognized internationally. Following the meeting we held in Geneva, it will be recommended that the IPU Assembly set up an IPU Committee on United Nations Affairs, enabling the IPU to work more closely with the United Nations, including the General Assembly, the Economic and Social Council, and even the Security Council—but more importantly, at the management level, with the Office of the United Nations Secretary-General. Such a committee would enable the IPU to work more closely with our respective countries, and to link up with national parliaments and sub-regional organizations in the areas of peacekeeping, peace building, the Millennium Development Goals (in the case of developing countries), democratization problems and climate change. We are entering a new field in which the work of the IPU - the oldest political international organization - will reach down to the grass-roots level. Through the IPU we will go to

national parliaments, but also beyond: to rural areas to tell the people what the IPU stands for and is doing to promote social welfare and development.

Q: You have been President of the United Nations General Assembly. Do you think that the United Nations is now ready to forge a real partnership with the IPU?

T.B.G.: The UN recognized the IPU for the first time in its history under my presidency, during the period 1999-2001. Two years later the IPU was granted observer status, enabling it to participate fully in UN activities. The United Nations is now asking the IPU to institutionalize this partnership. As leading advocates of the people's interest, our two organizations will now be working together more closely.

Q: You have also been Prime Minister and Foreign Minister of your country. Do you have the impression that governments are now accepting the fact that parliaments can play a major role in international affairs?

T.B.G.: As democracy gains ground in many countries, parliaments are increasingly involved in national decision making and governance. In those countries, and hopefully others through IPU efforts, parliaments can be expected to play an important role—beyond their legislative

functions—in promoting democracy, the rule of law and the involvement of citizens in decision-making processes. At home, parliaments have become partners rather than adversaries of their executive branch counterparts. The separation of powers—legislative, executive and judicial—must of course be preserved, but there is also a shared interest in the public welfare. The partnership we have now established between the IPU and the United Nations must extend as well to relations between governments and parliaments.

Senator Rosario Green:

"Parliaments can provide the fresh blood that the UN needs"

Q: What is your perception of the new committee?

Senator Rosario Green: I think it is crucial for the IPU to set up a special committee on UN Affairs and to find ways of communicating and cooperating with the United Nations. Of course, there have long been ties between the two organizations, but consolidating them has taken time. We have permanent observer status at the General Assembly, and the UN recognizes parliament's place—alongside the executive and judicial branches—as an essential part of the State. The UN and IPU must not be rivals. After all, to enter into force as treaties, UN resolutions require ratification by IPU Member Parliaments. Unfortunately, however, parliaments and elected representatives are not involved in the early stages of these processes and are consulted only at the end.

This is a problem not only for lawmakers—who often lack necessary information on UN resolutions—but also for governments, when it comes to convincing parliamentarians of the need to amend a given text so that international treaties can enter into force and be fully implemented.

Q: What will be the major challenge of this Committee?

R.G. To serve as a bridge between parliaments and the United Nations. This will be no easy task, and the Committee

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Photo IPU/L. Balin

Mr. Theo Ben Gurirab (first row, in the middle) and Mrs. Rosario Green (left, second row).

will need a clear mandate. We need to be more knowledgeable about the UN in order to support its work and explain it to our electorates. People are often unhappy about the contributions their countries have to pay to international or regional organizations. They do not necessarily understand the organization's importance, and their elected representatives are not always able to explain it, as they themselves are often less informed about international matters than national ones. The new committee will give the United Nations a voice in our national assemblies and vice versa, to ensure that international relations are more in keeping with realities on the ground. There are three national branches of authority: the executive, the legislative and the judicial. The executive branch is represented at the UN—as is the judicial, in the form of international tribunals—but there are no clear representatives of the legislative branch. We, as the world organization of parliaments, stand ready to fulfil that role.

Q: As a former Mexican Minister for Foreign Affairs, do you think the time has finally come for governments to accept that parliaments have a role to play on the international scene?

R.G.: Yes, I do. If I take what is happening in Mexico and apply it to other countries, I see that no government can act alone. Executive branches depend on support from the other two branches of government, and in particular from parliament.

Q: Does the same apply to the UN?

R.G.: Yes, because the UN has been in crisis for several years now; it needs new blood, and parliaments can provide it.

IPU President visits China

IPU President Pier Ferdinando Casini paid an official visit to China in August, at the invitation of Mr. Wu Bangguo, Chairman of the Standing Committee of the National People's Congress (NPC). While meeting with Chairman Wu, President Casini spoke of the contribution that China had made to promoting IPU reform and development, expecting the NPC to play a bigger role on various IPU issues. Chairman Wu spoke of IPU reform and stressed that China, as one of the permanent members of the United Nations Security Council, would support cooperation between the IPU and the UN. President Casini and Chairman Wu Bangguo also exchanged views on international issues, including Iraq, anti-terrorism, and Darfur. Mr. Casini spoke of China's strengthened role on the international arena, and Mr. Wu pledged China's support to IPU's efforts to safeguard world peace and promote development for all. President Casini also held talks with Mr. Lu Congmin, Vice Chairman of the Foreign Affairs Committee of the NPC and Member of the IPU Executive Committee.

IPU President Pier Ferdinando Casini and Mr. Wu Bangguo, Chairman of the Standing Committee of the National People's Congress of China.

Protecting legislators: to speak or not to speak

The new President and Vice-President of the IPU Committee on the Human Rights of Parliamentarians are determined to make their voices heard when defending the human rights of legislators. In an interview with *The World of Parliaments* (see pages 6-7), the President of the Committee, Canadian Senator Sharon Carstairs, and the Vice-President of this unique body, Mexican Senator Rosario Green, envision a three-pronged approach: staying in closer contact with the highest parliamentary authorities of countries where legislators may be the target of human rights violations; highlighting public cases in the media; and encouraging the intervention of parliamentarians at the regional and international levels.

"There are legitimate reasons to keep some of our cases confidential, but at least half of the cases we deal with are public. Therefore we have to focus on the public dimension", said Senator Carstairs, the first woman to be appointed Deputy Leader of Government in the Canadian Senate in 1997.

The Committee's new President wants IPU members to understand that to achieve real success in bringing change, "then everyone has to be part of the solution. It cannot just be the commitment of the five people who sit on the Committee."

Senator Rosario Green, who has served as a former Foreign Minister of Mexico, is of the opinion that a parliamentarian's best insurance policy is the concern of peer MPs around the world. "No parliamentarian can be assured of being safe from harassment". The world changes and governments change. Any legislator may someday need the IPU's support.

The Committee does not operate as a bureaucratic body, reviewing the same set of files over and over without producing results. And even when results are not immediately visible, its work is important for the parliamentarians concerned, and for their families. Parliamentary solidarity is essential, and Senators Carstairs and Green believe no effort should be spared in making these cases known to as many fellow parliamentarians as possible.

The Committee is aware that raising human rights violations in the case of legislators can be a highly sensitive matter in many countries and that the authorities concerned are sometimes reluctant to accept field visits. As underscored by the Committee's President and Vice-President, however, the Committee and its members deal "with human beings like themselves, who have disappeared, found themselves in jail, or been tortured". Silence, in such cases, can be misconstrued.

An interesting approach in this regard — a success story for the Committee — was taken in the Philippines, following the detention of parliamentarians who included Mr. Crispin Beltran. The IPU sent a mission to Manila to gather first-hand information on the case and discuss it with the authorities. Thanks to the efforts of the Committee and its President and Vice President at that time — respectively, Senator Franklin Drilon, former President of the Philippines Senate, and Senator Carstairs, who led the mission — Mr. Beltran was finally released in early June. Parliamentary diplomacy and public information proved to be helpful in achieving that outcome.

L.B.



Photo China National People's Congress

IPU launches project in support of Burundi's women parliamentarians

What can parliament do to promote gender equality? How can parliamentarians use their legislative, budgetary, oversight and representative functions to act in favour of equality between men and women? These questions were discussed by Burundian parliamentarians and their counterparts from Rwanda, Spain, Burkina Faso and the Democratic Republic of the Congo (DRC) at a seminar on "Parliament and gender equality" held at the seat of Burundi's National Assembly, the *Palais de Kigobé*, from 18 to 20 June 2007.

The participants and specialists attending the seminar exchanged experiences about the functions of parliament. They considered the means and resources needed to enact laws and strengthen parliamentary initiatives. They underscored the need for parliament to be an open and transparent representative body that integrates citizens into the legislative process through hearings, open houses, debates on current affairs and modern communication media.

There are many ways of ensuring government oversight, but they are often thwarted by governments and hamstrung by a lack of administrative and technical means. In terms of budget, the participants discussed the benefits of mainstreaming the gender perspective in the draft budget. They also debated the challenges facing Burundian women, in particular the inequalities they suffer.

The seminar served to identify legislative priorities, such as the revision of certain articles of legislation on individuals and the family, the penal code, the labour



Photo IPU/Zana Hla Choukair

code and the rules on nationality. Other acts of law need to be drafted and enacted, including laws on inheritance, matrimonial regimes, gifts, and a special law on preventing and punishing acts of gender-based violence. Parliamentary action to mobilize stakeholders and promote the participation of women in the preparation of programmes and legislation concerning them also appeared key to the adoption, evaluation and monitoring of policies relating to women.

The seminar concluded with a special meeting, open only to women parliamentarians, on the specific challenges women face in their work as parliamentarians. The women discussed the political and associative interference hampering action by women parliamentarians and how to deal with it. They emphasized the need for women to work together with a shared vision in order to improve the situation of Burundi's women and to ensure that the legislative, oversight and representative activities of women parliamentarians have an impact. This crucial discussion for

Burundian women parliamentarians and Burundian women in general was enhanced by the input provided by the women's parliamentary associations of Rwanda and the DRC.

The seminar was the first activity of the project being conducted by the IPU, with funding from the United Nations Democracy Fund (UNDEF), in support of Burundi's women parliamentarians. The project is intended to respond to the needs of parliament as an institution and of women parliamentarians, who, since the 2005 legislative elections, have held more than 30 per cent of seats in parliament. Its principal objectives are to support parliament as an institution, to heighten parliament's gender awareness and knowledge so that it is better able to meet women's and men's expectations fairly and equitably, to help women parliamentarians strengthen their capacity for effective and sustained participation in political life, and to support solidarity and coordination among women parliamentarians and between them and civil society.

States are bound to ensure respect for the rights of children in conflict with the law

Legislators attending the seminar in Pakistan underlined that as parties to the Convention on the Rights of the Child and other international instruments, States are bound to ensure respect for the rights of children in conflict with the law. Yet in spite of these State commitments and obligations, children still experience arbitrary arrest, ill-treatment and even torture while in custody.

The three-day event, hosted by the Senate of Pakistan and organized in collaboration with the IPU and UNICEF, gathered some 60 delegates from Afghanistan, Bangladesh, India, Maldives, Nepal, Pakistan and Sri Lanka. They discussed the role of parliament in securing respect for the rights of children who are in conflict with the law.

The parliamentarians highlighted the need to establish juvenile justice systems built on a rights-based approach. They committed themselves to give preference to restorative measures, and to the use of diversion and alternative measures. They agreed to support the creation of separate mechanisms for children in conflict with the law that are governed by child-friendly procedures, and the development of facilities for children,

such as separate police units, open observatory homes, community-based centres, and the use of alternative options to institutionalization and detention. The latter should be used as a last resort and for the shortest possible period.

The legislators also recommended close monitoring of services and visits to detention centres to collect information and protect children from any potential abuse and exploitation by the system, appropriate training for enforcement agents and adequate budgeting and budget controls.

At the end of the meeting, the participants visited a drop-in centre for child labourers (rag-pickers) in the twin cities of Rawalpindi and Islamabad. The visit was organized by the ILO-IPEC Time-Bound Programme. To date, out of the 1,330 children who have been enrolled in the centres, 159 have been mainstreamed into government schools. Drop-in centres register scavengers/rag pickers who literally "drop in" during the morning and afternoon. The centres are located in close proximity to depots in the Rawalpindi district where children perform this work.

The main activities of these drop-in centres are non-formal education, art

and craft classes, literacy training, a vocational/life-skills programme, child sexual abuse prevention, health and hygiene services and awareness, and child communities. These centres have attracted considerable interest among South Asian MPs as a constructive way of providing support to children without separating them from their families.

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Jamali for conducive environment to protect children

Acting Chairman of the Senate Jan Mohammad Khan Jamali has called on parliamentarians to work out strategies for providing a favourable environment to protect children from violence and exploitation. He said that parliamentarians should play a central role to ensure that all children live in safety and dignity. He said that our future depends on children and that it is imperative to create a protective environment for them. The urgent need to address child protection issues, he said, can be gauged by the fact that these issues intersect with each of the Millennium Development Goals, most of which cannot be achieved without effective measures to protect children. He made these observations while delivering the presidential address at the conclusion of the Regional Parliamentary Seminar, organized by the Senate of Pakistan in cooperation with IPU and UNICEF. Referring to the unanimous adoption of recommendations aimed at protecting children from violence and exploitation, the Acting Chairman advocated directing such noble initiatives towards the promotion of legislation prohibiting corporal punishment and establishing strict penalties for sexual abuse. He said that Pakistan attaches great significance to improving the lot of children and upholding their rights.

Daily Mail (Pakistan) - 3 July 2007



Photo IPU/Kareem Jibre

HUMAN RIGHTS OF PARLIAMENTARIANS

“Legislators must defend the rights of their colleagues”

At its last session, in July 2007, the IPU Committee on the Human Rights of Parliamentarians examined 33 public cases concerning 198 legislators in Bangladesh, Belarus, Burundi, Cambodia, Colombia, Ecuador, Eritrea, Honduras, Israel/Palestine, Lebanon, Malaysia, Mongolia, Myanmar, Pakistan, Philippines, Rwanda, Sri Lanka, Turkey and Zimbabwe. Its new President, Canadian Senator Sharon Carstairs, who took the chair in June, and its new Vice-President, Mexican Senator Rosario Green, intend to give more visibility to the work of this body, composed of legislators from different regions of the world.

As Senator Carstairs explained to *The World of Parliaments*, the Committee faces two major problems. “It has not received enough media attention, so awareness about our work is limited. And it does not receive enough prominence within the IPU itself. While Members pay some attention to the report when it is presented, there is little follow-up in many countries”.

Senator Carstairs wants IPU Members to understand that “if we are to have real success in bringing change then everyone has to be part of the solution. It cannot just be the commitment of the five people who sit on the Committee”.

To speak or not to speak

Part of the visibility problem can be attributed to the rules of the Committee, which works *in camera* and deals with public but also confidential cases. “There are legitimate reasons to keep some of our cases confidential, but at least half of the cases we deal with are public. Therefore we have to focus on the public dimension, present cases to the media to point out success stories but at the same time highlight cases where we don’t have the same success and explain why we need help”.

Senator Carstairs proposes that when the Committee presents its report to the Governing Council at IPU Assemblies, the Committee’s five members should briefly provide information on the cases and show pictures, “so that the cases become living human beings to the Assembly delegates. Showing pictures on the



Sitting: from left to right: Senator Alima Boumediene-Thiery (France), Senator Sharon Carstairs (Canada), Senator Rosario Green (Mexico); standing: Senator Aquilino Pimentel (Philippines), Senator Philippe Mahoux (Belgium) and Senator Zahia Benarous (Algeria).

screen of legislators who have allegedly been victims of human rights violations is an important means of capturing the audience’s attention and making it clear to delegates and journalists that the Committee’s report is not a dull, 55-page document but deals with people like them, who have disappeared, found themselves in jail, or been tortured”.

Democratic institutions must be strong

Mexican Senator Rosario Green supports this approach. “We can provide a lot of information. Take the case of Ecuador for example. We have a DVD showing the harassment against legislators or showing the police doing nothing, and just watching. We have to convey our hope that this will not happen again. No parliamentarian can be assured of being safe from harassment. The world changes, and any legislator may at some point need the IPU. In order for the IPU to be able to deliver, parliamentarians have to make it stronger”.

Senator Green stresses that neighbouring countries must act “to help the Committee help their fellow parliamentarians. I am sure that legislators from Peru or Chile are closer to their counterparts in Ecuador, for instance, than we are, so we have to coach them and make them care about what is happening.

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Sometimes their voices are stronger than ours. We have more and more democracies in the world and we have to make sure that our institutions are strong enough to take a stand when the human rights of parliamentarians are violated". While acknowledging that the Committee has faced some delicate situations she said that "sometimes we look like a bureaucratic body that goes so many times over the same files

without producing anything but the hope that we will be heard. We should begin doing what we can as legislators to change things a little. We should not be weak: we are an independent branch of government and should not be afraid of executive branch administrations. We have to be strong when we deal with the human rights of people in prison and take a stand to defend the rights of our colleagues".

Latin America: Parliaments need to do more in the fields of justice and equality

At a meeting jointly organized by the IPU and the Chamber of Deputies of Bolivia held on 8 and 9 June in La Paz, Bolivia, some 150 participants from Latin America discussed successes and failures in pursuing national reconciliation. They exchanged views on whether democracies have brought justice for former victims and to those who have been excluded from society as a result of poverty or discrimination.

Participants were highly critical in this regard and concluded that the democracies that had taken root had not put a stop to the social and economic injustice that had been the causes of conflict and human rights violations during the era of dictatorships in Latin America. They stressed the urgency of strengthening the democratization process in the region by better redistributing wealth, examining and changing the role of the elite and expanding the rights of civil society and social movements and their participation in decision making. Parliament has been a key actor in this regard, not only in the area of lawmaking, but more importantly, in exercising its oversight functions and in keeping the memory of a violent and difficult past alive among new generations. It has also been important to enhance the positive perception of the parliamentary institution so as to better meet these challenges.

"As a victim of oppression I say that we must stand up"

One of the success stories of the IPU Committee on the Human Rights of Parliamentarians was a case in the Philippines concerning six members of the House of Representatives accused of rebellion. One of them, Mr. Crispin Beltran, was in detention in April this year when the IPU sent a mission to Manila to gather first-hand information on the case. The delegation concluded that the charges brought against the parliamentarians concerned were politically motivated, that Mr. Beltran's detention was arbitrary and that he should be released. One week before the Committee's July session in Geneva the Supreme Court of the Philippines dismissed the charges against the parliamentarians concerned, and few days later, Mr. Beltran was released.

Senator Aquilino Pimental of the Philippines is a member of the Committee and can testify to the importance of its work. "The Committee plays a vital role in making the world aware of our universally shared concern about respect for the human rights of legislators. Having been a victim of oppression in my country, under Mr. Marcos' martial law, I empathize with legislators—and all individuals—whose human rights have been abused. Members of the IPU now know there is a mechanism for speaking out for the rights of legislators. When you are directly oppressed, it means a lot to know you're not alone in the struggle. It is very important for us as legislators to understand and stand up for human rights—our own as well as others.

...IN THE PRESS...

IPU: Release Beltran

The Inter-Parliamentary Union reiterated its call to the government to release Anakpawis Rep. Crispin Beltran, since he is no longer a security risk.

"We know that that he is 74 years old. He has a serious heart condition and perhaps there are good reasons for the government to keep him in the hospital", said Canadian Senator Sharon Carstairs, of the IPU's Committee on Human Rights of Parliamentarians. Beltran is currently under hospital arrest at the Philippine Heart Centre. The high-level IPU mission

arrived here to conduct a three-day investigation of the human rights situation and the reported harassment of militant party-list representatives. The fact-finding mission intends to find out if the government indeed violated the rights of Representatives Satur Ocampo and Teddy Casiño of Bayan Muna; Crispin Beltran and Rafael Mariano of Kilusang Magbubuking in the Philippines; and Liza Masa of Gabriela, and Joel Virador, also of Bayan Muna.

People's Journal (Philippines) and AFP (Agence France Presse) - 19 April 2007

IPU working on the HIV/AIDS pandemic

HIV/AIDS has already claimed more than 25 million lives. Progress in halting the disease is falling far short of targets. World leaders have promised to provide universal access to treatment, care, support and prevention services by 2010, but the promises are not being kept because there is a lack of leadership at every level.

The IPU Advisory Group on HIV/AIDS was set up in 2006 in order to enlist the full force of the world's legislatures in the fight against the AIDS pandemic, in which parliaments are crucial stakeholders. Keen to expand the scope of its work to parliaments worldwide, the Group will be organizing the first Global Parliamentary Meeting on HIV/AIDS, to be held in Manila, Philippines, from 28 to 30 November 2007. Although there have been a number of national and regional parliamentary initiatives in this area, never before have the world's parliaments been convened to jointly discuss the part they have to play in responding to the crisis. The aim of the meeting is thus to bring the work on HIV/AIDS across to the full IPU membership and engage the entire parliamentary community.



The Advisory Group in a poor district of Sao Paulo.

Photo IPU/J. Jennings

The Manila event will take as its leitmotif the question of leadership. This is the theme for World AIDS Day on 1 December, immediately after the meeting closes. It will also be looking at universal access and the thorny question of the affordability of drugs. This issue arose from the first field visit made by the Advisory Group to Brazil in June 2007. On the visit the Group met with a broad spectrum of people involved in the national programme, including the Speaker of the Chamber of Deputies, the Minister of Health, representatives of UN organizations and NGOs, and people living with HIV/AIDS. The Brazilian government has taken a pioneering stand in negotiations with pharmaceuticals manufacturers, and the Global Meeting will discuss an IPU position paper designed to help parliaments called upon to legislate in this difficult area.

Part of the Group's work involves designing information and training materials for members of the world's legislatures. The Manila Meeting will see the launch and discussion of a new guide for parliamentarians that provides detailed information on various issues that parliaments have to face in this field and proposes some good practices.

The programme of field visits responds to a growing interest in taking IPU activities out of the conference room and into closer contact with the people influencing the shaping of policy on major international problems. The next field visit is planned to be to the Russian Federation, a country that is grappling with a devastating AIDS epidemic.

...IN THE PRESS...

IPU ready to pave way for Iran-US talks

The Secretary General of the Inter-Parliamentary Union, Anders B. Johnsson, announced the Union's readiness to prepare the ground for possible direct Iran-US parliamentary talks. Johnsson made the remarks in a meeting with the Iranian MP Alaeddin Boroujerdi while referring to the role of the Union in promoting parliamentary democracy and holding talks among the world's parliaments. The IPU Secretary General expressed his hope that the Union might help to ease tensions between Iran and the US through a process of bilateral parliamentary negotiations.

IRNA (Iranian news agency) - 30 June 2007

Equatorial Guinea: conclusion of the parliament strengthening project, phase one.

Phase one of this project of assistance to the Equatoguinean Chamber of People's Representatives (CRP) came to a conclusion on 31 July following an IPU end-of-phase mission. The high point of the mission was the presentation of a "Member's Guide", recently published by the IPU for use by members of the country's parliament. The parliament continues to face major challenges in its efforts to modernize. In recognition of those challenges, the IPU, the European Commission and the Parliament have agreed to establish a follow-on project due to commence later in 2007. During this new phase, the IPU will continue to provide training to MPs and parliamentary staff and advisory assistance in a bid to streamline the parliament's functioning and make it responsive to the needs of society.



Afghanistan: ongoing consolidation of fledgling parliament

In September 2007, the IPU and UNDP organized a study visit to the German Bundestag for the parliament's finance and administration staff, who had the opportunity to engage with their German counterparts on parliamentary budget preparation and execution issues. The visit also focused on work in connection with the administration of public funds and financial resources,

as well as on the structure, areas of responsibility and powers of the parliamentary budget committee.

United Arab Emirates: modernizing the Federal National Council

The authorities of the United Arab Emirates have embarked on a far-reaching programme to modernize the parliament and bring it in line with the parliaments of democratic States. The Speaker of the Federal National Council having sought IPU assistance in this connection, the IPU sent a team of parliamentary experts to the United Arab Emirates from 9 to 15 June 2007 to assess the functioning of the parliament and make recommendations for improvement. The findings of that mission are currently under consideration by the parliamentary authorities.

Timor-Leste: preparing the ground for newly elected MPs

The IPU and the United Nations Development Programme organized a week-long orientation seminar in Dili from 27 August for recently elected members of Timor-Leste's parliament. The 65 MPs attending, assisted by resource persons from the parliaments of Mozambique and Namibia as well as from the United Nations Integrated Mission in Timor-Leste and the United Nations Development Programme for Women, delved into the nuts and bolts of a functioning parliament. Among many other issues, they looked at the role of members as well as issues of parliamentary procedure. The IPU and UNDP will continue to help the newly elected MPs develop the rudiments of a well-functioning parliament in the context of an on going orientation programme.

Burundi: creating a framework for dialogue within the Parliament.

In June 2007, the IPU organized a retreat in Gitega, Burundi, for the key actors of Burundi's parliament. Participants included the leadership of both houses, committee chairs and representatives of women MPs. All the political parties represented in the country's parliament were present at this retreat. Serving as resource persons for the event were MPs from Benin and Burkina Faso. Participants discussed and identified relevant practices and mechanisms to best promote inclusiveness in the functioning of parliament and become a key player in national reconciliation (see also page 4).



Library of the Federal National Council of the United Arab Emirates

¹ The Union's Technical Cooperation Programme provides assistance to parliaments worldwide, strengthening their capacity to perform their functions efficiently.

PARLIAMENTARY DEVELOPMENTS

CHAD

On 13 August 2007, the ruling Patriotic Salvation Movement party of President Idriss Deby, its allies, and the opposition “Coordination for the Defence of the Constitution” agreed to postpone parliamentary elections until 2009 and share power in the government in the meantime. The parliamentary elections had originally been planned for 2006 but were later postponed to 2007 for financial reasons. Another opposition group, the Federation Action for the Republic, declined to sign the agreement, demanding the involvement of Chad's rebels in the process. The agreement followed an eight-month long negotiation mediated by the European Union. It provides for the creation of a new Independent Electoral Commission, which would include opposition-nominated members, and the introduction of new computerized and tamper-proof electoral lists and biometric voters' cards. The Coordination for the Defence of the Constitution, comprising 16 political parties, boycotted the May 2006 presidential elections, claiming unfair. All Electoral Commission members had been appointed by President Deby, making it possible for the electoral list to be tampered with.

KENYA

On 26 July 2007, ahead of the general elections scheduled for December, the government proposed to introduce 90 new seats in parliament, including 50 seats reserved for women. Public opinion on the matter was reportedly divided. While women activists have praised the bill as promoting women's representation in the National Assembly, some legal experts have called it discriminatory against men. On 15 August, the bill was declared to have lapsed after the National Assembly failed to vote on it, for lack of the quorum required for constitutional changes (65 per cent, or 145 of the parliament's 222 members). While 147 MPs were reportedly present during the debate, only 95 were counted when the quorum was tested. Under the rules of the National Assembly, the bill cannot be considered again for at least six months, thus not

before the December 2007 elections. The elections will therefore be held for only 210 seats, with no seats reserved for women.

MADAGASCAR

On 4 April 2007 a referendum proposing amendments to Madagascar's constitution was approved by 75.4 per cent of the voters. A total of 43.7 per cent of the country's 7.3 million registered voters turned out at the polls. The amendments approved empower President Marc Ravalomanana, who was re-elected in December 2006, to make laws during a state of emergency without parliament's approval. The country's six provinces will be abolished before October 2009, and English will be introduced as the country's third official language, after Malagasy and French. On 28 April, the High Constitutional Court validated the referendum results, and President Marc Ravalomanana promulgated the amended constitution the same day.

In the run-up to the referendum, opposition groups had campaigned against the constitutional reforms and had called for a boycott, arguing that the revised constitution would give too much power to the President. The government insisted that making English an official language would attract more foreign investors and thus contribute to the country's development.

MALDIVES

On 26 July 2007, President Maumoon Abdul Gayoom called the first-ever referendum for 18 August to decide on the country's future political system. Citizens over 18 years of age were asked to choose between a presidential and a parliamentary system. Approximately 150,000 of the 194,000 eligible voters cast their ballots, with 93,042 voting for the presidential and 57,109 backing a parliamentary system. President Maumoon Abdul Gayoom's ruling Dhivehi Rayyithunge Party (DRP) and three other parties campaigned for an American-style presidential system, while the main opposition Maldives Democratic Party (MDP) favoured a more accountable parliamentary system. The referendum followed what President Gayoom termed "slow

progress" in the Special Majlis (Constitutional Assembly, one-third of whose members are presidential appointees) in agreeing on the form of government to be adopted. Opposition groups have claimed the President purposely tried to delay the constitutional reform process, so as to run for the next presidential elections under the current Constitution. Under the new presidential system, President Gayoom can stand for re-election in 2008. The referendum results will be reflected in the new Constitution, which is expected to be finalized in November 2007.

NEPAL

On 24 June, the Cabinet postponed elections to the 497-member Constituent Assembly from June to 22 November 2007 in order to allow enough time to prepare for the elections. On 22 June, the Legislative Parliament passed the Election of Members of the Constituent Assembly Act, 2064 (2007). Under the Act, 240 members will each be elected through the "first-past-the-post" and proportional representation systems, while an additional 17 eminent persons will be appointed by the Council of Ministers. Persons indicted by a probe commission (the Rayamajhi Commission, tasked with inquiring into abuses of authority, losses and damage sustained during the People's Movement of April 2006) will be barred from competing in the Constituent Assembly elections.

SENEGAL

The Senegalese Senate was re-established in August 2007, in accordance with the Senate Bill passed by the National Assembly in January 2007 (see issue No. 25, April 2007). The new Senate is composed of 100 members: 65 appointed by the President of the Republic and 35 elected indirectly. The indirect elections took place on 19 August 2007.

SPAIN

On 30 May, the Parliament approved a motion requiring the executive to report annually on the positions taken by Spain at the World Bank and the IMF. The government will also have to report on the decisions taken by these institutions with regards to foreign debt, the fight against poverty and the Millennium Development Goals. The

motion seeks greater transparency with regard to the financial resources allocated to the Bank and Fund; a strengthened presence of development experts and professionals in the international financial institutions (IFIs); and more research on the socio-economic impact of IFI actions undertaken at the initiative of Spain.

SUDAN

As foreseen in the Darfur Peace Agreement and East Sudan Peace Agreement, which were signed in May and October 2006 respectively, representatives from all regions will sit in the National Assembly for the first time since its inception in August 2005. Twelve members of the Darfur States joined the National Assembly on 3 April 2007. Nine filled the vacant seats reserved for them, while three took over seats vacated by the ruling National Congress. Another eight members representing the Eastern States were appointed by a presidential decree on 25 June 2007 to fill seats vacated by the National Congress. These eight members are due to be sworn in in mid-October 2007, when the new parliamentary session starts.

THAILAND

On 6 July 2007, the Constitution Drafting Assembly approved the final draft of a new Constitution for Thailand, paving the way for a constitutional referendum on 19 August. The interim government, led by Prime Minister Surayud Chulanont, called on citizens to support the draft constitution, which he said would prevent the emergence of overly powerful politicians, such as former Prime Minister Thaksin Shinawatra, ousted in the 2006 coup. Public opinion on the proposal, however, was divided. Pro-democracy advocates and allies of Mr. Shinawatra firmly opposed the draft constitution, arguing it would weaken the power of elected officials and political parties while giving more power to bureaucrats and the military. Buddhist activist groups, which had unsuccessfully campaigned for Buddhism as a State religion, also opposed the draft. In the end, 57.8 per cent of voters approved the draft, paving the way for general elections, planned for December 2007. On 24 August, the

new constitution was published in the Royal Gazette after receiving the King's endorsement.

Under the new constitution, 400 members of the new 480-member House of Representatives are elected from multi-member constituencies, with the remainder chosen from party lists. The new Constitution has also removed the five-per-cent threshold required to win a seat, in order to facilitate the entry of small parties to the new House of Representatives. The so-called "90-day membership rule" has been maintained. The rule was introduced in the 1997 Constitution to prevent the creation of new

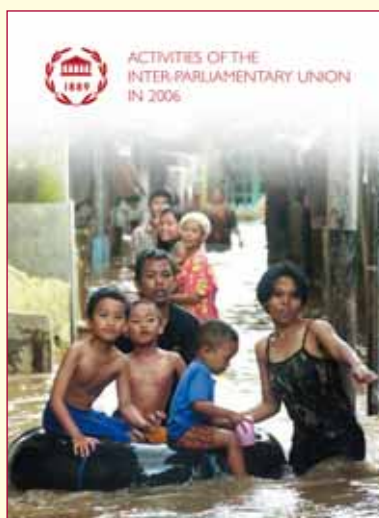
political parties before elections (which are called within 60 days after the dissolution of parliament). The new constitution, however, reduces the required membership period from 90 to 30 days in the event that the House of Representatives is dissolved unexpectedly. The statutory number of Senators was reduced from 200 to 150, 76 of whom are directly elected (one from each of the 76 provinces). National and provincial committees, composed of bureaucrats and judicial officials, select the rest from names proposed by various organizations in the country.

IPU PUBLICATIONS

ACTIVITIES OF THE INTER-PARLIAMENTARY UNION IN 2006

This publication gives a complete overview of the work of the IPU in 2006. It contains information on IPU's structure and the work of its various bodies during the year, a presentation of the Organization's future plans and political achievements as well as the challenges it faces and a description of activities and achievements within the framework of various programmes. It also contains the financial statements of the year.

See also IPU website: www.ipu.org.



CHRONICLE OF PARLIAMENTARY ELECTIONS

Volume 40 - December 2006

Published annually in English and French since 1967, the *Chronicle of Parliamentary Elections* reports on all national legislative elections held throughout the world during a given year. It includes information on the electoral system, the background and outcome of each election as well as statistics on the results, distribution of votes and distribution of seats according to political group, sex and age.

See also IPU web page:

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The World of Parliaments,
the IPU Quarterly Review,
is an official publication of
the Inter-Parliamentary
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Printed at Sadag SA - France

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