



TABLE OF CONTENTS

Page(s)

MEETINGS AND OTHER ACTIVITIES	
125th Assembly of the Inter-Parliamentary Union	
1. Inaugural ceremony	4
2. Opening of the Assembly and election of its President	4
3. Participation	5
4. Choice of an emergency item	5
5. Debates and decisions of the Assembly and of the IPU Committee on United Nations Affairs ..	6
6. Closing session of the Assembly	9
7. Amendments to the Statutes and Rules of the IPU	9
189th Session of the Governing Council	
1. Election of the President of the Inter-Parliamentary Union	10
2. Membership of the Inter-Parliamentary Union	10
3. Reports on activities of IPU Members	10
4. Financial situation of the IPU	10
5. Programme and budget for 2012	10
6. Cooperation with the United Nations system	11
7. IPU Strategy for the IPU 2012-2017	11
8. Recent specialized meetings	12
9. Reports of plenary bodies and specialized committees	12
10. Future inter-parliamentary meetings	12
262nd Session of the Executive Committee	12
Coordinating Committee of Women Parliamentarians	13
Subsidiary bodies and committees of the Governing Council of the Inter-Parliamentary Union	
1. Committee on the Human Rights of Parliamentarians	14
2. Committee on Middle East Questions	14
3. Committee to Promote Respect for International Humanitarian Law	14
4. Gender Partnership Group	14
5. Advisory Group on HIV/AIDS	15

Other meetings

Special event on <i>Reform of the financial markets</i>	16
---	----

Other events

1. Media coverage	17
2. Launch of the IPU-UNICEF <i>Handbook on Child participation in parliaments</i>	17
3. Launch of the Report on <i>Gender-sensitive parliaments: A global survey of good practice</i>	17
4. Address by Mr. Bertrand Piccard, founder of Solar Impulse	17

ELECTIONS, APPOINTMENTS AND MEMBERSHIP OF THE INTER-PARLIAMENTARY UNION

Elections and appointments

1. President of the Inter-Parliamentary Union	18
2. President of the 125 th Assembly of the Inter-Parliamentary Union	18
3. Vice-Presidents of the Inter-Parliamentary Union	18
4. Vice-President of the Executive Committee	18
5. Executive Committee	18
6. Sub-Committee on Finance of the Executive Committee	18
7. Committee on the Human Rights of Parliamentarians	18
8. Committee on Middle East Questions	18
9. Group of Facilitators for Cyprus	18
10. Committee to Promote Respect for International Humanitarian Law	18
11. Internal Auditors for the 2012 accounts	18
12. External Auditor 2011-2013	18

Membership of the Inter-Parliamentary Union	19
--	----

AGENDA, RESOLUTIONS AND OTHER TEXTS OF THE 125th ASSEMBLY OF THE INTER-PARLIAMENTARY UNION

Agenda	20
---------------------	----

Emergency item

• Resolution: <i>The plight of the people of famine-stricken Somalia and relief efforts by IPU Member Parliaments</i>	21
---	----

Report of the IPU Committee on United Nations Affairs	22
--	----

AMENDMENTS TO THE STATUTES AND RULES OF THE INTER-PARLIAMENTARY UNION

• Text of the amendments to Articles 5.2 and 5.3 of the Statutes	26
• Text of the amendments to the Rules of the Executive Committee	26

REPORTS, DECISIONS, RESOLUTIONS AND OTHER TEXTS OF THE GOVERNING COUNCIL OF THE INTER-PARLIAMENTARY UNION

Reports, decisions and other texts

• Strategy for the IPU 2012-2017	31
• Budget of the IPU for 2012	44
• Scale of contributions for 2012	45
• Cooperation with the United Nations system: List of activities undertaken by the IPU between 14 April and 15 October 2011	49
• Parliaments and the Istanbul Programme of Action (IPoA) for the least developed countries (LDCs)	53

Future meetings

• Future meetings and other activities	60
• Agenda of the 126 th Assembly	62
• List of international organizations and other bodies invited to follow the work of the 126 th Assembly as observers	63

Resolutions concerning the human rights of parliamentarians

• Mr. Shah Ams Kibria, of Bangladesh	65
• Sheikh Hasina, of Bangladesh	66
• Mr. Victor Gonchar, of Belarus	67
• Eighteen parliamentarians of Burundi	68
• Mr. Sam Rainsy, of Cambodia	70
• Ms. Mu Sochua, of Cambodia	72
• Mr. Pedro Nel Jiménez Obando, Mr. Leonardo Posada Pedraza, Mr. Octavio Vargas Cuéllar, Mr. Pedro Luis Valencia Giraldo, Mr. Bernardo Jaramillo Ossa, Mr. Manuel Cepeda Vargas, and Mr. Hernán Motta Motta, of Colombia	73
• Mr. Luis Carlos Galán Sarmiento, of Colombia	75
• Ms. Piedad Córdoba, of Colombia	76
• Mr. Wilson Borja, of Colombia	78
• Mr. Alvaro Araújo Castro, of Colombia	79
• Mr. Iván Cepeda Castro, Mr. Alexander López, Mr. Jorge Enrique Robledo, Mr. Guillermo Alfonso Jaramillo and Mr. Wilson Arias Castillo, of Colombia	81
• Mr. Jaime Ricaurte Hurtado González and Mr. Pablo Vicente Tapia Farinango, of Ecuador ...	83
• Eleven parliamentarians of Eritrea	84
• Ms. Birgitta Jónsdóttir, of Iceland	85
• Mr. Mohammed Al-Dainy, of Iraq	88
• Mr. Gibran Tueni, Mr. Walid Eido, Mr. Antoine Ghanem and Mr. Pierre Gemayel, of Lebanon	91
• Twelve parliamentarians of Madagascar.....	92
• Mr. Anwar Ibrahim, of Malaysia	94
• Mr. Zorig Sanjasuuren, of Mongolia	96
• Twenty-one parliamentarians of Myanmar	97
• Mr. Marwan Barghouti, of Palestine	99
• Mr. Ahmad Sa'adat, of Palestine	100
• Thirty-nine parliamentarians of Palestine	102
• Mr. Saturnino Ocampo, Mr. Teodoro Casiño, Ms. Liza Maza and Mr. Rafael Mariano, of the Philippines	105
• Ms. Galina Starovoitova, of the Russian Federation	107
• Mr. Leonard Hitimana, of Rwanda	108
• Mr. Joseph Pararajasingham, of Sri Lanka	109
• Mr. Nadarajah Raviraj, of Sri Lanka	110
• Mr. Thiyagarajah Maheswaran, of Sri Lanka	112
• Mr. D.M. Dassanayake, of Sri Lanka	113
• One hundred and eighty parliamentarians of Thailand	114
• Mr. Mehmet Sinçar, of Turkey.....	117
• Mr. Job Sikhala, Mr. Paul Madzore and Mr. Nelson Chamisa, of Zimbabwe	117

125th Assembly of the Inter-Parliamentary Union

1. Inaugural ceremony

The inaugural ceremony of the 125th Assembly of the Inter-Parliamentary Union¹ took place on 16 October 2011 at the Bernexpo Convention Centre in Bern, Switzerland, with Ms. Micheline Calmy-Rey, the President of Switzerland, in attendance. Mr. Jean-René Germanier, Speaker of the Swiss National Council (Lower House), in his introductory remarks, said that the Bernese State Councillor Charles-Albert Gobat had steered the IPU for 17 years from his office in the old town. When the politician went on to be awarded the Nobel Peace Prize in 1902 for his commitment to advancing democracy and protecting human rights, "Bern was honoured and all IPU action found greater legitimacy". Mr. Hansheiri Inderkum, President of the Council of States (Upper House), explained that the Council of States still reflected the manner in which the Founding Fathers of Switzerland had been able to peacefully resolve the dispute between towns and villages so that the Switzerland we knew today could emerge. "I am convinced", he said, "that our bicameral system has a future because it guarantees the country's cohesion. I am likewise confident that the Inter-Parliamentary Union is in full bloom, for its contribution to international dialogue and to the achievement of the purposes of the United Nations is unmatched."

The Mayor of the City of Bern, Mr. Alexander Tschäppät, said that the Swiss capital was famous for many reasons: the old town was among the first places to be designated a World Heritage Site by UNESCO, and one of the oldest international organizations was located in Bern, the Universal Postal Union.

The President of the IPU, Dr. Theo-Ben Gurirab, explained that a great deal of what was going to be discussed in the Swiss capital in the coming days reflected the preoccupations facing the world today. "Countries in North Africa and the Middle East are undergoing profound changes. Popular aspirations for freedom and democracy have brought challenges that were unimaginable only a year ago. Undemocratic rule and repression cannot advance peace and security in any country", he added. Many countries, some of them not so far away from Switzerland, were going through tough economic

times and uncertainty about the future. "Wherever we look, we see people suffering the consequences of crises and mismanagement, which are not of their making. As representatives of the people, we cannot let this sorry state of affairs continue".

The United Nations Secretary-General, Mr. Ban Ki-moon, recalled that the United Nations Charter began with the words "We the Peoples ...". That was why, he said, "wherever I go, I seek out parliamentarians. You represent the peoples' voice ... the peoples' hopes ... the peoples' will". 2011 was a year of remarkable advances, he added: "We heard the peoples' call in Côte d'Ivoire, South Sudan, North Africa and beyond. Now we must do our utmost to help these nations in transition. And we must put new emphasis on preventive diplomacy to preserve peace and build healthy democracies elsewhere. Women make up half the world's population. They represent even more of its unrealized potential. In many ways, women are the world's next emerging economy. We must expand women's role in every sphere. And that means in parliament too".

The ceremony concluded with a statement by Swiss President Micheline Calmy-Rey, who welcomed some 1,400 delegates from 130 countries and said that the IPU had a role to play in seeking answers to the challenges facing States and the international community today. "Your presence today in such large numbers", she added, "attests to your faith in the IPU and its role in addressing these challenges". She assured delegates that Bern would provide a working environment that was conducive to rich debates. She declared the 125th Assembly officially open.

2. Opening of the Assembly and election of its President

The 125th Assembly opened at the Bernexpo Convention Centre in the morning of Monday, 17 October, with the election by acclamation of Mr. J.-R. Germanier, Speaker of the Swiss National Council, as President of the Assembly. The President said that it was a great honour for him to have been elected to preside over the Assembly's work. He gave the floor to the Speaker of the House of Representatives of Japan, Mr. T. Yokomichi, who thanked the IPU Members for their support following the earthquake and tsunami which had affected his country, and gave an update of the measures taken to rebuild and secure the affected areas.

¹ The resolutions and reports referred to in this document and general information on the Bern session are available on the IPU website (www.ipu.org).

3. Participation

Delegations of the following 127 Member Parliaments took part in the work of the Assembly:² Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bosnia and Herzegovina, Botswana, Brazil, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Equatorial Guinea, El Salvador, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Netherlands, Niger, Nigeria, Norway, Pakistan, Palestine, Panama, Papua New Guinea, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, San Marino, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, The Former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Zambia and Zimbabwe.

The following Associate Members also took part in the Assembly: Andean Parliament, East African Legislative Assembly, Parliament of Economic Community of West African States, European Parliament, Latin American Parliament, Parliamentary Assembly of the Council of Europe, Inter-Parliamentary Committee of the West African Economic and Monetary Union and the Transitional Arab Parliament.

Observers included representatives of: (i) United Nations system: United Nations, United Nations Conference on Trade and Development (UNCTAD), United Nations Development Programme (UNDP), United Nations Department of Economic and Social Affairs (UNDESA), United Nations International Strategy for Disaster Reduction (UNISDR), United Nations Office for Disarmament Affairs (UNODA), Organization for the Prohibition of Chemical Weapons (OPCW),

Comprehensive Test Ban Treaty Organization (CTBTO), United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations Children's Fund (UNICEF), International Labour Organization (ILO), World Health Organization (WHO); (ii) International Organization for Migration (IOM), World Trade Organization (WTO); (iii) African Parliamentary Union (APU), Arab Inter-Parliamentary Union (AIPU), Asian Parliamentary Assembly (APA), Association of Senates, Shooraa and Equivalent Councils in Africa and the Arab World (ASSECAA), Association of European Parliamentarians with Africa (AWEPA), Commonwealth Parliamentary Association (CPA), Confederation of Parliaments of The Americas (COPA), Inter-Parliamentary Assembly of the Eurasian Economic Community (EURASEC), Inter-Parliamentary Commission of the Economic and Monetary Community of Central Africa (CEMAC), League of Arab States, Inter-Parliamentary Union of the Intergovernmental Authority on Development (IPU-IGAD), Maghreb Consultative Council, Pan-African Parliament, Parliamentary Assembly of the Mediterranean (PAM), Parliamentary Assembly of the Black Sea Economic Cooperation (PABSEC), Parliamentary Assembly of Turkic-speaking Countries (TURKPA), Parliamentary Assembly of the Union of Belarus and the Russian Federation, Parliamentary Union of the Organization of the Islamic Conference Member States (PUOICM); (iv) Socialist International; and (v) International IDEA, Geneva Centre for the Democratic Control of Armed Forces (DCAF), and International Committee of the Red Cross (ICRC).

Of the 1,253 participants who attended the Assembly, 534 were members of parliament. The parliamentarians included 36 Speakers, 37 Deputy Speakers and 158 women parliamentarians (29.6%).

4. Choice of an emergency item

The Assembly had before it three requests for the inclusion of an emergency item: one submitted by the delegation of Namibia, entitled *The plight of the people of famine-stricken Somalia and relief efforts by IPU Member Parliaments*, a proposal submitted by the Palestinian delegation entitled *Realizing the right of the Palestinian people to self-determination* and a third proposal, submitted by the Islamic Republic of Iran, entitled *The need to further mobilize international support and strengthen international efforts to assist the Somali people suffering from famine*.

After taking the floor, the delegations of Palestine and the Islamic Republic of Iran withdrew their proposals in favour of the one presented by

² For the complete list of IPU Members, see page 19

Namibia, which was adopted by acclamation and added to the agenda as Item 6.

5. Debates and decisions of the Assembly and of the IPU Committee on United Nations Affairs

(a) Debate on the emergency item

The plight of the people of famine-stricken Somalia and relief efforts by IPU Member Parliaments (Item 6)

The debate on the emergency item took place in the afternoon of Monday, 17 October. It was chaired by Mr. J.-R. Germanier, President of the 125th Assembly, and by the Speaker of the National Assembly of South Africa, Mr. M.V. Sisulu, in his capacity as Vice-President of the Assembly. A total of 18 speakers from 17 parliamentary delegations and one Observer took part.

During the debate, speakers expressed their deep concern over the situation in Somalia and expressed their support, urging all parliamentarians to promote global inter-parliamentary cooperation aimed at advancing relief efforts to mitigate human suffering and hunger in the Horn of Africa.

The concerns expressed during the debate were reflected in the draft resolution, which was prepared by a drafting committee composed of representatives of the parliaments of: Argentina, Australia, Cambodia, Canada, Malaysia, Mexico, Namibia and the United Kingdom. It appointed Ms. U. Stephens (Australia) as its president and Ms. S. Tioulong (Cambodia) as its rapporteur.

(b) Report of the IPU Committee on United Nations Affairs (Item 4)

The IPU Committee on United Nations Affairs met from 17 to 19 October. It began its first session with a briefing and discussion with Mr. J. Sampaio (Portugal), UN High Representative for the Alliance of Civilizations (UNAOC). The session was chaired by Senator D. Dawson (Canada), and highlighted the need to enhance the role of parliaments in dealing with popular concerns over culture, identity and migration, which challenged the core values of democracy around the world.

The Committee stressed that parliaments and parliamentarians should consider various initiatives to enhance intercultural dialogue and cooperation, inter alia by organizing regular debates in parliament, establishing specific mechanisms to help maintain key issues on the parliamentary agenda, and taking follow-up action with a view to implementing the recommendations of the relevant

IPU resolution adopted in 2007 on ensuring respect for peaceful co-existence.

The second session took the form of a panel discussion on *Nuclear Weapons: The Road to Zero*. The event, chaired by Speaker H. Jenkins of Australia, was held as a follow-up to the IPU resolution adopted in 2009 on advancing nuclear non-proliferation and disarmament. The Committee heard presentations by prominent experts and engaged in a discussion on various ways of addressing the threats and challenges posed by nuclear weapons.

The Committee reaffirmed that nuclear weapon States had an obligation to implement the commitments they had undertaken through the Non-Proliferation Treaty and non-nuclear weapon States could help build a framework by prohibiting and criminalizing nuclear weapons in their national legislations, establishing regional nuclear weapons-free zones, and promoting common security models as alternatives to nuclear deterrence.

The Committee devoted its third session to the Istanbul Programme of Action (IPoA) and follow-up to the Fourth UN Conference on the Least Developed Countries (LDC IV), held in Istanbul in May 2011. The session was moderated by Mr. M. Traore (Burkina Faso), and featured a keynote address by Mr. C.S. Diarra, UN Under-Secretary-General and High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States (UN-OHRLS). The presentations addressed the main outcomes of LDC IV and plans for follow-up and the important role of parliaments in the achievement of national development commitments. Participants were briefed on the joint IPU-UN-OHRLS project in support of LDC parliaments and a related Guidance Note developed by the IPU (see page 53).

During the session held in the afternoon of 17 October, the Committee examined developments in cooperation between the United Nations, national parliaments and the IPU. It heard a presentation by Ms. K. Komi (Finland), a member of the IPU Advisory Group on United Nations Affairs, on the main findings and recommendations of the most recent field mission conducted by the Advisory Group to Ghana and Sierra Leone (the full text of the Report is available at <http://www.ipu.org/conf-e/125/unc5-r1.pdf>).

The Committee took stock of preparations for the UN General Assembly debate on *Interaction*

between the United Nations, national parliaments and the IPU - a stand-alone item on the agenda of the current 66th session. While underscoring the importance of the previous resolution (65/123) and the need to further consolidate the gains achieved, it was agreed that there was room for further progress.

In the morning of 19 October, the Committee held a panel discussion on *The green economy: A breakthrough for sustainable development?* The debate was held in the run-up to the 2012 UN Conference on Sustainable Development, also known as the Rio+20 Conference. It was moderated by Brazilian MP H. Napoleão, and featured a prominent group of parliamentarians, UN officials, international experts, and representatives of civil society and the private sector.

The Committee stressed that the sustainable development agenda related to both developed and developing countries and by most standards, remained largely unrealized. The economy was using up far more resources than could be replaced or preserved at the cost of a lower quality of life, and poverty and inequality persisted in spite of an overall increase in total wealth.

At its last sitting, the Committee discussed preparations for the 2011 session of the UN Climate Change Conference (COP 17/CMP 7), to be held in December 2011 in Durban, South Africa. The session was chaired by Mr. C. Frolick, coordinator at the South African Parliament. The Committee was briefed on the current negotiations, challenges and requirements for the conclusion of a global agreement on climate policies that encompassed adaptation, mitigation, finance, technology, forests and capacity-building. It exchanged views on a draft parliamentary message to the UN Conference, which should be a succinct but powerful political declaration.

The Advisory Group to the IPU Committee on United Nations Affairs also met during the 125th Assembly. It underscored that, although the Committee was still a fledgling structure, additional efforts should be made to sensitize Member Parliaments to the Committee's mandate with a view to increasing participation by legislators and enhancing the Committee's status.

The full Report of the IPU Committee on United Nations Affairs is available on page 22.

(c) Panel discussion (First Standing Committee subject item at 126th Assembly: Promoting and practising good governance as a means of advancing peace and security: Drawing lessons from recent events in the Middle East and North Africa) (Item 3a)

The panel discussion took place in the morning of 20 October. It was chaired by Mr. S.H. Chowdhury (Bangladesh), the Committee's President. The co-Rapporteurs, Mr. M. Gyöngyösi (Hungary) and Mr. J.J. Mwiimbu (Zambia), presented their draft reports, which identified the elements of good governance how it contributed to peace and security. The reports analysed the recent events in the Middle East and North Africa, with particular reference to the revolutions in Tunisia and Egypt. Participants heard keynote presentations from Mr. M. El Galad, Editor-in-Chief of the Egyptian daily newspaper *Al-Masry Al-Youm*, Ms. S. Sekkenes, Senior Adviser, Bureau for Crisis Prevention and Recovery, UNDP, and Ms. K. Jabre, Manager of the IPU Gender Partnership Programme.

Delegates from 48 parliaments and one regional parliamentary organization took the floor during the ensuing debate. There was broad agreement among delegates on the importance of good governance, which inter alia presupposed political accountability, efforts to curb corruption, and the promotion of gender equality. Participants provided a number of good practices, as well as suggestions on ways to enhance democratic governance. Many delegates underscored that the Arab Spring was an expression of peoples' fundamental desire for dignity and freedom, and that the revolts in several Arab countries had come in response to the oppressive nature of former or current regimes. Others argued that, for economic or geostrategic reasons, various foreign powers had supported the former regimes, thus delaying the development of democracy in countries such as Tunisia and Egypt.

Delegates from other Arab countries drew attention to the political reforms taking place in their countries, which, in some cases, had been underway for a number of years. While applauding the co-Rapporteurs' efforts to capture the complex political situation in the Middle East and North Africa, some delegates invited them to deepen their analysis. Participants suggested that it might be useful to distinguish between the importance of good governance for the promotion of peace and security, and the evaluation of recent events in the Middle East and North Africa, which were the result of a complex set of historical and political circumstances.

(d) Panel discussion (Second Standing Committee subject item at the 126th Assembly: Redistribution of power, not just wealth: Ownership of the international agendas (Item 3(b))

The panel discussion took place in the afternoon of 18 October, with Mr. S. Alhusseini (Saudi Arabia), President of the Second Standing Committee, in the Chair. He was replaced in the Chair subsequently by the First Vice-President, Ms. B. Contini (Italy).

The two co-Rapporteurs who had been appointed at the 124th Assembly, Lord Judd (United Kingdom) and Mr. O. Benabdallah (Morocco), presented their respective draft reports. They were joined by a non-parliamentary expert, Ms. Y. Li, Head of the Debt and Development Finance Branch, United Nations Conference on Trade and Development. Following the three introductory statements, an exchange of views took place, with a total of 31 delegates taking the floor.

The discussion focused on the need for a fundamental re-assessment of power relations between States and citizens and the need to identify ways and means of improving the system of international governance.

Given the ever increasing number of global challenges and cross-border issues, the existing mechanisms for problem-solving tended to reflect the priorities of those in positions of power rather than those most affected by problems. The recent wave of uprisings referred to as the "Arab Spring" showed that the masses were disillusioned with governments that failed to provide a fair voice and an equitable share of the economic pie.

At the global level, trust in multilateral institutions had been eroded and many of those institutions were perceived as reflecting the needs of the post-World War II powers and large economies, at the expense of the developing nations. Multilateral institutions and forums for global problem-solving were in dire need of reform if they intended to remain relevant in an increasingly multipolar world and able to tackle the problems of climate change, resource constraints, hunger, poverty and insecurity. Echoing the sentiments reflected by the co-Rapporteurs in their reports, most delegates were critical of power equations that underlay decision-making in international bodies such as the UN Security Council, the International Monetary Fund, the World Bank and the G20.

Delegates pointed to the pervasive influence of media moguls and the non-transparent nature of corporate power, in particular the preponderant influence of lobbyists representing private-corporate

interests. They endorsed the co-Rapporteurs' conclusion that it was necessary to ensure greater transparency in decision-making through freedom of information and a register of lobbyists, both at the national and international levels.

The draft reports and the panel discussion served as reminders that effective international accountability depended on strong, vibrant local, regional and national systems of democracy.

(e) Panel discussion (Third Standing Committee subject item at the 126th Assembly: Access to health as a basic right: The role of parliaments in addressing key challenges to securing the health of women and children) (Item 3c)

The panel discussion took place in the morning of 18 October with Mr. O. Kyei-Mensah-Bonsu (Ghana), President of the Standing Committee on Democracy and Human Rights, in the Chair. The President asked Ms. S. Ataullahjan (Canada), Mr. F. Sardinha (India) and Ms. P. Turyahikayo (Uganda), who had been appointed co-Rapporteurs at the 124th Assembly in Panama, to present the draft report they had jointly prepared. Following their presentation, they invited participants to make contributions with a view to enriching the report and laying the foundations for the future draft resolution.

The participants heard presentations by Dr. F. Bustreo, Assistant Director-General, Family, Women's and Children's Health, World Health Organization, and Dr. C. Presern, Director of the Partnership for Maternal, Newborn and Child Health.

More than 180 delegates attended the panel, of whom 55 took the floor during the debate. The health of women and children as a human rights issue was of deep concern to parliaments. Inadequate, weak and failing health systems, insufficient financial and human resources, particularly in the context of entrenched poverty, the marginalization of women and girls as well as the social and economic inequalities that hindered certain groups from accessing health services, were underlying causes of poor health among women and children.

Some progress had been made in reducing child and maternal deaths as a result of the concerted efforts by the international community over the past few years. However, while some countries were on track to achieve the Millennium Development Goals (MDGs) relating to the health of women and children (MDGs 4 and 5), many others were unlikely to meet their targets. The high number of preventable maternal and child deaths remained

unacceptable. Participants called on the international community to sustain and scale up its support as a matter of urgency. They highlighted parliaments' pivotal contribution to legislative, oversight, budgetary and sensitization efforts required for the health-related MDGs to be achieved by 2015.

The key challenges faced by parliaments in addressing women's and children's health included insufficient political space to inform the budget allocations for maternal and child health, and a lack of resources and access to information for their work. As a result, an accountability gap persisted with respect to the provision of resources and implementation of programmes to ensure improved health outcomes for women and children. Participants provided examples of mechanisms and initiatives employed by their parliaments to promote the health of women and children in their countries. Increasingly, countries recognized health as a basic right in their constitutions. Albeit to varying extents and not without challenges, parliamentarians - both men and women - were increasingly working towards ensuring that improvements in women's and children's health were achieved through their legislative, oversight, representation and advocacy functions. Parliamentary mechanisms such as committees and caucuses were used as avenues for advancing MDGs 4 and 5. Those mechanisms were used to inform public opinion on maternal and child health issues, mobilize stakeholders and link parliamentary action to initiatives by other stakeholders. Legislative reforms in support of improved health outcomes included passing laws to remove financial impediments to access to health care for all, laws to promote gender equality and access to sexual and reproductive health care, and marriage licence laws to prevent abuse against women and girls. At all levels, prevention was considered to be better than cure.

The following means of enhancing the contribution of parliaments were identified: tackling underlying issues including poverty; enhancing legal frameworks to address gender inequality and promote sexual health and reproductive rights; expanding maternity protection for working women; improving access to quality health care and medicines among poor and marginalized populations; increasing the legal age for marriage; ensuring improved access to sexual and reproductive health education for adolescents; and instituting mechanisms and structures to improve accountability. Parliamentarians were urged to participate in national and regional initiatives relating to maternal and child health.

Parliaments should pay more attention to issues such as legislation on mental, sexual and reproductive health, nutrition, and the needs of vulnerable groups. They should also address the issue of the high number of deaths due to unsafe abortions. Participants underscored the importance of strengthening solidarity and partnership with other stakeholders working for the health of women and children, including the United Nations, civil society and the private sector.

The IPU was called upon to provide a space to facilitate exchange and cooperation among its Members on health-related issues, particularly with regard to developing appropriate legislative frameworks.

The resolution to be adopted at the 126th Assembly in Kampala should reflect those concerns and identify a framework for parliaments' contribution to improved action and accountability on women's and children's health. The resolution and framework should take into account the prevailing realities in the different countries rather than seek to impose a specific approach. It should also include measures to promote follow-up by IPU Members.

6. Closing session of the Assembly

At its last sitting, on Wednesday 19 October, the Assembly unanimously adopted the resolution on the emergency item entitled *The plight of the people of famine-stricken Somalia and relief efforts by IPU Member Parliaments*.

Before the closing of the Assembly, the outgoing President of the IPU paid tribute to two retiring IPU staff members, Mr. Marcelo Bustos Letelier, Director of Assembly Affairs and Relations with Member Parliaments, and Ms. Ingeborg Schwartz, Secretary of the Committee on the Human Rights of Parliamentarians, for their devoted service to the Organization. Both the new President of the IPU and the President of the Assembly joined in that tribute. The President of the Assembly then declared the Assembly closed.

7. Amendments to the Statutes and Rules

At its 189th sitting, the Governing Council approved amendments to Articles 5.2 and 5.3 of the Statutes. The amendments foresaw statutory sanctions for Associate Members in arrears of the payment of their contributions. The 125th Assembly, after hearing the opinion of the Governing Council, adopted those amendments.

189th Session of the Governing Council

1. Election of the President of the Inter-Parliamentary Union

The Governing Council elected Mr. Abdelwahad Radi (Morocco) as President of the Inter-Parliamentary Union for a three-year term ending in October 2014.

It expressed its deep gratitude to the outgoing President, Dr. Theo-Ben Gurirab, for his unwavering devotion to the cause of the IPU. Dr. Gurirab was made an honorary President of the IPU.

2. Membership of the Inter-Parliamentary Union

At its sitting on 17 October, the Governing Council readmitted the parliaments of Equatorial Guinea and Niger. At its sitting on 19 October, it admitted the Parliament of Chad as a new Member and readmitted the Parliament of Honduras. The Council suspended the membership of the parliaments of Comoros and Liberia, which had accumulated more than three years' arrears in the payment of their contributions. The IPU currently comprised 159 Member Parliaments.

The Governing Council approved requests for observer status from Penal Reform International (PRI), the Parliamentary Assembly of the Community of Portuguese-speaking Countries (AP-CPLP) and the Partnership for Maternal, Newborn and Child Health (PMNCH).

3. Reports on the activities of IPU Members

The Governing Council took note of the reports submitted by 80 Members on their participation in the IPU and on follow-up of three resolutions adopted at the 122nd IPU Assembly on the global fight against organized crime, developing South-South and Triangular cooperation and youth participation in the democratic process (see <http://www.ipu.org/strct-e/stcnfres.htm#122>). The Council welcomed the fact that an increasing number of Members were fulfilling their obligations to submit an annual report, as required by the Statutes.

The Council received a report on activities that had taken place on 15 September, International Day of Democracy. The IPU's chosen theme for 2011 was "What do citizens expect from their parliament?" Thirty-three parliaments had informed the Secretariat of events held to celebrate the Day. The

IPU President had issued a statement on 15 September at a regional conference hosted by the Parliament of India, which had drawn attention to two key ingredients of democracy: gender equality and political representation.

4. Financial situation of the IPU

The Governing Council was presented with a comprehensive report on the financial situation of the IPU and an updated list of unpaid contributions as at 30 September 2011. On that date, three Members had significant arrears and were subject to sanctions (suspension or loss of voting rights). The Council took note of the Secretary General's projected operating surplus of CHF 400,000 due largely to the relative strength of the Swiss franc in 2011, as well as to staff turnover resulting in savings in salaries. That operating surplus would be partially reduced by the loss of income from staff assessment on the salary savings.

For the 2011 budget, the Secretary General had identified voluntary funding needs totalling CHF 4.5 million. The total voluntary funding received by the end of 2011 was projected to reach CHF 2.5 million. During the discussion, the Governing Council requested information on the possibility of increasing the level of voluntary contributions to fund IPU activities in the future. The Secretary General noted that the Council had set criteria limiting voluntary funding to Council-approved activities under one consolidated budget for the IPU. Funding agreements with the Swedish International Development Cooperation Agency and Irish Aid that had recently expired were currently being renewed. Discussions were underway on further potential funding arrangements with the Canadian International Development Agency. The voluntary portion of the 2012 budget was lower since it had been prepared based on realistic expectations of known or obtainable funding rather on a desirable quantum.

5. Programme and budget for 2012

The Governing Council was presented with the budget proposal for 2012 and a summary of planned activities and requirements for 2012-2014. The Executive Committee had acknowledged a budget reduction of 7 per cent in the IPU's regular budget from CHF 13,537,700 for 2011 to CHF 12,593,700 for 2012. Taking into

consideration the difficult financial situation of many IPU Members, the Executive Committee had further requested the Secretary General to present options for reducing the IPU's regular budget by a further 3 per cent, in order to achieve a total cut of 10 per cent from the 2011 approved level. That would require a further reduction of CHF 409,770.

The Executive Committee recognized that reducing the budget even further - to achieve an overall reduction of 10 per cent - would involve governance debate and agreement on which areas of core IPU activities should be taken out of the work programme in a way that was both acceptable to the membership and sustainable over a longer period. That exercise would require extensive discussion involving the full membership. It was noted that, in many of the potential areas for longer-term reduction, there were already agreements and commitments with Members and partners in place for 2012. Cost savings in those areas could therefore only be realized in a few years. It was, however, understood that every effort would be made to realize savings for 2012 and beyond. The Executive Committee noted that the level of funding of core activities also had an impact on the IPU's ability to generate additional voluntary funding from sources beyond the membership.

The Executive Committee recommended that the 2012 budget be balanced using the anticipated budget surplus from 2011, which would be complemented by the Working Capital Fund up to a combined total of CHF 409,800.

Furthermore, the Committee recommended that additional discussions be held ahead of the 126th IPU Assembly in Kampala on areas of activity and expenditure that could be reduced further in the 2013 budgets and beyond. It recommended that the 2012 consolidated budget be amended to reflect a total amount of CHF 13,690,300.

The Executive Committee endorsed the recommendation of the Working Group on the scale of contributions that the assessed contributions from Members for the 2012 budget and beyond be based on the latest updated UN scale of contributions. In the future, the IPU scale of contributions would be automatically aligned with the UN scale, which was periodically updated to reflect the economic reality of UN Member States and their capacity to pay.

During the debate, several Members stressed the need to take cost-cutting measures not because they wished to limit the IPU's activities, but because in the current economic climate, they simply could not

afford to pay more. The IPU was setting a good example by reducing its budget. The 10 per-cent cut should be seen as a new base line for regular expenditure.

Following the recommendation of the Executive Committee, the Governing Council approved the new scale of contributions and adopted the 2012 budget. The approved budget and scale of contributions for 2012 are presented on pages 44 and 45.

6. Cooperation with the United Nations system

The Governing Council took stock of recent developments in IPU-United Nations cooperation and was informed of a variety of activities carried out in collaboration with or in support of the United Nations (see page 49).

The Council received the latest information on the 2011 Joint Parliamentary Hearing at the United Nations, to be held on 28 and 29 November at UN Headquarters in New York, under the chairmanship of the President of the IPU and the President of the UN General Assembly. The Hearing would examine the topic *Strengthening political accountability for a more peaceful and prosperous world*. All Member Parliaments were encouraged to participate in the event.

7. IPU Strategy for 2012-2017

At its sitting on 19 October, the Governing Council adopted by consensus the first ever Strategy for the IPU. Introducing the document on behalf of the Executive Committee, Mr. M.C. Nago, Speaker of the National Assembly of Benin, said that the Strategy was the fruit of two years of debate and consultations with the entire membership. It was a visionary strategy that placed inter-parliamentary cooperation and the IPU at the service of parliaments, democracy and international cooperation.

The Strategy charted three strategic directions for the IPU's development over the next five years. It aimed to build stronger parliaments by focusing on research, standard-setting, technical assistance, gender equality and human rights. It sought to help bridge the democracy deficit in international relations by developing a parliamentary dimension to the work of the United Nations system, build parliamentary support for international development goals and contribute to peace-building

and conflict prevention. The Strategy was set to make the IPU a more effective instrument of parliamentary cooperation (see page 31).

8. Recent specialized meetings

The Governing Council took note of the results of the Parliamentary Forum on the occasion of the Fourth UN Conference on the Least Developed Countries (see <http://www.ipu.org/splz-e/ldciv.htm>), the Parliamentary briefing at the 2011 UN General Assembly High-Level Meeting on AIDS (see <http://www.ipu.org/splz-e/aids-brief11.htm>), the Regional Seminar on child rights for parliaments of the CEE-CIS region (see <http://www.ipu.org/splz-e/yerevan11.htm>), the *Regional Seminar for Asian Parliaments, Preventing and responding to violence against women and girls: From legislation to effective enforcement* (see <http://www.ipu.org/splz-e/newdelhi11.htm>), the Fourth Parliamentary Forum on Shaping the Information Society (see <http://www.ipu.org/splz-e/ICT11.htm>) and the Parliamentary Panel within the framework of the Annual WTO Public Forum (see <http://www.ipu.org/splz-e/wto-forum11.htm>).

9. Reports of plenary bodies and specialized committees

At its sitting on 19 October, the Governing Council took note of the reports on the activities of the Coordinating Committee of Women Parliamentarians, the Committee on the Human Rights of Parliamentarians, the Committee on Middle East Questions, the Gender Partnership Group, the Advisory Group on HIV/AIDS and the Committee to Promote Respect for International Humanitarian Law (see pages 13 to 16).

10. Future inter-parliamentary meetings

The Governing Council took note of the dates for the next two Assemblies, which would be held in Kampala and Quebec City respectively. It noted the invitation from the Parliament of Ecuador to host the 128th Assembly. The Council approved the list of future meetings and other activities to be funded by the IPU's regular budget as well as by external sources (see pages 60 and 61).

The Council approved a list of international organizations and other bodies to be invited to follow the work of the 126th Assembly as observers (see pages 63 and 64).

262nd Session of the Executive Committee

The Executive Committee held its 262nd session in Bern on 14, 15 and 18 October 2011. The President of the IPU chaired the meetings on 14 October and the morning of 15 October. The Vice-President of the Committee chaired the meetings in the afternoon of 15 October and on 18 October. The following members took part in the session: Ms. Z. Drif-Bitat (Algeria), Vice-President of the Committee, Mr. M. Vardanyan (Armenia), Mr. M.C. Nago (Benin), Mr. Nhem Thavy (Cambodia), Mr. D. Oliver (Canada), replaced by Mr. D. Dawson on 14 October, Ms. M.A. Saa (Chile), Mr. R. del Picchia (France), Ms. S. Moulengui-Mouélé (Gabon), Ms. N. Ali Assegaf (Indonesia), Mr. M.A.M. Al-Ghanem (Kuwait), Mr. A. Alonso Díaz-Caneja (Mexico), Mr. Young Chin (Republic of Korea), Mr. K. Örnfjäder (Sweden), Ms. D. Stump (Switzerland) and Mr. Ha Vu Hai (Viet Nam). Mr. T. Toga (Ethiopia) was absent.

The Executive Committee discussed and made recommendations on agenda items to be addressed by the Governing Council. The matters considered by the Committee are summarized below.

The Committee reviewed the situation of Egypt and Tunisia in light of developments that had occurred since the decision taken in April 2011 to maintain their membership. It took note of the support the IPU had provided to both countries since then. It encouraged the IPU to continue to provide support to the transitional process and, in particular, to assist in building strong parliamentary institutions that were fully representative of the people in both countries. It noted that elections in Tunisia were set for 23 October. In Egypt, elections to the People's Assembly (Lower House) had been announced in three stages starting on 28 November 2011.

The Committee discussed the situation of a number of other Arab countries, where citizens were clamouring for more democracy. It stressed the need to resolve their current difficulties through dialogue and invited the IPU to provide support to build strong democratic institutions in those countries. It noted that in the case of Libya, the IPU was already in contact with the transitional authorities to that end.

The Committee held a hearing with the leader of the Syrian delegation to discuss the parliament's situation.

The Committee discussed financial and budgetary matters in considerable depth. It approved an amendment to the Rules of the Executive Committee for the establishment of a Subcommittee on Finance. It also approved the Subcommittee's terms of reference and appointed six members to serve on it (see page 26 and page 18).

The Committee appointed the Swiss Federal Audit Office as External Auditor of the IPU's accounts for a three-year term.

The Executive Committee considered the feasibility of charging fees to observer organizations to attend IPU meetings. It concluded that introducing observer fees would present a number of difficulties and that the income it would bring to the organization would be negligible. It recommended

instead that the IPU consider other options, such as sponsorship, to raise funds for major IPU meetings.

The Committee heard the report of the ASGP from its President, Mr. H. Amrani.

It also heard a report on staff movements in the Secretariat. It noted with much regret the imminent retirement of Mr. M. Bustos Letelier, Director of Assembly Affairs and Relations with Member Parliaments, and Ms. Ingeborg Schwarz, Secretary of the Committee on the Human Rights of Parliamentarians, after many years of loyal service to the IPU.

At its final sitting, the Committee appointed Mr. A. Alonso Díaz-Caneja (Mexico) as its Vice-President.

Coordinating Committee of Women Parliamentarians

The Coordinating Committee of Women Parliamentarians met on 16 October 2011. It discussed women's contribution to the work of the 125th IPU Assembly and preparations for the 17th Meeting. The session was opened by Ms. N. Ali Assegaf (Indonesia), President of the Committee, who was subsequently replaced in the Chair by Ms. M. Mensah-Williams (Namibia), the Second Vice-President.

The Committee was informed of recent developments relating to the IPU Strategy for 2012-2017 and welcomed the Organization's commitment to gender equality and to the mainstreaming of gender issues in all its structures.

The Committee subsequently considered its contribution to the 125th Assembly. It discussed the draft reports to be debated by each of the three Standing Committees, highlighting gender-related concerns. It also discussed holding a hearing with the candidates to the IPU presidency and decided on the modalities.

The Committee had an exchange of views on how to enhance the work of the Meeting and Committee of Women Parliamentarians. It proposed the development of a mentorship programme to hand down information and knowledge from more experienced Committee members or former members to newcomers, including through new technologies. It recommended that mobilization efforts be pursued on common concerns such as the campaign to end violence against women. The Committee recommended setting up a network of IPU women ambassadors.

Regarding its next meeting, it decided to examine the subject items to be debated by the Second and

Third Standing Committees at the 126th Assembly, namely:

- *Redistribution of power, not just wealth: Ownership of the international agendas? and*
- *Access to health as a basic right: The role of parliaments in addressing key challenges to securing the health of women and children.*

It decided that the next dialogue session between men and women parliamentarians would examine the topic *Supporting the next generation of women MPs*. It would cover the questions of mentorship, young women, and reaching out to underrepresented women such as minorities and rural women.

Following a presentation by a UNICEF Representative, the Committee decided to organize at the 126th Assembly a panel discussion on the role parliamentarians could play in tackling malnutrition in young children (under two year-olds).

The Committee heard a presentation on the study on *Gender-sensitive parliaments*, which provided parliamentarians with new tools for evaluating and improving how parliaments as institutions could promote gender equality and be attentive to the needs and interests of both men and women in their structures, the way they functioned, their methods and activities.

The Committee welcomed Saudi Arabia's decision to grant women the right to vote and stand for election, which it considered to be a significant step forward. It congratulated the Saudi King on that historic decision and hoped to soon see Saudi women parliamentarians participating in IPU meetings.

Subsidiary bodies and Committees of the Governing Council

1. Committee on the Human Rights of Parliamentarians

Mr. P. Mahoux (Belgium), Mr. K. Jalali (Islamic Republic of Iran), Mr. K. Tapo (Mali) and Mr. B. Barovič (Slovenia) participated in the Committee's 135th session, which took place from 15 to 18 October. Substitute member Mr. J.P. Letelier (Chile) attended in the absence of titular member Ms. R. Green (Mexico).

The Committee examined the individual situations of 392 sitting or former parliamentarians of 39 countries in all regions of the world. Since its 134th session (July 2011), the Committee studied 12 new cases and held 19 hearings. The resolutions submitted to the Governing Council for its approval concerned cases in 22 countries. One of them was presented for the first time and one was closed.

2. Committee on Middle East Questions

The Committee met on 16 and 17 October with its President, Ms. A. Clwyd (United Kingdom), in the Chair. The following titular and substitute members took part in the discussions: Mr. F.-X. de Donnea (Belgium), Ms. A. van Miltenburg (Netherlands), Mr. A. Ponlaboot (Thailand), Ms. Z. Benarous (Algeria), Mr. J. Winkler (Germany) and Mr. F. Gutzwiller (Switzerland).

The Committee received the delegations of Israel, Palestine and Jordan for an exchange of views on the Arab Peace Initiative. The Committee welcomed the constructive discussions and hoped to build on them in the future. It requested the Secretariat to organize a follow-up meeting in early 2012 to pursue the discussions between Israeli, Palestinian and Arab legislators. The discussions would continue to focus on the Arab peace plan.

The Committee asked the Secretariat to finalize arrangements for a mission to Israel and Palestine in early 2012.

3. Committee to Promote Respect for International Humanitarian Law

The Committee to Promote Respect for International Humanitarian Law (IHL) held an informal meeting in Bern, at the initiative of its President, Ms. B. Gadiet (Switzerland), who wished to benefit from the presence of many

members. The purpose of the meeting was to brainstorm on the functioning and objectives of the Committee with a view to enhancing its work. The Committee members discussed two issues: its method of work and its purpose.

It made the following recommendations:

- The Committee should meet during each IPU Assembly to ensure the sustainability of its work;
- The practice of holding an open session once a year on an IHL issue should be maintained; these open sessions should take place on days when the Assembly is in session;
- A rule should be adopted whereby members who do not attend several consecutive Committee meetings must be replaced; the mandate of members and the possibility of renewal should be discussed;
- The IPU Secretariat should give more visibility to the work of the Committee on the IPU website and provide links to the ICRC and UNHCR databases and websites in order to provide Members with access to useful information;
- Missions relating to specific refugee- and IHL-related issues should be conducted, and report back to the Committee;
- ICRC national representatives should link up with Committee members in their respective countries with a view to supporting their work, whenever possible; and
- Greater synergy must be created between the Committee's work and other IPU work areas, such as human trafficking.

With regard to the Committee's objectives, members recommended focusing on the question of the domestication of international humanitarian law.

4. Gender Partnership Group

The Gender Partnership Group met on 15 and 18 October 2011 with its President, Mr. R. del Picchia, in the Chair. In attendance were Ms. Z. Drif-Bitat (Algeria), Mr. Thong Ha Huy (Viet Nam) and Ms. M.A. Saa (Chile).

The Group compared the composition of the delegations attending the 125th IPU Assembly to that of previous statutory meetings. Of a total of 534 (29.6%) delegates present at the Assembly, 158 delegates were women. That was significantly lower than the level of women's participation at the

previous Assembly held in Panama, and the 2010 Assembly held in Geneva (32.7 %). The Group concluded that it was important to remain vigilant and pursue sensitization efforts. Both delegations and geopolitical groups should do more to ensure that more women were represented.

Of the 127 delegations present at the 125th Assembly, 118 were composed of at least two delegates. Sixteen of those were exclusively composed of men (13.6%), compared with 14.5 per cent at the Assembly in Panama. Those delegations represented the parliaments of: Bangladesh, Bosnia and Herzegovina, Botswana, Brazil, Chad, Congo, Denmark, Germany, Greece, Malta, Papua New Guinea, Qatar, San Marino, Saudi Arabia, Serbia and Sri Lanka. A single delegation - from Iceland - was composed exclusively of women. The delegations of Bosnia and Herzegovina, Croatia, Denmark, Malta, Papua New Guinea, Qatar and Saudi Arabia were subject to sanctions at the Assembly, having been represented exclusively by members of the same sex at three consecutive Assemblies.

The Group turned its attention to the vacancies on the Executive Committee. At least one of them must be filled by a woman in order to respect the rule of having three of the 15 seats held by women. It noted that for the past eight years, the Arab and Eurasia Groups had been represented only by men and the Asia-Pacific Group had only one representative on the Executive Committee. The Group considered that it was necessary to mobilize those geopolitical groups in order to redress that situation.

The Group examined the IPU budget and felt that it was important to spare the Gender Partnership Programme as much as possible from the budget cuts that were underway.

As it did regularly, the Group examined the situation of parliaments with no women members. Those were found mainly in the Pacific island States and the Gulf States. However, the Group took note of interesting developments, particularly in Saudi Arabia and Oman. It welcomed the recent announcement by the Saudi King that women would be given the vote and allowed to contest elections. It applauded the messages of congratulations and encouragement sent by the IPU to the Saudi authorities and Saudi women. Regarding the situation in Oman, the Group felt that the high number of women candidates to the parliamentary elections of 15 October 2011 boded well.

Nevertheless, it noted that women's representation in parliament tended to be low or stagnate in the vast majority of cases. It therefore encouraged all parliaments to take effective measures, including quotas, to enhance women's presence.

The Group was presented with a status report on a number of activities conducted under the IPU Gender Partnership Programme. It welcomed the publication of the Report on *Gender-sensitive Parliaments* and expressed the hope that the good practices it provided would inspire all parliaments.

On 18 October 2011, the Group held a hearing with the delegation of the Lebanese Parliament, which had only four women members. With the next parliamentary elections scheduled for 2013, the Group wished to obtain information on women's participation in political life in Lebanon. The delegation explained that the hurdles encountered by women in politics were due largely to sociocultural resistance, a complex electoral system and very particular political circumstances. However, the question of introducing a quota for women in the parliament had been examined, and had met with its fair share of both supporters and detractors. The Lebanese delegation hoped that it would be able to count on the IPU's support, particularly in terms of sensitizing political leaders to the question of women's participation in view of future parliamentary elections. The Group thanked the delegation for meeting with it and providing it with information.

5. Advisory Group on HIV/AIDS

The IPU Advisory Group met during the 125th IPU Assembly to discuss its future programme of work to guide and sustain parliamentary action on HIV/AIDS. It was decided that the Advisory Group should generally focus its work on: (1) helping parliaments improve existing national legislation to protect human rights and advance effective HIV programmes and services; (2) strengthening parliamentary leadership and debate on HIV/AIDS; and (3) producing educational and advocacy material to help parliaments examine the impact of laws on HIV/AIDS at the national level.

The Advisory Group agreed that its priorities should be capacity-building, awareness-raising and facilitating an exchange of experiences among the parliaments of the countries most affected by HIV/AIDS. Those countries faced particular challenges in terms of criminalization of groups that were most vulnerable to HIV/AIDS. That represented a serious impediment to delivering programmes that provided HIV testing, treatment

and care. Focal points within the Advisory Group were identified to drive those activities forward in East and Southern Africa.

The Advisory Group also agreed to explore the possibilities of parliamentary involvement in the XIX International AIDS Conference through a meeting of parliamentarians and a meeting slotted into the Conference programme. It recommended

to the IPU Secretariat that those activities be organized in close cooperation with UNAIDS. The Advisory Group discussed possible avenues for engagement in the 126th IPU Assembly in Kampala, as well as the frameworks for future cooperation with its key partners: UNAIDS, UNDP and the Global Fund to Fight AIDS, Malaria and Tuberculosis.

Other meetings

Special event on Reform of the financial markets

Since the climax of the financial crisis in 2008, the international community has come a long way in overhauling the regulation of global financial markets. Nonetheless, financial instability has once again resurfaced as a major issue in recent months. Market turmoil and debt crises in the euro zone, the debate in the United States about sustainable debt levels, strong currency fluctuations, and the refuge into the Swiss franc and gold have all contributed to global imbalances.

Organized at the initiative of the Swiss Parliament as host of the 125th IPU Assembly, the special event that took place on 17 October endeavoured to provide answers to diverse questions such as whether the global financial reform agenda contained all the necessary ingredients, whether implementation was sufficiently speedy and oversight sufficiently efficient, and whether international coordination was adequate.

The panel was moderated by Mr. R. Walter, MP (United Kingdom). The panellists were Ambassador O. Knapp (Switzerland), Delegate for Trade Agreements at the State Secretariat for Economic Affairs, Mr. D. Oliver (Canada), Speaker pro tempore of the Senate and Member of the IPU Executive Committee, and Ms. Y. Li, Head of the Debt and Development Finance Branch of the United Nations Conference on Trade and Development (UNCTAD).

Introductory presentations by the panellists sparked numerous comments and questions from the audience. Some delegates expressed doubts as to the adequacy of the existing financial market regulation mechanisms and the soundness of financial institutions. It was pointed out that low growth expectations and downward consumption and investment trends were only adding to the widespread feeling of uncertainty.

Responding to those remarks, Mr. D. Oliver said that Canada had fared relatively well during the recent financial turmoil, due largely to the success of its pre-emptive measures and to its conservative approach to monetary policies. There was a lot to be learned from Canada's experience. Likewise, Ambassador Knapp pointed out that, although an excessively strong franc was detrimental to the Swiss economy, his country was also doing relatively well, particularly in comparison with its European neighbours. Switzerland was in favour of coordinated global measures such as capital increases for the International Monetary Fund and development banks, strengthening the Financial Stability Board, enhancing capital requirements for financial institutions, and various measures to improve macro- and microprudential regulation. However, Switzerland was resolutely opposed to the idea of a financial transactions tax.

Ms. Li considered that it was difficult to gauge the actual depth of implementation efforts of the reform agenda on the national and regional levels. In the wake of the far-reaching negative ramifications of the recent global financial and economic crisis, UNCTAD had launched an initiative to promote responsible lending and borrowing practices. The purpose of that initiative was to develop a set of commonly accepted principles relating to sovereign debt issues. Convinced that parliamentarians in both developed and developing countries should keep the subject of sovereign debt under close scrutiny, she invited delegates to carefully study the related UNCTAD draft texts.

At the end of the debate, all participants agreed that the need to provide more effective regulation of financial markets would be felt for some time. With that in mind, they expressed the hope that the IPU would revert to that topic at one of its future meetings.

Other events

1. Media coverage

The 125th IPU Assembly enjoyed wide media coverage in the local and international press, in large part due to the meeting held between members of the Swiss IPU Group and Swiss journalists accredited to the Federal Parliament, and to the press conference organized by the IPU at Bernexpo. The three national TV stations (TSR, DSR and RSI) each carried a report on the Assembly, and their counterpart French-speaking, German-speaking and Italian-speaking radio stations aired interviews with members of parliament. In addition, several TV stations accompanied their national delegations to Bern, and UN Radio carried coverage of the Secretary General's speech in various language broadcasts. An Associated Press article was published in a number of English-speaking newspapers, including The Washington Post with Foreign Policy and The Guardian.

2. Launch of the IPU-UNICEF Handbook on *Child participation in parliaments*

The IPU launched its latest Handbook on *Child participation in parliaments*, produced jointly with UNICEF. The Handbook was presented by the President of the IPU and the UNICEF Deputy Regional Director for CEE-CIS countries, Ms. K. Madi. The Handbook identifies ways members of parliaments can ensure that children's voices, concerns and interests find expression and capture the attention of parliaments.

The Handbook is premised on the idea that children are entitled to be involved in the wide range of issues that affect them. It aims to provide parliamentarians with information on a variety of effective mechanisms to ensure that children's participation in parliaments is meaningful, reflects the voices of the most marginalized and contributes to policies, laws and budgets that will help correct the disparities and inequities that impact on their well-being. Such mechanisms include inviting children to testify in committees, consulting with them in their communities and bringing children's perspectives to bear on the budget process.

3. Launch of the Report on *Gender-sensitive parliaments: A global survey of good practice*

At the 125th IPU Assembly in Bern, the IPU presented the main findings of its most recent Survey on *Gender-sensitive parliaments*. The Report is the result of a two-year research project for which over 300 responses to survey questionnaires were

received, covering more than 75 countries. Individual interviews were also conducted. In the end, five regional reports and 15 national ones were produced.

The global Survey on *Gender-sensitive parliaments* seeks to respond to several questions:

- What are parliaments as institutions doing to encourage and foster gender equality?
- What policies inform gender equality efforts?
- Are the institutional structures of parliaments around the world gender-sensitive?

In short, the Report highlights that a gender-sensitive parliament is one that responds to the needs and interests of both men and women in its structures, operations, methods and work. It identifies the following six measures for achieving gender-sensitive parliaments:

1. Increase the number and presence of women;
2. Draw up a legal framework for gender equality and policies that take account of the needs of men and women in the workplace;
3. Mainstream gender equality into parliament's work;
4. Improve parliamentary culture and infrastructure;
5. Remind men of their responsibility to achieve gender equality; and
6. Reform political parties.

The Report includes examples of good practices from around the world to assist parliaments in enhancing their capacity to respect and promote gender equality. The presentation of the results was followed by a one-hour debate, with delegations expressing their support and sharing their national experiences.

4. Address by Mr. Bertrand Piccard, founder of Solar Impulse

In the afternoon of 19 October, the Council saw a video presentation and heard an address by Mr. Bertrand Piccard, founder of Solar Impulse – a world renowned company that had manufactured the first solar airplane capable of flying day and night without fuel, powered only by solar energy. Mr. Piccard said that the project had been achieved with "yesterday's technology", and had demonstrated that progress was indeed possible using clean energy. Moreover, clean energy was profitable, as it created new jobs and opened up new markets. A combination of visionary thinking and political will could transform the lives of millions of people around the world. That event

had been organized in the context of preparations for the 2012 World Summit on Sustainable Development (Rio+20), a forum where politicians

would be expected to agree on a major paradigm shift towards a development model based on the worldwide promotion of the green economy.

Elections and appointments

1. President of the Inter-Parliamentary Union

Mr. A. Radi (Morocco) was elected President of the Inter-Parliamentary Union for a three-year term that will end in October 2014. He obtained 137 votes while the other presidential candidate, Ms. N. Ali Assegaf (Indonesia), won 130; one ballot was declared invalid.

The outgoing President, Dr. T.-B. Gurirab, was made an honorary President of the Inter-Parliamentary Union.

2. President of the 125th Assembly of the Inter-Parliamentary Union

Mr. J.-R. Germanier, Speaker of the Swiss National Council, was elected President of the Assembly.

3. Vice-Presidents of the Inter-Parliamentary Union

African Group: Ms. S. Moulengui-Mouélé (Gabon)

Group of Latin America and the Caribbean: Mr. A. Díaz-Caneja (Mexico)

Arab Group: Mr. M.A.M. Al-Ghanem (Kuwait)

Asia-Pacific Group: M. Nhem Thavy (Cambodia)

Twelve Plus Group: Mr. K. Örnfjäder (Sweden)

Eurasia Group: Mr. M. Vardanyan (Armenia)

4. Vice-President of the Executive Committee

The Executive Committee elected Mr. A. Alonso Díaz-Caneja (Mexico) Vice-President until October 2012.

5. Executive Committee

The Governing Council elected Ms. R. Kadaga (Uganda), Ms. N. Motsamai (Lesotho), Ms. A. Kabore Koala (Burkina Faso), Mr. F.K. Kundi (Pakistan), Mr. F.M. Drilon (Philippines), Ms. I. Passada (Uruguay) and Mr. J. Winkler (Germany) for a four-year term of office ending in October 2015.

6. Sub-committee on Finance (Executive Committee)

Mr. M. Vardanyan (Armenia), Mr. Nhem Thavy (Cambodia), Ms. S. Moulengui-Mouélé (Gabon),

Mr. M.A.M. Al-Ghanem (Kuwait) and M. A. Alonso Díaz-Caneja (Mexico) were appointed by the Executive Committee.

Mr. K. Örnfjäder (Sweden) was appointed President of the Sub-committee for a two-year term ending in 2013.

7. Committee on the Human Rights of Parliamentarians

Mr. J.P. Letelier (Chile) was elected titular member for a five-year term ending in October 2016.

Ms. A. Clwyd (United Kingdom), Mr. P. Martin-Lalande (France) and Ms. A.J. Kairuki (United Republic of Tanzania) were elected substitute members for a five-year term.

8. Committee on Middle East Questions

Ms. M.A. Cristi Marfil (Chile) and Ms. M. Green (Sweden) were elected titular members for a four-year term of office ending in October 2015.

Lord Judd (United Kingdom) was elected substitute member for a four-year term.

9. Group of Facilitators for Cyprus

Ms. R.M. Albernaz (Portugal) was elected Facilitator for a four-year term ending in October 2015.

10. Committee to Promote Respect for International Humanitarian Law

Ms. U. Karlsson (Sweden) was elected titular member for a four-year term ending in October 2015.

11. Internal Auditors for the 2012 accounts

The Governing Council appointed Mr. M. Sheerit (Israel) Internal Auditor for the 2012 accounts.

12. External Auditor for 2011-2013

The Governing Council appointed Mr. D. Monnot (Swiss Federal Audit Office) External Auditor for a three-year term.

Membership of the Inter-Parliamentary Union*

Members (159)

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea Bissau, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Palestine, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia and Zimbabwe

Associate Members (9)

Andean Parliament, Central American Parliament, East African Legislative Assembly, European Parliament, Inter-Parliamentary Committee of the West African Economic and Monetary Union, Latin American Parliament, Parliament of the Economic Community of West African States, Parliamentary Assembly of the Council of Europe and Transitional Arab Parliament

• At the closure of the 125th Assembly

Agenda, Resolutions and other texts of the 125th Assembly of the Inter-Parliamentary Union

1. Election of the President and Vice-Presidents of the 125th Assembly
2. Consideration of possible requests for the inclusion of an emergency item in the Assembly agenda
3. Panel discussions on the subject items chosen for debate during the 126th Assembly (Kampala, 31 March-5-April 2012):
 - (a) Promoting and practising good governance as a means of advancing peace and security: Drawing lessons from recent events in the Middle East and North Africa
(Standing Committee on Peace and International Security)
 - (b) Redistribution of power, not just wealth: Ownership of the international agendas
(Standing Committee on Sustainable Development, Finance and Trade)
 - (c) Access to health as a basic right: The role of parliaments in addressing key challenges to securing the health of women and children
(Standing Committee on Democracy and Human Rights)
4. Report of the IPU Committee on United Nations Affairs
5. Amendments to the Statutes and Rules of the IPU
6. The plight of the people of famine-stricken Somalia and relief efforts by IPU Member Parliaments

THE PLIGHT OF THE PEOPLE OF FAMINE-STRICKEN SOMALIA AND RELIEF EFFORTS BY IPU MEMBER PARLIAMENTS

Draft resolution adopted unanimously by the 125th IPU Assembly (Bern, 19 October 2011)

The 125th Assembly of the Inter-Parliamentary Union,

Noting with deep concern the worsening famine in Somalia caused by internal strife and drought in the Horn of Africa, which has resulted in a humanitarian disaster affecting over 12 million people, including 1.5 million internally displaced persons requiring food, water, medical supplies, clothing, shelter and provisions,

Alarmed at the loss of life of tens of thousands of people, in particular children, due to malnutrition,

Commending and welcoming the relief efforts carried out by governments, the United Nations, other international organizations and the international community at large in Somalia and the rest of the Horn of Africa,

Applauding Somalia's neighbouring countries for receiving hundreds of thousands of Somali refugees,

Recalling UN Security Council Resolution 2010 (2011) adopted on 30 September 2011 on the situation in Somalia, expressing serious concern that the United Nations consolidated appeal for Somalia is not fully funded, stressing the need for urgent mobilization of resources to those in need and calling on all Member States to contribute to current and future consolidated humanitarian appeals,

Expressing full solidarity, sympathy and compassion with the Somali people, who have been affected by the widespread famine,

1. *Urges* all IPU Members, other international organizations and the international community at large to scale up their efforts to provide full support and humanitarian assistance to the people of Somalia;
2. *Requests* IPU Members that have not already done so to pledge and make voluntary contributions towards the relief efforts in Somalia;
3. *Urges* the international community to work in unison in order for the humanitarian aid to reach the affected areas as soon as possible;
4. *Encourages* the African Union (AU), governments, relevant international organizations and the IPU Secretariat to assist Somalia in strengthening its democratic institutions, with full respect for the sovereignty and territorial integrity of Somalia, through inter alia the development of programmes to assist in establishing the rule of law;
5. *Also encourages* the AU's Women, Gender and Development Directorate, the Pan-African Women's Organisation (PAWO), UN Women, the IPU Coordinating Committee of Women Parliamentarians and other relevant international organizations to assist Somali women in rebuilding their livelihoods and building their capacity to take care of their families in order to restore their health;
6. *Appeals in particular* to the authorities in Somalia and neighbouring countries to ensure the personal safety and work of the humanitarian organizations working in the area, and *calls* for the immediate release of the two Spanish aid workers who were recently kidnapped;
7. *Requests* the IPU Secretary General to report on the implementation of this resolution at the 126th IPU Assembly.

REPORT OF THE IPU COMMITTEE ON UNITED NATIONS AFFAIRS

*Noted by the 125th IPU Assembly
(Bern, 19 October 2011)*

The IPU Committee on United Nations Affairs met from 17 to 19 October 2011 in Bern, Switzerland, during the 125th IPU Assembly. In the context of the growing cooperation between the United Nations, national parliaments and the IPU, the Committee was called upon to play an increasingly important role. As a plenary body in which all IPU Member Parliaments were encouraged to engage, the Committee carried out three key functions: it provides a platform for regular interaction between senior UN officials and legislators on major global issues; it offers a space where legislators can review progress in the implementation of international commitments, be they agreements undertaken by UN Member States or IPU resolutions adopted by national parliaments; and it provides a framework where legislators can discuss and formulate a parliamentary input to major UN processes, such as the current international negotiations on climate change.

The Committee began its first session with a briefing and discussion with Mr. Jorge Sampaio, United Nations High Representative for the Alliance of Civilizations (UNAOC). The session was chaired by Senator D. Dawson of Canada.

Established in 2005 at the initiative of the Governments of Spain and Turkey, the UNAOC aims to promote greater understanding and cooperation between nations and peoples across cultures and religions, thus countering polarization and extremism. In light of the IPU's core mission as set forth in its Statutes, and in follow-up to its resolution on *Ensuring respect for and peaceful co-existence between all religious communities and beliefs in a globalized world* (Nusa Dua, 2007), the IPU and the UN Alliance of Civilizations were developing closer cooperation.

The exchange of views with Mr. Sampaio pointed to the need to enhance the role of parliaments in dealing with popular concerns over culture, identity and migration, which challenged the core values of democracy around the world today. The 127th IPU Assembly in Quebec City in 2012 would focus on "The challenges of citizenship, identity and linguistic and cultural diversity in a globalized world".

Mr. Sampaio underscored the danger of populism in many societies. In Europe, for example, populist movements were gaining more seats in parliament, which reflected a lack of confidence in the political establishment, striking at the very heart of the European model of democracy. The UN Secretary-General, in his inaugural address to the 125th IPU Assembly, had warned that "the biggest challenge is not a deficit of resources, but a deficit of trust. People are losing faith in governments and institutions to do the right things". Restoring trust between citizens and politicians should be a major concern for all legislators.

The Committee stressed that parliaments and parliamentarians should consider various initiatives to enhance intercultural dialogue and cooperation, including the following:

- Organizing regular debates in parliament on issues relating to multiculturalism, cultural diversity, and intercultural dialogue;
- Establishing specific mechanisms to help maintain these issues on the parliamentary agenda, and continuing to take follow-up action with a view to implementing the recommendations of the above-mentioned IPU resolution;
- Playing an active role in the elaboration and implementation of national strategies for intercultural dialogue;
- Joining national delegations to the annual Forums of the UNAOC, such as the forthcoming Global Forum in Doha (11-13 December), which will focus on "Intercultural dialogue to boost development".

The second session took the form of a panel discussion on *Nuclear Weapons: The Road to Zero*. The event, chaired by Speaker Harry Jenkins of Australia, was held in follow-up to the IPU resolution on *Advancing nuclear non-proliferation and disarmament, and securing the entry into force of the Comprehensive Nuclear-Test-Ban Treaty: The role of parliaments*. This resolution includes many practical recommendations on what parliaments should do to ensure universal ratification of the Treaty, promote the UN Secretary-General's five-point plan for nuclear disarmament, and support a number of steps such as reductions in nuclear stockpiles, establishment of nuclear-weapon-free zones, and commencement of negotiations on a fissile materials treaty and a comprehensive nuclear weapons convention.

The Committee heard presentations by renowned public figures, prominent experts and leading parliamentarians, and engaged in a discussion on the new visions, policies and proposals put forward to address the threats and challenges posed by nuclear weapons. It also considered possible roles, responsibilities and action by parliaments and parliamentarians, including regional perspectives and initiatives from Europe, Africa, Asia-Pacific and Latin America.

The participants deplored the scant attention paid by parliamentarians to this crucial issue. The catastrophic humanitarian consequences of any use of nuclear weapons outweighed all the possible arguments for maintaining these weapons in the world today. It was irresponsible and unacceptable to work for their abolition after they had been used - whether accidentally, intentionally or by miscalculation. Failure to properly and urgently address this issue was tantamount to crushing the hopes and aspirations and violating the rights of citizens the world over. In addition, the huge financial resources poured into the production of nuclear weapons deprived millions of persons of access to better health care, education and development.

The Committee reaffirmed that all nations had a responsibility to address this issue diligently. Nuclear weapons States had an obligation to implement the commitments they had undertaken through the Non-Proliferation Treaty (NPT), which inter alia called for the start of negotiations on the elimination of nuclear weapons. Non-nuclear weapon States could help establish the framework for a nuclear weapons-free world by prohibiting and criminalizing nuclear weapons in their national legislation, establishing regional nuclear weapons-free zones, and promoting common security models as alternatives to nuclear deterrence.

The Committee called on parliamentarians around the world to take action and to promote concrete measures aimed at nuclear disarmament. In support of this process, the IPU was encouraged to develop tools for parliamentarians, including a guide on good practice and model legislation intended to inspire other parliaments. The Committee recommended that the IPU maintain the issue of nuclear disarmament on its agenda and continue its work in cooperation with partners such as the United Nations, the Comprehensive Test-Ban Treaty Organization (CTBTO) and the International Committee of the Red Cross, as well as with think tanks, non-governmental organizations and parliamentary bodies such as Parliamentarians for Nuclear Non-proliferation and Disarmament (PNND).

The Committee devoted its third session to the Istanbul Programme of Action and follow-up to the Fourth UN Conference on the Least Developed Countries (LDC IV), held in Istanbul in May 2011. The session was moderated by Mr. Mélégué Traoré, a member of the National Assembly of Burkina Faso, and featured a keynote address by Mr. Cheick Sidi Diarra, UN Under-Secretary-General and High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States (UN-OHRLLS). The presentations addressed the main outcomes of LDC IV and plans for follow-up, and the important role parliaments had in the achievement of national development commitments, including the Istanbul Declaration and Programme of Action (IPoA). Participants were briefed on the joint IPU-UNOHRLLS project in support of LDC Parliaments and introduced participants to a Guidance Note developed by the IPU.

The joint project sought to enhance parliaments' contribution to the implementation of the LDC IV decisions, particularly in the areas of good governance and capacity-building. The main purpose of the project was to strengthen the ability of LDC parliaments to establish, monitor, assess, and provide follow-up to the IPoA. The IPU Guidance Note was designed to provide LDC parliaments with guidelines on possible institutional mechanisms for mainstreaming relevant IPoA commitments into their work. It sought to encourage greater involvement by parliaments in the area of development cooperation, and highlighted the advantages and disadvantages of creating dedicated parliamentary committees on the IPoA.

In the ensuing discussion, participants and presenters underscored the vital role of parliaments in the implementation of the IPoA. They agreed that the IPoA provided LDC parliaments with the basis to be involved in major policy decisions. Development-related committees or informal working groups often did not have the resources to do their work properly, but participants recognized that LDCs must pay attention to empowering parliament, and taking charge of their own development. They acknowledged that a greater dissemination of information at the national level was required, emphasizing the need for greater cooperation among LDCs at the regional and subregional levels.

In a separate session held in the afternoon of 17 October, the Committee examined developments in cooperation between the United Nations, national parliaments and the IPU. It heard a presentation by Ms. K. Komi (Finland), a member of the Advisory Group of the IPU Committee on United Nations Affairs, on the main findings and recommendations of the most recent field mission conducted by the Advisory Group to Ghana and Sierra Leone.

As was the case during previous mission to Tanzania (2008) and Viet Nam (2009), the purpose of the IPU visit was to gather first-hand information on progress made in the One UN reform and, more generally, to gain a better understanding of how UN country teams engaged with the national parliament. The mission sought to assess the involvement of parliament in the formulation of national development strategies and the oversight of aid, and to identify modalities to address any possible shortcomings. The mission's long-term objective therefore was to help lay the foundations for greater parliamentary involvement in the improved planning and use of development funding.

The Committee held an exchange of views on the various recommendations included in the mission report, which were applicable to many other countries. In order to fully exercise its functions and oversight role, efforts aimed at building parliamentary capacity and providing technical assistance must be pursued. Regional parliamentary organizations were called upon to play a more active role, including as depositories of relevant information and expertise.

The Committee considered that there was greater scope for the United Nations to engage with parliament as a serious partner, not just as a recipient of international assistance, but also - and more importantly - as a major player in the design and implementation of national strategies and plans. While promoting the Delivering as One approach, the United Nations as a system should be prepared to provide clearer guidelines on how UN country teams could best engage with national parliaments on various policy issues.

As observed by the IPU field mission and highlighted in the responses to the IPU Survey on how parliaments organize their work vis-à-vis the UN system (July 2010), this relationship varies from country to country, depending on a wide range of variables. UN General Assembly Resolution 65/123 specifically calls for "a regular annual exchange between the United Nations System Chief Executives Board for Coordination and the senior leadership of the Inter-Parliamentary Union, with a view to building greater coherence in the work of the two organizations, maximizing parliamentary support for the United Nations and helping to forge a strategic partnership between the two organizations". The Committee called for this provision to be acted upon without further delay.

The Committee took stock of preparations for the UN General Assembly debate on "Interaction between the United Nations, national parliaments and the IPU" - a stand-alone item on the agenda of the General Assembly at its current 66th session. While underscoring the importance of the previous General Assembly Resolution (65/123) and the need to further consolidate the gains achieved, it was agreed that there was room for further progress. The Committee encouraged national parliaments to consult on this issue, among themselves and at the national level with their respective foreign ministries, with a view to identifying the main elements of a rich debate at the United Nations and a new and strong General Assembly resolution. It was agreed that the Committee's Advisory Group would further examine this matter at its next meeting, to be held in New York in late November, on the occasion of the 2011 Parliamentary Hearing at the United Nations.

In the morning of 19 October, the Committee held a panel discussion on the topic *The green economy: A breakthrough for sustainable development?* The debate was held in the context of preparations for the 2012 United Nations Conference on Sustainable Development, also known as the Rio+20 Conference. This event, which aims to assess progress in meeting the international commitments on sustainable development adopted by States 20 years ago, was expected to focus on two main themes: the green economy in the context of sustainable development and poverty reduction; and the institutional framework for sustainable development.

The panel was moderated by Brazilian MP Hugo Napoleão, and featured a prominent group of parliamentarians, UN officials, international experts, and representatives of civil society and the private sector. The participants addressed the different meanings and applications of the "green economy", and its attendant green technologies, as well as questions about the conditions required for the concept to fully encapsulate all three dimensions of sustainable development. They also provided a critical perspective on the green economy, particularly from the standpoint of the following three objectives of the broader sustainable development agenda: changing production and consumption patterns; decoupling economic growth from environmental degradation; achieving equity, poverty reduction and greater well-being for all.

The concept of sustainable development was often confused with that of environmental sustainability, but sustainable development was actually a broader and more complex construct that rests on the fusion of the environmental (quality), social (equity) and economic (prosperity) dimensions into a single policy approach. The sustainable development agenda relates to both developed and developing countries and by most standards remains today largely unrealized. The economy was using up far more resources than could be replaced or preserved and almost all natural assets - forests, oceans and biodiversity - were threatened at the cost of a lower quality of life, and poverty and inequality persisted in spite of an overall increase in total wealth. Given the direct impact of this reality on the lives of citizens all over the world, parliaments and parliamentarians were called upon to play a proactive role in both national policy-making as well as in the international process leading up to Rio+20.

In its last sitting, the Committee discussed preparations for the 2011 session of the United Nations Climate Change Conference (COP 17/CMP 7), to be held in December 2011 in Durban, South Africa. The session was chaired by Mr. Cedric Frolick, coordinator of preparations for the Durban Conference in the South African Parliament. The Committee was briefed on the current negotiations, challenges and requirements for the conclusion of a global agreement on climate policies that encompassed adaptation, mitigation, finance, technology, forests and capacity-building. The Committee exchanged views on a draft parliamentary message to the UN Conference, which should be a succinct but powerful political declaration for both governments and parliaments.

Amendments to the Statutes and Rules of the Inter-Parliamentary Union

*Approved by the 125th IPU Assembly
(Bern, 19 October 2011)*

STATUTES OF THE INTER-PARLIAMENTARY UNION

ARTICLE 5

2. A Member of the Union which is in arrears in the payment of its financial contributions to the organisation shall have no votes in the statutory bodies of the Inter-Parliamentary Union if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The Governing Council may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member of the Union. Prior to examining this question, the Governing Council may receive a written explanation from the Member concerned. Notwithstanding the provisions of Article 10.2 of the Statutes, such a Member shall not be represented by more than two delegates at meetings convened by the Union. **An Associate member which is in arrears of the payment of its financial contributions in an amount that equals or exceeds the amount of the contributions due from it for the preceding two full years, shall not be represented by more than one delegate at meetings convened by the Union.**

3. When a Member **or Associate member** of the Union is three years in arrears in the payment of its contributions to the Union, the Executive Committee shall consider the situation and express an opinion to the Governing Council. The Governing Council takes a decision on the suspension of the affiliation of that Member **or Associate member** to the Union.

* * * *

RULES OF THE EXECUTIVE COMMITTEE¹

*Adopted in 1972, entirely revised in October 1983 and amended
in October 1987, April 1990, April 1995, April 1996, September 1998, October 1999,
April 2001, entirely revised in April 2003 and amended in October 2011.*

COMPOSITION

RULE 1

The Executive Committee shall be composed of the President of the Inter-Parliamentary Union, fifteen elected members and the President of the Coordinating Committee of the Meeting of Women Parliamentarians in conformity with Article 23 of the Statutes.

RULE 2

1. A member of the Executive Committee who is unable to participate in a session may be replaced by another representative of the Union Member concerned, duly mandated for that purpose; if the President of the Coordinating Committee of the Meeting of Women Parliamentarians who is an ex officio member of the Executive Committee is unable to attend, she may be replaced by the First Vice-President or the Second Vice-President of the Coordinating Committee, as the case may be.

¹ In these Rules, whenever the words "President", "Vice-President", "parliamentarian" and "member" are used, they should be construed as referring to both women and men.

2. If a member of the Executive Committee dies, resigns or ceases to be a parliamentarian, the Member of the Union concerned shall appoint a substitute to serve until the next session of the Governing Council, when an election shall be held in the manner stipulated in Article 23.6 of the Statutes.
3. The number of substitutes may not exceed half of the participants at a session.

SESSIONS

RULE 3

1. The Executive Committee shall meet in ordinary session at least twice a year after convocation by the President of the Inter-Parliamentary Union.
2. It shall be convened in extraordinary session if the President deems it necessary or if three of its members, representing at least two geopolitical groups, so request.

RULE 4

1. The Executive Committee shall fix the place and date of its ordinary sessions.
2. The place and date of extraordinary sessions shall be fixed by the President in agreement, whenever possible, with the members of the Committee.

PRESIDENCY

RULE 5

1. The President of the Inter-Parliamentary Union shall preside ex officio over the Executive Committee.
2. A Vice-President of the Executive Committee shall be appointed by the Executive Committee each year at its last session to replace the President of the Inter-Parliamentary Union in case of the latter's absence, or to exercise the latter's functions until the election of a new President by the Governing Council in case of resignation, loss of parliamentary mandate, death or of the suspension of the affiliation of the Member of the Union to which the President belongs.

RULE 6

1. The President shall open, adjourn and close the meetings, direct the work of the Committee, ensure respect for the Rules, call upon members to speak, put matters to the vote, announce the results of the voting and declare sessions closed. The President's decisions on these matters shall be final and shall be accepted without debate.
2. The President shall make a decision in all cases not covered by these Rules, such decision to be based on the general rules of procedure contained in the Rules of the Governing Council.

AGENDA

RULE 7

1. The provisional agenda of each session shall be fixed by the Secretary General in agreement with the President. It shall be communicated to the members of the Committee at least one month before the opening of each ordinary session.
2. A member of the Executive Committee may request the inclusion of supplementary items in the agenda.
3. The definitive agenda of each session shall be fixed by the Executive Committee at the opening of each session.

DELIBERATIONS - QUORUM - VOTE

RULE 8

The members of the Executive Committee shall deliberate in private.

RULE 9

The Executive Committee may hold valid deliberations and take valid decisions only if eight members or regularly appointed substitutes are present.

RULE 10

1. The members of the Executive Committee or their regularly appointed substitutes shall have one vote each.
2. The President shall participate in the voting only if the votes are equally divided.

RULE 11

1. The Executive Committee shall normally vote by show of hands. However, if the President deems it necessary or if one member of the Committee so requests, a secret ballot shall be held.
2. Subject to the provisions of Rule 16, the Executive Committee shall take all its decisions by a majority of the votes cast.
3. In calculating the number of votes cast, only positive and negative votes shall be taken into consideration.

RULE 12

1. In the interval between sessions, the President, acting through the Secretary General, shall, if necessary, consult the Executive Committee by correspondence.
2. For the results of this consultation to constitute a valid decision, the Secretariat must have received replies from at least eight members of the Committee within 20 days of the date of despatch of the communication by which they were consulted.

SUB-COMMITTEE ON FINANCE

RULE 13

1. The Sub-committee on Finance shall act as an advisory body to the Executive Committee. It shall review and make recommendations to the Executive Committee on financial matters or any other issue referred to it by the Executive Committee.
2. The Executive Committee shall adopt and amend the Terms of reference of the Sub-committee on Finance.
3. The Sub-committee on Finance shall be composed of one representative from each of the geopolitical groups, selected from among Executive Committee members.
4. The members of the Sub-committee shall be elected *ad personam* by the Executive Committee for a term of two years, renewable once, as long as they are members of the Executive Committee.

SECRETARIAT

RULE 14 (cf. Secretariat, Rule 6)

1. The Secretary General or the Secretary General's representative shall assist the President in directing the work of the Executive Committee.
2. The Secretary General or the Secretary General's representative may speak on any question under consideration.

RULE 15

1. The Secretariat of the Union shall receive or prepare all documents necessary to the deliberations of the Committee and shall distribute them to its members in English and French. It shall ensure the simultaneous interpretation of the debates in these two languages, as well as in Arabic and Spanish.
2. It shall prepare provisional summary records of the sessions which shall be sent to the members of the Committee within 40 days of the close of each session and submitted for their approval at the opening of the next session.

ADOPTION AND AMENDMENT OF THE RULES

RULE 16

1. The Committee shall adopt and amend its Rules by an absolute majority of the members or substitutes present at the time of the vote.
2. Proposals to amend the Rules of the Executive Committee must be formulated in writing and sent to the Secretariat of the Union at least three months before the next meeting of the Committee. The Secretariat shall immediately communicate such proposals, as well as any proposals for sub-amendments, to the members of the Committee.

* * * *

TERMS OF REFERENCE OF THE SUB-COMMITTEE ON FINANCE

GUIDING PRINCIPLE

RULE 1

1. A Sub-committee on Finance shall be established within the Executive Committee. The Sub-committee on Finance shall act as an advisory body and exercise an independent appraisal function to the Executive Committee as defined in section 2 below.
2. The work of the Sub-committee on Finance shall be conducted in accordance with internationally accepted best practices and in compliance with IPU policies, rules and regulations.

ROLE OF THE SUB-COMMITTEE

RULE 2

The Sub-committee shall review and, as appropriate, make recommendations to the Executive Committee on:

- (a) The budget;
- (b) Evaluations;
- (c) The interim Financial Report, the Financial Report and audited financial statements, together with the management letter of the External Auditor thereon;
- (d) The audit plans of the External and Internal Auditors and any reports submitted by them to the Executive Committee;
- (e) The Secretariat's responses to any of the above-mentioned matters;
- (f) Other financial and administrative matters on the proposed agenda for the next session of the Executive Committee;
- (g) Financial implications of every strategic plan;
- (h) Financial contributions from other sources such as voluntary funding, fees for observer status or the like;

- (i) Any other matter referred to it by the Executive Committee.

COMPOSITION OF THE SUB-COMMITTEE

RULE 3

1. Bearing in mind the need to strive for geographical representation and gender balance, the Sub-committee shall be composed of six members of both sexes, one from each geopolitical group, selected from among Executive Committee members.
2. The Sub-committee shall elect a Chairperson from among its members.

MANDATE OF THE SUB-COMMITTEE

RULE 4

The members of the Sub-Committee shall be elected ad personam by the Executive Committee for a two-year term renewable once as long as they are still members of the Executive Committee.

WORKING METHODS

RULE 5

1. The Sub-committee shall meet in closed session prior to each meeting of the Executive Committee. Extraordinary meetings may also be scheduled on an ad hoc basis as necessary.
2. The Sub-committee shall have annual meetings with the Internal and External Auditors.

ACCESS TO DOCUMENTS

RULE 6

The Sub-committee shall have access to all records and documents of the Organization, including audit and evaluation reports, investigations as well as the reports and management letters from the External and Internal Auditors.

RESOURCES

RULE 7

1. The Sub-committee shall be provided with administrative and secretarial support from the IPU Secretariat as and when required. The Secretariat of the IPU shall ensure simultaneous interpretation in English and French as well as Arabic and Spanish if so requested.
2. Travel and accommodation costs shall be covered by the national parliament of each member of the Sub-committee.

Reports, Decisions, Resolutions and other texts of the Governing Council of the Inter-Parliamentary Union

BETTER PARLIAMENTS, STRONGER DEMOCRACIES

IPU STRATEGY 2012-2017

*Approved by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)*

Introduction

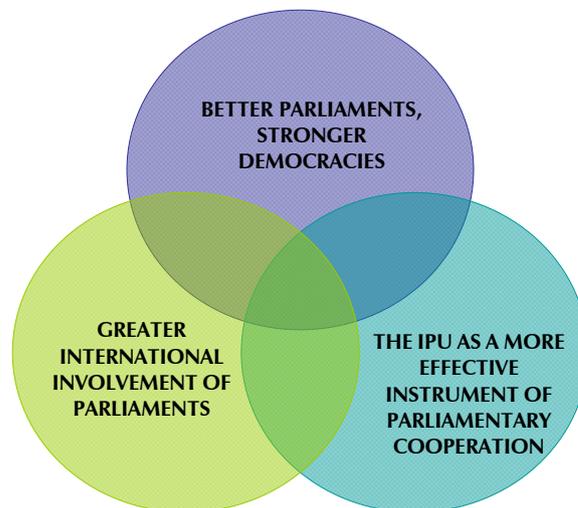
The present document contains a strategy for the IPU for the coming five years. It charts a course for the organization's development in three strategic directions, spells out the corresponding objectives and identifies what it hopes to have achieved by the end of the five years.

The document starts by presenting a new mission statement. The statement encapsulates the mission of the IPU in a few words. It is accompanied by an explanation and a slogan.

The mission statement is followed by a vision. The vision expresses where the IPU wants to be in the longer term. It reflects an overall ambitious view of the IPU's future. It aims to rally all stakeholders around a common general aspiration.

Then there are three strategic directions that chart a path for the IPU over the next five years towards the fulfilment of its vision. The strategic directions are inferred from the mission statement. They give priority to three areas of work: democracy and parliaments, international involvement of parliaments and the IPU as an instrument of parliamentary cooperation.

The three strategic directions are interrelated and mutually reinforcing. Parliamentary cooperation is at the centre. It underpins all of the IPU's work. Each strategic direction is composed of three objectives and several sub-objectives.



The strategy will guide the IPU over the coming five years. A mid-term review of the strategy will take place after two years.

The strategy will be implemented on the basis of priorities. All actions reflected in the plan cannot be done immediately, at the same time, and during the full five-year period. Some are time-bound, others will depend on demand and others still will need to wait pending the identification of resources.

The strategy is not a business plan nor is it a budget document. Nonetheless, it has been drawn up with current economic realities in mind. It will need to be translated into a separate annual or bi-annual work plan and budget. The budget will correlate to a level of income that corresponds to what Members are able to contribute and other revenues the IPU can realistically hope to obtain.

The strategy is based on a careful analysis of the IPU today, the environment in which it operates, the challenges it faces and, most importantly, its considerable comparative advantages. It has been enriched by observations and suggestions from many Member Parliaments, geo-political groups and IPU Committees and has been meticulously worked on by the Executive Committee.

The strategy will provide clarity, focus and understanding within and outside the IPU regarding its future direction and make it possible to plan resources and action.

EXECUTIVE SUMMARY

Mission statement	<ul style="list-style-type: none"> ✚ The IPU, the world organization of parliaments, is a global forum for parliamentary dialogue, cooperation and action. It advances democracy and assists parliaments and parliamentarians throughout the world to fulfil their mandates.
Vision	<ul style="list-style-type: none"> ✚ To be universal, dynamic and effective in order to advance democratic culture, values and institutions, as well as the rule of law, through cooperation among parliaments. ✚ To assist parliaments and parliamentarians in all parts of the world to articulate and respond effectively to the needs of the people and their aspirations for peace, human rights, gender equality and development. ✚ To be acknowledged and supported by Member Parliaments in providing a parliamentary dimension in international fora, including the United Nations and other multilateral institutions.
Strategic direction 1 Objectives	<ul style="list-style-type: none"> ✚ Better parliaments, stronger democracies ✚ Strengthen democracy through parliaments ✚ Advance gender equality ✚ Protect and promote human rights
Strategic direction 2 Objectives	<ul style="list-style-type: none"> ✚ More international involvement of parliaments ✚ Develop a parliamentary dimension to the work of the United Nations and other multilateral institutions ✚ Build parliamentary support for international development goals ✚ Contribute to peace-building and conflict prevention
Strategic direction 3 Objectives	<ul style="list-style-type: none"> ✚ The IPU as a more effective instrument of parliamentary cooperation ✚ Achieve universal membership and strengthen engagement with Members ✚ Enhance the IPU's visibility through a modern communications strategy ✚ Improve operational management, governance and internal oversight

WHY A STRATEGY FOR THE IPU?

The IPU has an extraordinarily rich past. It has made major contributions to peace and cooperation. It has facilitated dialogue and understanding across political divides. It has been at the forefront of parliamentary developments and has helped parliaments everywhere cope with globalization and an increasingly inter-dependent world.

Today it is the world's only global forum for parliamentary dialogue and cooperation. It has developed unequalled knowledge and expertise on the role, structure and working methods of national parliaments and it is an effective spokesperson for parliaments at the international level.

Like all organizations dedicated to international cooperation, the IPU faces a number of challenges as it adapts to the realities of the 21st century.

Parliaments in many countries need strengthening to be able to deal effectively with today's agenda. This includes adapting to the realities of globalization and creating capacity in parliament to assume a more active role in relation to international cooperation and multilateral institutions.

As more attention is being devoted by governments and international organizations to strengthening national parliaments, there is a need for greater clarity and support from them for IPU's work in favour of democratic parliaments.

The IPU as an institution must have a clearer profile. It urgently needs to implement a communications strategy, to demonstrate that it has confidence in itself, in what it is and what it wants to do. A comprehensive strategy that charts the course for its development in the next five years will encapsulate that confidence and serve to garner resources and support for the accomplishment of its objectives.

Ultimately, the strategy will help Members build an IPU that is universal, dynamic and effective and able to advance democratic culture, values and institutions through cooperation among parliaments.

MISSION STATEMENT

- ✚ The IPU, the world organization of parliaments, is a global forum for parliamentary dialogue, cooperation and action. It advances democracy and assists parliaments and parliamentarians throughout the world to fulfil their mandates.

The IPU facilitates political parliamentary debate, dialogue and cooperation. It promotes and defends democracy and the rule of law. It develops standards, disseminates information on good practices and helps build parliamentary capacity and efficacy. It defends the human rights of members of parliament and promotes respect for universal values, norms and principles. It works in support of gender equality and the participation of women, minorities and indigenous peoples in political and public life. It assists parliaments in coping with a growing international agenda and in contributing a parliamentary dimension to the work of the United Nations and similar multilateral institutions.

In short, the IPU stands for: *Better parliaments, stronger democracies.*

VISION

- ✚ To be universal, dynamic and effective in order to advance democratic culture, values and institutions, as well as the rule of law, through cooperation among parliaments.
- ✚ To assist parliaments and parliamentarians in all parts of the world to articulate and respond effectively to the needs of the people and their aspirations for peace, human rights, gender equality and development.
- ✚ To be acknowledged and supported by Member Parliaments in providing a parliamentary dimension in international fora, including the United Nations and other multilateral institutions.

STRATEGIC DIRECTIONS

1. BETTER PARLIAMENTS, STRONGER DEMOCRACIES

The IPU holds that better parliaments make stronger democracies. The organization has a clear comparative advantage through its parliamentary membership and the work it has carried out over the years to strengthen parliaments, advance gender equality and protect and promote human rights. The IPU's work is focused on parliament, which acts as both a provider and recipient of assistance and as an agent for change. Over the next five years - 2012 to 2017 - the IPU will work with the support of its Member Parliaments to advance three priority objectives: strengthen democracy through parliaments, advance gender equality and protect and promote human rights.

Objective 1.1	Strengthen democracy through parliaments
----------------------	---

Parliaments are the cornerstone of democracy. They need to be empowered and have the requisite means to carry out their constitutional functions. They must embody core democratic values in their work. The IPU's strategy consists of strengthening parliaments to enable them to contribute to democracy and help meet the aspirations of the people. The IPU pursues an integrated approach; it develops different kinds of tools and applies them to priority thematic areas of work. Parliaments are central to the development and implementation of all activities.

Work area: Information and research

Sub-objective: consolidate the ipu as a global resource on parliament and democracy

The IPU will update and develop the PARLINE database on national parliaments. It will publish a *Global Parliamentary Report* on the state of the world's parliaments on a regular basis. It will establish a new publishing programme focusing on good practices in parliaments and new and emerging topics in parliamentary development. Thematic activities will include ensuring that parliaments are inclusive of minorities and indigenous people as well as other marginalized sectors of society; encouraging youth participation in the democratic process; promoting the effective use of ICT in parliament; and promoting the International Day of Democracy as an opportunity for parliaments to engage with citizens. The IPU will support the development and consolidation of professional networks for the exchange of information among parliaments. Information and research feeds the IPU's work on standard-setting and technical assistance.

Work area: Standards and guidelines

Sub-objective: Encourage recognition and implementation of standards for democratic parliaments

The IPU will promote its criteria for democratic parliaments as outlined in *Parliament and democracy in the twenty-first century: A guide to good practice*. The IPU will encourage parliaments to assess their performance based on these criteria, and will create a mechanism for reviewing parliamentary performance on a voluntary basis, including through peer reviews. It will continue to provide a parliamentary dimension to the International Conference of New or Restored Democracies and will work towards its rapprochement with a similar mechanism in the Community of Democracies. It will develop new standards and guidelines for good practice in parliaments as and when the need arises.

Work area: Technical assistance

Sub-objective: Strengthen parliaments by providing tailored advice and programmes of assistance

The IPU will continue to provide advisory services and technical assistance to strengthen parliaments. It will systematically seek to improve the delivery and impact of technical assistance, providing better coordinated and more efficient services to parliaments. It will focus its attention on parliaments in countries emerging from conflict or in transition towards democracy. It will continue to build parliamentary capacity to address key human rights and gender concerns as well as other issues on the global agenda. It will support parliaments' capacity to hold government to account, strengthen their budget and audit functions, enhance transparency and combat corruption. It will strengthen partnerships with like-minded organizations that work to enhance parliamentary development.

Technical assistance is underpinned by the IPU's work on research and standards, and lessons learned from technical assistance programmes are fed back into this work.

Objective 1.2 Advance gender equality

Gender equality is a key component of better parliaments. The IPU pursues a strategy that focuses on monitoring and providing support for women's participation in politics, building the capacity of IPU Member Parliaments and assisting parliaments in their gender-related tasks. Activities in this area will build on the parliamentary work of IPU Member Parliaments, the contribution of both men and women, the expertise of former members of parliament and contributions of international partner organizations, including UN Women.

Work area: Information and research

Sub-objective: Maintain its position as a global reference point for women in politics

The IPU will continue to collect up-to-date information on women's participation in politics. It will undertake research and produce statistics, surveys and reports through online databases (on quotas and statistics on women), websites and the International Knowledge Network of Women in Politics (iKNOWPolitics). It will develop new indicators on women's participation in politics, provide an analysis of emerging issues or trends and specific gender concerns. It will provide information and training materials tailored to the needs of newly elected women parliamentarians.

Work area: Access to and participation in parliament

Sub-objective: Develop national strategies to facilitate women's access to parliament and support women MPs' participation in policy-making

The IPU will help strengthen national frameworks to facilitate women's access to parliament by reviewing legal frameworks that impact on women in politics. The IPU will continue to provide technical assistance and training to women MPs. The programme will incorporate building the capacity of women through the use of ICTs and developing mentorships for newly elected women MPs.

Work area: Gender mainstreaming

Sub-objective: Foster gender-sensitive change in parliament

The IPU has produced the first ever global analysis on gender mainstreaming in parliament and gender-sensitive parliaments. It has mapped the current situation and identified good practices. The IPU will work to develop standards and issue guidelines on gender-sensitive policies and procedures. It will provide capacity-building support to parliamentary bodies that deal with gender equality and women's issues. It will help members of parliament and parliamentary staff to build their capacities in gender mainstreaming and will facilitate the exchange of good practices.

Work area: Respect for women's rights

Sub-objective: Assist parliaments in amending discriminatory laws and strengthening their capacity to address violence against women

The IPU will continue to support parliaments in enhancing their oversight over the governments for effective implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and taking action on violence against women – two key gender and societal concerns. It will continue capacity building with member parliaments to enhance their supervision of the CEDAW reporting process by governments and will focus on discriminatory legislation. With regard to violence against women, it will pay greater attention to legislative reform and strengthening parliamentary oversight to ensure enforcement of legislation. Activities will be directed at building parliamentary capacity. The IPU will provide legislative counselling and policy advice. In all activities, the IPU will ensure that male parliamentarians and parliamentary staff are involved and that men and women work together on gender-related matters. The activities will also consolidate bridges and enhance cooperation between MPs, government agencies, UN agencies working on gender, civil society organizations, constituents, media and research centres.

Objective 1.3	Protect and promote human rights
----------------------	---

Parliaments and their members are "guardians" of human rights by virtue of their essential legislative and oversight responsibilities to ensure respect for human rights. The IPU helps parliaments assume these responsibilities by protecting the rights of their members and providing them with information, knowledge and training to enable them to take an active part in human rights promotion and protection. Over the next five years, the IPU will bolster these efforts by focusing on the following four priorities:

Work area: IPU Committee on the Human Rights of Parliamentarians **Sub-objective: Enhance the capacity of the IPU Committee to address human rights abuses**

The IPU will strengthen the Committee on the Human Rights of Parliamentarians and will explore new ways to encourage Member Parliaments to take an active part in helping resolve the cases brought to the attention of the IPU Governing Council. As appropriate, more work will be undertaken to inform and promote concerted action with United Nations mechanisms and the human rights community at large in support of the Committee's work. The Committee will examine action that can be taken to prevent recurrent and cross-cutting concerns in its case-work with a view to helping prevent new violations. It will pay particular attention to how women parliamentarians are affected by human rights abuses.

Work area: Capacity-building **Sub-objective: Strengthen the contribution of parliaments to human rights promotion and protection**

The IPU will continue to heighten awareness about the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. It will focus on the role of parliaments in their implementation. As appropriate, it will help ensure that the parliaments of those countries whose national reports are due for examination by the main UN human rights committees and the Human Rights Council in the framework of the Universal Periodic Review are involved in preparing the reports, are represented in the delegations presenting them, and subsequently help implement their recommendations. The IPU will work more closely with the UN human rights monitoring system and will provide assistance to parliaments wishing to become more involved in it. Work in this area will help identify if and where there is a need for IPU publications in the area of human rights.

Work area: Children's rights **Sub-objective: Help parliaments ensure respect for children's rights**

The IPU will raise awareness in parliaments on rights issues and help build their capacity to promote children's rights. Although children are active holders of rights, they often lack the means to ensure respect for them, which is why it is all the more important for parliaments to help ensure such respect. The IPU will focus on strengthening parliaments' involvement in the work of the UN Committee on the Rights of the Child, building the oversight capacity of parliaments to ensure implementation of legislation on children's rights and supporting child participation in parliaments.

Work area: International humanitarian law **Sub-objective: Promote ratification and implementation of selected humanitarian law conventions**

The IPU will focus, through the work of its Committee to promote respect for international humanitarian law, on increasing the ratification and implementation of a selected number of conventions in the area of international humanitarian law. More attention will be paid to the Convention on the Reduction of Statelessness and the Convention on Cluster Munitions.

2. GREATER INTERNATIONAL INVOLVEMENT OF PARLIAMENTS

Greater international involvement of parliaments is necessary to help bridge the democracy deficit in international relations. In today's globalized and interconnected world, a more robust parliamentary engagement internationally is desirable to identify possible solutions to major global issues

and work towards their implementation. The IPU will continue to develop a parliamentary dimension to international cooperation, endeavour to enhance the transparency and accountability of global processes and mobilize parliamentary action on major global challenges.

<p>Objective 2.1 Develop a parliamentary dimension to the work of the United Nations and other multilateral institutions</p>
--

The IPU pursues a strategy of mobilizing parliaments around today's major global issues and assisting them as they as they guide governments and hold them to account in implementing corresponding multilateral agreements. The IPU works closely with the United Nations, which reaches out to national parliaments through the IPU. The IPU provides a parliamentary input to the work of the United Nations, as well as the beginnings of parliamentary oversight and accountability. The IPU is establishing a strategic partnership with the United Nations and is seeking to develop similar relationships with the World Trade Organization (WTO) and the Bretton Woods Institutions.

Work area: Cooperation with the UN

Sub-objective: Enhance the parliamentary dimension to the work of the United Nations

The IPU will continue to provide parliamentary input to the work of the UN and seek to have a parliamentary perspective reflected in the latter's decisions. It will convene legislators around the main global issues under consideration by the United Nations. It will encourage the more systematic participation of legislators in national delegations to major UN conferences and events and promote a more uniform approach by the United Nations system to national parliaments. It will work with the United Nations towards mobilizing greater support by the international community for building the capacity of parliaments worldwide. The IPU will work with the United Nations in search of a more coherent framework for cooperation and coordination between the two independent institutions. It will work to build support by UN Member States for a new cooperation agreement between the United Nations and the IPU to replace the outdated 1996 agreement.

Work area: New UN bodies and major UN processes

Sub-objective: Develop a strong parliamentary component to the work of the new UN bodies and major UN processes

The IPU will continue to make a parliamentary contribution to the work of the three UN bodies set up in 2005 - the Peacebuilding Commission, the Development Cooperation Forum, and the Human Rights Council – as proposed by the UN General Assembly. The IPU will also continue to organize parliamentary meetings in the margins of major UN conferences and processes. In 2010, the UN General Assembly formally decided to engage more systematically with the IPU in integrating a parliamentary component of and contribution to major UN deliberative processes and the review of international commitments. The IPU Committee on UN Affairs will assist in developing the IPU's response to this decision.

Work area: WTO and international trade

Sub-objective: Strengthen the parliamentary dimension to the work of the WTO and, more generally, on matters of international trade

The IPU will continue its work with the European Parliament, in cooperation with national parliaments and regional parliamentary assemblies, aimed at providing a parliamentary dimension to the WTO. It will work to build capacity in parliament to monitor WTO activities, maintain dialogue with governmental negotiators, facilitate exchange of information and experiences, and exert a growing parliamentary influence on the direction of discussions and negotiations within the WTO. The IPU will also continue its cooperation with other multilateral institutions working in the field of trade and development, in particular the United Nations Conference on Trade and Development (UNCTAD).

Work area: Global economic governance

Sub-objective: Strengthen parliamentary action on economic and financial issues

The global economic and financial crisis that erupted in 2008 has highlighted the need for a fundamental review and reform of regulatory frameworks and economic policies. The IPU will continue

to promote parliamentary debate and action on these issues. It will start promoting greater parliamentary accountability of the Bretton Woods Institutions by pursuing three broad objectives: enhancing the legal authority of parliaments to approve World Bank/International Monetary Fund (IMF) loans; strengthening the role of parliaments in the adoption of Poverty Reduction Strategy Papers and related plans; and increasing the input of parliaments into new global policies designed by the World Bank/IMF, the United Nations and the G20.

Objective 2.2	Build parliamentary support for international development goals
----------------------	--

Parliaments have an essential role to play in eradicating poverty and achieving development. Members of parliament can ensure that development plans are informed by the people's priorities, speak on behalf of the poor and other marginalized and vulnerable groups, and ensure national ownership of development policies and programmes. The IPU strategy aims to assist parliaments in achieving this in a few targeted areas linked to the internationally agreed development commitments, in particular the Millennium Development Goals (MDGs). The strategy will focus on helping parliaments develop stronger oversight tools to monitor all of the MDGs, review their own institutional processes, and identify the optimal institutional set-up to mainstream the MDGs into their work.

Work area: Maternal, neonatal and child health

Sub-objective: Help parliaments influence maternal, neonatal and child health policies and programmes

The IPU aims to increase the influence of national parliaments on maternal, neonatal and child health. In support of this broad goal, the IPU will raise awareness among parliaments and support the emergence and implementation of related parliamentary action plans. Support for parliamentary action will include providing parliaments with the skills required to develop appropriate legislation, set appropriate budget levels for improved health, and ensure availability and accessibility of adequate and equitable services and the accountability of central government for the delivery of these elements. Other approaches will include knowledge creation and awareness raising regarding the work of parliaments in these areas, as well as strengthening linkages between national, regional and global processes or platforms critical to maternal, neonatal and child health.

Work area: HIV/AIDS

Sub-objective: Provide global leadership for parliamentary work on HIV/AIDS

The IPU will promote parliamentary action in support of the commitments contained in the June 2011 General Assembly Political Declaration on HIV and AIDS and in UN Security Council resolution 1983. This will include enhancing parliamentary leadership and oversight for the HIV response, budgetary allocations and law-making that supports universal access to HIV services and prevents discrimination against people living with or affected by HIV. The IPU will continue to lead the global parliamentary dialogue on the epidemic, with its Advisory Group on HIV/AIDS providing a global parliamentary focal point. The IPU will continue to work closely with the Joint United Nations Programme on HIV/AIDS, to help build parliamentary capacity and channel parliamentary input to international processes for the global AIDS response.

Work area: Development aid

Sub-objective: Help parliaments ensure greater aid effectiveness

The IPU has carried out several case studies in support of international commitments to achieve aid effectiveness (Paris Declaration, Accra Agenda and Busan outcome). The IPU will carry this work forward through dialogue among parliamentarians, helping parliaments to achieve the following key objectives: include parliaments in the decision-making structures set up between donors and the executive in aid-recipient countries; improve parliaments' access to information on aid flows and modalities; build the capacity of parliamentarians and relevant staff to analyse annual budgets and other related documents; and strengthen parliaments' capacity to influence and monitor aid policies.

Work area: Least developed countries (LDCs)

Sub-objective: Mobilize support for implementation of the Istanbul Programme of Action

The IPU will follow up on the Parliamentary Forum it held at the Fourth UN Conference on the Least Developed Countries (LDC IV). It will support parliaments in implementing the 2011-2020 Istanbul Programme of Action (IPoA) for the LDCs adopted by that conference. The IPU will raise awareness in parliaments and promote their engagement in the LDC process. It will work to strengthen the parliamentary focal point mechanism and support the creation of a Parliamentary Plan of Action for parliamentary engagement. To facilitate LDC parliaments' involvement in development issues, the IPU will highlight the links between the IPoA and the achievement of the MDGs.

Work area: Climate change

Sub-objective: Strengthen parliamentary action on climate change

The IPU will continue to set up a parliamentary process to accompany the global climate change negotiations. It will complement this work by promoting action by parliaments to integrate climate change and its consequences into their own agenda and work programme by elaborating and approving national climate-related budgets and implementing legislation. The IPU will also promote action by parliaments to reduce their own carbon footprint.

Objective 2.3	Contribute to peace-building and conflict prevention
----------------------	---

A parliament that represents all sectors of society and has the requisite powers and means to legislate and hold government to account makes an enormous contribution towards peace and stability. That is why the work the IPU carries out to build better parliaments and stronger democracies is in itself a contribution to peace-building and conflict prevention. The IPU also provides support to parliaments in countries facing or emerging from conflict or under foreign occupation. These activities are often part of IPU's work in cooperation with the United Nations and its Peace-building Commission. They include targeted action to facilitate political reconciliation through parliaments in post-conflict situations and parliamentary diplomacy. In all instances they are complementary to efforts undertaken by other actors, focus on the parliaments, respond to their requests for support and rely on the political support of IPU Member Parliaments.

Work area: Political reconciliation in post-conflict situations

Sub-objective: Help parliaments become more open to dialogue and inclusive so that they can facilitate reconciliation and security sector governance

The IPU will continue to provide targeted support to parliaments in post-conflict countries by promoting dialogue within parliament and helping it contribute to national reconciliation and security sector governance. The implementation of these activities will entail capacity-building and advisory services and will draw on the expertise of IPU Member Parliaments and the knowledge of partner organizations directly involved in peace-building. The activities will be results-oriented and based on parliamentary action plans, with the parliaments committing themselves to progressive implementation. The IPU's advisory services will cater to the needs of each parliament, but will focus on ensuring smooth relations with the executive and on codifying the role and rights of the opposition as a means of soothing tensions within and outside parliament.

Work area: Parliamentary diplomacy

Sub-objective: Facilitate conflict resolution through parliamentary diplomacy

The IPU offers a privileged space for parliamentary diplomacy. It is a natural and neutral venue for members of parliament from different countries and political factions to exchange views and experiences and discuss conflicts within and between countries. The IPU intends to put this resource more systematically to good use. When internal crises seriously affect or bring national parliamentary business to a halt, the IPU will offer its good offices to help defuse tensions and promote dialogue. Rapid resort to parliamentary diplomacy may subsequently help identify longer-term needs for capacity-building and advisory services. Similar efforts will be made in regional conflicts where the IPU may have an advantage through its membership. Such involvement would be largely modelled on the work of the

Committee on Middle East Questions, which should be strengthened, but in contrast would be time-bound and more flexible and informal in nature. The idea is not to systematically put in place formal structures such as ad hoc committees, which would require substantial additional resources.

3. THE IPU AS A MORE EFFECTIVE INSTRUMENT OF PARLIAMENTARY COOPERATION

The IPU's Strategy for 2012–2017 contains an internal dimension; turning the IPU into a more effective instrument of parliamentary cooperation. It represents a strategic direction for the IPU's development over the next five years because it underpins much of what the IPU hopes to achieve. In order to be able to provide more incisive support to parliaments and assist them in developing their international involvement, the IPU must also improve itself. The following three objectives have been identified:

Objective 3.1	Achieve universal membership and enhance relations with Members
----------------------	--

The IPU is a unique global forum for parliamentary dialogue and cooperation. Over the past 10 years, it has modernized its structures, adapting them more closely to those employed by parliaments. For the next five years, the organization needs to bring this process forward in four interrelated areas: making the organization more universal, improving on parliament's participation in IPU meetings, including from a political and gender perspective, making the annual assemblies more effective and better able to meet the demands of its Members, and facilitating greater coherence in parliamentary cooperation.

Work area: Membership

Sub-objective: Advance towards universal membership

The IPU will make every effort to achieve universal membership. It will focus on parliaments of small island States in the Caribbean and in the South Pacific. It will pursue efforts to encourage other parliaments that are not yet Members to join, including parliaments in countries that have recently emerged from conflict.

Work area: Participation in activities

Sub-objective: Strengthen the participation of parliaments in the work of the IPU

The IPU will encourage parliaments to include in their delegations to IPU meetings members of parliamentary committees dealing with the subject matters that are placed on the IPU's agenda. The knowledge and experience of these MPs can help enrich the discussion for the benefit of all participants; they can put the outcome of those discussions to direct use in their respective committees in parliament; and they can ensure follow-up and implementation of IPU recommendations.

Work area: Parliamentary representation

Sub-objective: Formulate guidelines on gender and political balance in parliamentary delegations

The IPU will assess the existing directives concerning gender balance in parliamentary delegations with a view to further increasing the participation of women parliamentarians. It will develop guidelines for ensuring political balance in delegations attending IPU meetings. The guidelines will seek to encourage better representation of the main political factions in parliament while respecting the basic tenet that all parliaments are sovereign in deciding on the composition of their delegations. The IPU will also examine possible avenues for encouraging better participation of youth.

Work area: Structures and working methods

Sub-objective: Improve IPU structures and working methods

The IPU will continue to strengthen the Assembly and its Standing Committees. It will provide induction material for new participants in IPU activities. It will seek to secure greater support for and participation in the work of the Standing Committees by Member Parliaments, with better preparation, participation in debates and follow-up of outcomes. It will assess the contribution of the Meeting of Women Parliamentarians, the Coordinating Committee of Women Parliamentarians and the Gender Partnership Group to advancing gender equality issues with the objective of ensuring more interactive exchanges, greater participation of men and more gender-focused debates. The IPU will include the

Committee on the Human Rights of Parliamentarians in its Statutes, thereby making it a statutory body. It will issue guidelines to ensure that members are elected on the basis of their capacity to participate effectively in the Committee's work.

Work area: Monitoring implementation

Sub-objective: Ensure better follow-up and implementation of decisions and recommendations adopted by the IPU

The IPU will further improve the existing reporting exercise. It will systematically examine how the content of IPU resolutions can be integrated into the regular programme of work. It will consider what action it can take to help Member Parliaments to follow up on these resolutions. As many of these resolutions contain recommendations to parliaments to ensure implementation of major international conventions, agreements and decisions, the IPU will pay special attention to action to encourage parliamentary implementation of those recommendations.

Work area: Parliamentary cooperation

Sub-objective: Seek greater coherence in global parliamentary cooperation

The IPU will continue to monitor the development of parliamentary cooperation through different formal and informal structures. It will explore avenues for ensuring greater cooperation and a sharing of agendas and experiences with global and regional parliamentary assemblies and organizations.

Objective 3.2	Enhance the IPU's visibility through a modern communications strategy
----------------------	--

The IPU needs a communications policy that supports the three strategic directions. It must generate and capitalize on opportunities to publicize the work of parliaments, parliamentarians and the IPU in order to entrench a public perception of the IPU as a unique organization that belongs to parliaments and strives to advance democracy. Putting into effect such a policy will require a re-thinking of how the IPU goes about communicating with the rest of the world. The policy will seek vigorous outreach towards parliaments. It will entail achieving much more direct communication with members of parliament and publicizing their work both in parliament and at the IPU. It will require significant focus on the organization's website, streamlining its publications and re-orienting its media relations.

Work area: Website

Sub-objective: Modernize the IPU's website and turn it into a dynamic resource for two-way communication with the global parliamentary community

The IPU website will get a new face. It will primarily be about national parliaments and individual parliamentarians, but it must also become the support tool for a knowledge base, a source of information that is unique. It will build on (and reflect) the substantial body of work carried out by the IPU and its Members, in particular the work carried out to strengthen democracy through parliaments, advance gender equality and protect and promote human rights. It must be the reference point for anyone wanting to know about parliaments, from the basics of how they work and what they do, to advanced academic commentary on politics. It must become a site for appealing and digestible data on legislatures in general, trends, changes and innovations, and broader patterns of attitudes to democracy and the nuts and bolts of the machinery that sustains it. In so doing, it will build the recognition that the IPU currently lacks. It will be a tool for communicating with and between parliaments and their members as well as with a broader public. It will be complemented by greater use of the social media.

Work area: Information products

Sub-objective: Create modern information products that meet the needs of Member Parliaments

The IPU will establish a publications policy. It will focus on producing information products that meet the needs of Member Parliaments. It will aim to become a leader in parliamentary information products. It will streamline and, as appropriate, discontinue some publications while launching others. It will develop a major annual report – The Global Parliamentary Report - as a flagship publication for the IPU that will become a primary reference tool on parliaments, their members, and the challenges they face (see section 1.1 above). It will produce video materials on the IPU. Specific attention will be given to enhancing the user-friendliness of products, ensuring greater publicity and follow-up and producing versions in Spanish and Arabic.

Work area: Media

Sub-objective: Reorient the IPU's media policy towards outreach

The IPU will continue to network with journalists and correspondents while aiming for greater specialization among those interested in parliamentary politics or particular aspects of the Organization's work. The media policy objective will be to place articles reflecting the work and opinions of the IPU within leading newspapers and secure TV coverage for IPU activities. The IPU will continue to explore options for content-sharing among parliamentary TV channels, the aim being to manufacture an IPU-branded product.

Objective 3.3	Improve operational management, governance and internal oversight
----------------------	--

Providing better services to its Members will require modernizing the way the IPU operates. This will entail mainstreaming gender throughout the organization, its policies, programmes and activities. It will also involve ensuring a rights-based approach to all IPU work. Modernization requires reviewing key business practices that impact on cost effectiveness, efficiency, and accountability. The IPU will upgrade its management systems and procedures, in particular in the area of human resources, financial systems and communications. The current challenges faced by the IPU to better serve its Members require a faster response time and flexibility, particularly in the area of communications and finance. The IPU will need to discontinue some functions and establish new ones.

Work area: Gender mainstreaming

Sub-objective: Ensure that gender is systematically mainstreamed throughout the IPU

The IPU will develop a gender mainstreaming policy and will apply it throughout the organization. Gender mainstreaming is a globally accepted strategy for promoting gender equality. It makes political and development agendas more relevant and effective; acknowledging gender inequalities and addressing them will strengthen the effectiveness of any policy, programme and action. Mainstreaming involves ensuring that gender perspectives and attention to the goal of gender equality are central to all activities - policy development, research, advocacy, dialogue, legislation, resource allocation, and planning, implementation and monitoring of programmes and projects.

Work area: Rights-based approach

Sub-objective: Introduce a rights-based approach in all IPU activities

The IPU will introduce a rights-based approach to its work. A rights-based approach is a means of protecting and empowering human beings and enhancing the capacity and accountability of public institutions – including parliament – that have an obligation to ensure the respect, promotion and fulfilment of their rights. By introducing a rights-based approach in all its work areas, the IPU will contribute to enhancing the capacity of parliaments to promote and protect human rights.

Work area: Management action plan

Sub-objective: Upgrade IPU management systems and procedures and implement a results-based management system

The IPU will put in place a real-time financial system to increase the operational efficiency of budget holders. Directors and staff will receive training on planning, budgeting and financial management to make the best use of financial systems. More systematic evaluation of projects and programmes will be carried out. The IPU will implement a results-based management system. The performance evaluation system for staff will be enhanced. The IPU will start integrating modern ICTs throughout its operations. ICT support systems will be put in place where none have existed so far. Databases of contacts will increasingly become a vital support for communications outreach. The IPU will start making more systematic use of video conferencing and facilitate virtual meetings. This will eventually require upgrading the IPU's conference facilities to make "virtual" parliamentary cooperation possible. The IPU will invest in staff training and improve human resources processes.

Work area: Governance and oversight

Sub-objective: Strengthen internal governance and oversight

With the help of a sub-committee on finance made up of members designated from within the Executive Committee, the IPU will ensure better internal governance and oversight. It will build on best practices in international organizations and will aim to provide expert advice on all financial and risk matters affecting the IPU, oversee the budget and its implementation and assist the Executive Committee in applying and implementing the decisions of the Governing Council on the financial management of the IPU. It will also establish a resource mobilization strategy to ensure that the IPU can count on predictable and stable resources to carry out its work

CONCLUSION

The IPU is an organization of parliaments. The strategy outlined in this document should help the Members build an IPU that is universal, dynamic and effective and able to advance democratic culture, values and institutions through cooperation among parliaments.

The Members wish to bolster the political impact of the IPU within their Parliaments, within individual countries and worldwide. They seek to reinforce the work of the IPU in support of parliaments and of democracy. Better parliaments make for stronger democracies. The IPU will work to strengthen democracy through parliaments, advance gender equality and protect and promote human rights.

The strategy suggests that the membership can achieve this by intensifying parliamentary cooperation through the IPU. In all three strategic directions, parliaments and their members are the principal actors.

The strategy will be put into effect through selected activities set out in the annual programme of work and its consolidated budget. To a large extent, they will be financed through the core budget. The level of funding through Members' contributions will not increase for the period covered by the strategy. Voluntary funding will have to be found to implement additional activities that are not funded by the core budget.

In its very essence, the strategy seeks to render more effective Member Parliaments' participation in the work of the IPU and their ownership of the organization.

BUDGET OF THE INTER-PARLIAMENTARY UNION FOR 2012

*Approved by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)*

Approved 2012 operating budget

	2011 approved budget	2012 approved budget		
		Regular budget	Other sources	All funds
REVENUES				
Assessed contributions	11,946,900	10,903,900		10,903,900
Working Capital Fund *	133,800	409,800		409,800
Staff assessment	1,372,000	1,107,200		1,107,200
Interest	75,000	75,000		75,000
Programme support costs	0	87,800	(87,800)	0
Other revenue	10,000	10,000		10,000
Voluntary contributions	4,548,840		1,184,400	1,184,400
TOTAL REVENUES	18,086,540	12,593,700	1,096,600	13,690,300
EXPENDITURES				
Stronger democracies	7,246,740	3,597,900	885,100	4,483,000
International involvement	3,196,310	1,222,500	299,300	1,521,800
Parliamentary cooperation	4,634,080	4,754,100		4,754,100
Support services	2,805,910	2,784,900		2,784,900
Other charges	303,500	234,300		234,300
Eliminations	(100,000)		(87,800)	(87,800)
TOTAL EXPENDITURES	18,086,540	12,593,700	1,096,600	13,690,300

* The Working Capital Fund including budget surpluses is utilized to balance the revenue and expenditure budgets.

Approved 2012 capital budget

	2010 approved (CHF)	2011 approved (CHF)	2012 approved (CHF)
CAPITAL EXPENDITURES			
Information technology	35,000	35,000	36,600
Development of new website	-	20,000	-
Improved conference facilities	50,000	25,000	25,600
Furnishings	15,000	15,000	15,600
Vehicle	-	50,000	-
Total Capital Expenditures	100,000	145,000	77,800

APPROVED PROGRAMME AND BUDGET FOR 2012**SCALE OF CONTRIBUTIONS FOR 2012
BASED ON THE UN SCALE OF ASSESSMENT***Approved by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)*

Member or Associate Member	UN Scale	Approved Scale (2012)	
		Per cent	CHF
Afghanistan	0.004%	0.110%	12'000
Albania	0.010%	0.120%	13'100
Algeria	0.128%	0.300%	32'700
Andorra	0.007%	0.110%	12'000
Angola	0.010%	0.120%	13'100
Argentina	0.287%	0.510%	55'600
Armenia	0.005%	0.110%	12'000
Australia	1.933%	2.230%	243'100
Austria	0.851%	1.160%	126'500
Azerbaijan	0.015%	0.130%	14'200
Bahrain	0.039%	0.170%	18'500
Bangladesh	0.010%	0.120%	13'100
Belarus	0.042%	0.180%	19'600
Belgium	1.075%	1.390%	151'600
Benin	0.003%	0.110%	12'000
Bolivia	0.007%	0.110%	12'000
Bosnia and Herzegovina	0.014%	0.130%	14'200
Botswana	0.018%	0.140%	15'300
Brazil	1.611%	1.930%	210'400
Bulgaria	0.038%	0.170%	18'500
Burkina Faso	0.003%	0.110%	12'000
Burundi	0.001%	0.100%	10'900
Cambodia	0.003%	0.110%	12'000
Cameroon	0.011%	0.120%	13'100
Canada	3.207%	3.390%	369'600
Cape Verde	0.001%	0.100%	10'900
Chad	0.002%	0.100%	10'900
Chile	0.236%	0.450%	49'100
China	3.189%	3.370%	367'400
Colombia	0.144%	0.330%	36'000
Congo	0.003%	0.110%	12'000
Costa Rica	0.034%	0.160%	17'400
Côte d'Ivoire	0.010%	0.120%	13'100
Croatia	0.097%	0.260%	28'300
Cuba	0.071%	0.220%	24'000
Cyprus	0.046%	0.180%	19'600
Czech Republic	0.349%	0.590%	64'300
Democratic PR of Korea	0.007%	0.110%	12'000
Denmark	0.736%	1.030%	112'300
Djibouti	0.001%	0.100%	10'900
Dominican Republic	0.042%	0.180%	19'600
DR Congo	0.003%	0.110%	12'000
Ecuador	0.040%	0.170%	18'500
Egypt	0.094%	0.260%	28'300
El Salvador	0.019%	0.140%	15'300
Equatorial Guinea	0.008%	0.120%	13'100
Estonia	0.040%	0.170%	18'500
Ethiopia	0.008%	0.120%	13'100
Finland	0.566%	0.850%	92'700
France	6.123%	5.900%	643'300

Member or Associate Member	UN Scale	Approved Scale (2012)	
		Per cent	CHF
Gabon	0.014%	0.130%	14'200
Gambia	0.001%	0.100%	10'900
Georgia	0.006%	0.110%	12'000
Germany	8.018%	7.540%	822'100
Ghana	0.006%	0.110%	12'000
Greece	0.691%	0.990%	107'900
Guatemala	0.028%	0.150%	16'400
Guinea-Bissau	0.001%	0.100%	10'900
Honduras	0.008%	0.120%	13'100
Hungary	0.291%	0.520%	56'700
Iceland	0.042%	0.180%	19'600
India	0.534%	0.810%	88'300
Indonesia	0.238%	0.450%	49'100
Iran (Islamic Republic of)	0.233%	0.450%	49'100
Iraq	0.020%	0.140%	15'300
Ireland	0.498%	0.770%	84'000
Israel	0.384%	0.630%	68'700
Italy	4.999%	4.940%	538'600
Japan	12.530%	11.750%	1'281'200
Jordan	0.014%	0.130%	14'200
Kazakhstan	0.076%	0.230%	25'100
Kenya	0.012%	0.120%	13'100
Kuwait	0.263%	0.480%	52'300
Kyrgyzstan	0.001%	0.100%	10'900
Lao P D R	0.001%	0.100%	10'900
Latvia	0.038%	0.170%	18'500
Lebanon	0.033%	0.160%	17'400
Lesotho	0.001%	0.100%	10'900
Libya	0.129%	0.310%	33'800
Liechtenstein	0.009%	0.120%	13'100
Lithuania	0.065%	0.210%	22'900
Luxembourg	0.090%	0.250%	27'300
Malawi	0.001%	0.100%	10'900
Malaysia	0.253%	0.470%	51'200
Maldives	0.001%	0.100%	10'900
Mali	0.003%	0.110%	12'000
Malta	0.017%	0.130%	14'200
Mauritania	0.001%	0.100%	10'900
Mauritius	0.011%	0.120%	13'100
Mexico	2.356%	2.620%	285'700
Micronesia (Federated States of)	0.001%	0.100%	10'900
Monaco	0.003%	0.110%	12'000
Mongolia	0.002%	0.100%	10'900
Montenegro	0.004%	0.110%	12'000
Morocco	0.058%	0.200%	21'800
Mozambique	0.003%	0.110%	12'000
Namibia	0.008%	0.120%	13'100
Nepal	0.006%	0.110%	12'000
Netherlands	1.855%	2.160%	235'500
New Zealand	0.273%	0.500%	54'500
Nicaragua	0.003%	0.110%	12'000
Niger	0.002%	0.100%	10'900
Nigeria	0.078%	0.230%	25'100
Norway	0.871%	1.180%	128'700
Oman	0.086%	0.240%	26'200

Member or Associate Member	UN Scale	Approved Scale (2012)	
		Per cent	CHF
Pakistan	0.082%	0.240%	26'200
Palau	0.001%	0.100%	10'900
Palestine		0.100%	10'900
Panama	0.022%	0.140%	15'300
Papua New Guinea	0.002%	0.100%	10'900
Paraguay	0.007%	0.110%	12'000
Peru	0.090%	0.250%	27'300
Philippines	0.090%	0.250%	27'300
Poland	0.828%	1.130%	123'200
Portugal	0.511%	0.780%	85'000
Qatar	0.135%	0.310%	33'800
Republic of Korea	2.260%	2.540%	277'000
Republic of Moldova	0.002%	0.100%	10'900
Romania	0.177%	0.370%	40'300
Russian Federation	1.602%	1.920%	209'300
Rwanda	0.001%	0.100%	10'900
Samoa	0.001%	0.100%	10'900
San Marino	0.003%	0.110%	12'000
Sao Tome & Principe	0.001%	0.100%	10'900
Saudi Arabia	0.830%	1.140%	124'300
Senegal	0.006%	0.110%	12'000
Serbia	0.037%	0.170%	18'500
Seychelles	0.002%	0.100%	10'900
Sierra Leone	0.001%	0.100%	10'900
Singapore	0.335%	0.570%	62'200
Slovakia	0.142%	0.320%	34'900
Slovenia	0.103%	0.270%	29'400
South Africa	0.385%	0.630%	68'700
Spain	3.177%	3.360%	366'400
Sri Lanka	0.019%	0.140%	15'300
Sudan	0.010%	0.120%	13'100
Suriname	0.003%	0.110%	12'000
Sweden	1.064%	1.380%	150'500
Switzerland	1.130%	1.450%	158'100
Syrian Arab Republic	0.025%	0.150%	16'400
Tajikistan	0.002%	0.100%	10'900
Thailand	0.209%	0.410%	44'700
The FYR of Macedonia	0.007%	0.110%	12'000
Timor-Leste	0.001%	0.100%	10'900
Togo	0.001%	0.100%	10'900
Trinidad and Tobago	0.044%	0.180%	19'600
Tunisia	0.030%	0.160%	17'400
Turkey	0.617%	0.900%	98'100
Uganda	0.006%	0.110%	12'000
Ukraine	0.087%	0.250%	27'300
United Arab Emirates	0.391%	0.640%	69'800
United Kingdom	6.604%	6.310%	688'000
United Republic of Tanzania	0.008%	0.120%	13'100
Uruguay	0.027%	0.150%	16'400
Venezuela	0.314%	0.550%	60'000
Viet Nam	0.033%	0.160%	17'400
Yemen	0.010%	0.120%	13'100
Zambia	0.004%	0.110%	12'000
Zimbabwe	0.003%	0.110%	12'000

Member or Associate Member	UN Scale	Approved Scale (2012)	
		Per cent	CHF
Andean Parliament		0.010%	1'100
Central American Parliament		0.010%	1'100
East African Legislative Assembly		0.010%	1'100
European Parliament		0.080%	8'700
Latin American Parliament		0.020%	2'200
Parliamentary Assembly of the Council of Europe		0.050%	5'500
Transitional Arab Parliament		0.010%	1'100
WAEMU		0.010%	1'100
ECOWAS		0.010%	1'100
TOTAL		100.000%	10'903'900

COOPERATION WITH THE UNITED NATIONS SYSTEM

LIST OF ACTIVITIES UNDERTAKEN BY THE IPU BETWEEN 14 APRIL AND 15 OCTOBER 2011

*Noted by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)*

United Nations

- The IPU made statements at and contributed to several regular UN meetings and special conferences. Topics included the least developed countries, HIV/AIDS, discrimination against women and non-communicable diseases. The resolutions of the 124th IPU Assembly were circulated at the 66th session of the General Assembly (beginning in September) under the relevant agenda items.
- A first round of informal consultations with UN officials and Member States has begun to pave the way for a debate at the General Assembly on *Interaction between the United Nations, national parliaments and the Inter-Parliamentary Union*. The debate will take place in spring 2012 and will conclude with a formal resolution. It will build on the achievements of previous resolutions and seek to identify means of further enhancing the relationship between the two organizations on both the political and operational levels.
- Preparations for the annual joint Parliamentary Hearing got under way in cooperation with the new President of the General Assembly, Mr. N.A. Al-Nasser of Qatar. The Hearing will take place at UN Headquarters in New York on 28 and 29 November under the overall theme of *Strengthening political accountability for a more peaceful and prosperous world*. Among other things, the agenda will address the role of the United Nations in promoting global accountability, the links between national institutions and civil society, budget transparency and the fight against corruption, and youth participation in the democratic process.
- The IPU Advisory Group of the Committee on United Nations Affairs undertook a week-long mission to Sierra Leone and Ghana in early June. Members of the Advisory Group sought to gauge progress in the consolidation of integrated UN field operations (known as "One UN" reform), and to examine parliamentary involvement in the process. One UN is part of broader efforts to enhance system-wide coherence in the work of the United Nations in order to make the organization more efficient. The mission's report will be circulated to the relevant UN bodies and will underscore the importance of involving parliaments in UN processes at the country level.
- A Parliamentary Briefing was held on 21 September in cooperation with the President of the General Assembly on the main theme of the opening debate of the General Assembly: *The role of mediation in the settlement of disputes by peaceful means*. The briefing catered to members of parliament participating in the opening segment of the General Assembly, which also saw thematic debates on non-communicable diseases, nuclear energy safety, desertification and racism.
- Preparations for a Parliamentary Meeting to be held in conjunction with the forthcoming session of the United Nations Climate Change Conference (COP17/CMP7) got under way. The parliamentary event, to be co-organized by the IPU and the South African Parliament, will be held on 5 December 2011 on the premises of world-famous Moses Mabhida Stadium in Durban, South Africa. The outcome document of the Parliamentary Meeting will be conveyed to the Chairperson of the UN Conference.
- The first High-Level Symposium of the 2012 Development Cooperation Forum was held in Mali on 5 and 6 May. The IPU contributed substantively to the agenda of the meeting and helped facilitate the participation of parliamentarians as one of the main stakeholder groups. Preparations are under way for the second symposium, which will take place in Luxembourg in mid-October and focus on understanding the catalytic role of aid. The overall process will help enhance the parliamentary dimension of the High-Level Forum on Aid Effectiveness that will take place in Busan, Republic of Korea, in late November.

- On 8 May, 200 MPs from 55 countries participated in a Parliamentary Forum organized by the IPU and the Grand National Assembly of Turkey under the aegis of the UN Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States (OHRLLS) on the occasion of the Fourth United Nations Conference for the Least Developed Countries (LDC-IV). The outcome document of the UN Conference - the Istanbul Programme of Action - contains important new commitments on the role of parliaments. A follow-up joint project between the IPU and OHRLLS was launched along with a fund-raising effort for the project.
- The Parliamentary Forum on *The Triple Challenge of Cyber-Security: Information, Citizens and Infrastructure* was held from 18 to 20 May in Geneva, organized within the framework of the Global Centre for ICT in Parliament. The Forum was part of the ongoing dialogue in the run-up to the World Summit on the Information Society follow-up conference in 2015. It addressed the particular challenges posed by the illicit use of information and communication technologies.
- The IPU reported to the 49th session of the UN Committee on the Elimination of Discrimination against Women in July 2011 on IPU activities and parliamentary involvement in the reporting process on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Recent technical assistance provided by the IPU to parliaments on gender equality includes continued consultations with the parliaments of Burkina Faso, Cameroon, Mali, Rwanda and Togo in support of legislative reform, including in the area of combating violence against women. Four of the eight countries under review by the CEDAW Committee at its 49th session reported some form of parliamentary involvement in the national review process.
- The IPU participated in a series of roundtables convened by the UN Department of Political Affairs and International IDEA on the promotion of democracy, and contributed to the sessions devoted to gender equality and democracy (May 2011) and human rights and democracy (July 2011). The outcome of these roundtables will serve as a basis for new UN guidelines and recommendations on the promotion of democracy worldwide.
- In the wings of the 124th IPU Assembly in Panama City, the IPU, in collaboration with the Every Woman Every Child Campaign and the Partnership for Maternal, Newborn and Child Health, jointly organized a roundtable entitled *Parliamentarians taking the lead on maternal, newborn and child health*. The discussion underscored what parliaments were required to do in the areas of legislative reform, budget-setting and monitoring, advocacy and oversight, highlighting issues and challenges that need to be addressed in order to successfully promote women's and children's health.
- As part of the global campaign to achieve the health-related MDGs and in support of the Global Strategy on Women's and Children's Health launched by the UN Secretary-General, the IPU announced its commitment to the Global Strategy in July 2011. This commitment will involve mobilizing support for the Global Strategy within the world parliamentary community, as well as providing targeted assistance to parliaments with a view to enhancing their legislative and oversight functions in the area of child and maternal health.

UNDP

- Work advanced during this period on the first ever IPU-UNDP *Global Parliamentary Report*, to be issued in 2012, focusing on the relationship between parliaments and citizens. Hundreds of parliamentarians are being interviewed to support the primary research for the report.
- The IPU continued implementing the activities identified in the memoranda of understanding with UNDP-Democratic Republic of the Congo and UNDP-Guinea-Bissau. In Guinea-Bissau, the IPU and UNDP co-organized a seminar on parliamentary oversight, with a special emphasis on budget oversight and oversight of the security and energy sectors. In September, they also co-organized an audit of the parliamentary administration. In October, the IPU and UNDP-DR Congo, held a professional training session in Kinshasa on the recording of parliamentary proceedings from 4 to 14 October 2011 following a technical assessment of the parliament's debate transcription capacities.

- The IPU and UNDP-Central African Republic, in cooperation with the UN Peacebuilding Commission, organized in Bangui an orientation seminar for the newly elected members of parliament from 6 to 12 October 2011. This activity is part of the recommendations contained in the IPU needs assessment report issued in early 2010. .
- The IPU and UNDP have signed an agreement to jointly implement a €1.4 million project funded by the European Union intended to strengthen the Secretariat of the Palestinian Legislative Council (PLC). The project will assist the PLC Secretariat in preparing for the resumption of parliamentary work by addressing procedural, legislative and administrative shortcomings.
- From 17 to 19 May, the IPU, UNDP-Jordan and the Jordanian House of Representatives held a session on gender equality and women's rights for Jordanian parliamentarians. The event focused on achievements and remaining challenges in implementing CEDAW in Jordan.

UN WOMEN

- Further to the participation by UN Women Executive Director Michelle Bachelet in the 124th IPU Assembly in Panama City, a mechanism of regular consultations was instituted between the IPU and UN Women to identify and carry forward opportunities for joint action.
- In June, the IPU, UN WOMEN, the Government of Egypt, UNDP, International IDEA, iKNOW Politics and the Swedish Institute organized a Roundtable in Cairo entitled *Pathways for women in democratic transitions: International experiences and lessons learned*. The Roundtable explored paths towards democratic transition, good governance, gender equality and social justice. Discussions were also held on the electoral law and women's representation.

UNICEF

- The IPU and UNICEF organized a regional seminar for parliaments of the CEE-CIS region on *Making child rights a reality for the most vulnerable children*. The seminar was hosted by the National Assembly of Armenia in Yerevan (14-16 June). It provided an introduction to the international regime of children's rights and how it has been applied in the region. Special focus was placed on violence against children.

OHCHR

- The IPU took part in the 12th session of the Inter-Committee Meeting of the human rights treaty bodies, held from 27 to 29 June in Geneva. The purpose of the meeting was for the committees to adopt a coordinated approach with a view to enhancing the effectiveness of the treaty bodies. The IPU presented an overview of the assistance it provided to its Members in terms of strengthening their capacities to promote human rights through close involvement in the work of the various UN human rights mechanisms. The Inter-Committee members commended the IPU for its contribution and called for greater collaboration between the world organization of parliaments and OHCHR.

UNAIDS

- A Parliamentary Briefing co-organized with UNAIDS was held at UN Headquarters in June, on the occasion the UN High-level Meeting to review progress on the implementation of the 2001 Declaration of Commitment on HIV/AIDS and the 2006 Political Declaration on HIV/AIDS. Some 80 MPs attended and participated in other side events of the main UN meeting. Much of the discussion focused on the question of discriminatory laws that impede full access to prevention and treatment by those most at risk of the disease. The outcome document of the UN conference acknowledged the important role of parliaments in setting the legislative framework for an effective response to HIV/AIDS.
- The IPU Advisory Group of on HIV/AIDS was enlarged and held a strategic meeting in June, at which UNAIDS and UNDP representatives were invited to participate in an advisory capacity. Discussions with these agencies on possible support to the work of the Advisory Group and the IPU in general are ongoing.

- The IPU continued to support the consultations of the Global Commission on HIV and the Law by ensuring the involvement of MPs in the various regions. The Commission's most recent public debate was held in Oakland, USA, in mid-September. Its final report is expected by the end of the year.

UNCBD

- Negotiations are currently under way between the Secretariat of the Convention on Biological Diversity (SCBD) and the IPU with a view to signing a Memorandum of Understanding. Following the conclusion in October 2010 of a Protocol on *Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization* (Nagoya Protocol), the SCBD has been seeking the IPU's support for ensuring the speedy ratification of the Nagoya Protocol by national parliaments. To enter into force, it must be ratified by 50 Parties to the Convention.

UNCTAD

- On 28 June 2011, the 53rd executive session of the Trade and Development Board - the governing body of the United Nations Conference on Trade and Development - decided to align the modalities of UNCTAD's cooperation with the IPU with the practices of the UN General Assembly as per Resolution 57/32 on Observer Status for the Inter-Parliamentary Union in the General Assembly and Resolution 57/47 on Cooperation between the United Nations and the Inter-Parliamentary Union. In recognition of the unique nature of the IPU, the Board decided to list it as an observer in the category of international organizations, effectively removing the IPU from the list of non-governmental organizations.

World Trade Organization (WTO)

- As part of the WTO Public Forum 2011 that took place in Geneva from 19 to 21 September, the IPU and the European Parliament organized a Parliamentary Panel entitled *Trade in natural resources - A curse or blessing? A parliamentary perspective*. The event drew attention to the political, economic and environmental aspects of the exploitation and trade of natural resources as one of the pillars of the global economy. Its conclusions contributed to the broader agenda for greater parliamentary engagement in the international trade negotiations led by the WTO.
- On 21 September, the IPU hosted the 24th session of the Steering Committee of the Parliamentary Conference on the WTO. The Committee was briefed on recent developments in multilateral trade negotiations and on the status of the Doha Round, including preparations for the forthcoming 8th WTO Ministerial Conference, to be held in Geneva in December 2011.

PARLIAMENTS AND THE ISTANBUL PROGRAMME OF ACTION (IPOA) FOR THE LEAST DEVELOPED COUNTRIES (LDCS)

MAINSTREAMING THE IPOA INTO THE WORK OF PARLIAMENTS: INSTITUTIONAL OPTIONS¹

*Noted by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)*

The 2011-2020 Istanbul Programme of Action (IPoA) for the Least Developed Countries (LDCs) is a global plan that addresses the specific needs of that category of countries. Priority areas include: productive capacities; rural development; trade; commodities; human and social development; financial resources for development and capacity-building; and good governance at all levels. The IPoA comprises a number of actions, commitments and objectives that governments should meet.

The IPoA highlights, in several instances, the essential role that parliaments are called on to play to ensure its effective implementation. It underscores parliaments' oversight role and their contribution to enhanced good governance and strengthened democratic processes.

Parliament is responsible for representing the interests of all sectors of society, articulating them into relevant policies and ensuring that these policies are implemented efficiently. Parliaments are therefore pivotal to the achievement of development commitments. Parliamentary contributions to national development plans help create a broadly accepted national vision for development, which in turn provides institutions involved in national development with a common purpose.

However, with regard to mainstreaming the IPoA into parliaments' work and into the national development plan, many institutional challenges remain. In virtually all cases, parliament's portfolio committees (health, education, budget, etc.) are responsible for ensuring that the IPoA commitments and goals are taken into consideration and met. As the IPoA's objectives, like most development plans, are mutually reinforcing and interrelated, action will be required by more than one committee for successful implementation of the programme. Coordination and information-sharing challenges are frequently encountered among committees. Furthermore, as the IPoA shares common characteristics with the Millennium Development Goals (MDGs) and other internationally agreed development commitments, effective coordination of the various internal mechanisms designed to ensure parliamentary follow-up to all such commitments is essential.

This Note is intended to provide guidelines to parliaments on possible institutional mechanisms for ensuring that all the relevant commitments in the IPoA inform the work of parliament. Without attempting to be exhaustive, and as a first instalment of a long-term reflection on this subject, the Note considers two basic models: an *informal* support group (for example, a working group, caucus, task force perhaps within a committee, informal group or forum) and a *formal* committee or subcommittee on the IPoA. Both mechanisms will provide parliament with a group of committed individuals who can give impetus to the parliament's involvement in the implementation of the IPoA. The Note also includes proposed terms of reference for parliamentary focal points for the LDC process (see annex 1).

While this paper focuses on the IPoA and the LDC process, the information it contains can be applied to other internationally agreed development commitments or used to supervise the undertaking of such commitments in general. Overall, it is clear that there is room for improvement in the coordination and tracking of internationally agreed development commitments.

Assessing existing mechanisms

It is up to each parliament to reflect on its rules, committee system and current circumstances, and accordingly decide whether or not it is necessary to create or develop an internal mechanism to better

¹ The material included in this Note is based on the IPU's experience and its discussions with MPs and parliaments on issues related to the LDCs, MDGs and women's caucuses. This includes the guidelines for support groups as agreed during the meeting convened by the IPU and United Nations in Bagamoyo (Tanzania) on 10 and 11 December 2007.

engage in national and international development as a whole, and with the IPoA in particular. Some parliaments already have a coordination mechanism to help mainstream international agreements through the work of portfolio committees, but it may still be useful for them to evaluate the effectiveness of such a mechanism and determine what improvements, if any, are required. In some cases, regardless of how effective the committee structure is, it may still be useful for an IPoA-dedicated mechanism to be set up in preparation of plenary debates and other processes in which MPs are engaged, within or outside the parliament.

The dynamics between parliamentary committees

- What are the relations like between committees in your parliament?
- How is information shared among committees? Do the relevant committees receive all information related to development, and subsequently select the issues that are linked to their scope of work?
- How is information on discussions held and actions taken within a committee shared with others?
- What is the modus operandi of a specialized committee compared with other committees?

The following questions can be used to assess existing mechanisms:

1. How effective is parliament in ensuring that international commitments are implemented at the national level?
2. How effective is parliamentary oversight of the government’s development policy? Are national development plans and reports reviewed, debated and approved in parliament? If so, how effectively is parliament able to scrutinize and contribute to national development plans and reports and ensure follow-up on their recommendations? How is parliament’s feedback included in the report and mainstreamed into parliamentary committees? Whose jurisdiction is it to oversee this?
3. Are there any special committees or entities in parliament with a specific mandate to monitor and follow-up of matters relating to internationally agreed development commitments or the IPOA in particular? If so, which body and what mandate does it have?

There are various factors to be considered prior to creating a new specialized body in parliament for engaging with the IPoA. If a parliament does create a mechanism, its objectives must be explained to all MPs, who must understand how they and their constituents can use it. A new body will need a clear mandate, defining its structure and working modalities and identifying a clear mission and goals. This will allow the body to be effective and contribute substantively to the work of parliament.

Aspects to consider	Reasons for consideration
National development level	The mainstreaming of the IPoA should be tailored to a country’s national development strategy, plans and targets, while taking into consideration its development policies and approaches as well as its accomplishments.
Parliamentary resources	<p>The approach will depend largely on the availability of resources to support any new group or committee on the IPoA. A new structure (in particular a formal one) almost always requires a minimum of staff to coordinate its work both within the structure and vis-à-vis the rest of parliament (e.g. draft summary reports, conduct basic research, carry out administrative tasks, etc.). Resources to help develop the MPs’ and their staff’s understanding of the finer points of development policy may also be needed. In fact, members of the specialized body from different social, economic and professional backgrounds and may have capacity-building needs, including general knowledge about development.</p> <p>A specialized body on the IPoA will almost certainly have to address politically-sensitive issues and build consensus on solutions. Access to reliable information and expertise to guide its work and deliberations will therefore be critical. Similarly, staff and other resources will need to be devoted to building partnerships with (other) parliamentary committees, as well as with civil society and other national mechanisms involved in development.</p>

Party system	<p>The relationship between individual MPs and their political parties, which varies from country to country, should also be taken into consideration in assessing how to set up a new structure. Some political parties have an authoritative say on what issues MPs deal with and some members may therefore find it difficult to support the implementation of the IPoA if it is not in line with their political party's policy. Setting up a new structure may be less important at first than winning over the will of the leadership of the political parties as well as the will and commitment of individual MPs. In some parliaments, MPs from opposition parties may be particularly interested in having a structure dedicated to the IPoA in order to gain better access to information from the executive.</p> <p>In a multi-party system, a specialized mechanism has the potential to rally parliamentarians from the various political parties and develop cross-party priorities on development issues. This has the advantage of ensuring the continuity of parliamentary engagement with the IPoA and development policies throughout election cycles.</p>
Political situation	<p>Political reform and instability will affect parliaments' will and ability to engage with the IPoA as well as its focus on graduating out of the LDC category. For example, if a country is experiencing or has recently experienced a civil war, the parliament's primary objective may be to consolidate the political process and ensure peace, with the development agenda remaining a secondary goal. However, considerations about how to organize the development work of parliament should still feature prominently in post-conflict assessments of the needs of parliament. As a general rule, the longer development goals go unattended, the greater the risk of relapse into conflict. Therefore, it is in the interest of all involved that soon after the conclusion of elections and other political processes that normally follow a conflict situation, the question of how parliaments can support the country's reconstruction and development plans should feature prominently.</p>

Formal versus informal mechanisms

The assessment of the parliament's existing mechanisms for engaging with the IPoA will stand in good stead for determining the objectives of the specialized mechanism. Generally speaking, a new mechanism devoted to the IPoA would fulfil the following functions:

- Help generate collective thinking within each parliament about the IPoA and help organize the work of existing portfolio committees accordingly;
- Become a gateway for information from the United Nations and related agencies and programmes on development strategies and approaches for the LDCs, and help disseminate such information among all relevant MPs;²
- Exercise oversight of government policies and activities in the context of the IPoA and related goals.

² If an entirely new structure dedicated to the IPoA is created in parliaments where parliamentary focal points for the IPoA are in place (see Annex 1), the structure would effectively carry forward the same functions currently assigned to the focal points. However, one or two MPs within the new structure (possibly the chair or co-chairs) would still need to function as the main focal points for the purpose of receiving and sharing information with the IPU, the United Nations and other entities outside parliament.

As detailed in the table below, the specific functions of a new body can vary from supporting information sharing among committees to overseeing the government's implementation of the IPoA. The desired degree of formality of the mechanism will contribute to whether a committee or a support group is created. Overall, the IPU's experience has shown that cross-party groups rather than formal committees have proved more effective.

The flexibility of a support group's structure, regulations and membership provides MPs with a more open and safe space in which they can address issues that they normally would not have the opportunity to address, critique current activities or actions, and provide concrete suggestions to improve the implementation of the IPoA. On the other hand, the constitution of a formal committee allows for official powers and access to the parliament's resources, the automatic inclusion of members of various political parties and the assurance of continuity of the parliament's engagement with the IPoA across electoral cycles.

An intermediate solution may be to establish an informal task force directly within a committee. Combining the agenda-setting flexibility of the support group with the formal authority of a committee, the task force could identify the country's priorities within the IPoA and help organize the committee's work accordingly.

Other possibilities include setting up a steering committee of (portfolio) committee chairs to coordinate work from an IPoA standpoint, or setting up an IPoA subcommittee under one of the main portfolio committees (e.g. budget, foreign affairs, etc.).

Either way, considerations about the inter-linkages, both horizontal and vertical, between committees and how these can be improved in order to mainstream the IPoA throughout the work of parliament are vital to this assessment as the IPoA touches on such a broad range of issues. The same assessment will also help support parliaments' overall engagement in the design of a national development plan and in the review of national progress reports on the implementation of the IPoA.

Possible objectives and modalities of work of specialized mechanisms on the IPOA

- Raise awareness of the IPoA and its various provisions within and outside parliament (a specialized body can coordinate with civil society organizations (CSOs) and constituents to raise public awareness and keep citizens informed)
- Rally MPs around issues of common concern, build solidarity among them and strengthen their support for development
- Share experiences and good practices from the national and local levels
- Bring MPs together to review national progress reports on the implementation of the IPoA and discuss related issues such as the monitoring and evaluation of government programmes and initiatives
- Oversee the allocation of special funds to IPoA commitments
- Organize hearings with government officials and civil society representatives and submit reports to the plenary
- Conduct studies and make recommendations to the government through the appropriate committee(s) or the plenary
- Liaise with the ministerial and UN focal points (where available) on the IPoA to obtain information and build or strengthen capacities
- Discuss a parliamentary action plan (PAP) for the implementation of the IPoA, present it to relevant committees, promote its adoption and track its implementation
- Ensure parliament is represented at national and regional meetings on development (including aid coordination meetings)
- Facilitate the participation of MPs in international debates on the IPoA
- Act as an entry point for CSOs and multilateral agencies that seek to work with parliaments on the IPoA or other internationally agreed development commitments
- Develop an implementation toolkit, in conjunction with civil society and government agencies, on overseeing development.

The table below provides a summary of the possible structure and membership rules of an informal or formal mechanism, as well as the pros and cons of each option.

	(IPoA) Support groups (working groups, caucuses, task forces, informal groups or forums)	Dedicated (IPoA) committee or subcommittee
Membership	Usually, membership of parliamentary support groups is open-ended and women and men members from different parties/political factions can join. There are however cases in which a support group can be limited to a set number of members.	Committees are often composed of a set number of men and women members from the different parties in parliament. Generally, the composition of parliamentary committees is representative of the parliament's political configuration.
Structure	The degree of formality varies. A support group can be very informal, with only basic, if any, rules of procedure. However, it is advisable that the members elect a Chair (two co-chairs are also possible) and a Secretary, as a minimum, to ensure continuity between meetings, coordinate agendas, circulate information to all members, etc.	Parliamentary procedures on subcommittees and committees vary from parliament to parliament. Most often, standing orders are required to constitute a formal committee, along with the authorization of the Speaker.
Advantages	<ul style="list-style-type: none"> ▪ A flexible structure that MPs can shape according to their needs and objectives (addressing issues and carrying out activities that would be more difficult to do within the framework of the parliament's work). ▪ The open-ended nature of membership means that potentially a large group of MPs can be involved and a broader spectrum of skills and experiences brought together than in a committee restricted to a smaller number of MPs. ▪ Less prone to internal conflict because informal groups tend to attract more like-minded and committed people from the various parties, which is important for coalition-building. ▪ More direct contact with grassroots networks (e.g. farmers' and women's groups) to discuss policy options or assess development results. ▪ Provide a politically safe space for MPs to critique and suggest practical ideas. ▪ In bicameral parliaments, the group can comprise members from both Chambers. ▪ The group can decide on specific functions that it will seek to perform in each session of parliament, for example by raising questions and using parliamentary instruments to initiate debates. ▪ Easy establishment and dissolution of issue-specific working groups based on MPs own interests. ▪ Participation by MPs who may have been excluded (due to rules and regulations) from membership in formal structures. 	<ul style="list-style-type: none"> ▪ Gathering of MPs from all political parties as a matter of rule may provide balanced political representation as well as traction. ▪ In bicameral parliaments, a joint committee can comprise members from both Chambers. ▪ Extensive powers to summon witnesses and conduct inquiries (this may not be granted to subcommittees). ▪ Official access to the parliament's resources. ▪ Continuity of the work between elections (vacant seats would have to be filled). ▪ Proceedings and decisions are fed into the parliament's official decision-making process, and the committee is automatically supplied with information and other inputs from the rest of parliament (according to the established reporting lines or other procedures).

<p>Disadvantages</p>	<ul style="list-style-type: none"> ▪ Informal character of the group may restrict access to the parliament's resources. ▪ Possible lack of continuity (depending on the structure chosen) in the work. ▪ Possible lack of discipline among members, including poor attendance or poor preparation before meetings. ▪ Weaker authority, if any, to summon witnesses or conduct inquiries. ▪ Difficulty disseminating information to the whole parliament. ▪ The duration of a legislative mandate period is an important determinant of how MPs conduct their work and underscores the need for developing cross-party policies. 	<ul style="list-style-type: none"> ▪ A potentially cumbersome process to create the committee, often requiring the approval of a higher authority, such as the Speaker or the majority leader, which may be difficult to negotiate. ▪ Closed membership may compromise individual skills and competences vis-à-vis the need to achieve political balance (between parties) and assign seats to MPs who could not be accommodated in other committees. ▪ In some countries, participation and configuration of committees can change after an election. ▪ The creation of an "IPoA ghetto", or possible overlap with the work of portfolio committees. ▪ Less flexibility to address issues that are not included in ordinary parliamentary work. ▪ The need to abide by the rules of procedure of parliament and the objectives set out in the resolution establishing the committee. ▪ The need to build consensus or at least a common understanding between majority and opposition members, in order to reduce the risk of stalemate.
-----------------------------	---	--

PROPOSED TERMS OF REFERENCE FOR PARLIAMENTARY FOCAL POINTS FOR THE LDC PROCESS

The role of the parliamentary focal points involves ensuring parliamentary engagement with the follow-up, implementation and review of the 2011-2020 Istanbul Programme of Action (IPoA) for the Least Developed Countries (LDCs) and the design of future programmes of action for the LDCs. Both LDC and non-LDC parliaments are encouraged to nominate focal points.

The focal points would liaise with other colleagues in parliaments as well as ministries, the Inter-Parliamentary Union (IPU), UN agencies, civil society organizations and community groups in order to share information and foster debate on the IPoA. Focal points should not to operate in isolation but rather seek to organize colleagues, either individually or as part of formal processes of parliament, into a collective, long-term effort to support the mainstreaming of the IPoA through the entire legislative and policy-making process. Their specific tasks might include:

- Lead an assessment of the parliamentary committee structure and overall process for mainstreaming the IPoA and track progress in its implementation. This may require organizing meetings with relevant parliamentary staff and colleagues from portfolio committees as well as the Office of the Speaker. Depending on the outcome of the assessment, further explore, together with colleagues, avenues for institutional alternatives (e.g. an informal group or committee on the IPoA, strengthening an existing development committee, etc.).
- Support the consideration and final endorsement by parliament of a Parliamentary Action Plan for implementation of the IPoA. This may require informal discussions with colleagues as well as formal proposals made to relevant committee chairs or other parliamentary leaders. Subsequently, help ensure that there is a suitable mechanism for the implementation and monitoring of the action plan.
- Receive and disseminate IPoA-related information within parliament such as: issue-specific policy papers; media stories; input received from outside constituencies; meeting reports (from the IPU, the United Nations or government processes); surveys and questionnaires; etc. To the extent possible, and as needed, help spur debate on the issues raised in those reports either directly (e.g. ask questions in plenary), or indirectly (e.g. ask the relevant committee chair to consider the matter in his/her committee).
- Pro-actively cooperate and coordinate with the ministerial and UN focal points¹ with regard to implementation of the IPoA. This may involve sharing information about policy initiatives or parliamentary processes where the support of the UN country presence may be required, as well as requesting information and clarification on government proposals about the IPoA directly from the government focal point.
- Encourage the parliament's strong engagement with the national development plan and help ensure that such plans are debated in parliament from the perspective of the IPoA as well as other internationally agreed development commitments. This may entail inter alia ensuring parliamentary participation in the reviews and evaluations of the implementation of the IPoA.
- Keep apprised of LDC meetings and events nationally, regionally and globally, based on information received from the IPU or other sources, and help ensure strong parliamentary participation in such meetings.
- Enhance parliamentary awareness of the global review process of the IPoA led by the United Nations, as well as the activities (e.g. global meetings, national workshops etc.) organized by the IPU.
- Liaise with MPs from other parliaments (both LDC and non-LDC) to share information on good parliamentary practices to support the mainstreaming of the IPoA or lessons learned about relevant policy and legislation.

¹ (Where either ministerial or UN focal points have not been designated, the parliamentary focal points should take the lead in mobilizing colleagues and liaising with the IPU and other relevant organizations to make sure that all required focal points are established.)

Future meetings and other activities

*Approved by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)*

Information seminar on promoting the right to development: The role of Parliament	BERN (Switzerland) 20 October 2011
Information seminar on CEDAW and its optional protocol	BERN (Switzerland) 20 October 2011
Joint IPU-ASGP Conference on professional development for parliamentarians	BERN (Switzerland) 20 October 2011
Seventh Meeting of Women Speakers of Parliament	ISLAMABAD (Pakistan) 15-17 November 2011
Regional Conference <i>National and regional defence and security challenges in Latin America: The role of parliament</i>	BOGOTA (Colombia) 21-22 November 2011
Regional seminar (West/Central Africa) on parliamentary oversight of the security sector	BAMAKO (Mali) 28-29 November 2011
Annual Parliamentary Hearing at the United Nations	NEW YORK 28-29 November 2011
Parliamentary meeting on the occasion of the High Level Forum on Aid Effectiveness (29 November-1 December)	BUSAN (Republic of Korea) 29 November 2011
Regional Seminar on combating trafficking of children for labour	Venue to be decided November 2011
Parliamentary Meeting on the occasion of the United Nations Climate Change Conference (COP17/CMP7)	DURBAN (South Africa) 5 December 2011
Regional seminar on CEDAW and women's rights	Venue to be decided Dates to be determined
136 th session of the Committee on the Human Rights of Parliamentarians	GENEVA (IPU Headquarters) January 2012
Parliamentary meeting on the occasion of the 56 th session of the Commission on the Status of Women	NEW YORK March 2012
126 th Assembly and related meetings	KAMPALA (Uganda) 31 March - 5 April 2012
25 th session of the Steering Committee of the Parliamentary Conference on the WTO	GENEVA (IPU Headquarters) March/April 2012
Regional seminar on child rights	Venue to be announced May/June 2012
Information seminar on the structure and functioning of the Inter-Parliamentary Union (for French-speaking participants)	GENEVA (IPU Headquarters) May/June 2012
Regional seminar on violence against women	Venue to be announced June 2012
Tenth Workshop of Parliamentary Scholars and Parliamentarians	OXFORDSHIRE (United Kingdom) 28-29 July 2012

Parliamentary meeting on the occasion of the XIX International AIDS Conference	WASHINGTON D.C. July 2012
138 th session of the Committee on the Human Rights of Parliamentarians	GENEVA (IPU Headquarters) July 2012
Sub-regional seminar on gender-sensitive parliaments	Venue to be announced September 2012
Parliamentary Panel within the framework of the Annual WTO Public Forum	GENEVA (WTO Headquarters) September/October 2012
26 th session of the Steering Committee of the Parliamentary Conference on the WTO	GENEVA (IPU Headquarters) September/October 2012
127 th Assembly and related meetings	QUEBEC CITY (Canada) 21-26 October 2012
Information seminar on CEDAW and its optional protocol	Venue to be announced October 2012
Eight Meeting of Women Speakers of Parliament	NEW DELHI (India) November 2012
Annual Parliamentary Hearing at the United Nations	NEW YORK November/December 2012
Parliamentary Meeting on the occasion of the United Nations Climate Change Conference (COP18/CMP8)	Venue to be announced 3 December 2012

Invitation received:

128 th Assembly and related meetings	QUITO (Ecuador)
---	-----------------

AGENDA OF THE 126th ASSEMBLY

(Kampala, 31 March - 5 April 2012)

***Approved by the 125th IPU Assembly
(Bern, 19 October 2011)***

1. Election of the President and Vice-Presidents of the 126th Assembly
2. Consideration of possible requests for the inclusion of an emergency item in the Assembly agenda
3. General debate on the political, economic and social situation in the world
4. Promoting and practising good governance as a means of advancing peace and security:
Drawing lessons from recent events in the Middle East and North Africa
(Standing Committee on Peace and International Security)
5. Redistribution of power, not just wealth: Ownership of the international agendas
(Standing Committee on Sustainable Development, Finance and Trade)
6. Access to health as a basic right: The role of parliaments in addressing key challenges to
securing the health of women and children
(Standing Committee on Democracy and Human Rights)
7. Approval of the subject items for the 128th Assembly and appointment of the Rapporteurs

**LIST OF INTERNATIONAL ORGANIZATIONS AND OTHER BODIES INVITED
TO FOLLOW THE WORK OF THE 126th ASSEMBLY AS OBSERVERS**

*Approved by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)*

United Nations
United Nations Conference on Trade and Development (UNCTAD)
International Labour Organization (ILO)
Food and Agriculture Organization of the United Nations (FAO)
United Nations Educational, Scientific and Cultural Organization (UNESCO)
World Health Organization (WHO)
World Bank
International Monetary Fund (IMF)
International Fund for Agricultural Development (IFAD)
Organisation for the Prohibition of Chemical Weapons (OPCW)
Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO)
World Trade Organization (WTO)

African Union (AU)
Council of Europe
International Organization for Migration (IOM)
Latin American Economic System (LAES)
League of Arab States
Organization of American States (OAS)

ACP-EU Joint Parliamentary Assembly
African Parliamentary Union (APU)
AMANI Forum - The Great Lakes Parliamentary Forum on Peace
Amazonian Parliament
Arab Inter-Parliamentary Union
ASEAN Inter-Parliamentary Assembly (AIPA)
Asian Parliamentary Assembly (APA)
Assemblée parlementaire de la Francophonie
Association of European Parliamentarians with Africa (AWEPA)
Association of Senates, Shooras and Equivalent Councils in Africa and the Arab World (ASSECAA)
Baltic Assembly
Commonwealth Parliamentary Association (CPA)
Confederation of Parliaments of the Americas (COPA)
Indigenous Parliament of the Americas
Inter-Parliamentary Assembly of the Commonwealth of Independent States
Inter-Parliamentary Assembly of the Eurasian Economic Community (EURASEC)
Interparliamentary Assembly on Orthodoxy (IAO)
Inter-Parliamentary Commission of the Economic and Monetary Community of Central Africa (CEMAC)
Inter-Parliamentary Council against Antisemitism
Inter-Parliamentary Union of the Member States of the Intergovernmental Authority on Development (IPU-IGAD)
Maghreb Consultative Council
Nordic Council
Pan-African Parliament (PAP)
Parliamentary Assembly of the Black Sea Economic Co-operation (PABSEC)
Parliamentary Assembly of the Community of Portuguese-speaking Countries (AP-CPLP)
Parliamentary Assembly of the Mediterranean (PAM)

Parliamentary Assembly of the Organization of the Collective Security Treaty (OCST)
Parliamentary Assembly of the Organisation for Security and Co-operation in Europe (OSCE)
Parliamentary Assembly of Turkic-speaking Countries (TURKPA)
Parliamentary Assembly of the Union of Belarus and the Russian Federation
Parliamentary Association for Euro-Arab Co-operation (PAEAC)
Parliamentary Union of the Organization of the Islamic Conference Member States (PUOICM)
Southern African Development Community (SADC) Parliamentary Forum

Centrist Democrat International (CDI)
International Socialist

Amnesty International
Geneva Centre for the Democratic Control of Armed Forces (DCAF)
Human Rights Watch
International Committee of the Red Cross (ICRC)
International Institute for Democracy and Electoral Assistance (International IDEA)
International Federation of Red Cross and Red Crescent Societies (IFRC)
Partnership for maternal, newborn, and child health (PMNCH)
Penal Reform International
World Federation of United Nations Associations (WFUNA)

Resolutions Concerning the Human Rights of Parliamentarians

CASE No. BGL/14 - SHAH AMS KIBRIA - BANGLADESH

Resolution adopted unanimously by the IPU Governing Council at its 189th session (Bern, 19 October 2011)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Shah Ams Kibria, a member of the Parliament of Bangladesh who was assassinated in a grenade attack in January 2005, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Recalling the following: the initial inquiry in this case proved to be an attempt by the investigating officers to divert the course of justice; since the investigation was reopened in March 2007, Islamist militants belonging to the Horkatul Jihad al Islami (Huji), including its leader Mufti Hannan Munshi, have been implicated; according to the Home Ministry's report of March 2010, several persons have been arrested, including the two persons (Mizanur Rahman Mithu and Md Badrul Alam Mizan) who detonated the grenades; in addition, the former State Minister for Home Affairs, Mr. Lutfozzaman Babar, stands accused of harbouring and protecting the individuals who threw the grenades; *noting* that he has not admitted to ordering the attack,

Noting that, in a communication submitted by members of the Bangladeshi delegation to the 125th IPU Assembly, the crime is depicted as follows: upon further investigation, it has been established that a Kashmir-based Islamic militant organization led by Abdul Mazid Butt helped Mufti Abdul Hannan and Moulana Tajuddin, leader of Horkatul Jihad Al Islami, Bangladesh, to transport Arges grenades from Pakistan to Bangladesh with the intent to commit assassinations in different parts of the country; investigations revealed that the accused Badrul Alam Mizan, Mizanur Rahman Mithu, Badrul and Mohammed Ali were present when the grenades were thrown at Shah Ams Kibria,

Considering that, on 20 June 2011, the Criminal Investigation Department (CID) submitted a supplementary charge sheet against 24 persons, including the 10 originally accused, with the request that the court rule on their status; *noting* that, according to the information provided by the Bangladeshi delegation, the CID investigation did not find sufficient evidence to prosecute those 10 originally accused; however, for procedural reasons, their names have been included in the present charge sheet which may be taken into consideration by the Court during trial; according to them, the trial is now under way before the Sylhet Speedy Trial Tribunal,

Also considering that Mrs. Kibria has objected to the supplementary charge sheet as she regards it as incomplete and therefore filed a no-confidence motion, which will be dealt with in court on 25 October 2011; according to Mr. Kibria's family, the evidence is drawn largely from interrogations in prison and, given the likelihood that the accused would claim that they were obtained under duress, would not hold up in court; *considering* that, according to the source, the CID only met with Mr. Kibria's family in 2009 and 2010; that during the second meeting it informed the family that progress had been made but that many questions remained unanswered; that the proposals made by Mr. Kibria's family to help advance the investigation were disregarded, including the suggestion that the investigators question some local authorities and others who were with Mr. Kibria on the day of his assassination or would otherwise be able to provide useful information, and that further international assistance be provided for the investigation; *recalls* in this regard that, shortly after the assassination, agents of the United States Federal Bureau of Investigation (FBI) travelled to Bangladesh and apparently examined some of the material found at the crime scene and conducted lie-detector tests; that, however, its report and findings were never shared with Mr. Kibria's family,

Further considering that striking similarities exist between the grenade attack on Mr. Kibria and the one targeting Sheikh Hasina and others five months earlier, given that both attacks targeted key members of the opposition at the time, that the same type of grenade was used in those attacks, that in both cases the

investigation has revealed an alleged conspiracy between members of the then ruling party and Islamist extremists and that, in this respect, several persons stand accused in both cases,

1. *Is dismayed* that, after many extensions of the investigation, the Bangladeshi investigative authorities submitted a supplementary charge sheet which again fails to identify the suspected instigators of the assassination;
2. *Considers* that the many similarities existing between the grenade attack that killed Mr. Kibria and the one targeting Sheikh Hasina and the fact that substantive progress was achieved recently in the latter case towards identifying the instigators should enable the authorities to make similar progress in investigating the murder of Mr. Kibria; *observes* in this respect that it has emerged in Sheikh Hasina's case that the members of the then ruling party accused in the previous charge sheet had allegedly acted at the behest of high-ranking party officials and in complicity with the authorities in charge of law and order in Bangladesh;
3. *Firmly believes* that it would in the interests of justice, given the many questions remaining unanswered in Mr. Kibria's case and the State of Bangladesh's obligation to conduct a thorough and effective investigation, that the no-confidence motion is granted and the authorities directed to complete the investigation in a genuine in-depth and comprehensive manner so as to miss no opportunity of shedding full light on this crime and hence of identifying its instigators;
4. *Remains convinced* that international assistance would be useful for this by promoting new evidence-taking and re-analysis of existing evidence; *wishes to receive* the observations of the authorities on this point;
5. *Is concerned* that the investigators are said to have made only minimal attempts to inform Mr. Kibria's family of the status of the investigation and failed to notify them beforehand of the charge sheet submitted on 20 June 2011; *calls on* the authorities to keep the family regularly informed and, for the sake of transparency and accountability, to share with it documents that have become available in the course of the investigation, such as the report on the investigative work carried out by FBI agents in 2005;
6. *Awaits* details of the steps being taken, at the level of Parliament through the Standing Committee on the Ministry of Home Affairs, to help ensure that the investigation fully elucidates Mr. Kibria's murder and that his family is regularly informed;
7. *Requests* the Secretary General to convey this resolution to the competent authorities and to the sources;
8. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. BGL/15 - SHEIKH HASINA - BANGLADESH

Resolution adopted unanimously by the IPU Governing Council at its 189th session (Bern, 19 October 2011)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Sheikh Hasina, leader of the opposition of the Parliament of Bangladesh at the time the communication was submitted, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Recalling that, according to the Home Ministry's report of March 2010, the investigation into the grenade attack of August 2004 against the then opposition leader Sheikh Hasina and other Awami League members, which left scores of people dead and wounded, revealed the following: the grenade attack was decided on at a meeting in the government quarters of then Deputy Minister Abdus Salam Pinto; his brother, Mr. Moulana Mohammad Tajuddin, supplied the grenades for the attack; former State Minister for Home Affairs Lutfozzaman Babar and Mr. Salam Pinto provided administrative and financial support, and the government of

the time arranged for Mr. Tajuddin to leave Bangladesh; the attack had been carried out with the help of Islamist militants belonging to the Horkatul Jihad al Islami (Huji), several of whom, including its leader, Mufti Hannan Munshi, were arrested in connection with the case,

Considering that, according to the information provided by members of the Bangladeshi delegation on the occasion of the 125th IPU Assembly, after many extensions of the deadline for submitting the final investigation report, the Criminal Investigation Department (CID), on 2 July 2011, submitted a supplementary charge sheet against 30 more persons, including Lutfozzaman Babar, Mr. Tarek Rahman, Senior Vice-President of the Bangladesh Nationalist Party (BNP) (and son of former Prime Minister Khaleda Zia), Mr. Ali Ahsan Mohammed Mujahid, Secretary General of Jamaat E Islami Bangladesh and Mr. Harris Chowdhury, Political Adviser to Begum Zia under sections 120(b), 324, 326, 307, 302, 201, 118, 119, 212, 217, 218, 330, 109 and 34 of the Penal Code and split up the charge sheet under section 3, 4, 6 of the Explosive Substances Act; that the case is now under trial by the Court of Metropolitan Session Judge Speedy Trial Court,

Considering that the source also names Begum Zia's nephew, Mr. Saiful Islam Duke, two former directors general of National Security Intelligence and two former heads of police as mentioned in the charge sheet;

Considering further the following information provided by the source:

- On 27 July 2011, the court criticized the prosecution for failing to produce a progress report on the arrest of the 12 suspects who remained at large and directed it to submit by 11 August 2011 a report on the execution of the arrest warrants; it appears that the court subsequently ordered the authorities to publish advertisements in two Bangladeshi daily newspapers asking - to no avail - Mr. Rahman and Mr. Chowdhury and the 10 others to appear before it; the latter two are said to be in the United Kingdom;
- On 8 September 2011, the murder case and the case filed under the Explosives Act were shifted to the Speedy Trial Tribunal-1 in Dhaka for quick disposal and Mufti Hannan Munshi reportedly petitioned to recant his earlier confession, alleging that he had been tortured, which petition was rejected, reportedly mainly on procedural grounds,
- 1. *Is gratified to note* that the investigators appear to have identified all those suspected of involvement in the crime, both perpetrators and instigators;
- 2. *Trusts* that the authorities are doing everything possible to ensure that the persons who remain at large are indeed apprehended and that, as the next logical step after the recent decisions by the court, they will issue international arrest warrants for those proving to be abroad; *looks forward* to receiving, in particular from the Parliament, information on this point along with details on developments in the proceedings in the case before the Speedy Trial Tribunal; also *wishes to receive* official information regarding Mufti Hannan's petition to recant his confession and its reported dismissal;
- 3. *Requests* the Secretary General to convey this resolution to the competent authorities and to the source;
- 4. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. BLS/05 - VICTOR GONCHAR - BELARUS

Resolution adopted unanimously by the IPU Governing Council at its 189th session (Bern, 19 October 2011)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Victor Gonchar, a member of the Thirteenth Supreme Soviet of Belarus, who disappeared together with his friend Mr. Anatoly Krasovsky on 16 September 1999, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Recalling among the extensive case file data the following:

- A report, published in 2004, of the Parliamentary Assembly of the Council of Europe into disappearances for allegedly political reasons in Belarus (Pourgourides report) gives ground to believe that "steps were taken at the highest level of the State actively to cover up the true background of the disappearances, and to suspect that senior State officials may themselves be involved in these disappearances";
- In an interview given by President Lukashenko on 10 June 2009 to the Russian *Zavtra* newspaper, he stated that the cases of Mr. Gonchar and Mr. Krasovsky "were murders for business reasons; they had to buy or sell something and failed to stick to their promises, so they were killed, as is usual in 'half-bandit' circles; traces of a murderer have recently been found in Germany"; the German authorities have nevertheless denied this; moreover, Mrs. Krasvosky has denied that her husband had any business problems;
- In July and August 2010, a documentary entitled "The Nation's Godfather" was aired on a TV channel in Russia and was also available in Belarus; the film dealt with, inter alia, the involvement of State authorities in the disappearance of politicians, including Victor Gonchar; that, on 7 July 2010, the President of the opposition United Civil Party (UCP), Mr. Anatoly Lebedko, made an application to the Prosecutor General to investigate the evidence presented in the documentary and to initiate criminal proceedings against the persons mentioned in the film as the masterminds and perpetrators of abductions and killings; that, although under Belarusian law, the Prosecutor General's Office should have responded to Mr. Lebedko's application within one month, he has to date received no information about his application,

Taking into consideration the letter from the Chairman of the Committee on National Security, dated 23 June 2011,

Noting that, apart from the fact that the investigation has been extended to 24 September 2011, the letter contains no new information, in particular no response or observation on the specific questions and considerations raised in its previous resolutions, most recently in that of April 2011, and only reiterates that various lines of investigation have been pursued, that no details regarding the investigation may be disclosed before the closure of the investigation, that the House of Representatives lacks supervisory authority over the Prosecutor General's Office, which precludes any possibility of studying the case material under investigation by that Office,

Noting that Mrs. Krasovsky and her daughter have filed an application with the Human Rights Committee established under the International Covenant on Civil and Political Rights, which is awaiting a decision as to its admissibility,

1. *Thanks* the Chairman of the Standing Committee on National Security for his letter; *regrets*, however, that it is a mere formal reply which in no way responds to the specific questions and concerns it has constantly raised in this case;
2. *Reiterates* therefore once again its wish to ascertain the views and response of the authorities on the following questions:
 - (i) Why does parliament not question President Lukashenko about the statements he made regarding the reasons behind the disappearance of Mr. Gonchar and Mr. Krasvosky, as it would be entitled to do?
 - (ii) How could information released by the Prosecutor's Office lead to an undue disclosure of information? By shrouding the investigation in secrecy, is there not a risk of fuelling suspicion that the authorities are unwilling to establish the truth and in fact not actually investigating the case?
 - (iii) Why has the Prosecutor General's Office so far failed to respond to Mr. Lebedko's application for an investigation of the allegations made in the Russian documentary "Krestny Batka" on disappearances in Belarus?

- (iv) Why are no documents or other evidence produced to sustain the assertion of the authorities that they have convincingly refuted the Pourgourides report, which is based on information provided by the Belarusian authorities initially in charge of investigating the disappearance?
3. *Is aware* that parliaments do not normally have authority over the Prosecutor's Office, but *recalls* that in the past the parliamentary authorities reported that they were monitoring the case, were regularly briefed by the Prosecutor's Office, had access to investigation documents and, according to information they provided in September 2002, even considered setting up a parliamentary working group;
 4. *Notes* therefore that the Belarusian parliament has the power to inquire after the progress made in the investigation; *sincerely hopes* that it will finally take serious account of its considerations and requests for information so as to facilitate a more substantive dialogue; and *requests* the Secretary General to seek their full cooperation in this regard;
 5. *Is convinced* that the work of the United Nations Human Rights Committee in Mr. Krasovsky's case will be crucial to helping elucidate the fate of Mr. Gonchar; and *requests* the Committee to keep abreast of its work and decisions on this case;
 6. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

BURUNDI

CASE No. BDI/01 - S. MFAYOKURERA

CASE No. BDI/05 - I. NDIKUMANA

CASE No. BDI/06 - G. GAHUNGU

CASE No. BDI/07 - L. NTAMUTUMBA

CASE No. BDI/29 - P. SIRAHENDA

CASE No. BDI/35 - G. GISABWAMANA

CASE No. BDI/02 - NORBERT NDIHOKUBWAYO

CASE No. BDI/26 - NEPHTALI NDIKUMANA

CASE No. BDI/36 - MATHIAS BASABOSE

CASE No. BDI/37 - LÉONARD NYANGOMA

CASE No. BDI/40 - FRÉDÉRIQUE GAHIGI

CASE No. BDI/42 - PASTEUR MPAWENAYO

CASE No. BDI/43 - JEAN MARIE NDUWABIKE

CASE No. BDI/45 - ALICE NZOMUKUNDA

CASE No. BDI/46 - ZAITUNI RADJABU

CASE No. BDI/42 - PASTEUR MPAWENAYO

CASE No. BDI/44 - HUSSEIN RADJABU

CASE No. BDI/53 - THÉOPHILE MINYURANO

CASE No. BDI/57 - GÉRARD NKURUNZIZA

Resolution adopted unanimously by the IPU Governing Council at its 189th session (Bern, 19 October 2011)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of above-mentioned Burundian parliamentarians, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Recalling that the cases in question concern: (a) the murders of six members of the National Assembly between 1994 and 1999, which have remained unpunished to date; (b) the grenade attempts on the lives of eight members of the previous legislature which have likewise gone unpunished; and (c) criminal proceedings brought against four members of the previous legislature in which the length of preventive detention, the use of torture and the failure to respect the rules of equity have given rise to concerns,

Recalling also that, since many questions require clarification in a direct dialogue with the competent authorities, it has expressed the desire that an on-site mission may be conducted, convinced as it is that it would assist the Committee in progressing towards a settlement of this case, and that it has consequently requested the Secretary General to take the necessary steps to this end,

Considering that the National Assembly and the Burundian authorities gave their consent to the mission, which took place from 25 to 28 September 2011; *considering* also that the delegation enjoyed the full cooperation of the authorities, was able to meet the former parliamentarians in question and therefore fully accomplished its mandate,

1. *Thanks* the Burundian authorities for their cooperation; *thanks* in particular the Speaker of the National Assembly for all his efforts to facilitate not only the conduct of the mission but also more generally the settlement of the cases in question, in particular through the National Assembly's Committee on the Human Rights of Parliamentarians;
2. *Also thanks* the delegation for its work and awaits with interest its report;
3. *Is confident* that the authorities will meanwhile continue their work for the sake of a settlement of these cases, notably through the Assembly's Committee on the Human Rights of Parliamentarians; and *encourages* that Committee and the IPU Committee on the Human Rights of Parliamentarians to cooperate;
4. *Requests* the Committee to continue examining the cases in question in the light of the mission report and to report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012);
5. *Requests* the Secretary General to convey this resolution to the parliamentary authorities and to the sources of information.

CASE No. CMBD/01 - SAM RAINSY - CAMBODIA

Resolution adopted unanimously by the IPU Governing Council at its 189th session (Bern, 19 October 2011)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Sam Rainsy, Leader of the Opposition and a member of parliament at the time of the submission of the communication, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Recalling the following information on file:

- Having had his parliamentary immunity lifted in a closed session by a show of hands and without being afforded the opportunity of defending himself, Opposition Leader Mr. Sam Rainsy was prosecuted and, in judgments handed down in January and September 2010, was sentenced to a total of 12 years' imprisonment and a heavy fine for: (a) having pulled out border post #185 marking the Cambodian/Vietnamese border in a village in Svay Rieng province and inciting racial hatred; and (b) divulging false information by having published a map reportedly showing a false border with Viet Nam; that, owing to those verdicts, he may well be barred from standing in the 2013 elections by virtue of Article 34(2) of the Law on the Election of Members of the National Assembly, which stipulates that persons who are sentenced to imprisonment for a felony or misdemeanour by the courts and who have not been rehabilitated shall not be eligible to stand as candidates for election to the National Assembly;
- The verdict whereby Mr. Sam Rainsy was found guilty of destroying public property was upheld in March 2011 by the Supreme Court, and on 15 March 2011 the National Assembly stripped Mr. Sam Rainsy of his parliamentary mandate by virtue of Article 34 of the Law on the Election of Members of the National Assembly, which stipulates that members convicted at final instance of a crime and sentenced to imprisonment shall forfeit their membership in the National Assembly,

Noting that on 20 September 2011, the Appeal Court reduced the 10-year prison sentence given to Mr. Sam Rainsy's on account of divulging false information to seven years, and *noting* that this will not change his legal situation as set out below,

Recalling that no one disputes the fact that the process of demarcating the border between Viet Nam and Cambodia is under way, that border post #185 was a temporary wooden post and that the Government recognized it was not a real and legal border marker, which the Prime Minister himself confirmed in his response to a question from Sam Rainsy Party (SRP) parliamentarians on this matter, stating inter alia that "because the joint technical group from the two countries has not planted border post #185 yet, the border demarcation work, which is the work of the joint technical group after the planting of that post, has not started either"; and *recalling* further that there is at present no map recognized by Viet Nam and Cambodia as being official and binding,

Considering that, in his report of August 2011 to the United Nations Human Rights Council (A/HRC/18/46), the Special Rapporteur on the human rights situation in Cambodia expressed concerns at the restrictions imposed on freedom of expression in Cambodia and the use of the judiciary for political ends and had the following to say regarding Mr. Sam Rainsy's case in particular: "The allegation made by the Government was that Mr. Rainsy had manipulated a map to show that Viet Nam had encroached on the territory of Cambodia. In any properly functioning democracy, such political matters should be debated in the parliament and become a matter of public debate rather than the subject of a criminal case before courts. Scrutinizing the activities of the Government and requiring the Government to respond to any criticisms of its policy decisions is one of the basic functions of the leaders of opposition parties and they should not be subjected to criminal proceedings for discharging their responsibilities in a peaceful manner"; and *noting* that he recommends inter alia that "Parliament should safeguard the right to freedom of expression of its own members and protect their parliamentary immunity",

1. *Reaffirms* that Mr. Sam Rainsy's gesture of pulling out temporary border markers was a political gesture, and that, consequently, the courts should never have been seized to resolve a political matter, which rather should have given rise to a debate within parliament;
2. *Also reaffirms* that, given the official acknowledgment, including by the Prime Minister, that there is no such thing as a legal border post #185 and the absence of any official map since the border demarcation process is still under way, Mr. Sam Rainsy cannot possibly have committed a crime by pulling out wooden posts which were illegally driven in, and that the accusation of divulging false information cannot be substantiated;
3. *Deeply regrets* that the Prime Minister's clear statement on the question of border post #185, has not as yet led to any initiatives with a view to settling this case, which indisputably may impair the democratic process in Cambodia and further weaken the opposition;
4. *Deeply regrets* also that the parliamentary authorities have ignored its considerations and concerns on a matter of such importance, including as regards its recommendations concerning parliamentary immunity;
5. *Calls once again* on the authorities, including Parliament, to take action with a view to Mr. Sam Rainsy's rehabilitation so as to enable him to resume his rightful place as a member of the National Assembly and to stand as a candidate in the next parliamentary elections;
6. *Invites* the National Assembly to debate the Special Rapporteur's latest report on the human rights situation in Cambodia, which deals extensively with parliament, and to ensure implementation of his recommendations;
7. *Requests* the Secretary General to inform the Prime Minister of Cambodia of the IPU's considerations and concerns in this case and to convey this resolution to the parliamentary authorities and to the sources;
8. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. CMBD/47 - MU SOCHUA - CAMBODIA

***Resolution adopted unanimously by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Ms. Mu Sochua, an opposition member of the National Assembly of Cambodia, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Recalling the following information on file:

- Ms. Mu Sochua's public announcement that she would file a defamation lawsuit against the Prime Minister prompted the latter to file a lawsuit against her, citing as evidence inter alia her complaint to the IPU; while her lawsuit was quickly dismissed, the Prime Minister's lawsuit proceeded upon the lifting of her parliamentary immunity by the National Assembly in a closed-door session, without hearing her arguments and voting by show of hands; in June 2010, the Supreme Court upheld the verdict of the Phnom Penh Municipal Court which had found her guilty and ordered her to pay a heavy fine; as Ms. Mu Sochua refused to pay the fine, it was deducted from her MP's salary, although in such cases the law provides for the serving of a prison term;
- By November 2010, the fine had been paid off in full, but her parliamentary immunity has not been restored; different opinions were given as to how her parliamentary immunity should be restored until the National Assembly stated in a letter of 12 April 2011 that, by virtue of Article 535 of the Penal Code, Ms. Mu Sochua has to wait one year before submitting an application for rehabilitation to the Appeal Court; should no application be submitted, her immunity would be restored automatically after five years; the leader of the Cambodian delegation to the 124th Assembly (April 2011) stated that rehabilitation is governed by the Criminal Code, including for members of parliament, and during the period in question Ms. Mu Sochua must not commit any other crime if she wishes to be rehabilitated,

Considering that, according to the source, Ms. Mu Sochua will be obliged to submit an application to the Appeal Court for her to be rehabilitated and able to stand in the 2013 parliamentary elections; that, however, the Appeal Court reportedly has no time limit within which to render its decision before the expiry of the five-year term whereupon rehabilitation is automatic,

Considering that, in May 2011, while making door-to-door visits in Battambang town to inform inhabitants of their right to free public health care and education, Ms. Mu Sochua and her team of locally elected councillors were reportedly surrounded and threatened by members of the ruling Cambodian Peoples Party (CPP), who accused her of inciting villagers against the Government; *noting* that the opposition team lodged a complaint with the Governor the following day and that Ms. Mu Sochua sent a report about the threats to the Ministry of the Interior; that, however, no action has reportedly been taken; *considering* further that, on 5 October 2011 a commune chief reportedly accused Ms. Mu Sochua of creating social disorder on account of her having led a group of young people to inform citizens about voter registration and filed a complaint against her; that the commune chief withdrew the complaint and the case was dropped,

Recalling that United Nations human rights bodies and mechanisms have expressed concern about the independence of the judiciary in Cambodia and that, most recently, the United Nations Special Rapporteur on the situation of human rights in Cambodia, in his report to the United Nations Human Rights Council of 16 September 2010,¹ identified freedom of expression as a major cause for concern, along with the numerous challenges faced by the judiciary, expressed concern about the narrowing of political space, and recommended that defamation and disinformation be decriminalized altogether; *considering* that, in his report of August 2011 (A/HRC/18/46), the Special Rapporteur has reiterated his concerns regarding respect for freedom of expression in Cambodia and, with regard to parliament in particular, recommended that parliament should review the new Penal Code with a view to ensuring its compliance with the permissible limitation on freedom of expression under international human rights law, and should safeguard the right to freedom of expression of its own members and protect their parliamentary immunity,

¹ A/HRC/15/46.

1. *Reaffirms* the concerns it expressed in its resolution of April 2011 at the application of the provisions of the Criminal Code regarding restoration of parliamentary immunity, which has resulted in an additional punishment for Ms. Mu Sochua;
2. *Trusts* that the Appeal Court will rule on Ms. Mu Sochua's petition upon its submission without delay so as to ensure that she can stand in the 2013 elections, as is her right;
3. *Calls on* the National Assembly once again to review the legislation concerning parliamentary immunity, regarding both the restoration and the lifting of parliamentary immunity so as to ensure that such immunity becomes an effective tool for protecting members of parliament against any proceedings that may be unfounded and politically motivated;
4. *Reaffirms* the grave concerns it has consistently expressed at the defamation proceedings brought against her by the Prime Minister, which it continues to regard as an instance of exploiting the judiciary for political ends; *expresses the earnest hope* that the Cambodian Parliament will take into serious consideration the recommendations made by the United Nations Special Rapporteur on the human rights situation in Cambodia regarding the decriminalizing of defamation and will follow up on them, in particular on those which concern the parliament itself;
5. *Is concerned* that a complaint which Ms. Mu Sochua lodged with the Governor about the threats made against her and others by members of the ruling party while they were informing villagers of their rights has remained unanswered, as has a report she made to the Minister of the Interior; *considers* that this should be of concern to the parliament as such inaction on the part of the authorities may encourage the repeat of such wrongdoing and should therefore prompt parliament to put questions to the relevant authorities; *would appreciate* receiving information as to any such action the parliament may indeed take;
6. *Requests* the Secretary General to convey this resolution to the parliamentary authorities, inviting them to provide the requested information;
7. *Requests* the Committee to continue examining this case and report to it at its next session during the 126th IPU Assembly (March/April 2012).

CASE No. CO/01 - PEDRO NEL JIMÉNEZ OBANDO) COLOMBIA
CASE No. CO/02 - LEONARDO POSADA PEDRAZA)
CASE No. CO/03 - OCTAVIO VARGAS CUÉLLAR)
CASE No. CO/04 - PEDRO LUIS VALENCIA GIRALDO)
CASE No. CO/06 - BERNARDO JARAMILLO OSSA)
CASE No. CO/08 - MANUEL CEPEDA VARGAS)
CASE No. CO/09 - HERNÁN MOTTA MOTTA)

***Resolution adopted unanimously by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of seven members of the Unión Patriótica (Patriotic Union) which concerns the murders between 1986 and 1994 of Mr. Pedro Nel Jiménez Obando, Mr. Leonardo Posada Pedraza, Mr. Octavio Vargas Cuéllar, Mr. Pedro Luis Valencia Giraldo, Mr. Bernardo Jaramillo Ossa and Mr. Manuel Cepeda Vargas and the death threats against Mr. Hernán Motta Motta, which forced him into exile in October 1997, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Taking into account a communication from the Colombian Ambassador to the United Nations Office at Geneva, dated 4 August 2011, transmitting a report of the Director of International Affairs of the Prosecutor's Office dated 6 July 2011, and of a communication from the Presidential Human Rights and International Humanitarian Law Programme, dated 5 July 2011,

Recalling the following information:

- None of the murderers of five of the six congressmen or the perpetrators of the death threats against Mr. Motta, who still lives in exile, have been held to account;
- The Inter-American Court of Human Rights, in its binding ruling of 26 May 2010 in the case of Mr. Cepeda, concluded that the Colombian State bore responsibility for his murder and ordered it first to conduct an effective investigation to establish the identity of the instigators and the full scale of collaboration between State agents and paramilitary forces in carrying out the crime, and second to make reparation, including through the organization, in consultation with Mr. Cepeda's family, of an official ceremony in the Colombian Congress, or other prominent public place, during which the State of Colombia, in the presence of members of both Houses of Parliament and the highest State authorities, would publicly acknowledge its responsibility and offer an apology;
- A general petition, first submitted in 1997, regarding the persecution of the Patriotic Union and offences committed, directly or indirectly, against its members, including, except in Mr. Cepeda's case, the aforementioned parliamentarians, is still pending before the Inter-American Commission on Human Rights;
- Since 2008, the Attorney General's Office has given special attention to the case of Mr. Jaramillo and the Prosecutor's Office has assembled a special team focusing on violations committed against members of the Patriotic Union and reactivated investigations into the assassinations of Mr. Jiménez, Mr. Posada, Mr. Valencia, Mr. Cepeda and Mr. Jaramillo; as part of the efforts with respect to Mr. Jaramillo, the former chief of the Administrative Department of Security, Mr. Alberto Romero, has come under investigation,

Considering that on 17 May 2011 the Prosecutor's Office formally accused Mr. José Miguel Narváez, former Assistant Director of the Administrative Department of Security and currently detained and prosecuted in a number of cases in connection with his alleged collaboration with paramilitary groups, of involvement in Mr. Cepeda's assassination and ordered his arrest,

Considering also that, according to the latest information provided by the Colombian authorities, investigations with respect to the other murder cases are ongoing; in the case of Mr. Posada, the judge had yet to rule on the situation of the suspect Mr. Baquero Agudelo, who had accepted a plea bargain and whose case had been sent to court for sentencing along with a request from the Prosecutor's Office that the relevant available documents be examined with a view to identifying other presumed culprits; in the case of Mr. Jaramillo's murder, the Prosecutor's Office stated that on 20 May 2011 Mr. Carlos Arturo Lozano Guillén, Director of the daily "Voz", and Mr. Ricardo Pérez González were heard as part of the investigation and that the legal status of Mr. Romero still had to be determined and further evidence had to be taken,

Considering finally that, on 9 August 2011, the State of Colombia organized an event on the premises of the National Congress focusing exclusively on Senator Cepeda's murder and its ramifications which was attended by high-ranking State officials and parliamentarians from across the political spectrum,

1. *Thanks* the authorities for their continued cooperation and for the extensive information they provided;
2. *Notes* with satisfaction that, in line with the Inter-American Court's ruling, the Colombian State has paid tribute to Mr. Cepeda's life in a solemn ceremony in which the Minister of the Interior and Justice publicly condemned its responsibility for his assassination and called for forgiveness; *is convinced* that this act was crucial in offering symbolic reparation to Mr. Cepeda's family and sending an important message about impunity to society at large;
3. *Trusts* that the authorities will continue to implement diligently the other steps ordered by the Inter-American Court, in particular so as to establish full accountability for Mr. Cepeda's murder; *wishes* to receive confirmation that trial proceedings against Mr. Narváez have meanwhile started and to know whether his statements have helped to shed further light on the extent of State responsibility for the crime and on the identity of those possibly involved;

4. *Trusts* that the Prosecutor's Office will soon decide whether or not to bring charges against Mr. Romero in the case of Mr. Jaramillo's murder and will continue to pursue with the necessary resolve the other ongoing investigations in order, to the extent possible, to elucidate the other assassinations and the death threats against Mr. Motta; *wishes* to be kept informed of any further developments in this regard;
 5. *Reaffirms* that this case, which concerns the assassination of members of Congress as part of a large-scale persecution of a political party, is of direct concern to the Parliament of Colombia; *trusts* that, through its oversight function, the Colombian Congress is doing its utmost to help ensure that ongoing efforts to elucidate the murders of and death threats against parliamentarians of the Patriotic Union are pursued and that the State of Colombia fully implements the outstanding elements of the ruling of the Inter-American Court of Human Rights in the case of Mr. Cepeda;
 6. *Requests* the Secretary General to convey this resolution to the competent authorities and to the source;
 7. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).
-
-

CASE No. COL/07 - LUIS CARLOS GALÁN SARMIENTO - COLOMBIA

Resolution adopted unanimously by the IPU Governing Council at its 189th session (Bern, 19 October 2011)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Luis Carlos Galán Sarmiento, a member of the Colombian Senate and the New Liberalism party's candidate in the presidential elections, who was murdered at a political rally on 18 August 1989 in the main square of Soacha municipality, department of Cundinamarca, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Recalling the following information on file on the pursuit of justice in the case:

- Lieutenant Carlos Humberto Flores from Military Intelligence B2 was tried for complicity in the murder and acquitted at first and second instance, but the Prosecutor's Office and Senator Galán's family, as the civil party to the proceedings, filed a cassation petition in the Supreme Court which is pending;
- In 2009, Mr. Galán's family and the Prosecutor's Office submitted a cassation petition to the Supreme Court, requesting it to overturn the 2008 decision by the High Court of Cundinamarca to quash a first-instance guilty verdict against Mr. Alberto Santofimio, a politician from Tolima and alleged instigator of the crime;
- On 18 August 2009, the Prosecutor's Office arrested General Miguel Maza Márquez, a former Director of the Administrative Department of Security (DAS), on accusations of involvement in Senator Galán's murder; on 6 April 2010, the then Chief Prosecutor ordered his provisional release; on 25 November 2010, however, Mr. Maza was called to trial and rearrested on 15 January 2011;
- On 25 November 2009, the Attorney General of Colombia, who had formed a special team to conduct the investigations into the murder, requested the Prosecutor's Office to extend the investigation to retired General Oscar Peláez Carmona, who was the Chief of the Criminal Investigation Department at the time and had allegedly acted in complicity with Mr. Maza in misleading and obstructing the original investigation; in March 2010, the Attorney General's Office also asked the Prosecutor's Office to link to the investigation Mr. Alberto Romero, former DAS intelligence chief, Colonel Manuel Antonio González Enríquez, who served as DAS protection chief, former paramilitary leader Mr. Iván Roberto Duque Gaviria, alias "Ernesto Báez", and Captain Luis Felipe Montilla Barbosa, Soacha Police Commander,

Considering that on 26 August 2011 the source stated that the Prosecutor's Office had not yet formally responded to the Attorney General's requests to link those individuals to the investigation,

Considering that, according to information provided by the source with respect to Mr. Maza, on 1 June 2011 the Prosecutor in his case confirmed his indictment, arguing that there was substantive evidence of his responsibility for the murder; trial proceedings started on 10 October 2011 when the judge in the case, the First Specialized Judge of Bogotá, confirmed that Senator Galán's murder was a crime against humanity and rejected the defence counsel's request that the trial be moved to the Supreme Court because of Mr. Maza's entitlement to privilege; the judge decided that the hearing of witnesses would start on 5 December 2011,

Considering also that, regarding the cassation petition with respect to Mr. Santofimio, on 1 September 2011 the Supreme Court set aside the appeal verdict and upheld the first-instance verdict whereby Mr. Santofimio was sentenced to a 24-year prison term for having encouraged drug baron Pablo Escobar to have Senator Galán killed in order to prevent the latter from implementing, upon becoming President of Colombia, his intention to extradite drug traffickers to the United States of America,

1. *Notes with satisfaction* that, after 22 years, the pursuit of justice has finally led to the identification and punishment of an instigator of Senator Galán's murder and shed significant light on the motive for the crime;
2. *Is also gratified* that trial proceedings to determine Mr. Maza's alleged responsibility are well under way; *regrets*, however, that the Prosecutor's Office has apparently still not decided on the question whether or not to link formally to the investigation those identified by the Attorney General's Office more than a year ago; *sincerely hopes* that it will do so soon so that the full range of criminal responsibility for Senator Galán's murder can indeed be established; *wishes* to receive further information on this point and to be kept informed of developments in the proceedings against Mr. Maza;
3. *Trusts* that the Supreme Court will soon rule on the long-standing cassation petition regarding the alleged role of Lieutenant Carlos Humberto Flores in the crime; *wishes* to ascertain the prospects for its swift consideration;
4. *Requests* the Secretary General to convey this resolution to the competent authorities and to the source;
5. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. CO/121 - PIEDAD CÓRDOBA - COLOMBIA

Resolution adopted unanimously by the IPU Governing Council at its 189th session (Bern, 19 October 2011)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Ms. Piedad Córdoba, a former member of the Colombian Senate, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Taking into account the communication of the Deputy Attorney General of Colombia, dated 12 April 2011,

Recalling the following sequence of events:

- In July 2008 the Supreme Court opened a preliminary investigation into allegations that Ms. Córdoba, who was a Senator at the time, maintained illegal ties with Colombia's main guerrilla group, the Revolutionary Armed Forces of Colombia (FARC); the investigation is still ongoing;

- During the investigation, the Supreme Court provided the Attorney General's Office with a copy of the documentation for it to decide whether or not to institute a disciplinary investigation against her, which decision it took in June 2009;
- On 27 September 2010, the Attorney General's Office concluded that Ms. Córdoba had promoted and worked with FARC and, as a disciplinary sanction, disbarred her from holding public office for 18 years; on 27 October 2010, the Attorney General ratified the decision of his Office, as a result of which she lost her seat in Parliament;
- Ms. Córdoba has affirmed from the outset that the disbarment amounts to political persecution and that there is no proof to substantiate the decision; she has challenged the disbarment before the Council of State, which action is pending,

Considering that on 11 July 2011 the Council of State dismissed Ms. Córdoba's request that the Attorney General's decision to disbar her be suspended until the Council had ruled on the general petition,

Considering that part of the justification to disbar Ms. Córdoba is based on allegedly incriminating material found in the computers of a high-ranking FARC member, Mr. Raúl Reyes; on 19 May 2011, the Supreme Court ruled in a criminal investigation against Mr. Wilson Borja that official protocol requirements to protect the material had not been followed and that, since there was no guarantee that the material had not been tampered with, it could not be relied on in court,

Considering furthermore that Article 23(2) of the Inter-American Convention on Human Rights, dealing with respect for the exercise of one's political rights, stipulates that "The law may regulate the exercise ... only on the basis of age, nationality, residence, language, education, civil and mental capacity, or sentencing by a competent court in criminal proceedings",

Considering finally that an IPU mission travelled to Bogotá in August 2011 to assist the Parliament of Colombia in strengthening its work and, as part of that assignment, has formulated recommendations, including the suggestion that the Attorney General should be divested of the power to revoke the parliamentary mandate as a disciplinary sanction; *considering* also that several voices in the Parliament of Colombia are proposing such a measure, possibly as part of the pending judicial reform bill,

1. *Thanks* the Deputy Attorney General for her extensive communication;
2. *Affirms*, however, that the arguments she puts forward do not alter its view that Ms. Córdoba was barred from politics, thus depriving her electorate of its voice in parliament, as a result of a decision and on the basis of a procedure both of which breach basic international standards regarding respect for the parliamentary mandate, the exercise of one's political rights and the right to a fair trial;
3. *Is concerned* that, a year after Ms. Córdoba was disbarred, her appeal has yet to be heard by the Council of State; *observes* that the longer this situation continues the less meaningful is the remedy she seeks, which is to be allowed to serve out the remainder of her parliamentary mandate; *considers* the hearing of her appeal to be all the more pressing in the light of the conclusions of the Supreme Court regarding an important part of the evidence against Ms. Córdoba which cast doubt on the original justification for disbarring her;
4. *Trusts* therefore that the Council of State will rule on Ms. Córdoba's appeal as a matter of urgency and will give due attention to the conclusions of the Supreme Court, along with the other concerns arising in this case; and *requests* the Secretary General once more to continue exploring the possibility of sending an observer to the proceedings of the Council of State with a view to gathering first-hand information in this regard;
5. *Reaffirms* its belief that this case highlights the need to modify existing legislation with respect to disciplinary proceedings against parliamentarians with a view to bringing it into line with relevant international and regional standards; *takes note with interest* of the support increasingly voiced in Parliament and the recommendation made by the IPU mission in favour of such a modification; *expresses the hope* therefore that new legislation will indeed be adopted soon to eliminate the powers of the Attorney General to revoke a parliamentary mandate as a disciplinary sanction; *wishes* to be kept informed of important developments in this respect;

6. *Requests* the Secretary General to convey this resolution to the competent authorities and to the source;
7. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. CO/140 - WILSON BORJA - COLOMBIA

***Resolution adopted unanimously by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Wilson Borja, a former member of the Colombian Congress and a vocal critic of the Colombian Government, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Taking into account the communication of the Deputy Minister of the Interior dated 27 April 2011; *also taking into account* the information provided by the source on 26 May and 16 September 2011,

Recalling its long-standing concerns in this case with respect to the recurrent reported deficiencies in Mr. Borja's security detail and the preliminary investigation which the Supreme Court initiated in June 2008 into his alleged links to the Revolutionary Armed Forces of Colombia (FARC); *recalling* its concerns regarding the possible release, after their opting to benefit under the Justice and Peace Act as demobilized paramilitaries, of three military members sentenced to prison sentences of up to 55 years for their responsibility in the attempt on Mr. Borja's life in 2000; *recalling also* that the former head of the United Self-Defence Forces of Colombia (AUC), Mr. Salvatore Mancuso, detained in the United States, has reportedly admitted to instigating that attack and has accused the former Assistant Director of the Administrative Department of Security (DAS), Mr. José Miguel Narváez, at present detained on several charges, of having played a decisive role in it by linking Mr. Borja to FARC and inciting paramilitary groups to eliminate him,

Considering the following new information provided:

- The Deputy Minister of the Interior stated that, following a meeting on 13 January 2011 between Mr. Borja and Ministry staff, his security detail had returned to normal, which Mr. Borja confirmed in his communication of 26 May 2011, and that further measures were taken to strengthen it;
 - The Deputy Minister of the Interior stated, with regard to the three military members sentenced for their responsibility in the attempt on Mr. Borja's life, that those persons had been included by the Government in the list of those applying to benefit under that Act; the Minister stressed, however, that this in no way implied that they would automatically benefit under the Act; it was for the judicial authorities to determine whether they had met the requirements; on 26 May 2011, Mr. Borja stated that in the course of the legal proceedings his lawyer would argue that the persons did not qualify as beneficiaries under the Act;
 - On 19 May 2011, the Supreme Court decided to discontinue, for want of sufficient evidence, the investigation into accusations against Mr. Borja of illegal ties with FARC, which had started in June 2008,
1. *Thanks* the Deputy Minister of the Interior for his extensive communication;
 2. *Is gratified* by the steps taken to strengthen Mr. Borja's security; *trusts* that the authorities will continue closely to monitor his situation and effectively address any challenges to his protection that may arise;
 3. *Is also gratified* that the Supreme Court has taken a final decision on the criminal investigation against Mr. Borja; *regrets* nevertheless that it reached its conclusions only after three years, thereby unduly prolonging the significant stigma that such an ongoing investigation carries for a public figure like Mr. Borja;

4. *Trusts* that the judicial authorities will ensure that the three military officers convicted for their participation in the attempt on Mr. Borja's life continue to serve their sentences; *wishes* to be informed of any decision adopted in this respect; *trusts* that the Prosecutor's Office is now also fully investigating the alleged implication in the attempt on Mr. Borja's life of former paramilitary chief Mr. Salvatore Mancuso and former Assistant Director of DAS, Mr. José Miguel Narváez; *would appreciate* receiving updated information on both matters;
5. *Requests* the Secretary General to convey this resolution to the competent authorities and to Mr. Borja;
6. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. CO/142 - ÁLVARO ARAÚJO CASTRO - COLOMBIA

Resolution adopted unanimously by the IPU Governing Council at its 189th session (Bern, 19 October 2011)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Álvaro Araújo Castro, a former member of the Colombian Congress, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Taking into account a communication from the Colombian Ambassador to the United Nations Office at Geneva, dated 4 August 2011, transmitting a report of the Director of International Affairs of the Prosecutor's Office dated 6 July 2011,

Recalling its persistent concern that, on 18 March 2010, the Supreme Court found Mr. Araújo guilty of aggravated criminal conspiracy and coercion of voters, on account of his having cooperated with paramilitary groups for electoral gain, and sentenced him to a prison term of 112 months and ordered him to pay a fine as a result of fundamentally flawed proceedings and without any compelling evidence against him; Mr. Araújo, who had been in detention and under house arrest since 15 February 2007, was released in early February 2011 upon completing three fifths of his sentence,

Also recalling that in the same ruling whereby it convicted Mr. Araújo, the Supreme Court ordered that an investigation be conducted to establish whether or not he could be considered part of the paramilitary command and therefore co-responsible for the crimes against humanity which they committed; as with the original charges, both the investigation and any subsequent trial on this matter is entrusted to the Supreme Court, whose ruling would not be subject to appeal,

Further recalling that in March 2010 the Prosecutor's Office opened an investigation into Mr. Araújo for his alleged responsibility in the murder in 1996, at the hands of paramilitaries, of his employee, Mr. Eusebio de Jesús Castro Visbal, the then acting Public Prosecutor provided information in October 2010 to the effect that the investigation would be discontinued; however, according to the source, in its communication of 26 January 2011, the investigation was ongoing and the Prosecutor's Office had ordered that the employee's widow be provided with protection in view of the risk to her life posed by the Araújo family, and was inciting demobilized paramilitary member "El Pájaro" to make incriminating statements against Mr. Araújo,

Considering that the source affirms that in late 2010, when Mr. Araújo was still detained in Valledupar, a criminal organization which regards those associated with the paramilitary as enemies, put him along with 19 others on a hit list; three of them have reportedly already been killed; a prison guard, whose assistance was enlisted by the organization to have Mr. Araújo killed denounced the plan to the authorities; before his release, Mr. Araújo and his sister brought the matter to the attention of the Ministers of Defence and of the Interior; after his release in February 2011, he raised the incident with the President of Colombia on the occasion of a brief meeting; as a result, the President immediately instructed the Director of the National Police to conduct an investigation and to provide Mr. Araújo with protection; the report of the

Prosecutor's Office dated 6 July 2011 states that Mr. Araújo submitted an official complaint about the threats to the Prosecutor's Office on 23 May 2011; the report stated that "given that the complaint was recent, no steps had yet been taken" but that the competent Prosecutor had been requested to take appropriate action; however, according to a communication of 2 August 2011, made available by the source, the competent Prosecutor has apparently since ordered the closure of the investigation because the alleged culprit could not be identified,

Considering that a legislative initiative for judicial reform, which is pending in the Colombian Congress, proposes the creation of an appeal instance in the procedure applicable to parliamentarians in criminal cases and clearly separates those in charge of investigating a case from those ruling on it; *considering* that an IPU mission travelled to Bogotá in August 2011 to assist the Parliament of Colombia in strengthening its work and, as part of that assignment, adopted a series of recommendations, including with a view to helping ensure greater respect for fair-trial standards in criminal cases against members of parliament,

1. *Thanks* the authorities for their continued cooperation and for the information they provided;
2. *Is deeply concerned* at the death threats against Mr. Araújo which have to be taken extremely seriously, particularly since those responsible have reportedly already been able and willing to execute such threats with regard to three other individuals;
3. *Fails to understand* therefore why the Prosecutor's Office would have decided to abandon the investigation, and *calls on* it to do its utmost to identify and apprehend those responsible for the threats; *wishes* to know in this regard what leads were provided by the prison guard whose assistance was enlisted for Mr. Araújo's assassination and the investigations into the cases of the aforesaid three murder victims;
4. *Is gratified* that steps have been taken to strengthen Mr. Araújo's security; *trusts* that the authorities will continue closely to monitor his situation and indeed address any challenges to his protection that may arise;
5. *Reaffirms its belief* that, so long as basic fair-trial concerns are not addressed and compelling evidence to justify the lesser charges on which Mr. Araújo was convicted does not exist, an investigation before the Supreme Court with regard to his potential responsibility for crimes against humanity committed by paramilitary groups is misguided; under the current circumstances, therefore, *sincerely hopes* that the investigation will be discontinued; *would appreciate receiving* the observations of the Supreme Court on the prospects for discontinuation of the investigation along with information on the current status of the investigation;
6. *Remains convinced* that the concerns about the lack of fair-trial standards inherent in the procedure applicable to Colombian members of Congress in criminal matters can only be fully addressed through new legislation; *expresses the hope* therefore that the legal reform bill to be adopted will indeed include a genuine separation between the investigating authorities and the courts and a real possibility for members of parliament to appeal; *wishes* to be kept informed in this regard, in particular inasmuch as it concerns the implementation of relevant recommendations of the recent IPU mission;
7. *Reiterates its wish*, in the light of conflicting information from the authorities and the source regarding the investigation into Mr. Araújo's alleged involvement in the murder of one of his employee, to ascertain from the authorities whether an official investigation is indeed ongoing and, if so, on what basis;
8. *Requests* the Secretary General to convey this resolution to the competent authorities and to the source;
9. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. CO/146 - IVÁN CEPEDA CASTRO) COLOMBIA
CASE No. CO/147- ALEXANDER LÓPEZ)
CASE No. CO/148- JORGE ENRIQUE ROBLEDO)
CASE No. CO/149- GUILLERMO ALFONSO JARAMILLO)
CASE No. CO/150 - WILSON ÁRIAS CASTILLO)

***Resolution adopted unanimously by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Iván Cepeda Castro, Mr. Alexander López, Mr. Jorge Enrique Robledo, Mr. Guillermo Alfonso Jaramillo and Mr. Wilson Árias Castillo, members of the Colombian Congress from the opposition party *Polo Democrático Alternativo* (Alternative Democratic Pole), as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Taking into account a communication from the Colombian Ambassador to the United Nations Office at Geneva dated 4 August 2011, transmitting a report of the Director of International Affairs of the Prosecutor's Office dated 6 July 2011, and of a communication from the Presidential Human Rights and International Humanitarian Law Programme, dated 5 July 2011,

Recalling that, in the course of 2010, several local leaders of the Alternative Democratic Pole were murdered, that national leaders received death threats, including the five incumbent Congress members of that party:

- On 10 April 2010, a public communiqué issued by an illegal group known as *Los rastros* - *comandos urbanos*, declared Senators Alexander López, Jorge Enrique Robledo and Guillermo Alfonso Jaramillo to be enemies and hence permanent military targets;
- In a communiqué dated 4 June 2010, the United Self-Defence Forces of Colombia (AUC), Central Bloc, declared Senator Alexander López and Congress member Wilson Arias Castillo to be permanent military targets;
- In early June 2010, it became known that a group of hitmen linked to paramilitary groups intended to assassinate Mr. Iván Cepeda, a member of the Colombian Congress and son of Senator Manuel Cepeda, who was assassinated in 1994; on 13 August 2010, an illegal group called *Águilas negras* put out a pamphlet threatening Mr. Iván Cepeda and others who took part in organizing a debate in Congress, on 18 August 2010, on the problem of land dispossession that was going to be broadcast live across the country,

Recalling that, in October 2010, the then acting Public Prosecutor told the on-site mission that all the threats against members of the Alternative Democratic Pole were being investigated with the utmost diligence, but that it was often very difficult to lay hands on those responsible since they were experts at covering up their identity and whereabouts; in its report of 12 January 2011, the Prosecutor's Office affirmed that the threats issued by *Águilas negras* against Mr. Cepeda and the threats issued by *Los rastros* - *Comandos Urbanos* against Senators Alexander López, Jorge Enrique Robledo and Guillermo Alfonso Jaramillo were both the subject of ongoing criminal investigations; considering that from the report of the Prosecutor's Office of 6 July 2011 it appears that Senator Robledo was provided with security and that the authorities had concluded that no criminal organization by the name of "Los rastros" existed and had ruled out the possibility that the threat came from a criminal organization,

Considering that on 2 June 2011 *Los rastros* - *Comandos Urbanos* issued a statement threatening several human rights organizations and defenders, including Mr. Cepeda and his legislative assistant Ms. Ana Jimena Bautista Revelo; around that same time, *Águilas negras* also mentioned both of them in a statement giving them 20 days in which to leave Bogotá or face death; both threats were brought to the attention of the Prosecutor's Office; as part of his visits to detention centres, Mr. Cepeda went to the prison in Valledupar on 22 May 2011; on 13 June 2011, Mr. Cepeda received a letter from an inmate of that prison stating that he had been incited to stab Mr. Cepeda on the occasion of the latter's visit; he alleges that the two officers entrusted with Mr. Cepeda's security on that occasion gave him a knife and offered him better

prison conditions in return for assassinating Mr. Cepeda, which he refused to do; it appears that the inmate was subsequently the victim of an attempt on his life which left him injured; it also appears that, days after Mr. Cepeda's prison visit, the videotape of the visit was erased, the Director of the Valledupar Prison reportedly stating that it had been reused,

Considering that, according to the source, Mr. Cepeda's work as a parliamentarians has since early 2010 been increasingly stigmatized in the media; in several instances he has been labelled a friend of the Revolutionary Armed Forces of Colombia (FARC), including by former President Uribe and people from within his circle; on 10 September 2011, a fake Twitter account was set up in Mr. Cepeda's name, presenting him as a FARC friend seeking evidence of Mr. Uribe's links to paramilitary groups,

1. *Thanks* the authorities for their continued cooperation and for the extensive information they provided;
2. *Is alarmed* at the foiled attempt on Mr. Cepeda's life by two security guards and the increasing death threats received by him and now also by his legislative team; *is shocked* that the individual who refused to carry out and denounced the plan for Mr. Cepeda's assassination was himself the victim of an attempt on his life; *considers* that the alleged involvement in the attempt on Mr. Cepeda's life of two officers, apparently picked by the authorities to ensure his protection, and the allegations that this crime, in common with the subsequent retaliation against an inmate, took place on premises which are fully run by the competent authorities cast extremely serious doubts on their capacity, if not willingness, to protect their basic right to life;
3. *Urges* the authorities to examine fully the serious implications of this by doing their utmost to establish full accountability for both attempts; *is particularly eager* to receive confirmation that action has indeed been taken against the two security guards and to know what evidence has been collected to help identify the instigators of these crimes;
4. *Notes with deep concern* that the information provided on the investigations of the Prosecutor's Office into previous threats against Mr. Cepeda and his colleagues of the Alternative Democratic Pole in Parliament show that none of the culprits have yet been identified and held to account;
5. *Calls on* the competent authorities, as is their duty, to conduct an effective investigation into these threats, in particular those received by Mr. Cepeda and a legislative assistant since they have taken on particular urgency; *fails to understand* how the Prosecutor's Office would have concluded that the so-called organization "*Los rastros - Comandos Urbanos*", which has been the source of multiple threats, does not exist; *wishes to receive* clarification on this point along with specific information on progress made in the investigations;
6. *Considers* that, in the light of the failed attempt on his life and the increasing threats and stigmatization he faces in Colombia, the protection of Mr. Cepeda and his legislative team has to be taken extremely seriously; *calls on* the competent authorities to ensure without delay that an effective security detail is in place for them as well as for the other parliamentarians of the Alternative Democratic Pole who have received death threats;
7. *Reaffirms its view* that those death threats, which affect the persons' individual physical integrity and jeopardize the work of the political opposition and the smooth functioning of parliament, are particularly serious since they are part of a wider violent attack on that party and its members and come from self-proclaimed paramilitary groups whose predecessors have shown in the case of the Patriotic Union party in the past what can be the outcome of political persecution if it is not effectively halted;
8. *Urges* therefore the authorities to do everything possible to reverse the resurgence of illegal armed groups; *observes* that the fact that individual groups have directly claimed responsibility for many of the incidents should allow the competent authorities to make at least some progress towards holding them to account; *would appreciate* hearing from the Public Prosecutor of Colombia in more detail about steps taken in this regard;

9. *Requests* the Secretary General to convey this resolution to the competent authorities and to the source;
10. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. EC/02 - JAIME RICAURTE HURTADO GONZÁLEZ) ECUADOR
CASE No. EC/03 - PABLO VICENTE TAPIA FARINANGO)

***Resolution adopted unanimously by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Jaime Ricaurte Hurtado González and Mr. Pablo Vicente Tapia Farinango, a member and substitute member respectively of the National Congress of Ecuador who were murdered in broad daylight in the centre of Quito on 17 February 1999, along with a legislative assistant, Mr. Wellington Borja Nazareno, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Recalling the following:

- The Special Commission of Inquiry (CEI) set up immediately after the murder to help elucidate the crime has from the outset been sharply critical of how the investigation has been conducted and of the prosecution authorities, notably their scant consideration of the serious leads it has presented linking Mr. Hurtado's murder to his uncovering of a web of corruption involving high-profile figures;
- Two culprits, Mr. Ponce and Mr. Contreras, were sentenced at final instance to a 16-year prison term for their role in the murder, which they are both serving;
- In 2009 and 2010, two suspects, Mr. Washington Aguirre and Mr. Gil Ayerve, were arrested in the United States of America and Colombia respectively, which led the Ecuadorian authorities to request their extradition; Mr. Ayerve was extradited in April 2010; on 8 November 2010, the Second Criminal Chamber of the National Court of Justice of Ecuador ruled that, pursuant to Articles 101, 108 and 114 of the Criminal Code, the statute of limitations, which in Ecuador is 10 years for the crime of murder, had expired, thereby barring any criminal proceedings against him; it therefore ordered the national police not to arrest Mr. Ayerve; in response, the National Assembly of Ecuador, in its resolution adopted on 25 November 2010, pointed out that the ruling disregarded the Organic Code on the Function of the Judiciary, which states that for the periods during which the Supreme Court of Justice was suspended owing to the extraordinary events of 2005, 2006 and 2008, the statute of limitations was likewise suspended for the same periods; the National Assembly also affirmed that the ruling was in breach of Article 23 of the Constitution (of 1998) and called on the National Court of Justice to take all necessary legal steps to ensure that those responsible for the murder were held to account,

Considering that, according to information provided by the source on 23 and 24 August 2011, Mr. Ayerve is currently in detention in Ecuador in connection with his alleged involvement in the murder, as well as in drug trafficking, and that his defence counsel is challenging his prosecution with the argument that the statute of limitations has expired regarding the first charge and that the extradition was not related to the second charge; the source fears that Mr. Ayerve may soon be released as a result,

1. *Remains deeply concerned* that, more than 12 years after this high-profile murder was committed, the authorities have failed to identify the instigators and hold to account all the alleged perpetrators of the crime;
2. *Considers* that trial proceedings against Mr. Ayerve are crucial to the pursuit of truth and justice, particularly since they would offer an important opportunity to give due consideration to the work of the CEI, including the substantive leads it has offered for an alternative line of inquiry to shed full light on the crime;

3. *Reaffirms* that, in addition to the arguments found in Ecuadorian legislation in support of continued criminal legal action against Mr. Ayerve, in many jurisdictions across the world, murder, as one of the most heinous crimes, has a statute of limitations far exceeding 10 years, and there are specific circumstances in which it is tolled, most commonly when the suspects are on the run to evade justice, such as in this case;
4. *Calls* therefore on the competent authorities to give the widest possible interpretation to applicable legal provisions and jurisprudence so that Mr. Ayerve will indeed stand trial for his alleged involvement in the murder; *wishes* to be kept informed of any judicial decisions that may be taken with respect to his legal status;
5. *Requests* the Secretary General to convey this resolution to the competent Ecuadorian authorities and to the source and to seek the requested information from them;
6. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

ERITREA

CASE No. ERI/01 - OGBE ABRAHA

CASE No. ERI/02 - ASTER FISSEHATSION

CASE No. ERI/03 - BERHANE GEBREGZIABEHER

CASE No. ERI/04 - BERAKI GEBRESELASSIE

CASE No. ERI/05 - HAMAD HAMID HAMAD

CASE No. ERI/06 - SALEH KEKIYA

CASE No. ERI/07 - GERMANO NATI

CASE No. ERI/08 - ESTIFANOS SEYOUM

CASE No. ERI/09 - MAHMOUD AHMED SHERIFFO

CASE No. ERI/10 - PETROS SOLOMON

CASE No. ERI/11 - HAILE WOLDETENSAE

***Resolution adopted unanimously by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of the above-mentioned parliamentarians, former members of Eritrea's National Assembly, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Recalling the following:

- The parliamentarians concerned (often referred to as the "G11") were arrested on 18 September 2001 after publishing an open letter calling for democratic reform, and have been held incommunicado ever since, accused of conspiracy and attempting to overthrow the legal government, without ever being formally charged or tried;
- In November 2003, upon examination of a complaint concerning their situation, the African Commission on Human and Peoples' Rights found that the State of Eritrea had violated Articles 2, 6, 7(1) and 9(2) of the African Charter on Human and Peoples' Rights, which address the right to liberty and security of person, the right to a fair trial and the right to freedom of expression, and urged the State of Eritrea to order the immediate release of the former parliamentarians and to pay them compensation; the Eritrean authorities have rejected that decision,

Recalling that, according to non-governmental sources, on 3 April 2010, Mr. Eyob Bahta Habtemariam, a former prison guard who fled Eritrea, stated in an interview with Radio Wegahta that only two of the 11 former parliamentarians were still alive, namely Mr. Petros Solomon and Mr. Haile Woldetensae, the others having died since 2001, and that he provided details in this respect,

Recalling that this information is unconfirmed and that, according to one of the sources, no concrete evidence exists to support the prison guard's statements; *recalling* also that the European Commission regularly raises the case of the former parliamentarians concerned with the Eritrean authorities, particularly in the framework of political dialogue; that, however, during the September 2010 session of political dialogue on human rights, the Eritrean side refused to discuss individual cases,

Considering that the report of 18 September 2009 (A/HRC/WG.6/6/ERI/2) prepared by the Office of United Nations High Commissioner for Human Rights for the Universal Periodic Review of the human rights situation in Eritrea, summarizes relevant information contained in the reports of treaty bodies, special procedures and other relevant official United Nations documents; that the report paints a gloomy picture of respect for human rights in the country, where human rights violations by members of the security forces are reportedly committed with total impunity,

1. *Recalls* that 10 years ago the President of Eritrea and Speaker of its Parliament ordered the arrest of the 11 persons concerned, who had been engaged alongside him in the Eritrean People's Liberation Front and became members of the National Assembly; since then, the Eritrean authorities have been flouting their most basic human rights, by holding them incommunicado on account of having exercised their freedom of expression by calling for democratic reform;
2. *Deeply regrets* that for the last seven years the authorities have not only ignored its persistent pleas to end their prolonged incommunicado detention, which is in flagrant breach of the Constitution of Eritrea and the African Charter on Human and Peoples' Rights, but have also not seen fit to provide any information about their state of health; *considers* that the absence of any information about their fate is an affront not only to their human dignity but also to their relatives' right to know what befell them;
3. *Remains deeply concerned* at the allegation that only two of the 11 former parliamentarians may still be alive, and *believes* that this allegation must be taken seriously in the light of the very critical reports on the human rights situation in Eritrea;
4. *Urges once more* the Eritrean authorities to provide information on the fate of the G11 prisoners and to release them forthwith;
5. *Considers* that, on the 10th anniversary of their arbitrary arrest and incommunicado detention, the international community, in particular the parliamentary global community, cannot remain silent in the face of their situation, and *requests* the Secretary General to continue making every effort to draw international attention to this case; *invites* in particular those parliaments in the region having strong ties with Eritrea to intervene with a view to securing the release of the persons concerned;
6. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 126th IPU Assembly (March/April 2012).

CASE No. IS/01 - BIRGITTA JÓNSDÓTTIR - ICELAND

Resolution adopted unanimously by the IPU Governing Council at its 189th session (Bern, 19 October 2011)

The Governing Council of the Inter-Parliamentary Union,

Having before it the case of Ms. Birgitta Jónsdóttir, a member of the Icelandic Parliament, which has been the subject of a study and report of the Committee on the Human Rights of Parliamentarians following the Procedure for the treatment by the Inter-Parliamentary Union of communications concerning violations of the human rights of members of parliament,

Taking note of the report of the Committee on the Human Rights of Parliamentarians, which contains a detailed outline of the case (CL/189/11(b)-R.1),

Considering the following information on file:

- Birgitta Jónsdóttir has been a member of the Icelandic Parliament since July 2009. She was the co-producer of a video, released by Wikileaks, showing United States soldiers shooting civilians in Baghdad from a helicopter;
- On 7 January 2011, she was informed by Twitter that it had received an Order from the United States District Court for the Eastern Division of Virginia to turn over to the United States the records and other information concerning her account. Twitter was given until 26 January to provide the information to the United States Government;

- The information sought by the United States Government with respect to Birgitta Jónsdóttir concerned the period from 1 November 2009 to date and involves subscriber account information including names, user names, screen names or other identities, mailing and other addresses, connection records, or records of session times and duration, length and types of service, telephone or instrument number or other subscriber number or identity, means and sources of payment for such services, including any credit card or bank account number, and billing records, records of user activity for any connections made to or from the account, including the date, time, length, and method of connections, data transfer volume, user name, and source and destination Internet protocol address(es), non-content information associated with the contents of any communication or file stored by or for the account, and correspondence and notes of records related to the accounts;
- The first court order, dated 14 December 2010, was originally kept secret and was only revealed to Birgitta Jónsdóttir and two other persons concerned by the same order, after Twitter took steps to ensure that it could notify the individual concerned;
- The Order of 14 December 2010 has been challenged by the three individuals, with the Electronic Frontier Foundation, the American Civil Liberties Union and the American Civil Liberties Union Foundation representing Ms. Jónsdóttir in the proceedings; on 26 January 2011, the defence counsel of the three individuals submitted a joint sealed motion to the United States District Court for the Eastern District of Virginia, requesting it to unseal the still secret court record of the United States Government's efforts to collect private records from Twitter as well as other companies which may have received such demands; a second joint motion, filed that same day, requested the Court to reconsider and overturn the 14 October 2010 Order;

At the request of Ms. Jónsdóttir's legal counsel in the United States, the IPU submitted on 14 February 2011 a Memorandum to the Court concerning Ms. Jónsdóttir; the Memorandum was accepted by the judge and has become part of the court records; it sets out concerns regarding the potential impact of the Twitter order on: (a) Ms. Jónsdóttir's freedom of expression and her ability fully to exercise her parliamentary mandate; (b) parliamentary immunity as the Twitter order renders the immunity guaranteed to her under Article 49 of the Constitution of Iceland null and void; (c) her right to privacy; and (d) her right to defend herself insofar as the United States authorities may be seeking disclosure of information from other service providers; the Memorandum, therefore, supported the defence motion to vacate the Twitter order and to unseal all other similar disclosure orders regarding Ms. Jónsdóttir;

On 11 March 2011, the Court denied the motion to vacate, granted the motion to unseal only in part and took the request for public docketing of certain material under consideration; the defence counsel has filed objections against the ruling, which are still pending before the District Court Judge,

Considering moreover that:

- Members of parliament enjoy fundamental freedoms, including the right to privacy as well as specific measures of protection to allow them to carry out their work unimpeded;
- Parliamentary immunity ensures that members of parliament cannot be held to account for the opinions they express and the votes they cast, and countries have generally put special mechanisms in place to ensure that they can carry out their mandate without undue restrictions and with full respect for their freedom of expression; as regards Iceland, members of the Althingi are protected under Article 49 of the Icelandic Constitution, which states that: "No member of Althingi may be subjected to custody on remand during a session of Althingi without the consent of Althingi, nor may a criminal action be brought against him unless he is caught in the act of committing a crime. No member of Althingi may be held accountable outside Althingi for statements made by him in Althingi, except with the consent of Althingi";
- In all countries, freedom of expression is essential to democracy; citizens cannot exercise their right to vote or take part in public decision-making if they lack free access to information and ideas and are unable to express their views freely;

- Freedom of expression is even more essential to members of parliament and is recognized as such by courts the world over; without the ability to express their opinions freely, members of parliament cannot represent the people who have elected them;
- Members of parliament are elected by people to represent them in parliament. In their daily work they legislate and they hold the governments to account. They are unable to perform these duties if they cannot receive and exchange information freely without fear of intimidation;
- Citizens will not communicate sometimes sensitive information to their representative without the assurance that their identity will be protected. Members of parliament therefore find themselves in the same situation as journalists, with an absolute need to be able to protect their sources,

Also considering the following:

- Twitter is a website owned and operated by Twitter Inc. It offers a social networking and microblogging service that enables its users to send and read messages called Tweets, which are text-based posts of up 140 characters displayed on the user's profile page. Tweets are publicly visible by default; however, senders can restrict message delivery to followers;
- Members of parliament are increasingly availing themselves of modern means of communication with citizens. A vast majority of parliamentarians today communicate by email. Social media - Facebook, Twitter, etc. - are on the rise, particularly among young members of parliament and when MPs communicate with youth. These forms of communication are rapidly complementing and replacing yesterday's telex, telephone calls and faxes;
- The new social media offer vast opportunities for members of parliament to communicate with the public and to exchange information that is essential to them in their daily work. The use of these media, however, also presents significant risks to parliamentarians that their privacy will be invaded and their parliamentary work impaired;
- For members of parliament, it is essential that any private communication they receive is accorded the same level of protection regardless of the technology, platform and business model used to create, communicate and store it. This does not appear to be the case today,

Considering finally, that Ms. Jónsdóttir is concerned that the United States authorities are seeking disclosure of information from other US-based service providers without her knowledge; there are fears that those providers may meanwhile already have turned over to the Court information on her accounts; moreover, according to information provided in October 2011, Ms. Jónsdóttir may have become the subject in the United States of America of a preliminary criminal investigation before a grand jury in relation to three files which seem to concern information retrieved from her accounts with other social media and Internet search engines,

1. *Affirms* that freedom of expression goes to the heart of democracy and is essential to members of parliament; without the ability to express their opinions freely, members of parliament cannot represent the people who have elected them; if they cannot receive and exchange information freely without fear of interference they cannot legislate and hold the government to account;
2. *Recalls* that Article 19 of the Universal Declaration of Human Rights upholds the right of everyone to freedom of opinion and expression; it stipulates that this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers;
3. *Notes* that, under standard human rights conventions and their jurisprudence, restrictions on the freedom of expression are subject to a threefold test: they should be prescribed by law, they must be necessary in a democratic society, and they must be proportionate to these necessary purposes;
4. *Fails to see* how the restrictions on freedom of expression that would result from compliance with the Twitter court order can be justified on such grounds, and *holds* that, on the contrary, such compliance would jeopardize a member of parliament's right to freedom of expression and hence his/her ability to seek, receive and impart information freely, which is absolutely necessary in a democratic society;

5. *Is concerned* that the national and international legal framework concerning the use of electronic media, including social media, does not appear to provide sufficient guarantees to ensure respect for freedom of expression, access to information and the right to privacy; the guarantees protecting freedom of expression and privacy in the "offline world" seem not to operate in the "online world";
6. *Notes also with concern* that the parliamentary immunity Ms. Jónsdóttir would have enjoyed under Icelandic law in exercising the political activity which is apparently at stake, is not operational in this case; given that the use of social networks by parliamentarians with their constituents and others is today commonplace in many countries, disclosure orders such as the one in question would undermine and even render void the ability of States to protect their members of parliament from unwarranted interference with their mandates;
7. *Expresses deep concern*, therefore, at the efforts made by a State to obtain information about the communications of a member of parliament of another State and the likely consequences of this for members of parliament the world over on their ability to discharge their popular mandate freely;
8. *Is further concerned* that Ms. Jónsdóttir may not only be subject to profiling but be subjected to a criminal investigation on the basis of information retrieved from social media and Internet search engines obtained without her having had the possibility of challenging its disclosure; *notes* in this regard that, unlike Twitter, other companies do not necessarily inform their users of judicial requests for information concerning them directly; *considers* that such a situation would be a grave breach of Ms. Jónsdóttir's fundamental right to defend herself;
9. *Requests* the Secretary General to communicate its concerns in this case to the parliamentary authorities in Iceland and in the United States of America, and to seek their views along with official information regarding a criminal investigation possibly under way against Ms. Jónsdóttir;
10. *Also requests* the Secretary General to conduct a study on the impact of the use of social networks on the exercise of the parliamentary mandate;
11. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. IQ/59 - MOHAMMED AL-DAINY - IRAQ

Resolution adopted by consensus by the IPU Governing Council at its 189th session ² (Bern, 19 October 2011)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Mohammed Al-Dainy, a member of the Council of Representatives of Iraq at the time of the submission of the communication, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Taking into account the information provided by members of the Iraqi delegation to the 125th IPU Assembly, a former parliamentarian and Mr. Al-Dainy's wife at the hearing held with the Committee during the 125th Assembly (October 2011),

Recalling the following:

- Mr. Al-Dainy, a member of the Council of Representatives of Iraq for the legislative period 2006-2010, is known to have investigated conditions of detention in Iraq and the existence of secret detention facilities; in October 2008 he shared the information he had gathered with

² The delegation of Iraq expressed its reservation regarding the resolution.

competent United Nations human rights bodies in Geneva; on 25 February 2009, parliament lifted his immunity on account of an accusation of having masterminded the 12 April 2007 suicide bombing in parliament; Mr. Al-Dainy fled abroad for fear of his life;

- Ten members of his family and another nine members of his staff (mainly escorts) were arrested in different stages during February 2009, and detailed information has been provided by the source about the circumstances of their arrest without warrants, their ill-treatment and the ransacking of their homes; the release of some of them later in 2009 and 2010 has revealed ample evidence that they were tortured in secret detention centres to implicate Mr. Al-Dainy in the commission of crimes, in particular the (a) bombing of the Parliament in April 2007; (b) launching mortar shells into the international zone during the visit of the Iranian President in 2008, and murdering one of the inhabitants of the neighbourhood from where the shells were launched; (c) killing 115 people from Al-Tahweela village whom he buried alive and (d) murdering Captain Ismail Haqi Al-Shamary;
- On 24 January 2010, Mr. Al-Dainy was sentenced to death in absentia; the verdict consists of a little more than one page (French translation), contains two paragraphs dealing with the suicide bombing in parliament and one on the bombing of the Green Zone, six lines on the storing of weapons, the founding of a terrorist organization linked to the Baath party, and to prove that Mr. Al-Dainy committed these crimes, relies heavily on the testimonies of three members of his security staff (Riadh Ibrahim, Alaa Kherallah, Haydar Abdallah) and a secret informant; it does not refer to any of the other accusations,

Considering that at the hearing with the Committee, the following information was provided: acting on letters sent by the IPU Secretary General, the Speaker of the Council of Representatives set up an ad hoc committee of five parliamentarians to examine this case; the committee worked for one month, heard witnesses and gathered information on the spot of alleged crime scenes; it found the following:

- The lifting of Mr. Al-Dainy's parliamentary immunity had violated relevant rules as the decision was taken without the necessary quorum and was therefore unlawful; as regards the accusation of having killed more than 100 villagers in Al-Tahweela village, the investigation on the spot revealed that this crime did not exist; with regard to the firing of mortar shells at the Green Zone during the visit to Baghdad of the Iranian President, Mr. Al-Dainy was in Amman at the time, which is also attested by stamps in his passport; as to the accusation of having murdered Captain Haqi Al-Shamary, the commission found that he was still alive;
- As regards the bombing of parliament in April 2007 at which the parliamentarians heard by the IPU Committee were present and two of them injured, the ad hoc committee concluded that Mr. Al-Dainy was in no way involved in the crime; he was himself in parliament at the time and assisted in taking the injured to the hospital; documents were provided to the IPU Committee showing that the suicide bomber entered parliament with the knowledge of the then Speaker and MP Hassan Deccan and the help of a nephew and an escort of the latter, who all had the necessary badges to enter the Green Zone without being inspected; they were seen entering the then Speaker's office after the explosion; arrest warrants were issued in 2008 for them, but never acted upon; the mother, wife and sister of MP Mohammed Awad, who was killed in the explosion, sued the then Speaker of Parliament and his Deputy, but no action has been taken,

Noting that the ad hoc committee submitted its report to the Speaker, who has now to decide how to act on it, but that the report will be submitted to the first-instance court that dealt with Mr. Al-Dainy's case; that, moreover, the committee has issued recommendations to continue examining questions regarding lifting of parliamentary immunity, the oversight powers of parliament and the existence of secret detention centres,

Noting also that, at the hearing, information provided earlier, namely that the Court of Cassation had quashed the judgment handed down on two of Al-Dainy's escorts, who had testified against him, was confirmed; that the Cassation Court judgment as well as the evidence gathered by the parliamentary ad hoc committee are grounds for a review of Mr. Al-Dainy's case which could lead to his rehabilitation,

Considering that, more generally, the delegation reported on the continuing existence of secret detention centres and the use of torture as well as on the pressure on and intimidation of all those, including members of parliament, who criticize the Government of Prime Minister Al-Maliki, such as the abuse of

parliamentary immunity and threat of criminal proceedings on the basis of accusations by anonymous informants, as well as the use of media to accuse members of parliament; that pressure is also being brought to bear on the judiciary, which is facilitated by the fact that clear legal procedures and rules have not yet been adopted,

Recalling also that the joint study on global practices in relation to secret detention in the context of countering terrorism of the Special Rapporteur on the promotion and protection of human rights while countering terrorism, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Working Group on Arbitrary Detention, and the Working Group on Arbitrary or Involuntary Disappearances (A/HRC/13/42), presented to the United Nations Human Rights Council at its 13th session, includes a chapter on secret detention centres in Iraq and explicitly mentions the group of people arrested in connection with accusations against Mr. Al-Dainy and held in secret detention in a prison in the Green Zone run by the Baghdad Brigade; it describes the torture inflicted on them and their being forced to sign and fingerprint pre-prepared confessions,

Bearing in mind that the 2005 Constitution of Iraq contains a human rights catalogue guaranteeing the following fundamental rights: Article 15: right to life, security and liberty, Article 17 (para. 2): sanctity of the home; homes may not be entered, searched or put in danger except by a judicial decision and in accordance with the law; Article 19 (para. 12): prohibits unlawful detention and detention in places not designed for it,

Bearing in mind also that Iraq is a party to the International Covenant on Civil and Political Rights (ICCPR), which it ratified in 1971; that the Covenant guarantees the right to life and security, prohibits torture, arbitrary arrest and detention and stipulates fair-trial guarantees; *noting* in this respect the concerns which the United Nations Special Rapporteur on the independence of judges and lawyers has voiced on many occasions regarding the observance of those rights in Iraq,

1. *Thanks* the members of the Iraqi delegation for the information they provided;
2. *Is very gratified* by the initiative taken by the Speaker of the Council of Representatives to set up an ad hoc committee to examine Mr. Al-Dainy's case and *commends* the ad hoc committee for its important work;
3. *Notes* that its findings confirm that the charges laid against Mr. Al-Dainy are false, that persons were tortured to obtain testimony against him, and that the trial proceedings are therefore a travesty of justice;
4. *Affirms* that it is in the interests of justice and urgent to invalidate the entire proceedings against Mr. Al-Dainy and to quash the iniquitous verdict against him;
5. *Is confident* that the Council of Representatives will make every effort to ensure the rehabilitation of a former colleague who was punished on account of having, in the exercise of his parliamentary mandate, revealed the existence of secret detention centres and combated the use of torture;
6. *Recalls* that the Iraqi authorities have a duty to abolish the secret detention centres, to investigate the serious allegations of torture and to bring the culprits to justice; *encourages* the Council of Representatives to use its oversight function to ensure respect for the rule of law, to combat torture and to bring about the abolition of all secret detention centres; *offers* the cooperation of the IPU in this endeavour;
7. *Requests* the Secretary General to convey this resolution to the parliamentary and other competent authorities;
8. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. LEB/01 - GIBRAN TUENI) LEBANON
CASE No. LEB/02 - WALID EIDO)
CASE No. LEB/03 - ANTOINE GHANEM)
CASE No. LEB/04 - PIERRE GEMAYEL)

***Resolution adopted unanimously by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Gibran Tueni, Mr. Walid Eido, Mr. Antoine Ghanem and Mr. Pierre Gemayel, all members of the National Assembly of Lebanon who were assassinated, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Taking into account the communication from the Prosecutor General of Lebanon, dated 2 September 2011,

Recalling the following:

- Mr. Tueni, Mr. Eido, Mr. Ghanem and Mr. Gemayel were all outspoken parliamentarians and were killed between 2005 and 2007 in car-bomb attacks, except for Mr. Gemayel, who was gunned down;
- Following Mr. Tueni's assassination, the National Assembly associated itself with the court action taken by the public prosecutor in the case;
- A Special Tribunal for Lebanon was set up by the United Nations and the State of Lebanon to try those responsible for the assassination of former Prime Minister Rafiq Hariri, who was murdered in a car-bomb explosion on 25 February 2005, and started its work in March 2009,

Recalling that, under certain conditions as specified in its Statute, the Special Tribunal may establish jurisdiction in other situations, including in the cases of the four murdered parliamentarians; *considering* nevertheless that, as stated by the Prosecutor General of Lebanon, the investigations into the four cases remained for the time being in the hands of the Lebanese authorities, had been assigned to different judges and were ongoing,

Considering that on 28 June 2011 a pretrial judge of the Special Tribunal confirmed an indictment which its Prosecutor had previously submitted in relation to Mr. Hariri's assassination; the then confidential indictment and accompanying arrest warrants were transmitted to the Lebanese authorities on 30 June 2011; on 9 August 2011 they reported back that no one had been arrested; on 17 August 2011, the Pretrial Judge ordered that the indictment, which concerns four named individuals, be made public,

Bearing in mind that Lebanon is a State party to the International Covenant on Civil and Political Rights and is thus bound to guarantee the right to life,

1. *Thanks* the Prosecutor General for his communication and for his cooperation;
2. *Is nevertheless concerned* that it gives no indication that concrete progress is being made, almost six years after the first murder, towards holding those responsible to account;
3. *Can but consider* in this regard that the Lebanese authorities' failure to implement thus far the recent arrest warrants of the Special Tribunal raises questions about the effectiveness of their fight against impunity in the cases of the four parliamentarians which, along with the murder of Prime Minister Hariri, are part of a string of assassinations of high-profile political politicians that started in 2005;
4. *Affirms* that, as with the murder of Mr. Hariri, so long as those who killed the four parliamentarians remain at large, their murder serves as a deterrent for others wishing to speak out on critical issues and emboldens those bent on silencing such voices, and thus undermines freedom of expression;

5. *Trusts* that the authorities are, as is their duty, doing everything possible to elucidate these crimes and hold the culprits to account; *eagerly awaits* therefore information on the stage reached in the investigations into the cases of the four parliamentarians and as to whether any suspects have been identified and apprehended;
6. *Regrets* the continued absence of information from the National Assembly, which has a special responsibility in a case concerning the murder of four of its members, on any action taken to ensure that justice is done; *calls again on* the National Assembly to be guided by initiatives that other parliaments have taken in exercising their oversight responsibility in similar situations, including by entrusting one of their committees with or creating a special mechanism for regularly monitoring the investigation into the case of the murder of one of their members; *eagerly awaits* the views of the parliamentary authorities on this matter, along with information on any specific steps already taken in this case, including a decision by the National Assembly to associate itself, as in the case of Mr. Tueni, with the court action by the public prosecutor in the other three cases and the outcome of such an association;
7. *Requests* the Secretary General to convey this resolution to the competent parliamentary and judicial authorities of Lebanon;
8. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 126th IPU Assembly (March/April 2012).

MADAGASCAR

CASE No. MAG/05 - LANTONIAINA RABENATOANDRO

CASE No. MAG/06 - HENRI RANDRIANJATOVO

CASE No. MAG/07 - MAMISOA RAKOTOMANDIMBINDRAIBE

CASE No. MAG/08 - RAYMOND RAKOTOZANDRY

CASE No. MAG/09 - RANDRIANATOANDRO RAHARINAIVO

CASE No. MAG/10 - ELIANE NAÏKA

CASE No. MAG/11 - MAMY RAKOTOARIVELO

CASE No. MAG/12 - JACQUES ARINOSY RAZAFIMBELO

CASE No. MAG/13 - YVES AIMÉ RAKOTOARISON

CASE No. MAG/14 - FIDISON MANANJARA

CASE No. MAG/15 - STANISLAS ZAFILAHY

CASE No. MAG/16 - RAKOTONIRINA HARIJAONA LOVANANTENAINA

***Resolution adopted unanimously by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of the aforesaid persons, all members of the Parliament of Madagascar suspended in March 2009, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

recalling that this case must be placed in the context of the events that have taken place in Madagascar since the March 2009 coup d'état and the putting into place of the transition regime, in particular the Accord concluded in March 2011 between the Malagasy political actors and the last crisis-exit road map denoted a commitment of the Malagasy political actors, signed on 16 September 2011 under the auspices of the Southern African Development Community (SADC), which provides in its Article 20 that "[...] The High Transitional Authority (HAT) shall urgently develop and promulgate the necessary legal instruments, including an amnesty law, in order to guarantee the political freedom of all Malagasy citizens in the inclusive process culminating in the holding of free, fair and credible elections", and in its Article 26 that "any person who has been a victim of the political events between 2002 and the date of signature of the present road map who may have suffered prejudices of any nature whatsoever shall be entitled to reparation and/or compensation by the state in accordance with procedures laid down by the Malagasy Reconciliation Council",

recalling that the persons concerned all belong to the movement of the deposed President, Mr. Ravalomanana; that, according to the information supplied in October 2010 by the Permanent Representative of the Republic of Madagascar to the United Nations Office at Geneva, most of them sit in the Lower House of the Transitional Parliament, the Transitional Congress, Mr. Raharinaivo having been elected its Speaker,

Considering that the following information is at present on file with respect to the situation of the persons in question:

- Mr. Lantoniaina Rabenatoandro, Mr. Henri Randrianjatovo, Mr. Mamisoa Rakotomandimbindraibe and Mr. Raymond Rakotozandry were arrested on 23 April 2009 and accused of distribution of weapons and money, incitement to civil war and civil unrest, and destruction of public property; they were released on 18 August 2009 after being sentenced the same day to a suspended 12-month prison term; an appeal against the sentence is ongoing; a ban on leaving the country has been lifted according to information supplied by the Permanent Mission of Madagascar to the United Nations at Geneva;
- Ms. Eliane Naïka was arrested on 12 September 2009 by military personnel who beat her up and took her away, without any arrest warrant, to a gendarmerie post; she was charged with concerted action making open use of force, with jeopardizing internal State security, and with insults and abuse; on 18 September 2009 she was conditionally released and left the country; differing information has been provided by the authorities and the sources as to the dropping of the proceedings against her;
- Mr. Randrianatoandro Raharinaivo was arrested on 15 September 2009 and charged with concerted action to commit violence, unauthorized gatherings, and insults and abuse; he was conditionally released on 19 November 2009; according to the authorities, the proceedings against him have been dropped and he was elected, in October 2010, Speaker of the Transitional Congress;
- Mr. Mamy Rakotoarivelo, Mr. Jacques Arinosy Razafimbelo, Mr. Yves Aimé Rakotoarison and Mr. Fidison Mananjara were subjected to judicial proceedings on the charge of undermining public order; according to information supplied by the authorities in October 2010, the proceedings against them have been dropped, which the source seems to deny; however, Mr. Rakotoarivelo was arrested on 15 March 2011 on the charge of instigating the bomb attack on 3 March 2011 on the vehicle of Mr. Rajoelina; he has meanwhile been released; the charges against him are based on the confessions of two other suspects who were reportedly tortured; the authorities have stated that, on 18 March 2011, the District Attorney immediately proceeded to verify the torture allegations and conferred with the two suspects without the presence of the investigators; they then affirmed that they had never been tortured; in view of that statement, he took the view that no investigation was needed; when they first appeared before the investigating magistrate, both suspects reaffirmed that they had not been tortured; the dean of the investigating magistrates nevertheless invited them to strip in order to detect any traces of lesions or injuries; he recorded in a memorandum the absence of such traces; before admission to the penal establishment, the routine medical showed a normal state of health, with no trace of apparent injuries;
- Mr. Stanislas Zafilahy, head of the parliamentary group of the Ravalomanana movement, was arrested on 11 November 2010 and accused of taking part in an unauthorized gathering, refusing to obey a dispersal order and destroying private property; according to the sources, the gathering in question was an authorized demonstration against the constitutional referendum of November 2010; according to the authorities, Mr. Zafilahy was charged with the crimes of criminal conspiracy and undermining public security and was given a suspended 10-month prison sentence; an appeal is under way;
- Mr. Rakotonirina Lovanantenaina was arrested with four other persons on 22 February 2011; he is reportedly accused of endangering State security by encouraging a group of amateur journalists to set up and run an illegal radio station called "Radio-n'ny Gasy"; the source affirms that this radio station was established in response to the closure by the authorities of some 90 private radio stations in 2010 and the detention of all journalists critical of the authorities; Mr. Lovanantenaina has requested his conditional release, which was initially refused but, according to information from the source, it was finally granted him on 29 September 2011,

Considering that, according to the information supplied by the Ministry of Justice, parliamentarians subjected to judicial proceedings who have not as yet been sentenced at final instance are free to take part in the political process and in the forthcoming elections as voters and candidates,

1. *Notes* that the persons concerned are at present all free; that in five cases a first-instance judgment has been handed down and is being appealed, and that in the other cases, according to the source, proceedings are still under way, whereas according to the authorities, apart from the proceedings brought against Mr. Rakotoarivelo, Mr. Zafilahy and Mr. Lovanantenaina, those brought against the other parliamentarians concerned have been dropped;
2. *Wishes* to receive official information on the judicial situation of the parliamentarians concerned, including information about any bans on leaving the country still imposed on any of the parliamentarians concerned;
3. *Observes* that the September 2011 road map provides for an amnesty law in order to guarantee the political freedom of all citizens, including the parliamentarians concerned, and consequently their free participation in the electoral process ahead; *recalls* that an amnesty was also provided for in the previous agreements, and *wishes* to receive official information as to the prospect of adoption of the amnesty in the near future;
4. *Notes furthermore* that the prosecution has decided not to conduct an investigation into the torture allegations in the case of the attack of 3 March 2011; *considers* nevertheless that neither the statement of an alleged victim of torture nor the visual inspection of that person by someone not a physician, nor again a routine examination upon admission to a penal establishment, would alone suffice to conclude that torture was not used, and that consequently only an effective and impartial investigation could establish the facts; *recalls* in this respect that, in its initial report under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment submitted in October 2010,³ the authorities ascribe the small number of torture complaints in Madagascar to the fear of reprisals and the lack of guarantees of legal protection for victims and witnesses before the adoption of the national legislation against torture (which entered into force in 2010); *considers* therefore that, failing such an investigation, the testimony of the suspects against Mr. Rakotoarivelo remains tainted and should not be utilized against him; *wishes to receive* the observations of the authorities on the subject;
5. *Requests* the Secretary General to bring this resolution to the attention of the competent authorities, in particular the parliamentary authorities, inviting them to supply the desired information;
6. *Requests* the Committee to continue examining this case and to report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. MAL/15 - ANWAR IBRAHIM - MALAYSIA

Resolution adopted by consensus by the IPU Governing Council at its 189th session⁴
(Bern, 19 October 2011)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Anwar Ibrahim, an incumbent member of the Parliament of Malaysia, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

³ CAT/C/MDG/1 of 23 February 2011.

⁴ The delegation of Malaysia expressed its reservation regarding the resolution.

Referring also to the first trial observer report submitted by Mr. Mark Trowell QC, in August 2010 (CL/187/12(b)-R.2), as well as to his second report, submitted in March 2011, and the comments provided thereon by the Malaysian delegation to the 124th IPU Assembly (CL/188/13(b)-R.3), *noting* that, in another report, Mr. Mark Trowell responded to the comments of the Malaysian delegation and has since then provided the Committee with reports on the hearings in this case which he observed in June, August and September 2011,

Noting that, in his letter of 12 October 2011, the Speaker of parliament referred to the *sub judice* stage of the trial under way against Anwar Ibrahim, as did the members of the Malaysian delegation whom the Committee heard during the 125th IPU Assembly,

Recalling that Dato Seri Anwar Ibrahim is being prosecuted, for the second time, on a charge of sodomy under Section 377B of the Malaysian Penal Code and that the proceedings have raised serious questions regarding the fairness of the trial; *recalling* in this respect that, upon the revelation of a liaison between the complainant (the alleged victim) and a member of prosecution team, the trial observer considered that the prosecution was compromised to the point that the case should be discontinued,

Considering that, at the close of the prosecution case, the trial Judge ruled on 16 May 2011 that there was a *prima facie* case and that the accused therefore had a defence to enter, stating inter alia the following: "... I find the prosecution, through the evidence of PW1 (the alleged victim) which had been corroborated in material particulars, had proved all the facts required to establish all of the ingredients of the charge ...",

Considering that, in his report of June 2011 on this issue, Mr. Trowell observed that the sentence quoted above seemed to suggest that the Judge concluded that the prosecution had proved the charge and that, if this was so, he applied a higher standard of proof as required under the Malaysian Criminal Procedure Act⁵ which would not be appropriate at this intermediate stage of the proceedings; it "would be an error of law for a judicial officer to come to that conclusion without hearing all of the evidence and not just the prosecution witnesses"; however, Mr. Trowell also stated that the evidence referred to by the Judge was sufficient to require the accused to answer the prosecution case, but was by no means conclusive evidence as it was untested evidence,

Considering that the defence case opened on 22 August 2011 with the accused, Anwar Ibrahim, making a statement from the dock, that a number of defence witnesses were heard, in particular two forensic experts, a molecular geneticist specializing in DNA testing for forensic and diagnostic matters, and Anwar Ibrahim's orthopaedic surgeon who had operated on him following the injuries he had sustained when assaulted by police in 1998 while in detention during his first sodomy trial; *noting* that, according to the trial observer, at the conclusion of the latter's testimony, it was anticipated that the defence case would close; that, however, the Judge allowed an application of the Deputy Prosecutor to call rebuttal witnesses to deal only with the testimony of Anwar Ibrahim's surgeon concerning his physical ability to perform the alleged sexual act, and that therefore the proceedings are still continuing,

Recalling further that on 16 December 2010 the House of Representatives, endorsing a decision by the Committee on Privileges which it adopted at the closure of a procedure in which Anwar Ibrahim was denied his right to defence, either through legal representation or in person, suspended Anwar Ibrahim for six months on account of a statement he had made on 17 March 2010 on the floor of the House deemed to have misled the House,

1. *Thanks* the Speaker of Parliament and the Malaysian delegation for their cooperation; *also thanks* Mr. Mark Trowell QC for his report;
2. *Notes* that Anwar Ibrahim's six-month suspension period has now concluded; *deeply regrets* Parliament's suspension decision since it punished a member of parliament on account of a statement which should have been protected by parliamentary privilege; *firmly believes* that such decisions can only prejudice the ability of members of parliament to speak freely on the floor of the House on all issues of concern to them, and that they thus jeopardize Parliament's essential function as a debating chamber;
3. *Notes* that the sodomy trial against Anwar Ibrahim is still under way and *requests* the Committee to follow attentively observance of respect for the procedure and the rights of the defence;

⁵ Section 180, para. 1, of the Malaysian Criminal Procedure Act reads as follows: "When the case for the prosecution is concluded, the Court shall consider whether the prosecution has made out a *prima facie* case against the accused."

4. *Notes*, however, that there is nothing to dispel the concerns it has expressed earlier about those proceedings, in particular regarding their timing, the implication in the proceedings of members of the prosecution team who were involved in the first sodomy trial, the meeting between the alleged victim and then Deputy Prime Minister Najib Razak, and the systematic refusal of the trial Judge to admit defence petitions for the disclosure of vital prosecution evidence;
5. *Requests* the Secretary General to convey this resolution to the parliamentary authorities, to Anwar Ibrahim and to his defence team, along with Mr. Trowell's final report on the trial;
6. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. MON/01 - ZORIG SANJASUUREN - MONGOLIA

***Resolution adopted unanimously by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Zorig Sanjasuuren, a member of the State Great Hural of Mongolia who was murdered in October 1998, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Taking into account the information provided by Mr. Zorig's sister, herself a member of the Mongolian parliament, at a hearing with the Committee held during the 125th IPU Assembly (October 2011),

Recalling the following:

- Mr. Zorig Sanjasuuren, a leader of the democracy movement in Mongolia in the 1990s, was assassinated in October 1998; the investigation carried out ever since then by Police and the Central Intelligence Agency has remained unavailing so far; this failure has been attributed largely to the inexperience of police regarding the investigation of cases of contract killings such as this one, the failure to secure the crime scene and allowing 40 to 50 people to walk in and thus pollute it, together with a certain lack of political will of the authorities in place at the time;
- Technical assistance in forensic matters was provided to the investigators but, owing to the confidentiality of the investigation, no information has been made available as to whether or not the results of the testing carried out are such as to shed more light on the murder and help the investigation forward;
- The State Great Hural set up a working group on this case which first functioned from 1998 to 2000; in 2006 a new working group was established which continues to function to date and has the mandate to follow the investigation and to ensure that it receives the necessary assistance and support; however, no information has ever been provided on any results it may have achieved,

Considering that, according to Mr. Zorig's sister, the case has been taken up by the National Security Council (comprising the President, the Prime Minister and the Speaker of the State Great Hural), which discussed it at a meeting in September 2011 that the Prosecutor General attended; that, moreover, the head of the police working group on this case reportedly still believes that the case can be resolved; *noting* also that the case may be transferred to a special investigation unit in the Prosecutor General's Office, where it would receive more active attention,

Considering further that, some time ago, a member of parliament put a query to the Minister of Justice regarding this case in the hope of initiating a parliamentary debate; that, however, did not materialize since the Minister referred to the confidentiality of the investigation,

1. *Regrets* that 13 years of uninterrupted investigation have failed to shed led on Mr. Zorig's murder, but believes, as examples throughout the world show, that cases such as this one can be resolved even after so many years have elapsed provided the competent authorities display the necessary will and are given the necessary support;

2. *Is therefore gratified* to note that the highest State authorities, as represented in the National Security Council, have taken up this case and *considers* that their determination to have this crime elucidated can be instrumental to this end; *can only encourage* the authorities to take any measures, such as involving the special unit in the Prosecutor General's office in the investigation, which may lend the investigation fresh impetus;
 3. *Believes*, while acknowledging that certain investigation details must remain confidential, that a parliamentary debate on the case and its non-confidential aspects would also contribute to revitalizing this case; *encourages* therefore the parliament, and in particular the working group, to take such an initiative;
 4. *Reiterates* its commitment to assisting the parliament, if so requested, in any way it can with a view to lending fresh impetus to the investigation;
 5. *Requests* the Secretary to convey this resolution to the President of Mongolia, the Speaker of Parliament and the Prosecutor General;
 6. *Requests* the Committee to continue examining this case and to report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).
-

MYANMAR

Parliamentarians reportedly serving sentences:

CASE No. MYN/35 - SAW HLAING ⁶	CASE No. MYN/242 - KYAW KYAW
CASE No. MYN/104 - KYAW KHIN ⁷	CASE No. MYN/261 - U NYI PU
CASE No. MYN/236 - KHUN HTUN OO	CASE No. MYN/262 - TIN MIN HTUT
CASE No. MYN/237 - KYAW SAN ⁸	CASE No. MYN/263 - WIN MYINT AUNG
CASE No. MYN/238 - KYAW MIN	CASE No. MYN/264 - THAN LWIN ⁹
CASE No. MYN/241 - KHIN MAUNG WIN	CASE No. MYN/265 - KYAW KHAING

Parliamentarians who died in custody or soon after their release:

CASE No. MYN/53 - HLA THAN	CASE No. MYN/131 - HLA KHIN
CASE No. MYN/55 - TIN MAUNG WIN	CASE No. MYN/132 - AUN MIN
CASE No. MYN/72 - SAW WIN	CASE No. MYN/245 - MYINT THEIN ¹⁰
CASE No. MYN/83 - KYAW MIN	

Parliamentarians assassinated:

CASE No. MYN/66 - WIN KO
CASE No. MYN/67 - HLA PE

Resolution adopted unanimously by the IPU Governing Council at its 189th session (Bern, 19 October 2011)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of the above-mentioned former members-elect of the Pyithu Hluttaw (People's Assembly) of the Union of Myanmar, all elected in the elections of May 1990, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

⁶ Mr. Saw Hlaing was released on 12 October 2011.

⁷ Mr. Kyaw Khin was released on 12 October 2011.

⁸ Mr. Kyaw San was released on 17 May 2011.

⁹ Mr. Than Lwin was released on 12 October 2011.

¹⁰ On 2 April 2008, MPU-Burma affirmed that Myint Thein had died following his release as his health had been badly impaired by his detention.

Recalling that, on 21 March 2011, the United Nations Human Rights Council adopted a resolution in which it called upon the Government to lift restrictions on freedom of assembly, association and movement and on freedom of expression, including for free and independent media, and to end the use of censorship, including the use of restrictive laws to prevent the reporting of views critical of the Government, and strongly urged the Government of Myanmar to release all prisoners of conscience, including the former parliamentarians - numbering 12 at the time - who had been sentenced on the basis of legal proceedings which disregarded their right to a fair trial,

Noting that former parliamentarian Mr. Kyaw San was released on 17 May 2011 upon having served his sentence,

Recalling that since the new Parliament of Myanmar, elected on 7 November 2010, started its work, members of the opposition in Parliament have called on the Government to release all political prisoners, a call which the Minister of Home Affairs dismissed on 22 March 2011 as untimely; that, however, at the end of August 2011, members of Parliament again raised the matter of an amnesty,

Considering that, on 11 October 2011, the Government indeed announced an amnesty for more than 6,000 prisoners and that, under the amnesty, Mr. Saw Hlaing, Mr. Kyaw Khin and Mr. Than Lwin were released on 12 October 2011 along with some 200 other political prisoners; that the release took place at a time when the President signed into law a new Labour Organization Act permitting the establishment of trade unions, which had no effect been banned since 1962, and a senior government official talked of the need to do away with censorship,

1. *Notes with appreciation* that three former parliamentarians have been recently released as part of a wider amnesty; *notes also* that one was released upon completion of his sentence;
2. *Stresses* that these persons were all political prisoners held on the basis of unjust laws and unfair procedures; that, along with many others, eight more former parliamentarians are still suffering imprisonment;
3. *Reaffirms its belief* that the release of the remaining imprisoned former parliamentarians, along with all political prisoners, is essential to promoting a meaningful and inclusive process of dialogue and democratic reform in Myanmar; *urges* therefore the authorities once again to proceed swiftly towards putting an unconditional and immediate end to the prolonged incarceration of all political prisoners;
4. *Considers* it likewise essential that the criminal records of all political prisoners, including the former parliamentarians concerned, are erased so that they can fully participate in the democratic transition and national reconciliation process;
5. *Recalls* that seven former parliamentarians have died in prison as a result of their conditions of detention and that two were assassinated without their murder having even been elucidated, and *deeply regrets* this;
6. *Considers* that, with the advent of a parliament and a new government in Myanmar, an on-site visit would be timely and enable it to gather first-hand information on the situation of the eight former parliamentarians concerned; *requests* the Secretary General to seek the approval of the authorities for such a visit;
7. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. PAL/02 - MARWAN BARGHOUTI - PALESTINE/ISRAEL

***Resolution adopted unanimously by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Marwan Barghouti, an incumbent member of the Palestinian Legislative Council, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Also referring to Mr. Simon Foreman's expert report on Mr. Barghouti's trial (CL/177/11(a)-R.2) and to the study published in September 2006 by B'Tselem (the Israeli Information Center for Human Rights in the Occupied Territories), and entitled "Barred from Contact: Violation of the Right to Visit Palestinians Held in Israeli Prisons",

Recalling the following: Mr. Barghouti was arrested on 15 April 2002 in Ramallah by the Israeli Defence Forces and transferred to a detention centre in Israel; on 20 May 2004, Tel Aviv District Court convicted him on one murder charge relating to attacks that killed five Israelis, on one account of attempted murder relating to a planned car bomb attack and of membership in a terrorist organization, and sentenced him to five life sentences and two 20-year prison terms; Mr. Barghouti did not lodge an appeal because he does not recognize Israeli jurisdiction; in his comprehensive report on Mr. Barghouti's trial, Mr. Foreman stated that "the numerous breaches of international law make it impossible to conclude that Mr. Barghouti was given a fair trial"; those breaches include the use of torture,

Recalling that, in its concluding observations on the third periodic report of Israel under the International Covenant on Civil and Political Rights (ICCPR),¹¹ the Human Rights Committee recommended that Israel incorporate in its legislation the crime of torture, that it should ensure that all alleged cases of torture and cruel, inhuman or degrading treatment by law enforcement officials are thoroughly and promptly investigated by an independent authority, that those found guilty are punished with sentences commensurate with the gravity of the offence, and that compensation is provided to the victims or their families; that, moreover, it recommended that all persons under its jurisdiction and effective control be afforded full enjoyment of the rights enshrined in the Covenant,

Considering that, according to the terms of the Israel-Hamas brokered prisoner exchange, on 16 October 2011 Israel published a list of 477 Palestinian prisoners to be released in a first stage in exchange for Israeli soldier Gilad Shalit, captured in 2006 during a cross-border attack on Israeli military installations; *noting* that those to be released include many convicted of plotting suicide bombings inside buses and restaurants, such as Ahlam Tamimi sentenced to 16 life sentences, but that Mr. Barghouti is not on the list; *recalling* that several members of the Knesset have in the past called for his release, such as MK Amir Peretz in March 2008 and Guideon Ezra, member of Kadima later on and that, following Mr. Barghouti's election in August 2009 to Fatah's Central Committee, the then Israeli Minister for Minority Affairs, Avishai Braverman, expressed support for his release,

1. *Reaffirms* its position that Mr. Barghouti's arrest and transfer to Israeli territory was in violation of international law; *also reaffirms*, in the light of the compelling legal arguments put forward in Mr. Foreman's report, on which the Israeli authorities have not provided observations, that Mr. Barghouti's trial failed to meet the fair-trial standards which Israel, as a party to the International Covenant on Civil and Political Rights, is bound to respect, and that as a result Mr. Barghouti's guilt has not been established;
2. *Deeply regrets* that Mr. Barghouti is not on the list of the Palestinian prisoners to be released, and *reiterates* its call for his immediate release;
3. *Also regrets* the absence of any official response regarding the conditions under which Mr. Barghouti is currently held, in particular as regards his family visiting rights and the access to medical care afforded him; *reiterates* its wish to ascertain those conditions;

¹¹ CCPR/C/ISR/CO/3.

4. *Considers* that the many national and international reports denouncing the conditions of detention of Palestinian prisoners in Israeli jails should be of concern to the Knesset; *reaffirms* that the Knesset is not only fully entitled to but should exercise its oversight function of the Israeli prison service with regard not only to Israeli but also to Palestinian prisoners in Israeli jails and so ensure that all persons under Israel's jurisdiction and effective control are afforded full enjoyment of the rights enshrined in the International Covenant on Civil and Political Rights (ICCPR);
5. *Reiterates* its long-standing wish to be granted permission to visit Mr. Barghouti;
6. *Requests* the Secretary General to forward this resolution to the Speaker of the Knesset and to the competent governmental and administrative authorities, and to seek from them the requested information;
7. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. PAL/05 - AHMAD SA'ADAT - PALESTINE / ISRAEL

Resolution adopted unanimously by the IPU Governing Council at its 189th session (Bern, 19 October 2011)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Ahmad Sa'adat, elected in January 2006 to the Palestinian Legislative Council, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Referring also to the study produced by the Israeli non-governmental organization Yesh Din (Volunteers for Human Rights) on the implementation of due process rights in Israeli military courts in the West Bank entitled "Backyard Proceedings", which reveals the absence of due process rights in those courts, and to the study published in September 2006 by B'Tselem (the Israeli Information Center for Human Rights in the Occupied Territories) entitled "Barred from Contact: Violation of the Right to Visit Palestinians Held in Israeli Prisons",

Recalling the following:

- On 14 March 2006, Mr. Sa'adat, whom the Israeli authorities had accused of involvement in the October 2001 murder of Mr. R. Zeevi, the Israeli Minister of Tourism, was abducted by the Israeli Defence Forces from Jericho jail and transferred to Hadarim prison in Israel together with four other prisoners suspected of involvement in the murder; the Israeli authorities concluded one month later that he had not been involved in the killing and charged the other four suspects with the murder; subsequently 19 other charges were brought against Mr. Sa'adat, all of which arise from his leadership of the Popular Front for the Liberation of Palestine (PFLP), considered a terrorist organization by Israel, and none of which allege direct involvement in crimes of violence; on 25 December 2008 Mr. Sa'adat was sentenced to 30 years' imprisonment;
- Mr. Sa'adat suffers from cervical neck pain, high blood pressure and asthma and has reportedly not been examined by a physician and does not receive the necessary medical treatment; at the beginning of his detention the Israeli authorities refused to let his wife visit him; for the first seven months, Mr. Sa'adat received no family visits; his children, with Palestinian identity cards, have not been allowed to visit their father since his arrest, for reasons unknown; in March and June 2009, solitary confinement was imposed on him, which was why he went on a nine-day hunger strike in June 2009;
- On 21 October 2010, Mr. Sa'adat's fourth isolation order, due to expire on 21 April 2011, was confirmed for a further six months, and has in April 2011 reportedly once again been extended so that he has been held in isolation for almost three years,

Noting that, in protest against the abusive use of isolation by the Israeli Prison Service and the announcement in July 2011 by Israeli Prime Minister Netanyahu of a new punitive policy which would further restrict prisoners' access to education and family visits and increase the use of isolation and fines as punishment, prisoners held in different Israeli prisons have been on a hunger strike since early October 2011; that, according to one of the sources, prisoners from the PFLP have laid particular emphasis in their actions on showing solidarity with Ahmad Sa'adat,

Considering that, according to the terms of the Israel-Hamas brokered prisoner exchange, on 16 October 2011 Israel published a list of 477 Palestinian prisoners to be released in a first stage in exchange for Israeli soldier Gilad Shalit captured in 2006 during a cross-border attack on Israeli military installations; *noting* that those to be released include many prisoners convicted of plotting suicide bombings inside buses and restaurants, such as Ahlam Tamimi sentenced to 16 life sentences, but that Mr. Sa'adat is not on the list,

Recalling that, in its concluding observations on the third periodic report of Israel under the International Covenant on Civil and Political Rights (ICCPR),¹² the Human Rights Committee recommended that all persons under Israel's jurisdiction and effective control be afforded full enjoyment of the rights enshrined in the Covenant,

1. *Is appalled* at what seems to be a systematic renewal of the isolation orders imposed on Mr. Sa'adat which can but only seriously impair his state of health;
2. *Urges* the authorities once again to refrain from extending isolation orders on Mr. Sa'adat, and *recalls* that they are responsible for any irremediable harm to his health while in their custody;
3. *Firmly recalls* that, under international human rights law, all persons deprived of their liberty have the right to be treated with humanity and with respect for the inherent dignity of the human person, and not to be subjected to torture and to cruel, inhuman or degrading treatment or punishment; *recalls* that international human rights bodies have on several occasions concluded that prolonged periods of isolation are tantamount to torture;
4. *Reiterates* its wish to ascertain Mr. Sa'adat's current conditions of detention and to be granted permission to visit Mr. Sa'adat;
5. *Considers* that the many national and international reports denouncing the detention conditions of Palestinian prisoners in Israeli jails should be of concern to the Knesset; *reaffirms* that the Knesset is not only fully entitled to but should exercise its oversight function of the Israeli prison service with regard not only to Israeli but also to Palestinian prisoners in Israeli jails, and so ensure that all persons under Israel's jurisdiction and effective control are afforded full enjoyment of the rights enshrined in the International Covenant on Civil and Political Rights (ICCPR);
6. *Reaffirms* its position that Mr. Sa'adat's abduction and transfer to Israel was related not to the murder charge but rather to his political activities as PFLP General Secretary, and that the proceedings brought against him were, therefore, based on political considerations;
7. *Deeply regrets* that Mr. Sa'adat is not on the list of the Palestinian prisoners to be released in exchange for Israeli soldier Gilad Shalit; *reiterates* its call for his immediate release;
8. *Requests* the Secretary General to forward this resolution to the Speaker of the Knesset and to the competent Israeli governmental and administrative authorities, and to seek from them the requested information;
9. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

¹² CCPR/C/ISR/CO/3.

PALESTINE / ISRAEL

CASE No. PAL/16 - OMAR MATAR

(aka OMAR ABDEL RAZEQ)

CASE No. PAL/17 - NAYEF AL-ROJOUN

CASE No. PAL/18 - YASER MANSOOR

CASE No. PAL/19 - HUSNY AL-BURIENY

CASE No. PAL/20 - FAT'HY QARA'WI

CASE No. PAL/21 - IMAD NAWFAL

CASE No. PAL/22 - ANWAR ZBOUN

CASE No. PAL/23 - MAHMOUD AL-KHATEEB

CASE No. PAL/24 - ABDULJABER AL-FUQAHA

CASE No. PAL/25 - KHALED YAHYA

CASE No. PAL/26 - KHALED SULAIMAN

CASE No. PAL/27 - NASER ABDULJAWAD

CASE No. PAL/28 - MUHAMMAD ABU-TEIR

CASE No. PAL/29 - AHMAD 'ATTOUN

CASE No. PAL/30 - MUHAMMAD TOTAH

CASE No. PAL/31 - IBRAHIM SAED ABU SALEM

CASE No. PAL/32 - BASEM AHMED ZAARER

CASE No. PAL/33 - IBRAHIM MOHAMED DAHBOOR

CASE No. PAL/34 - MOHAMED MAHER BADER

CASE No. PAL/35 - MOHAMED ISMAIL AL-TAL

CASE No. PAL/36 - FADEL SALEH HAMDAN

CASE No. PAL/37 - ALI SALEEM ROMANIEN

CASE No. PAL/38 - SAMEER SAFEH AL-KADI

CASE No. PAL/39 - REYAD ALI EMLEH

CASE No. PAL/41 - REYAD MAHMOUD RADAD

CASE No. PAL/42 - KALI MUSA RBAE KHALIL

CASE No. PAL/43 - M. MOTLAK ABU JHEASHEH

CASE No. PAL/44 - WAEL MOHAMED ABDEL RUMAN

CASE No. PAL/45 - MAHMOUD IBRAHIM MOSLEH

CASE No. PAL/46 - AHMED ABDEL AZIZ MUBARAK

CASE No. PAL/47 - HATEM QFEISHEH

CASE No. PAL/48 - MAHMOUD AL-RAMAHI

CASE No. PAL/49 - ABDERRAHMAN ZAIDAN

CASE No. PAL/51 - AYMAN DARAGHMEH

CASE No. PAL/52 - NIZAR RAMADAN

CASE No. PAL/53 - AZZAM SALHAB

CASE No. PAL/54 - KHALED TAFISH

CASE No. PAL/55 - MOHAMMED AL-NATSEH

CASE No. PAL/56 - AHMED AL-HAJ ALI

***Resolution adopted unanimously by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of the above-mentioned parliamentarians, all of whom were elected to the Palestinian Legislative Council (PLC) in January 2006, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Referring to the report on the hearing of 26 July 2011 before the Supreme Court regarding the revocation of the Jerusalem residency permits of Mr. Muhammad Abu-Teir, Mr. Ahmad Attoun and Mr. Mohamed Totah, prepared by Barrister Alex McBride (CL/189/11(b)-R.2),

Referring also to the study produced by the Israeli non-governmental organization Yesh Din (Volunteers for Human Rights) on the implementation of due process rights in Israeli military courts in the West Bank, entitled "Backyard Proceedings", which reveals the absence of due process rights in those courts, and to the study published in September 2006 by B'Tselem (the Israeli Information Center for Human Rights in the Occupied Territories) and entitled "Barred from Contact: Violation of the Right to Visit Palestinians Held in Israeli Prisons",

Taking into account the communication from the Permanent Mission of Israel to the United Nations Offices at Geneva, dated 13 September 2011, forwarding a note prepared by the competent authorities on Israeli law regarding administrative detention,

Recalling the following: the parliamentarians concerned were elected to the Palestinian Legislative Council in January 2006 on the Change and Reform Party list (Hamas) and were arrested following the kidnapping of an Israeli soldier on 25 June 2006, prosecuted and found guilty of membership in a terrorist organization (Hamas), of holding a seat in parliament on behalf of that organization, of providing services to it by sitting on parliamentary committees, and of supporting an illegal organization; they were sentenced to prison terms of up to 40 months,

Considering that, while most of them were released after serving their sentences, many were subsequently rearrested, sometimes several times, and placed in administrative detention; that currently 19 of them are held in administrative detention,¹³ seven of whom have been taken into administrative detention since July 2011,

Bearing in mind the following information provided regarding administrative detention:

- The Israeli authorities point out that Military Order 1651, which empowers the commander of the IDF to detain a person administratively for up to six months, which period may be prolonged if the rationale for the detention is still applicable, is based on the Law of Belligerent Occupation as specified in Article 78 of the 4th Geneva Convention; it is a legal instrument in order to maintain public order or security in the Area; the Israeli Supreme Court has ruled that in order to apply the exceptional measure of administrative detention, there must be a specific and concrete threat posed by a person which is based on current and reliable information; the Court has also determined that all possibilities of using alternative criminal procedure must have been exhausted before resorting to administrative detention; there are two means of judicial review, namely the independent and impartial military courts have the authority to assess the material relevant to the said detainee in order to determine whether the decision to detain him/her was reasonable, given his/her general rights to a fair trial and freedom of movement; the second is the military prosecution which implements a "cautious and level-headed" policy in the use of administrative detention, which is reflected in fewer administrative detention orders;
- Human rights organization in and outside Israel have stressed that military commanders in the West Bank are entitled to impose administrative detention of up to six months if they have "reasonable grounds to presume that the security of the area or public security requires detention"; the Order neither defines the terms "security of the area" and "public security" nor stipulates a maximum cumulative period of administrative detention; it thus allows indefinite arbitrary detention; charges against prisoners, including the parliamentarians in question, are usually those of being a "security threat", but the area and nature of the threat are not specified and evidence not disclosed; although administrative detainees are entitled to appeal, its exercise is ineffective as the detainee and his lawyers lack access to the information on which the orders are based and are therefore unable to present a meaningful defence,

Considering that, according to the Israeli authorities, the administrative detention of Hamas PLC members in recent years has been required by the fact "that they have frequently abused their positions and immunities as parliamentarians to promote and facilitate terrorist activities of Hamas"; *noting* that the list of Change and Reform parliamentarians in administrative detention as of 13 September 2011 provided by the Israeli authorities comprises only nine persons and does not match the list provided by non-governmental sources,

Recalling further the following:

- On 28 May 2006, the then Israeli Minister of the Interior revoked the Jerusalem residency permits for Mr. Abu-Teir, Mr. Totah and Mr. Attoun, arguing that they had shown disloyalty to Israel by holding seats in the PLC; the order was not implemented owing to their arrest on 26 June 2006; after their release in May-June 2010, they were immediately notified that they had to leave East Jerusalem; Abu-Teir was ordered to leave by 19 June 2010 and, refusing to do so, he was arrested on 30 June 2010 and later deported to the West Bank; the other two parliamentarians were ordered to leave by 3 July 2010 and, likewise refusing to comply with the order, they took refuge in the International Committee of the Red Cross (ICRC) building in Jerusalem; according to the sources, on the morning of 26 September 2011, when Mohammed Atoun was about to give an interview to Al-Quds television, four Israeli security forces dressed as lawyers entered the ICRC compound and violently arrested Attoun damaging his glasses in the process. He was first taken to the Russian Compound Detention Centre but, when seen by a

¹³ Hatem Qafisha (PAL/47), Mahmoud al-Ramahi (PAL/48), Nayef Al-Rujub (PAL/17), Mohamed Al-Tal (PAL/35), Khalil Al-Rabia (PAL/25), Omar Al-Raziq (PAL/16), Mohammed Al-Natseh (PAL/55), Azzam Abd Al-Rahman Salhab (PAL/53), Mohammed Badir (PAL/34), Nizar Abd Alziz Ramadan (PAL/52), Abdel Rahman Zaidan (PAL/49), Ahmed Al-Haj Ali (PAL/56), Samir Al Qadi (PAL/38), Nasser Abdel Jawad (PAL/27), Muhammed Abu Jahasha (PAL/43), Anwar Zboun (PAL/22), Mohammed Abu Teir (PAL/28), Sheik Fadel Saleh Hamdan (PAL/36) and Ahmad Attoun (PAL/29).

doctor there, was taken to a hospital on account of his deteriorating state of health. From the hospital, although he was suffering from severe chest pain, he was reportedly taken back to the detention centre the same day. The reason he has been given for his arrest is his continuing presence in Jerusalem despite the Ministerial Order for him to be deported. The sources believe that he will most likely be charged with illegally entering Israel;

- A petition against the revocation of their residency permit and deportation order was submitted to the Supreme Court, which heard oral argument on 26 July 2011; the Court reserved its judgment to an unspecified future; the IPU trial observer who was present at the hearing, concluding that the hearing fell short of some basic principles of fairness, stated the following in this regard; it was of particular concern that "in circumstances where the very basis of the petitioner's challenge was the secret material that had been used to their great legal detriment, the Supreme Court made no attempt to disclose a redacted version of that material to the petitioners, or to enable them otherwise to understand and challenge the basis on which their legal rights were altered"; this breached the "equality of arms" principle as a central safeguard of any adversarial trial system; the seriousness of these shortcomings was compounded by the court's decision "to proceed with little apparent regard for several of the petitioners" submissions; the observer referred in this regard in particular to Article 11 of the Entry into Israel Law which is drafted in terms "which are remarkably broad"; "the Supreme Court would not, however, hear submissions on the ambit of the respondents (the Minister's) power to revoke a person's residency rights or on the criteria that he ought to apply when coming to such a decision". The observer considered that "the hearing of 26 July 2011 fell short of the obligation that is fundamental to a legal system which purports to be based on the rule of law - the duty to ensure that justice is seen to be done".

Noting that, in protest against the abusive use of isolation by the Israeli Prison Service and the announcement in July 2011 by Israeli Prime Minister Netanyahu of a new punitive policy which would further restrict prisoners' access to education and family visits and increase the use of isolation and fines as punishment, prisoners held in different Israeli prisons have been on a hunger strike since early October 2011,

Considering that, according to the terms of the Israel-Hamas brokered prisoner exchange, on 16 October 2011 Israel published a list of 477 Palestinian prisoners to be released in a first stage in exchange for Israeli soldier Gilad Shalit, captured in 2006 during a cross-border attack on Israeli military installations, and that the release procedures are currently under way,

Bearing in mind finally that, in its concluding observations on the third periodic report of Israel under the International Covenant on Civil and Political Rights (ICCPR),¹⁴ the Human Rights Committee recommended inter alia that all persons under Israel's jurisdiction and effective control be afforded full enjoyment of the rights enshrined in the Covenant,

1. *Thanks* the Israeli authorities for the information provided;
2. *Acknowledges* that, at the normative level and that of relevant jurisprudence by the Supreme Court, safeguards are provided for with a view to preventing the abusive use of administrative detention; *nevertheless notes with regret* that the reality of administrative detention is quite different, mainly owing to the lack of any effective possibility for the detainees to defend themselves, with the result that they are open to arbitrary treatment;
3. *Reaffirms* therefore that not only does the practice of administrative detention violate the international human rights norms to which Israel has subscribed as a party to the ICCPR, but also impedes any proper functioning of the PLC as its members can be arrested at any time and placed in administrative detention for as long as the Israeli military authorities wish;
4. *Thanks* Mr. Alex McBride for his observer report, whose conclusions only confirm the extent to which the secrecy of proceedings is detrimental to respect for fundamental rights;

¹⁴ CCPR/C/ISR/CO/3.

5. *Deeply regrets* that, while the Supreme Court has not as yet ruled on the revocation of the residency permits, Mr. Abu-Teir has already been deported and Mr. Attoun was arrested on the premises of an international organization in highly questionable circumstances, and risks deportation as well;
6. *Reaffirms* that, over and above the compelling legal grounds which prohibit the deportation of the PLC members concerned and the fact that the argument of disloyalty - in itself highly questionable - must fail since the Israeli authorities accepted the participation of Palestinian residents of East Jerusalem in the elections, the deportation would constitute an inhuman act against the persons concerned, their families and their community;
7. *Consequently urges* the Israeli authorities once again to revoke the deportation orders and to issue the persons concerned with the residency permits to which they are entitled;
8. *Calls once again* on the Israeli authorities to release the detained PLC members forthwith, and *wishes to ascertain* their current status, in particular whether any of them are on the list of Palestinian prisoners to be released under the ongoing prisoner swap, as well as their conditions of detention and state of health;
9. *Reiterates its call* on the Israeli authorities, and in particular the Knesset, to heed the recommendations made by the international human rights bodies and mechanisms in this regard, most recently by the United Nations Human Rights Committee in its concluding observations on Israel's 3rd periodic report under the ICCPR, and to bring their practices into conformity with the State's international human rights obligations and hence ensure that all persons under Israel's jurisdiction and effective control are afforded full enjoyment of the rights enshrined in the ICCPR;
10. *Requests* the Secretary General to forward this resolution to the Israeli authorities and to the sources, inviting them to provide the requested information;
11. *Requests* the Committee continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. PHI/02 - SATURNIÑO OCAMPO) PHILIPPINES
CASE No. PHI/04 - TEODORO CASIÑO)
CASE No. PHI/05 - LIZA MAZA)
CASE No. PHI/06 - RAFAEL MARIANO)

***Resolution adopted unanimously by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Saturniño Ocampo, Mr. Teodoro Casiño, Ms. Liza Maza and Mr. Rafael Mariano (the so-called Batasan Four), incumbent members of the House of Representatives of the Philippines at the time the communication was submitted, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Taking into account the letters from the Speaker of the House of Representatives of 8 August 2011 as well as of the information note provided by the Executive Director of the Inter-Parliamentary Relations and Special Affairs Bureau of the House, dated 11 October 2011,

Recalling that the persons concerned were, along with others, prosecuted on a charge of rebellion, which in June 2007 was dismissed by the Supreme Court of the Philippines as unfounded and politically motivated; that soon after the dismissal of this case, new charges were laid against them and have been pending ever since, namely:

- The Batasan Four were charged with murder and kidnapping in 2007; one of the charges was dismissed on account of inadmissible evidence (extrajudicially obtained confessions) being used

while the prosecutor ordered a further preliminary investigation regarding the other charge although it is based on the same inadmissible evidence; the Batasan Four challenged that order before the Supreme Court for grave abuse of discretion, and it has been pending there since March 2009;

- A new murder case was brought against Mr. Ocampo in 2007 and his petition to have the case dismissed for lack of evidence is still pending before the Supreme Court (Leyte murder case);
- A charge of obstructing justice was brought against Mr. Casiño in May 2007 on the ground that he prevented the arrest of a person; Mr. Casiño affirms that he prevented the arrest of a person without an arrest warrant by plain-clothes armed police; the case is still awaiting resolution by the prosecutor;
- A multiple murder charge, concerning cases already dealt with in the context of the rebellion case, was brought against Mr. Ocampo in March 2008 and the proceedings have been suspended pending the decision of the Supreme Court in the Leyte murder case;
- The only case which seems to be proceeding concerns a charge of abduction filed against Mr. Ocampo in March 2008 as the trial was set to start in June 2011 with the taking of petitioner's testimony in court; the update on the cases provided by the House of Representatives does not mention whether or not the case is now indeed proceeding,

Considering that the Secretary of Justice of the Philippines, in her previous letters, has consistently affirmed that under the administration of President Benigno S. Aquino, due process will be respected and the rule of law will form the basis of all actions and decisions and that the Speaker of the House of Representatives, in his letter of 8 August 2011, likewise affirmed that the rule of law and due process would prevail in the resolution of the cases of the "Batasan Four",

1. *Thanks* the Speaker of the House of Representatives for his letter and the Executive Director of the Inter-Parliamentary Relations and Special Affairs Bureau for the information provided;
2. *Notes with regret* that the cases in question have remained at a standstill; *recalls* that the right to be tried without undue delay is an element of the right to fair trial enshrined in the International Covenant on Political and Civil Rights, to which the Philippines is a party and that it is designed to avoid keeping people in a state of uncertainty about their fate for too long; *affirms* that this is particularly important in the case of members of parliament for whom a prolonged state of uncertainty can but impair their ability freely to exercise their parliamentary mandate;
3. *Remains* particularly concerned at the absence of any development in the obstruction of justice case against Representative Casiño which has now been pending for more than four years without the prosecution being able to resolve it; that, moreover, the kidnapping with murder case has not been dismissed although it is reportedly based on evidence declared inadmissible in another case;
4. *Reiterates its wish* to receive official information in this regard, as it is difficult to understand how the prosecution is unable to resolve a case such as the one against Rep. Casiño after more than four years, and how the courts can come to different conclusions regarding the inadmissibility as evidence of extrajudicial confessions;
5. *Highly values* the stated commitment of President Aquino's administration to the rule of law and due process, and *sincerely hopes* that it will come into play also in the cases at hand; *wishes* in this respect once again to recall the Supreme Court's statement in its ruling in the rebellion case emphasizing "the importance of maintaining the integrity of criminal prosecution in general and preliminary investigations in particular" and hence to prevent the justice system from being used for political ends;
6. *Requests* the Secretary General to forward this resolution to the parliamentary authorities as well as to the Secretary of Justice and the National Human Rights Commission;
7. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. RUS/01 - GALINA STAROVOITOVA - RUSSIAN FEDERATION

***Resolution adopted unanimously by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Ms. Galina Starovoitova, a member of the State Duma of the Russian Federation, who was assassinated on 20 November 1998, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Recalling the following information on file, as provided over the years, most recently on 9 October 2009, chiefly by the State Duma, regarding the investigation and judicial proceedings:

- In June 2005, two persons were found guilty of Ms. Starovoitova's murder and sentenced to 20 years in prison by the St. Petersburg City Court, which, in its judgment, concluded that the murder had been politically motivated; in September 2007, two others were found guilty of complicity in the murder and sentenced to 11 and 2 years in prison respectively; four other suspects were acquitted and released;
- National and international arrest warrants are pending for three individuals;
- According to the Prosecutor General's report of 2 October 2009, "the investigation of the case was suspended on 4 September 2009" and "there are at present no grounds for changing the decision taken and reopening the investigation"; yet the same report continues by stating that, in accordance with legislation on criminal proceedings and the Federal Law on "operational investigative activity", the preliminary investigation body determined a set of measures intended to identify the instigators of the crime and locate the accused who were evading justice, and that the investigation of the case and the operational investigative steps were monitored by the Public Prosecution Department in St. Petersburg and by the Prosecutor General's Office,

Recalling that Ms. Starovoitova was a prominent Russian human rights advocate and had denounced instances of high-profile corruption shortly before her assassination; *recalling also* that in November 2009, the United Nations Human Rights Committee expressed "its concern at the alarming incidence of threats, violent assaults and murders of journalists and human rights defenders in the Russian Federation, which has created a climate of fear and a chilling effect on the media ...", and urged it "to take immediate action to provide effective protection and ensure the prompt, effective, thorough, independent, and impartial investigation of threats, violent assaults and murders and, where appropriate, prosecute and initiate proceedings against the perpetrators of such acts"; *recalling further* that many States made similar recommendations during the Universal Periodic Review of the Russian Federation's compliance with its human rights obligations before the United Nations Human Rights Council (February 2009),

Considering that elections for the State Duma will take place in early December 2011,

1. *Deeply regrets* that, almost 13 years after Ms. Starovoitova was murdered for political reasons, there are still no indications that progress is being made to identify and hold to account the masterminds; *regrets* in this regard the absence of any information from the State Duma in the last two years regarding possible developments in the investigation;
2. *Reaffirms* that, as borne out by the many attacks and murders of journalists and human rights defenders that have occurred since Ms. Starovoitova's murder, the failure of the authorities fully to elucidate such crimes, in particular to identify the masterminds, serves as a continuing deterrent for others wishing to speak out on critical issues and can only embolden those bent on silencing such voices, and thus undermine freedom of expression; *strongly believes* that this should be of particular concern to the members of the State Duma, who cannot exercise their mandates without being able to speak out fearlessly;
3. *Calls again on* the authorities to do their utmost, as is their duty, to lend fresh impetus to the investigation with a view to finally elucidating this crime and identifying the instigators;

4. *Calls on* the Parliament of the Russian Federation, which has a vested interest in the case since the victim was one of its members and was killed on account of having exercised her freedom of speech, a parliamentarian's basic tool, to continue ensuring strict oversight as warranted by the apparent lack of results;
5. *Requests* the Secretary General to bring this resolution to the attention of the new parliamentary authorities, inviting them to provide information on the monitoring steps that have been and might be taken with respect to the investigation, in addition to information on the status of the efforts made to identify the masterminds; *also requests* the Secretary General to convey the resolution to the source;
6. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. RW/06 - LÉONARD HITIMANA - RWANDA

Resolution adopted unanimously by the IPU Governing Council at its 189th session (Bern, 19 October 2011)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Léonard Hitimana, who disappeared in April 2003 while he was a member of the Transitional National Assembly of Rwanda, which was subsequently dissolved on 22 August 2003, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Having before it the Committee's report on the on-site mission which took place from 12 to 15 June 2011, including the letter from the Speakers of both Houses of 14 October 2011 reporting that they were unaware of any new evidence having emerged since the mission,

1. *Thanks* the authorities for hosting and cooperating with the mission, enabling the mission fully to discharge its mandate;
2. *Also thanks* the mission for its work and *endorses* its conclusions;
3. *Is particularly pleased* to note that all authorities with whom the mission met were in agreement that Mr. Hitimana's disappearance had to be fully elucidated;
4. *Is therefore gratified* by the pledge of the Minister of Justice to ensure that a thoroughgoing investigation is conducted covering also the possibility that Mr. Hitimana was assassinated in Rwanda;
5. *Emphasizes* that the information gathered by the mission clearly shows that the assumption that Mr. Hitimana fled abroad cannot stand and that, consequently, any investigation based on that assumption is bound to fail, as is borne out by the investigation carried out so far; *stresses* also that, as the mission report shows, Mr. Hitimana was not a junior politician but played an important role in his party, particularly at the time of his disappearance;
6. *Is concerned* at the mission's observation regarding the near impossibility of meeting witnesses, as this shows that potential witnesses are in fear and will not come forward unless their protection is guaranteed; *is confident* that the authorities will give this serious consideration and take measures to address this important issue; *would appreciate* being informed of any such initiatives;
7. *Regrets* that, contrary to what the mission was told, Mr. Hitimana's father has not as yet been released;

8. *Sincerely hopes*, that with new lines of inquiry being followed, new evidence will soon emerge, and *looks forward* to receiving information to this effect;
9. *Requests* the Secretary General to convey this resolution to the parliamentary authorities and to the sources;
10. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. SRI/49 - JOSEPH PARARAJASINGHAM - SRI LANKA

***Resolution adopted unanimously by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Joseph Pararajasingham, a member of the Parliament of Sri Lanka assassinated on 24 December 2005, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011), *referring also* to the report of the on-site mission to Sri Lanka carried out by the Committee in February 2008 (CL/183/12(b)-R.2),

Taking into account the information which Minister Mahinda Samarasinghe, Special Envoy of the President of Sri Lanka for Human Rights, provided to the Committee on the Human Rights of Parliamentarians at the hearing held during the 125th IPU Assembly,

Recalling the following information on file:

- Mr. Pararajasingham, a member of the Tamil National Alliance (TNA), was shot dead on 24 December 2005 during the Christmas Eve mass at St. Mary's Church in Batticaloa by unidentified gunmen in the presence of some 300 persons; his wife and seven other persons sustained gunshot injuries; St. Mary's Church was located in a high-security zone between two military checkpoints; at the time of the murder, additional security forces were on duty, which suggests that the culprits could have escaped only with the complicity of the security forces;
- According to the information provided by Minister Samarasinghe in October 2009, one of the main problems was the question of witnesses as the priest playing the organ had been unable to identify any suspects, and witnesses were afraid to come forward;
- The police had been unable to establish whether the information provided on the occasion of the on-site mission was bona fide, suggesting that a certain "Ravi" (Kaluthavalai or Kommathurai Ravi) was the killer, since TNA parliamentarians who had provided the name were unable to give an address; according to the sources, Ravi was a member of the Karuna group and well known in the region; Minister Samarasinghe stated that this information proved unavailing because Ravi was a common name used by Tamils, and Kaluthavalai and Kommathurai are names of villages and that, since these names are common in the villages, it was difficult to trace them;
- Six empty 9mm cartridges found at the crime scene were sent to the Government analyst; two army-type uniforms were recovered from locations in the church and two soldiers who had been roaming around during the night of 24/25 December 2005 were taken into custody but later released as the main eyewitness was unable to pick them out at an identity parade held on 1 September 2006,

Recalling that, according to the information provided in April 2011 by Minister Samarasinghe, no progress had been made in the case owing to the absence of eyewitness evidence, which was why the investigation into Mr. Pararajasingham's murder had been set aside with the possibility of reopening it if and when fresh material was received; *considering* that Minister Samarasinghe, on the occasion of the hearing at the 125th IPU Assembly, reiterated that there were no further developments and that the authorities had done all they could to elucidate the crime,

Recalling that, Minister Samarasinghe reported on a previous occasion that the Witness Protection Bill had been debated in Parliament in 2008 but not passed and that the Bill had then lapsed owing to the dissolution of parliament, so that party leaders would have to discuss the matter anew; *also recalling* in this respect that the 2007 Witness Protection Bill was criticized by many, in particular by human rights groups, as inadequate in terms of providing victims and witnesses with the requisite protection,

1. *Thanks* Minister Samarasinghe for his cooperation;
2. *Is deeply disturbed* that, in the almost six years since Mr. Pararajasingham's murder, the authorities have made no progress whatsoever in identifying and holding to account the culprits of this high-profile murder, particularly since there are serious reasons to believe that, because of where the murder took place, it happened with the complicity of security and army personnel;
3. *Is deeply concerned* that, as the authorities affirm, the inconclusiveness of the investigation is due to the absence of eyewitness testimony, which can only mean that, given the circumstances of the crime, witnesses are still afraid to assist with the investigation;
4. *Regrets* therefore that, despite the authorities' long-standing publicly stated commitment to advancing the course of justice in this case, an effective witness protection programme, as a basic but essential step in the fight against impunity, is still lacking;
5. *Urges* the authorities to put in place as a matter of priority a witness protection law offering clear and effective security for victims and witnesses to come forward without fear of reprisal; *wishes to ascertain* the prospects of resumption of the debate on a witness protection bill and its adoption;
6. *Reaffirms*, moreover, that if the necessary will existed, the investigative authorities, instead of waiting for fresh evidence to be brought to their attention, would continue actively to seek such evidence; and *urges* them therefore to do so;
7. *Recalls* that Parliament, in the exercise of its oversight function, is entitled to follow an investigation, especially when it concerns one of its members; *wishes* therefore to ascertain the views of Parliament on taking such an initiative;
8. *Requests* the Secretary General to convey this resolution to the competent authorities and the source and to keep the Committee informed of any efforts to lend fresh impetus to the investigation, including any witness protection measures that may be taken;
9. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. SRI/53 - NADARAJAH RAVIRAJ - SRI LANKA

Resolution adopted unanimously by the IPU Governing Council at its 189th session (Bern, 19 October 2011)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Nadarajah Raviraj, a member of the Parliament of Sri Lanka who was assassinated on 10 November 2006, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/188/13(b)-R.1), and to the resolution adopted at its 188th session (April 2011); *referring also* to the report of the on-site mission to Sri Lanka carried out by the Committee in February 2008 (CL/183/12(b)-R.2),

Taking into account the information with which Minister Mahinda Samarasinghe, Special Envoy of the President of Sri Lanka for Human Rights, provided the Committee on the Human Rights of Parliamentarians at the hearing held during the 125th IPU Assembly,

Recalling that Mr. Raviraj, a member of the Tamil National Alliance (TNA), was shot dead in Colombo in the morning of 10 November 2006 along with his security officer while travelling in his vehicle along a main road in Colombo; the gunman escaped on a motorcycle,

Recalling the following information about the investigation provided in the past by the authorities, which have repeatedly stated their commitment to fully elucidating this crime:

- Investigations revealed that the motorcycle was sold by two brokers named Nalaka Matagaweere and Ravindra to Arul, who at the time was living at the house of S.K.T. Jayasuriya; the latter was taken into custody together with Nalaka; Jayasuriya revealed that Arul was a former Liberation Tigers of Tamil Eelam (LTTE) member; Nalaka and Jayasuriya were later released on bail as inquiries revealed that they were not in Colombo when Mr. Raviraj was shot dead; arrest warrants were issued for Arul and Ravindra, who, according to the police progress report forwarded in April 2009, were strongly suspected of having gone to the areas then controlled by the LTTE;
- A Scotland Yard team arrived in Sri Lanka on 4 January 2007; it conducted investigations and recommended that further tests be carried out; the team commended the Sri Lankan investigators for their work; according to the police report of March 2010, no real breakthrough was possible, investigations were continuing, and the case was regularly reported to the Chief Magistrate Court Colombo;
- Since the defeat of the LTTE in May 2009, the Criminal Investigation Department (CID) has attempted to trace Arul and Ravindra among the refugees from the north and has even checked 300,000 displaced people without so far having been able to trace them; a report was sent to the Attorney General seeking advice for further investigation; moreover, reports by NGOs, including University Teachers for Human Rights, about the murder were checked but no useful information was found; as regards Scotland Yard, the team traced the bloodstain in the bag found at the crime scene in which the firearm was hidden and brought for Mr. Raviraj's assassination; the swabs taken during the visit were profiled by Scotland Yard and preserved for matching if and when the suspects are apprehended,

Considering that, according to the latest information provided by Minister Samarasinghe, the case was to be called next for 7 December 2011, the wife of one of the suspects had been interviewed and had stated that she had no news of her husband since 2007; *noting* that Minister Samarasinghe concluded that the authorities had done everything in their power to elucidate the murder,

1. *Thanks* Minister Samarasinghe for his cooperation;
2. *Acknowledges* the efforts made by the authorities to elucidate this high-profile crime; *remains nevertheless deeply concerned* that, five years after Mr. Raviraj was murdered in broad daylight on a main road in Colombo, those responsible have yet to be identified and held to account;
3. *Urges* the authorities to revitalize the investigation and, if need be, re-examine every possible lead to help advance the course of justice; *wishes* to ascertain what further steps they intend to take for this purpose and what advice the Attorney General may have given regarding further investigation;
4. *Recalls* that Parliament, in the exercise of its oversight function, is entitled to follow an investigation, especially when it concerns one of its members; *wishes* therefore to ascertain the views of Parliament on taking such an initiative;
5. *Requests* the Secretary General to convey this resolution to all parties concerned;
6. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. SRI/61 - THIYAGARAJAH MAHESWARAN - SRI LANKA

***Resolution adopted unanimously by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Thiyagarajah Maheswaran, a member of the Parliament of Sri Lanka who was assassinated on 1 January 2008, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011), *referring also* to the report of the on-site mission to Sri Lanka carried out by the Committee in February 2008 (CL/183/12(b)-R.2),

Taking into account the information with which Minister Mahinda Samarasinghe, Special Envoy of the President of Sri Lanka for Human Rights, provided the Committee on the Human Rights of Parliamentarians at the hearing held during the 125th IPU Assembly; *also taking into account* the information which the source provided on 16 October 2011,

Recalling the following information on file:

- The source has from the outset emphasized that Mr. Maheswaran voted against the budget on 14 December 2007 and that, soon after the vote, the number of security guards assigned to him was cut from 18 to two; he openly made several statements to the effect that the reduction of his security detail put his life seriously at risk and made repeated requests to the Government to enhance his security, but to no avail; on 1 January 2008, while attending a religious ceremony in a Hindu temple in Colombo, he was shot and later died in a Colombo hospital; the source has stated that the attack came after he had said in a television interview that, upon the resumption of parliamentary sittings on 8 January 2008, he would describe in detail the terror campaign that the Government was pursuing in Jaffna, particularly how abductions and killings were managed;
- The authorities arrested Johnson Collin Valentino alias "Wasantha" from Jaffna, who had been identified as the gunman on the basis of a DNA analysis; the investigators concluded that the assailant was a Liberation Tigers of Tamil Eelam (LTTE) activist who had been trained and sent to Colombo to kill Mr. Maheswaran; he confessed to the crime and his parents too confirmed that he was an LTTE member; according to the police progress report forwarded in August 2008, the Attorney General filed an indictment and the case was to be called on 19 August 2008; according to the police report of October 2009, the case was to be called on 16 October 2009 for the purpose of serving the indictment on Johnson Collin Valentino for murder and listing the case for hearing;
- According to the information provided by Minister Samarasinghe in April 2011, the Attorney General had served the indictment and the case was proceeding before the High Court of Colombo, Court No. 02; further evidence of witnesses and forensic evidence confirmed the complicity of the assassin,

Considering that, according to the information provided by Minister Samarasinghe at the hearing held during the 125th Assembly, the case had been fixed for further hearing on 6 October 2011; *considering* that, according to one of the sources, Mrs. Vijayakala Maheswaran, the wife of the murdered parliamentarian and herself a member of parliament, thinks that the authorities are not taking proper action in the case and recently complained about this to the Speaker and in the plenary of Parliament,

1. *Thanks* Minister Samarasinghe for his cooperation;
2. *Is concerned* that, close on four years after the alleged assassin was arrested and confessed to the crime, there still seems to be no progress made to identify the instigators and motives behind this crime;

3. *Trusts* that the authorities are doing everything they can fully to elucidate and establish accountability for the murder, and *notes* that earlier concerns that the crime may be related to Mr. Maheswaran's criticism of the Government can only be dispelled once full light has been shed on the murder;
4. *Wishes to ascertain* whether Parliament has taken any action following the concerns raised by Mrs. Vijayakala Maheswaran regarding the investigation into her husband's murder;
5. *Recalls* in this regard that Parliament, in the exercise of its oversight function, is entitled to follow an investigation, especially when it concerns one of its members; *wishes* therefore to ascertain the views of Parliament on taking such an initiative;
6. *Requests* the Secretary General to convey this resolution to the Speaker of Parliament and to Minister Samarasinghe, inviting them to provide the requested information and to keep the Committee informed of the proceedings;
7. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

CASE No. SRI/63 - D.M. DASSANAYAKE - SRI LANKA

***Resolution adopted unanimously by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. D.M. Dassanayake, Minister of Nation-Building and a member of the Parliament of Sri Lanka, who was assassinated on 8 January 2008, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011); *referring also* to the report of the on-site mission to Sri Lanka carried out by the Committee in February 2008 (CL/183/12(b)-R.2),

Taking into account the information with which Minister Mahinda Samarasinghe, Special Envoy of the President of Sri Lanka for Human Rights, provided the Committee on the Human Rights of Parliamentarians at the hearing held during the 125th IPU Assembly,

Recalling the following: Mr. D.M. Dassanayake was killed on 8 January 2008, along with a bodyguard, in a roadside Claymore mine attack while on his way to parliament, the arrest of a key Liberation Tigers of Tamil Eelam (LTTE) suspect operating in Colombo led to the arrest of other suspects whose revelations resulted in the recovery of the remote-control device used to detonate the explosive that killed Mr. Dassanayake,

Also recalling that in April 2011, Minister Samarasinghe reported that of the three suspects, an indictment was issued on W.D. Hyacinth and sent by the Attorney General on 31 March 2011 to the Negombo High Court, and that charges of conspiracy and abetting murder were being finalized against the other two suspects; *considering* that, according to the latest information provided by Minister Samarasinghe, the case was to be heard next on 19 October 2011,

1. *Thanks* Minister Samarasinghe for his cooperation;
2. *Wishes to ascertain* whether the indictments on charges of conspiracy and abetting murder have now been finalized and the matter is being heard in court;
3. *Trusts* that the authorities are doing everything they can to advance swiftly towards completion of the proceedings; *would appreciate* being advised whether a timetable is in place to this end and being kept informed of further progress in the proceedings;

4. *Recalls* that Parliament, in the exercise of its oversight function, is entitled to follow an investigation, especially when it concerns one of its members; *wishes* therefore to ascertain the views of Parliament on taking such an initiative;
5. *Requests* the Secretary General to convey this resolution to the authorities and to the sources;
6. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 126th IPU Assembly (March/April 2012).

THAILAND

CASE No. TH/03 - LT. DR.THAKSIN SHINNAWATRA	CASE No. TH/93 - PAKORN BURANUPAKORN
CASE No. TH/04 - MS. SUDARAT KHEYURAPHAN	CASE No. TH/94 - PRATHUAN KHIEWRITH
CASE No. TH/05 - JATURON CHAISANG	CASE No. TH/95 - PINIJ CHANTARASURIN
CASE No. TH/06 - CHAIYOT SASOMSAP	CASE No. TH/96 - PAIROJ LOAHSUNTHORN
CASE No. TH/07 - GEN. THAMMARAK ISSARANGKUL NA AYUTHYA	CASE No. TH/97 - PAISARN CHANPAKDEE
CASE No. TH/08 - NEWIN CHIDCHOB	CASE No. TH/98 - MS. MAYURA MANASIKARN
CASE No. TH/09 - PRACHA MALEENON	CASE No. TH/99 - REUNGWIT LIK
CASE No. TH/10 - PRAYUTH MAHAKITSIRI	CASE No. TH/100 - WISARN TECHATHEERAWAT
CASE No. TH/11 - PORNGPOL ADIREKSARN	CASE No. TH/101 - WEERAKORN KAMPRAKORB
CASE No. TH/12 - PONGTHEP THEPKANJANA	CASE No. TH/102 - ADOON BOONSET
CASE No. TH/13 - PINIT JARUSOMBAT	CASE No. TH/103 - KRIT SRI-FAH
CASE No. TH/14 - POKIN PALAKURA	CASE No. TH/104 - WAIROJ PIPITPAKDEE
CASE No. TH/15 - MS. YAWAPA WONGSAWAT	CASE No. TH/105 - WEERA MUSIKAPONG
CASE No. TH/16 - WAN MUHAMADNOR MATA	CASE No. TH/106 - SUTHAM SANGPRATHOOM
CASE No. TH/17 - SONTAYA KHUNPLEUM	CASE No. TH/107 - SURACHET DUANGSORDSRI
CASE No. TH/18 - SOMKIT JATUSEEPITAK	CASE No. TH/108 - DHAMRONGDITH DHITSAKUL
CASE No. TH/19 - SOMCHAI SUNTHORNWAT	CASE No. TH/109 - MS. PAWEENA HONGSAKUL
CASE No. TH/20 - SOMSAK THEPSUTIN	CASE No. TH/110 - PIMOL SRIWIKORN
CASE No. TH/21 - SORA-ATH KLINPRATOOM	CASE No. TH/111 - MS. LALITA RERKSAMRARN
CASE No. TH/22 - SUCHART TANCHAREON	CASE No. TH/112 - MS. SANSANEE NAKPONG
CASE No. TH/23 - SURAKIET SATHIENTHAI	CASE No. TH/113 - WIBOON SHAMSHEUN
CASE No. TH/24 - SUWAT LIPTAPANLOP	CASE No. TH/114 - SOMCHAI WONGSAWAD
CASE No. TH/25 - SURIYA JEUNGRUNGRUANGKIJ	CASE No. TH/115 - YONGYUTH TIYAPAIROT
CASE No. TH/26 - PROMMIN LERTSURIYADECH	CASE No. TH/116 - LT. KANT THIENKEO
CASE No. TH/27 - CHARNON SUWARIN	CASE No. TH/117 - CHAIYA SASOMSAP
CASE No. TH/28 - PONGSAK RAKPONGPAISARL	CASE No. TH/118 - SOMPONG AMORNIVAT
CASE No. TH/29 - WICHET KASEMTHONGSRI	CASE No. TH/119 - SAMPHAN LERTNUWAT
CASE No. TH/30 - POOMTHAM WECHYACHAI	CASE No. TH/120 - PRASONG BOONPONG
CASE No. TH/31 - MS. SIRIKORN MANEERIN	CASE No. TH/121 - MS. SUPAPORN THIENKEO
CASE No. TH/32 - SITHA THIWAREE	CASE No. TH/122 - SUWAT WANNASIRIKUL
CASE No. TH/33 - KANTATHEE SUPHAMONGKOL	CASE No. TH/123 - SURAPONG SUEBWONGLEE
CASE No. TH/34 - JAMLONG KRUTKHUNTHOD	CASE No. TH/124 - CHUSAK SIRINIL
CASE No. TH/35 - CHATCHAI EARSAKUL	CASE No. TH/125 - ANUSORN WONGWAN
CASE No. TH/36 - GEN. CHIDCHAI WANNASATHIT	CASE No. TH/126 - SUKHUMPONG NGOANKAM
CASE No. TH/37 - CHUCHEEP HARNSAWAT	CASE No. TH/127 - SONGKRAM KITLERTPAIROTE
CASE No. TH/38 - BOONCHOO TRITHONG	CASE No. TH/128 - KUDEP SAIKRACHANG
CASE No. TH/39 - PRAJUAB CHAIYASARN	CASE No. TH/129 - SRIMUANG CHAROENSIRI
CASE No. TH/40 - TEWAN LIPTAPUNLOP	CASE No. TH/130 - SUTHA CHANSAENG
CASE No. TH/41 - MS. PUANGPETCH CHUNLA-IAD	CASE No. TH/131 - MONGKON KIMSOONCHAN
CASE No. TH/42 - PANLERT BAIYOKE	CASE No. TH/132 - LT. WAIPOOT ARPORNROT
CASE No. TH/43 - RAWEE HIRUNYACHOTE	CASE No. TH/133 - SONGSAK THONGSRI
CASE No. TH/44 - RUNGREUNG PITHAYASIRI	CASE No. TH/134 - NISIT SINTHUPRAI
CASE No. TH/45 - MS. LADAWAN WONGSRIWONG	CASE No. TH/135 - THEERACHAI SAENKEO
CASE No. TH/46 - WARATHEP RATANAKORN	CASE No. TH/136 - VEERAPON ADIREKSARN
CASE No. TH/47 - WISET JOOPIBARN	CASE No. TH/137 - SUTHIN KLANGSAENG
CASE No. TH/48 - WICHIT PLANGSRISAKUL	CASE No. TH/138 - ITTHI SIRILATHAYAKORN
CASE No. TH/49 - SUKHAWIT RANGSITPOL	CASE No. TH/139 - KITTIKORN LOASUNTHORN
CASE No. TH/50 - SUPORN ATTAWONG	CASE No. TH/140 - BUNLUE PRASERTSOPHA

CASE No. TH/51 - SUCHAI CHAREONRATANAKUL	CASE No. TH/141 - PICHET TANCHAROEN
CASE No. TH/52 - SUNAI SETHBUNSARNG	CASE No. TH/142 - BANHARN SILPA-ARCHA
CASE No. TH/53 - SURANAND VEJJACHIVA	CASE No. TH/143 - SOMSAK PRITSANANANTAKUL
CASE No. TH/54 - SURIYA LARBWISUTHISIN	CASE No. TH/144 - JONGCHAI THIEANGTHAM
CASE No. TH/55 - SERMSAK PONGPANICH	CASE No. TH/145 - ANURAK JUREEMART
CASE No. TH/56 - ADISORN PIENGKET	CASE No. TH/146 - MS. KANJANA SILPA-ARCHA
CASE No. TH/57 - ADISAI POTHARAMIC	CASE No. TH/147 - NIKORN CHAMNONG
CASE No. TH/58 - ANUTHIN CHANWEERAKOON	CASE No. TH/148 - PRAPAT PANYACHARTRAK
CASE No. TH/59 - EKPORN RAKKWARMSOOK	CASE No. TH/149 - VEERASAK KOWSURAT
CASE No. TH/60 - KRIENG KALTINUN	CASE No. TH/150 - PRAPAT POTHASUTHON
CASE No. TH/61 - KASEM RUNGTHANAKIET	CASE No. TH/151 - NATHAWUTH PRASERTSUWAN
CASE No. TH/62 - JATURONG PENGORAPAT	CASE No. TH/152 - MS. JANISTA LIWCHALERMWONG
CASE No. TH/63 - CHUCHAI MUNGCHAREONPORN	CASE No. TH/153 - NOPPADON POLASEN
CASE No. TH/64 - THOSAPON SANGKASAP	CASE No. TH/154 - MONTHIEN SONGPRACHA
CASE No. TH/65 - THONGLOR POLAKOT	CASE No. TH/155 - THAMMA PINSUKANJANA
CASE No. TH/66 - THEERAYUT WANITCHANG	CASE No. TH/156 - KAMON JIRAPANWANICH
CASE No. TH/67 - PRACHATHIPATAI KAMSINGNORK	CASE No. TH/157 - KUHENG YAWORHASAN
CASE No. TH/68 - PRASIT JANTHATHONG	CASE No. TH/158 - CHAIWUTH THANAKAMANUSORN
CASE No. TH/69 - PREECHA LAOHAPONGCHANA	CASE No. TH/159 - THEERAPAN VEERAYUTHWATANA
CASE No. TH/70 - PAIROJ SUWANCHAWEE	CASE No. TH/160 - PANAWAT LIENGPONGPHAN
CASE No. TH/71 - WICHAI CHAJITWANICHKUL	CASE No. TH/161 - PATHOMPONG SOONCHAN
CASE No. TH/72 - WITHOON WONGKRAI	CASE No. TH/162 - YUTHANA POTHASUTHON
CASE No. TH/73 - WUTHICHAJ SA-NGUANWONGCHAI	CASE No. TH/163 - RATTHAKIT PHALEEPAT
CASE No. TH/74 - SAKSIAM CHIDCHOB	CASE No. TH/164 - WARAWUTH SILPA-ARCHA
CASE No. TH/75 - SOMSAK KHUN-NGERN	CASE No. TH/165 - SAKCHAI JINTAWECH
CASE No. TH/76 - SAKORN PROMPAKDEE	CASE No. TH/166 - SOMPAT KEOPICHIT
CASE No. TH/77 - MS. ORADEE SUTHASRI	CASE No. TH/167 - SIRIPONG ANGSAKULKIAT
CASE No. TH/78 - ATTHASIT SAPAYASITH	CASE No. TH/168 - EKAPOT PAANYAEM
CASE No. TH/79 - EKKAPARB PONSEU	CASE No. TH/169 - SAMERKAN THIENGTHAM
CASE No. TH/80 - CHARNCHAI PATUMARAK	CASE No. TH/170 - SUNTHORN WILAWAN
CASE No. TH/81 - THANEE YEESARN	CASE No. TH/171 - MAJ. GENERAL INTHARAT YODBANGTOEY
CASE No. TH/82 - BOONPHAN KHAEWATTANA	CASE No. TH/172 - LT. BANYIN TANGPAKORN
CASE No. TH/83 - PONGSAK WORAPANYA	CASE No. TH/173 - KARUN SAI-NGARM
CASE No. TH/84 - MS. PIMPA JANPRASONG	CASE No. TH/174 - MS. AMONGWAN THEPSUTHIN
CASE No. TH/85 - YONGYOT ADIREKSARN	CASE No. TH/175 - MANOO MANEEWATTANA
CASE No. TH/86 - LIKHIT MOODEE	CASE No. TH/176 - CAP. RACHATA PISITBANNAKORN
CASE No. TH/87 - WANLOP YOUNGTRONG	CASE No. TH/177 - SOMBOON THONGBURAN
CASE No. TH/88 - SITTHICHAJ KITTITHANESUAN	CASE No. TH/178 - KAMNUAN MOHPRASIT
CASE No. TH/89 - SURASIT NITIWUTHIWORARAK	CASE No. TH/179 - KRITSADA SATJAKUL
CASE No. TH/90 - ANUCHA NAKASAI	CASE No. TH/180 - SUKHUM LAOWANSIRI
CASE No. TH/91 - UDOM KRAIWATNUSORN	CASE No. TH/181 - MS. BUSABA YODBANGTOEY
CASE No. TH/92 - THOTSAPORN SERIRAK	CASE No. TH/182 - DIT-ATCHAPON SUTHSUKON

***Resolution adopted unanimously by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of the above-mentioned former members of the Parliament of Thailand, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Taking into account the information note provided by the Thai delegation to the 125th IPU Assembly (October 2011),

Recalling the following information:

- On 30 May 2007, the Constitutional Tribunal dissolved Prime Minister Shinawatra's Thai Rak Thai Party and banned the party's entire executive committee, including 111 members of parliament, from participating in politics for five years; the decision was ostensibly based upon a finding that two executive members of the Thai Rak Thai Party were guilty of bribery in the April 2006 elections;

- Following the dissolution, former Thai Rak Thai members founded the People Power Party (PPP); in the December 2007 elections, the party won 233 out of 480 seats and set up a coalition government under Prime Minister Samak Sundaravej;
- On 2 December 2008, the Constitutional Tribunal decided to dissolve the PPP and its coalition partners, the Chart Thai and Matchima Thipathai parties; the PPP was dissolved and its executive committee, including the parliamentarians concerned, disqualified on the basis of violations which former House Speaker Yongyuth Tiyyaparatt was alleged to have committed in the run-up to the 2007 general elections; as regards its two coalition partners, one member of each of their executive committees was found guilty of vote-buying,

Also recalling that the Constitutional Tribunal was set up in the aftermath of the military take-over of the country in September 2006 and based its decisions on legal provisions that were adopted when the military was in power; these include Announcement 27, which empowers the Constitutional Tribunal to revoke for five years the electoral rights of members of the executive committee of any party which had been dissolved for committing an act prohibited under the Organic Act on Political Parties, even if the alleged misconduct had occurred before the military takeover; moreover, it includes Section 237 of a newly adopted Constitution, which gave the Constitutional Tribunal the power to dissolve any party whose executive committee included at least one politician found guilty of fraud by the Election Commission of Thailand and, concurrently with the dissolution, ban the party's entire executive committee from voting and holding elective office for a period of five years,

Further recalling that, in July 2009, a parliamentary committee appointed to explore constitutional reform reportedly proposed amending Section 237 by removing the provisions allowing the Constitutional Tribunal to disenfranchise party executives not accused of wrongdoing; the source states that similar proposals were put forward by a government-appointed Constitutional Reform Committee in October 2010, although none of the proposals were adopted by the National Assembly,

Considering that parliamentary elections took place in Thailand on 3 July 2011 and brought to power the Pheu Thai party, which obtained a majority of seats and whose leader, Ms. Yingluck Shinawatra, formed a coalition with four smaller parties,

Considering that, in its information note, the Thai delegation stated that reconciliation was a priority matter for the Government and that several measures, including support for the Truth and Reconciliation Commission, had been taken to that effect; that, in addition, the amendment process of the current Constitution was being widely discussed and that the sections relating to the dissolution of political parties would be carefully reconsidered on the basis of Thailand's international human rights obligations and respect for democracy,

Bearing in mind that Thailand is a party to the International Covenant on Civil and Political Rights, Articles 22 and 25 of which protect the right to freedom of association and the right to take part directly in the conduct of public affairs,

1. *Reiterates its condemnation* of the disbarment of 175 then parliamentarians in connection with alleged offences for which they were not responsible and on the basis of the retroactive application of legal provisions that were arbitrary and incompatible with Thailand's international obligations;
2. *Deeply regrets* therefore that, as a result, their parliamentary mandates were curtailed by up to four years, hence depriving their electorate for the same long period of representation in Parliament, and that they were prevented from standing in the recent parliamentary elections;
3. *Considers*, however, that in the light of their exclusion from those elections a fully effective remedy is no longer available; and *decides* therefore to close its further examination of the case;
4. *Reaffirms* nevertheless its belief that, so long as Announcement 27 and Section 237 of the Constitution remain in force, the risk exists that a sizeable portion of the country's political class may once more be arbitrarily excluded from the political process; *is therefore gratified* to note that, according to information provided by the Thai delegation on the occasion of the 125th IPU Assembly, in the constitutional amendment process under way, particular attention will be paid to

ensuring that the rules governing the dissolution of political parties are in line with democratic principles and Thailand's human rights obligations;

5. Requests the Secretary General to convey this resolution to the competent authorities and to the source.

CASE No. TK/55 - MEHMET SINÇAR - TURKEY

***Resolution adopted unanimously by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Mehmet Sinçar, a former member of the Grand National Assembly of Turkey of Kurdish origin, who was shot dead at close range in September 1993 in Batman, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Recalling that two persons, Rifat Demir and Cihan Yildiz, were found guilty of the many murders, including that of Mr. Sinçar, perpetrated in the 1990s in south-eastern Turkey; that both were sentenced to life imprisonment; that Mr. Sinçar's family, which was admitted as joint plaintiff in the proceedings, appealed against that verdict as it considered the conviction to have failed to establish the identity of the instigators and to have failed to take account of reports showing that the many assassinations during the period in question in south-eastern Turkey, which is where Mr. Sinçar was killed, were part of a "State policy" to combat terrorism; *considering* that the appeal proceedings are currently under way,

1. *Remains hopeful* that the ongoing judicial proceedings will open up a real prospect for the full elucidation of Mr. Sinçar's assassination;
2. *Requests* the Secretary General to inform the Turkish parliamentary authorities and the source as well as Mr. Sinçar's family accordingly;
3. *Requests* the Committee to continue following the proceedings, including, if possible, through the services of a trial observer, and to report to it at its next session, to be held on the occasion of the 126th IPU Assembly (March/April 2012).

CASE No. ZBW/20 - JOB SIKHALA) ZIMBABWE
CASE No. ZBW/27 - PAUL MADZORE)
CASE No. ZBW/44 - NELSON CHAMISA)

***Resolution adopted unanimously by the IPU Governing Council at its 189th session
(Bern, 19 October 2011)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Job Sikhala, Mr. Paul Madzore and Mr. Nelson Chamisa, opposition members of the Parliament of Zimbabwe at the time the complaint was submitted, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/189/11(b)-R.1), and to the resolution adopted at its 188th session (April 2011),

Noting the absence of any communication from either the authorities or the sources regarding this case, which concerns the continuing impunity of State officials reportedly responsible for the torture in January 2003 and March 2007 of Mr. Sikhala and Mr. Madzore and their alleged failure to act when, on 18 March 2007, Mr. Chamisa was beaten up at Harare International Airport, the culprits having remained unpunished as well,

Recalling that the Speaker of the House of Assembly of Zimbabwe has repeatedly stated in the past that Parliament is firmly committed to protecting the human rights of its members and to taking action to this end within the limits imposed by the doctrine of the separation of powers,

1. *Requests* the Secretary General to impress once more upon the authorities the need to act decisively on the long-standing serious concerns expressed in its resolution of April 2011 by taking effective steps to identify and punish the culprits of both the torture and the attack and to follow up on the legal complaints filed by Mr. Sikhala and Mr. Madzore; *is particularly anxious* to ascertain that the Parliament of Zimbabwe is indeed using, in line with its stated commitment to protecting the rights of its members, its oversight function to ensure that the competent authorities are acting accordingly;
2. *Requests* the Secretary General to convey this resolution to the parliamentary and competent authorities and to invite them once again to provide the long-awaited details of any action taken in this respect; *also requests* him to transmit the resolution to the three persons concerned with the request that they furnish any new relevant information in their possession;
3. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 126th IPU Assembly (March/April 2012).