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128th Assembly of the Inter-Parliamentary Union

1. Inaugural ceremony

The inaugural ceremony of the 128th Assembly of the Inter-Parliamentary Union took place on 22 March 2013 at the plenary chamber of the National Assembly of Ecuador, with President Rafael V. Correa Delgado in attendance. In his opening address, the Speaker of the National Assembly of Ecuador, Mr. Fernando Cordero Cueva, underscored that the overall theme of the General Debate, From unrelenting growth to purposeful development "Buen Vivir": New approaches, new solutions, would no doubt give rise to a lively and fruitful debate among delegates from the world over. He remarked that parliamentarians witnessed the failings and consequences of the current global economic and political system, which accentuated poverty, heightened inequality and amplified environmental disasters, insecurity and exclusion. That theme provided food for thought not only on alternative development models but also on the role parliaments should play in the light of that and other related problems.

In his message, which was delivered by Mr. Philippe Douste-Blazy, Special Adviser to the United Nations Secretary-General on Innovative Finance for Development, the UN Secretary-General commended the IPU for its long-standing efforts to promote the key international development goals, including the Millennium Development Goals (MDGs). Moreover, he saluted the IPU on its choice of theme for the Assembly, which was directly related to sustainable development. The innovative measures adopted by Ecuador to promote sustainable development had been translated into tangible progress for local communities and had sparked keen interest both regionally and globally. Those were just some of many sustainable development initiatives being taken increasingly by countries of the South, which could serve as an inspiration for deliberations on the post-2015 development priorities. The IPU and the United Nations collaborated closely in a number of areas: from peace and security to democracy and human rights, gender equality and sustainable development. In conclusion, the UN Secretary-General reiterated his clear intention to strengthen cooperation between both organizations in order to address the common task of building a more equitable, prosperous and sustainable future.

The President of the IPU, Mr. Abdelwahad Radi, stated that a number of issues that would be addressed in Quito reflected the major concerns of the world today. Recalling the theme of the General Debate, he added: "We have come here to also discuss more specifically how development can serve the cause of social justice. This is a strong and widely shared aspiration throughout the world. Indeed, citizens on all continents are demanding development governance so that all can benefit from development". Mr. Radi considered that "this 'Buen Vivir', which our hosts hold so dear, is also linked to democratic governance. It would be highly desirable in each country for governments and those they govern to abide by the new set of development objectives currently being worked out and for democratic governance to figure high on that agenda. The post-2015 development objectives would be useless, or would have little more use than the MDGs, without the resolute and concrete support of parliaments and citizens". In conclusion, the President raised the serious matter of violence against women, in particular sexual violence. "It is high time", he said, "that these crimes are punished universally for what they really are: unacceptable attacks on the fundamental human right to physical integrity".

The inaugural ceremony concluded with a speech by the President of the Republic of Ecuador, who called for the development of mechanisms to enhance the participation of citizens in democratic life. He underlined that Ecuador – with a surface area of approximately 256,000 km² – was a biodiversity sanctuary and that the Constitution of Ecuador guaranteed the rights of nature, of which no other country could boast. The President of Ecuador highlighted the issues that would be at the heart of the IPU Assembly: the pivotal role of good governance in development and growth that was respectful of the planet. He challenged parliaments to reflect on the future of their institution in terms of representation and decision-making and deplored the lack of democracy in international relations. He stated that it was imperative to devise innovative solutions based on new technologies in order to achieve more direct and participatory democracy. Ecuador had established a Fifth Estate, the Council for civic participation and oversight of social policy.

The President concluded by stating that his Government was putting in place policies aimed at: enhancing the inclusion of disabled persons, rescheduling the country's external debt, concluding new oil contracts and addressing unemployment. He welcomed the delegates from over 120 countries and wished them rich and fruitful deliberations. He declared the 128th Assembly officially open.

2. Election of the President

The 128th Assembly¹ opened at the Quorum Quito Convention Centre in the morning of Saturday, 23 March, with the election by acclamation of Mr. Fernando Cordero Cueva, Speaker of the National Assembly of Ecuador, as President of the Assembly.

The President said that it was a great honour for him to preside over the Assembly's work. He underscored the relevance and topicality of the overall theme, particularly in the context of the current global consultations aimed at shaping the next generation of development goals. The Assembly had a rich agenda before it and would be examining a variety of issues of crucial importance, including the responsibility to protect civilians, fair trade and innovative forms of development financing, the rights of persons with disabilities, accountability for child and maternal health, sexual violence against women, as well as finding legislative solutions for disaster-risk reduction and more resilient societies.

President Cordero invited all participating parliaments to share their experiences and perspectives in the General Debate entitled From unrelenting growth to purposeful development "Buen Vivir": New approaches, new solutions. He presided over the General Debate with several Vice-Presidents, namely Ms. A. Burke (Australia), Mr. O.S. Reyes (El Salvador) and Mr. A. Riché (Haiti).

3. Participation

Delegations from the parliaments of the following 118 countries took part in the work of the Assembly:² Afghanistan, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Benin, Bolivia,

Bosnia and Herzegovina, Botswana, Brazil, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Estonia, Ethiopia, Finland, France, Gabon, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Latvia, Lesotho, Lithuania, Maldives, Mali, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Palestine, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, San Marino, Sao Tome and Principe, Saudi Arabia, Serbia, Sierra Leone, Singapore, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Viet Nam, Zambia and Zimbabwe.

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

Observers comprised representatives of: (i) the United Nations system: the United Nations, United Nations Development Programme (UNDP), United Nations Millennium Campaign, United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations High Commissioner for Refugees (UNHCR), United Nations Children's Fund (UNICEF), United Nations Population Fund (UNFPA), UN Women, Joint United Nations Programme on HIV/AIDS (UNAIDS), Food and Agriculture Organization of the United Nations (FAO), United Nations International Strategy for Disaster Reduction (UNISDR), World Health Organization (WHO), Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO); (ii) African Parliamentary Union (APU), Arab Inter-Parliamentary Union (AIPU), Asian Parliamentary Assembly (APA), Baltic Assembly, Confederation

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

² For the complete list of IPU Members, see page 30

of Parliaments of the Americas (COPA), Inter-parliamentary Assembly of the Eurasian Economic Community (EURASEC), Inter-Parliamentary Union of the Intergovernmental Authority on Development (IPU-IGAD), Maghreb Consultative Council, Pan-African Parliament, Parliamentary Assembly of the Black Sea Economic Cooperation (PABSEC), Parliamentary Assembly of the Mediterranean (PAM), Parliamentary Assembly of the Organisation for Security and Co-operation in Europe (OSCE), Parliamentary Assembly of the Turkic-Speaking Countries (TURKPA), Parliamentary Assembly of the Union of Belarus and the Russian Federation, Parliamentary Union of the Organization of the Islamic Conference Members (PUOIC); (iii) Socialist International; and (iv) Geneva Centre for the Democratic Control of Armed Forces (DCAF), the Global Fund to Fight AIDS, Tuberculosis and Malaria, International Committee of the Red Cross (ICRC), International Federation of Red Cross and Red Crescent Societies (IFRC), Partnership for Maternal, Newborn and Child Health (PMNCH), Penal Reform International and World Scout Parliamentary Union (WSPU).

Of the 1,198 delegates who attended the Assembly, 619 were members of national parliaments. The parliamentarians included 33 presiding officers, 38 deputy presiding officers and 202 women (32.6%).

4. Choice of an emergency item

On 23 March, the President informed the Assembly that the following six requests for the inclusion of an emergency item had been received: Should the deliberate destruction of world cultural heritage not be considered as a crime against humanity? The role of parliaments in: 1) passing appropriate legislation to guarantee protection of world cultural heritage; and 2) developing international criminal law provisions that criminalize serious attacks on the cultural heritage of humanity proposed by Morocco; That homosexuals are entitled to full rights of citizenship. It is the role of parliaments to pass legislation that decriminalizes homosexuality and homosexual acts between consenting adults, proposed by New Zealand; The role of parliaments in achieving international peace and security through a peaceful settlement of the Syrian crisis, proposed by the Syrian Arab Republic; The status of Syrian refugees: The role of parliaments in bringing pressure to bear on their governments to assume their international and humanitarian responsibility towards these refugees and to support the neighbouring countries that receive them, proposed by Jordan; Unaccompanied migrant children

around the world, proposed by Mexico; and The security and humanitarian impacts of the crisis in Syria, including in neighbouring countries, proposed by the United Kingdom.

After taking the floor, the delegations of New Zealand and Mexico decided to withdraw their proposals and instead submit them for consideration to the Third Standing Committee on Democracy and Human Rights.

The delegation of the United Kingdom withdrew its proposal in favour of the resolution of Jordan, which had revised its title to read: The role of parliaments in addressing the security and humanitarian impact of the crisis in Syria and in bringing pressure to bear on their governments to assume their international and humanitarian responsibility towards Syrian refugees and to support the neighbouring countries that receive them.

Following a roll-call vote (see pages 45 to 47), the resolution put forward by Jordan was adopted and added to the agenda as Item 9.

5. Debates and decisions of the Assembly and its Standing Committees

(a) General Debate on the political, economic and social situation in the world (Item 3)

Over three days, representatives from 90 Member Parliaments and six regional parliamentary assemblies and Observer delegations took the floor to address the overall theme of the General Debate, From unrelenting growth to purposeful development “Buen Vivir”: New approaches, new solutions.

The General Debate was intended to be part of the global deliberations on the next generation of development goals. Members shared national perspectives, addressed the ongoing challenges faced in fully meeting the MDGs and highlighted lessons learned and priorities for the process ahead.

In the morning of 24 March 2013, the IPU Secretary General, Mr. A.B. Johnsson, moderated an interactive debate with Ms. R. Kadaga, Speaker of the Ugandan Parliament, Mr. S.H. Chowdhury, Member of Parliament (Bangladesh) and Senator G. Penadés (Uruguay). They discussed their exchanges with the UN Secretary-General’s High-level Panel of Eminent Persons on the Post-2015 Development Agenda (Monrovia, Liberia, January 2013) and the UNDP-led Global Thematic Consultation on Governance and the Post-2015 Development Framework (Johannesburg, South Africa, 28 February to 1 March 2013). They underscored the fact that democratic governance

should be part of the new development framework, both as a stand-alone goal and as a dimension of other goals. A first step in that direction had already been taken in 2012, when the Outcome Document of the United Nations Conference on Sustainable Development (Rio+20 Summit) had made it clear that “to achieve our sustainable development goals we need institutions at all levels that are effective, transparent, accountable and democratic”.

On 26 March 2013, Ms. R. Grynspan, UNDP Assistant Administrator, addressed the Assembly, highlighting the crucial role of parliaments and parliamentarians in advancing a new vision of sustainable development. The MDGs had demonstrated that a broad, clear and bold vision could generate grassroots engagement, mobilize resources and bring diverse actors together to work on a common cause. The future challenge would be to sustain positive trends through new approaches, which would inevitably call for enhanced equity and improved governance, while addressing environmental pressures and managing demographic change. In order to rise to that challenge, “the international community must agree on a reinvigorated and transformational global agenda”. Parliamentarians were better placed than anyone to contribute to such an agenda.

At the end of a rich and substantive General Debate, the Assembly issued a political statement – the Quito Communiqué – which would be shared with the United Nations. The text of the Communiqué can be found on page 51.

(b) First Standing Committee (Peace and International Security)

- (i) Enforcing the responsibility to protect: The role of parliament in safeguarding civilians' lives (Item 4)

The Committee held five sittings between 24 and 27 March under the leadership of its President, Mr. S.H. Chowdhury (Bangladesh), who was occasionally replaced in the Chair by one of its Vice-Presidents, Mr. G. Schneeman (South Africa). In addition to the reports and draft resolution drawn up by its co-Rapporteurs, Mr. L. Ramatlakane (South Africa) and Mr. S. Janquin (France), the Committee was seized with amendments to the draft resolution from the following delegations: Canada, China, Congo, Cuba, India, Indonesia, Iran (Islamic Republic of), Philippines, Republic of Korea, Spain, Syrian Arab Republic, Sweden and Switzerland, as well as from Senator S. Escudero (Argentina) and the Meeting of Women Parliamentarians.

At the start of its first sitting, on 24 March, the two co-Rapporteurs presented their joint report and draft resolution. A total of 39 speakers took the floor

during the ensuing debate. Following the debate, the Committee decided not to establish a drafting committee but rather to finalize its draft resolution in plenary. The co-Rapporteurs participated in an advisory capacity.

At its sittings on 25 and 26 March, the Committee examined 146 amendments submitted by 13 delegations, as well as one delegate on her own behalf, and the Meeting of Women Parliamentarians. It adopted many of them.

The First Standing Committee formally examined the consolidated text during an extra sitting held in the morning of 27 March. The draft resolution was adopted by consensus, the delegation of Cuba having expressed reservations. The Committee approved the proposal made by the President on the appointment of a rapporteur to the Assembly.

The draft resolution was presented to the last sitting of the Assembly in plenary, in the morning of 27 March, and was adopted by consensus, due note being taken of the reservations expressed by the delegation of Cuba on the resolution as a whole. The delegation of Peru expressed a reservation on operative paragraph 10 and considered that “any mention of the International Criminal Court (ICC) or the Rome Statute must not be prejudicial to other international jurisdictions recognized by the State in question, in particular regional jurisdictions”. Lastly, the delegations of Sudan and the Syrian Arab Republic expressed a reservation on the ninth preambular paragraph and on operative paragraphs 10 and 11.

- (ii) Selection of subject item and co-Rapporteurs for the First Standing Committee at the 130th Assembly

The Bureau of the First Standing Committee met on 25 March with its President in the Chair. It examined eight proposals presented by Members for the subject item to be considered by the Committee at the 130th Assembly and heard six delegations that wished to elaborate on their proposals.

The Bureau suggested that two subject items be merged and proposed a joint theme from the two delegations concerned: Towards a nuclear-weapon-free world: The contribution of parliaments.

After voting on that proposal, the Committee proposed the subject item to the Assembly for inclusion in the agenda of the 130th Assembly. Subsequently, the Assembly approved that subject item and appointed Ms. Y. Ferrer Gómez (Cuba) and Mr. B. Calkins (Canada) as co-Rapporteurs.

(c) Second Standing Committee (Sustainable Development, Finance and Trade)

(i) Fair trade and innovative financing mechanisms for sustainable development (Item 5)

The Second Standing Committee held sittings on 23 and 25 March, with its President, Mr. S.E. Alhusseini (Saudi Arabia), in the Chair. In addition to the reports and preliminary draft resolution prepared by the co-Rapporteurs, Mr. F.X. de Donnea (Belgium) and Mr. R. Chitotela (Zambia), the Committee had before it amendments to the draft resolution submitted by the delegations of Canada, China, Congo, Cuba, France, India, Indonesia, Iran (Islamic Republic of), Philippines, Republic of Korea, Romania, Spain, Sweden, Switzerland, Syrian Arab Republic and Senator S. Escudero (Argentina). In addition, the Committee received 10 amendments from the Meeting of Women Parliamentarians as well as sub-amendments from Japan.

A total of 34 speakers took the floor during the plenary debate, after which the Standing Committee appointed a drafting committee composed of representatives of Algeria, Australia, Burkina Faso, Chad, Dominican Republic, Ecuador, France, Japan, Palestine, Serbia and Sudan. The drafting committee met on 23 March. It appointed Mr. D. Adams (Australia) as its president and Ms. C. Guittet (France) as its rapporteur. It examined 119 amendments to the preliminary draft resolution, adopting some either in full or in part.

In the afternoon of 25 March, the Second Standing Committee examined the consolidated draft resolution and decided to incorporate two sub-amendments. The text of the resolution was then adopted as a whole. In the morning of 27 March, the draft resolution was submitted to the Assembly, which adopted it unanimously.

(ii) Selection of subject item and co-Rapporteurs for the Second Standing Committee at the 130th Assembly

The Bureau of the Second Standing Committee met on 24 March with the Committee President in the Chair. It examined proposals submitted by IPU Member Parliaments for the item to be debated by the Second Standing Committee at the 130th Assembly. The Bureau approved the subject item Towards risk-resilient development: Taking into consideration demographic trends and natural constraints, which it then submitted to the Second Standing Committee. The Committee agreed with the proposal, which was subsequently approved by the Assembly for inclusion in the agenda of the 130th Assembly. The Assembly appointed

Mr. S.H. Chowdhury (Bangladesh) and Mr. P. Mahoux (Belgium) as co-Rapporteurs.

(d) Third Standing Committee (Democracy and Human Rights)

(i) The use of media, including social media, to advance citizen engagement and democracy (Item 6)

The Third Standing Committee held two sittings, on 23 and 26 March. On 23 March, the titular Vice-President from the Group of Latin America and the Caribbean, Senator J.M. Galán (Colombia) chaired the first session. In addition to receiving the report and preliminary draft resolution prepared by the co-Rapporteurs, Ms. C. Charlton (Canada) and Ms. M. Kubayi (South Africa), the Committee was informed of a new IPU publication, Social Media Guidelines for Parliaments, for parliamentary administrations. The Committee had before it amendments to the draft resolution submitted by the delegations of Argentina, Belgium, China, Congo, France, India, Indonesia, Iran (Islamic Republic of), Japan, Philippines, Spain, Sweden, Switzerland and Syrian Arab Republic.

A total of 33 speakers took the floor during the plenary debate, after which the Standing Committee appointed a drafting committee composed of representatives of the following countries: Australia, Gabon, Ireland, Mexico, Switzerland, Uganda and Uruguay.

The drafting committee met on 25 March, assisted by Ms. Charlton and Ms. Kubayi. It appointed Ms. U. Stephens (Australia) as its president and Ms. Kubayi as its rapporteur. It examined the amendments proposed by Members to the preliminary draft resolution and adopted many of them in letter or spirit.

On the morning of 26 March, the Committee President, Mr. O. Kyei-Mensah-Bonsu (Ghana) chaired the second session. The Third Standing Committee examined the consolidated draft resolution and adopted it by consensus, with one minor modification. No reservations were expressed. Ms. Kubayi was elected as the rapporteur to the Assembly.

On 27 March, the draft resolution was submitted to the Assembly, which adopted it unanimously (see page 41 for the text of the resolution).

At its sitting on 26 March, the Third Standing Committee also elected its new Bureau. While most candidates submitted by the geopolitical groups were elected unopposed, a secret ballot was held to choose the titular member for the Asia-Pacific Group from among three candidates. Fifty-two

delegations cast their vote and the candidate from Afghanistan was elected with an absolute majority of 28 votes. No nomination was received for the post of substitute member from the Eurasia Group, which remained vacant. See page 28 for the composition of the new Bureau.

(ii) Selection of subject item and co-Rapporteurs for the Third Standing Committee at the 130th Assembly

The Third Standing Committee agreed at its second sitting to the subject item The role of parliaments in protecting the rights of children, in particular unaccompanied migrant children, and in preventing their exploitation in situations of war and conflict for inclusion in the agenda of the 130th Assembly. The Committee voted by 31 to 21 to accept the Bureau's recommendation rather than to reopen the discussion on proposals for subject items. It appointed Ms. G. Cuevas (Mexico) and Ms. J. Nassif (Bahrain) as co-Rapporteurs. The item and co-Rapporteurs were subsequently approved by the Assembly at its last sitting on 27 March.

(e) Emergency item

The role of parliaments in addressing the security and humanitarian impact of the crisis in Syria and in bringing pressure to bear on their governments to assume their international and humanitarian responsibility towards Syrian refugees and to support the neighbouring countries that receive them (Item 9)

The debate on the emergency item was held in the afternoon of Sunday, 24 March, with the President of the 128th Assembly, Mr. F. Cordero Cueva, in the Chair.

The debate was preceded by a short introduction to the draft resolution by Jordan, its sponsor. The resolution stemmed from the belief that the attention of the international community needed to be drawn to the alarming humanitarian situation facing Syrian refugees and internally displaced persons (IDPs). The number of refugees was increasing at an astounding pace; in the first three months of 2013 alone that number had reached 420,000. Action was urgently needed and parliaments must assume their share of the responsibility. Pledges of assistance made by the international community had thus far not been honoured. It was crucial to find a peaceful solution and the international community could no longer afford to turn a blind eye to the situation.

The President of the Assembly expressed concern over the use of the word "security" in the revised title of the resolution. The sponsor of the resolution

affirmed that the purpose of the resolution was to focus on the humanitarian plight of Syrian refugees and IDPs, including their security situation, and the potential for instability in the wider region resulting from the outflow of refugees.

During the debate, the speakers expressed deep concern for the plight of the Syrian people - both refugees and IDPs - and expressed solidarity with them in the face of the crisis. The refugee situation had turned into a real tragedy for the Syrian people and several speakers called on the international community to come to their assistance.

Lastly, some speakers condemned the loss of life and called for maximum restraint while stressing the need for a solution to the Syrian crisis to be Syrian-led and respectful of Syria's sovereignty.

The Assembly referred the emergency item to a drafting committee composed of representatives of China, Côte d'Ivoire, Ecuador, France, Iran (Islamic Republic of), Jordan, Mexico, Morocco, Turkey, United Kingdom, United Republic of Tanzania and Zambia. It appointed Mr. F. Bustamante (Ecuador) as its president and Ms. S. Haj Hasan (Jordan) as its rapporteur. The drafting committee met twice on 25 March to finalize the draft resolution.

At its last sitting, held on 27 March, the Assembly adopted the resolution by consensus with reservations on the use of the word "security" in the title of the resolution expressed by the delegations of Algeria, Cuba, Ecuador, El Salvador, Iran (Islamic Republic of), Mexico, Peru, Russian Federation, Sudan, Syrian Arab Republic and Uruguay. In addition, the delegation of the Syrian Arab Republic expressed reservations on several parts of the resolution which it felt violated its country's sovereignty, and Cuba expressed a reservation on the first preambular paragraph.

(f) Presidential Statement on sexual violence against women

At the closing sitting of the Assembly, the President expressed his deep concern at widespread acts of sexual violence against women and, in particular rape in all its manifestations and contexts. He underscored the urgent need to take action to end that scourge, which spared no country. The Meeting of Women Parliamentarians had expressed the wish that the Assembly speak out against such heinous crimes and the Executive Committee had approved the text of the Presidential Statement. It called on parliaments and their members to roundly condemn sexual violence against women. The President read out the Statement, which the Assembly endorsed (see page 50).

192nd Session of the Governing Council

1. Membership of the Inter-Parliamentary Union

No new requests for membership having been received before the 128th Assembly, membership of the IPU remained unchanged. On 23 March, the Governing Council approved requests for observer status from the Global Organization of Parliamentarians against Corruption (GOPAC) and The Parliamentarians for the Americas (ParlAmericas).

2. Financial results for 2012

The Governing Council considered the annual Financial Report and Audited Financial Statements for 2012. For the first time ever, the IPU financial statements were prepared in full compliance with International Public Sector Accounting Standards (IPSAS). In order to comply with the new accounting standards, the accounts of the IPU and the accounts of the legacy Pension Fund had been consolidated into a single set of financial statements.

The transition to IPSAS had required several significant accounting adjustments and restatements, including the revaluation of the IPU Headquarters building, an external actuarial review and valuation of the legacy Pension Fund and the restatement of the 2011 balance sheet. As a result of those adjustments, the opening Working Capital Fund was increased by CHF 0.5 million. The financial statements and notes now contained greater details of financial information and were presented in a new and more comprehensive format.

The final results for 2012 showed that the IPU had recorded a total operating surplus of CHF 1,015,711. That comprised a higher level of voluntary funding than had been budgeted, savings in staffing and administrative costs, deferral of the IPU website development expenditure to 2013 and IPSAS adjustments required for the legacy Pension Fund and reserves. The Council noted that the reserves and Working Capital Fund had been increased correspondingly. As a result, the balance of the Working Capital Fund stood at CHF 6,385,574 at the year end.

The Internal Auditor's report prepared by Mr. M. Sheerit (Israel) was presented on his behalf by the Chair of the Sub-Committee on Finance, Mr. K. Örnfjäder (Sweden). In his report, the

Internal Auditor had said that he was satisfied that the IPU had followed all previous recommendations and that, following the transition to IPSAS, the financial management of the IPU was now based on a stronger foundation than ever before. The positive results had increased the Organization's asset values and financial reserves. In his opinion, the financial results gave a true and fair reflection of the financial position and performance of the IPU for 2012.

The Internal Auditor had taken note of the remarks from the External Auditor that the transition to IPSAS had represented a substantial achievement for the IPU and was a considerable and complex task involving wide-ranging changes. To maintain compliance, he had recommended that the IPU finance team continue to update its technical know-how on the evolving standards.

He had noted that the liability of the legacy Pension Fund, which had been raised repeatedly in previous audits, had now been professionally assessed by an independent actuary and the resulting values were now fully reflected in the IPU's financial statements. A potential actuarial risk related to the United Nations Joint Staff Pension Fund (UNJSPF) had been noted by the External Auditor but would not be reflected in the IPU's accounts until it could be reliably estimated.

On the recommendation of the Internal Auditor, the Governing Council approved the Secretary General's financial administration of the Inter-Parliamentary Union and the financial results for 2012.

3. Financial situation

The Governing Council received an overview of the IPU's financial situation at 28 February 2013 and noted that the overall financial position of the IPU was sound. The overall level of expenditure was on track at 93 per cent of the year-to-date budget. Arrears of contributions stood at CHF 652,000, with further payments of arrears expected shortly.

4. Cooperation with the United Nations system

The Council took note of the activities undertaken in cooperation with the United Nations system since the 127th IPU Assembly (see page 54).

The Council endorsed a recommendation of the Executive Committee for the IPU to collaborate with the World Future Council and the United

Nations in selecting the recipient of the 2013 Future Policy Award. The Award would be conferred to exemplary public nuclear disarmament policies that contributed to the achievement of peace and sustainable development.

5. Implementation of the IPU Strategy for 2012-2017

In the context of IPU Strategic Objectives 4 and 5, the Governing Council heard a report on the IPU's contribution to the design of the post-2015 development framework. It took note of the outcome of the discussions that had taken place between parliamentarians and the UN Secretary-General's High-level Panel on Eminent Persons in Monrovia in January 2013. It encouraged parliaments to take part in national consultations being organized by the United Nations and invited Members to participate in the online global survey called My World available at <http://www.myworld2015.org/?partner=MP>.

The Council welcomed the fact that the outcome of the debate taking place in Quito on "Buen Vivir" would be conveyed to the United Nations in the form of the Quito Communiqué as a further parliamentary input to the post-2015 process. The Parliamentary Hearing at the United Nations would constitute yet another building block.

Referring to Strategic Objective 7, the Governing Council endorsed a set of proposals relating to the new format of IPU Assemblies, the functioning of the Standing Committees and their Bureaux and the status of the IPU Committee on United Nations Affairs (see page 65). The proposals comprised input received during the Assembly from a Joint Meeting of the Standing Committees' Bureaux held on 22 March, the Meeting of Young Parliamentarians and the Coordinating Committee of Women Parliamentarians. Implementation of those proposals would require a number of amendments to the Statutes and Rules, which would be circulated to Members ahead of the 129th Assembly in Geneva.

With regard to Strategic Objective 8 relating to the Communications Strategy, the Council received an update on efforts to develop a visual identity for the IPU. That included work on revamping the IPU website, producing new information products, expanding media outreach and enhancing use of social media. Members were informed that the Executive Committee had decided to defer a final decision on the future logo of the Organization to the next Assembly in Geneva. It endorsed a proposal by the Meeting of Young Parliamentarians to transform its informal meeting into a formal

Forum of Young Parliamentarians. The Forum would contribute to the overall achievement of the IPU's Strategy by increasing the presence of young MPs at IPU Assemblies, incorporating a youth perspective into the IPU's work and monitoring and enhancing implementation of the IPU resolution on "Youth participation in the democratic process". It would also support youth participation in parliament through advocacy and technical assistance and help build bridges between the IPU and youth organizations.

6. Action by the IPU to strengthen democracy and parliamentary institutions

The Governing Council took note of an oral report by the Deputy Secretary General and Director of the Division of Programmes, Mr. M. Chungong, on recent IPU activities in the key areas of strengthening parliaments, research and standards-setting, advancing gender equality and protecting and promoting human rights. The IPU's democracy-related work in 2012 focused on the Arab Spring countries, Bangladesh, Democratic Republic of the Congo, Myanmar and Palestine. The IPU was also cooperating with the parliaments of Australia and New Zealand in developing a programme of assistance to the Pacific Island parliaments.

In the context of the IPU's contribution to the design of the post-2015 development framework, the IPU was building on its work to establish standards for democratic parliaments. It would develop measurable targets and indicators for assessing parliaments' contribution to democracy. That work would serve as a basis for establishing a peer review mechanism whereby parliaments would share experiences on their democratic processes. The IPU also planned to build on its work to map the representation of minorities and indigenous peoples in parliament by collecting data, identifying mechanisms for ensuring better representation and devising advocacy strategies. The results of that work would feed into the proceedings of the World Conference on Indigenous Peoples (September 2014).

The IPU's gender equality work increasingly included protecting the rights of women, especially promoting parliaments' contribution to fighting violence against women. Recently, assistance had been extended to the parliaments of Togo and Burundi in designing legislation on violence against women. A corresponding advocacy strategy had been developed by the women's parliamentary caucuses in those countries with support from the IPU. In the area of human rights, the IPU continued to focus on the protection of members of

parliament. The Committee on the Human Rights of Parliamentarians was examining an increasing number of cases and had adopted new working modalities involving more frequent field missions. In some cases, the IPU had offered assistance to parliaments to build their capacity to protect human rights. Recently, the Parliament of the Maldives had adopted a privileges law. The IPU had provided assistance in drafting that law, which provided guarantees to members of parliament in the performance of their duties. The IPU urged the authorities of the Maldives to implement fully and respect the provisions of that law. It planned to dispatch a mission to that country to help establish smoother relations between the parliament and the executive.

Details of the IPU's activities in the above-mentioned areas could be found in the Secretary General's Report on the activities of the IPU in 2012 as well as in the Financial Results for 2012.

7. Statement by the President of the IPU on the situation in the Central African Republic

At its sitting on 27 March, the Council endorsed a statement in which the President expressed the IPU's deep concern on learning of the coup d'état that had taken place in the Central African Republic, where an armed group had seized power and dissolved the elected parliament.

Once again, declared the President, "an elected parliament has become the main casualty of a political crisis. The IPU strongly condemns this coup d'état. It urges the new authorities of the country to take immediate steps to return to constitutional rule and establish a parliament that reflects the will of the people. The IPU has worked with and supported the dissolved parliament and is committed to pursuing its assistance to the future parliament as the country emerges from the crisis".

The President deplored that further example of the unconstitutional removal of an elected government and parliament. He underlined the fragility of democracy and called on all parliaments to remain ever vigilant.

8. Recent specialized conferences and meetings

The Governing Council took note of the results of the Parliamentary Workshop on Strengthening the Role of Parliamentarians in the Implementation of Universal Periodic Review (UPR) Recommendations (see <http://www.ipu.org/splz-e/hr12.htm>), the Annual 2012 Session of the Parliamentary Conference on the WTO (see <http://www.ipu.org/splz-e/trade12.htm>), the Parliamentary Workshop on developing good

practice in political representation and constituency work in the Caribbean region (see <http://www.ipu.org/splz-e/T&T12.htm>), the Regional Seminar for East and Southern African Parliaments on preventing and responding to violence against women and girls: From legislation to effective enforcement (see <http://www.ipu.org/splz-e/tanzania12.htm>), the Joint IPU-UN Parliamentary Hearing at the United Nations (see <http://www.ipu.org/splz-e/unga12.htm>) and the Parliamentary Meeting on the occasion of the 57th session of the Commission on the Status of Women (see <http://www.ipu.org/splz-e/csw13.htm>).

9. Reports of plenary bodies and specialized committees

At its sitting on 26 March, the Governing Council took note of the reports on the activities of the Gender Partnership Group, the Advisory Group on HIV/AIDS and Maternal, Newborn and Child Health, and the Meeting of Young Parliamentarians.

At its sitting on 27 March, the Council heard the report of the Committee on the Human Rights of Parliamentarians and adopted its resolutions. It received a report from the Committee on Middle East Questions and endorsed its conclusions and recommendations (see page 57). Lastly, the Council also heard the report of the Meeting of Women Parliamentarians and the Committee to Promote Respect for International Humanitarian Law.

10. Future inter-parliamentary meetings

The Governing Council endorsed arrangements proposed for the 129th Assembly, to be held in Geneva from 7 to 9 October 2013. It took note of the list of IPU Permanent Observers (see pages 73 and 74).

The Council approved the venue of Baku, Azerbaijan, for the 130th Assembly, which would take place from 10 to 13 April 2014 on the understanding that the necessary visa assurances would be provided shortly by the Government of Azerbaijan.

The Council also approved the venue of Hanoi, Viet Nam, for the 132nd Assembly, to be held from 29 March to 1 April 2015.

It welcomed the invitation from the Parliament of Zambia to host the 134th IPU Assembly and requested the Secretariat to undertake the usual exploratory mission.

It approved the list of future meetings and other activities to be funded by the IPU's regular budget and external sources (see pages 70 and 71).

11. Election of the Secretary General

The Council took note of the Executive Committee's decision to publish the vacancy announcement for the post of IPU Secretary General on 1 May 2013. The vacancy announcement described the functions, skills, qualifications, education and language requirements for the post (see page 56). The Executive Committee had also agreed on minimum eligibility criteria that must be met by all candidates. In accordance with the procedure adopted by the Council in 2010, applications should be submitted within four months, i.e. by 1 September 2013. The final decision would be taken through elections by the Council on 13 April 2014. The new Secretary General would take up the post on 1 July 2014.

12. Amendments to the Statutes and Rules

The Governing Council was informed that, pending further consultations, the French delegation had withdrawn its proposal to amend Article 4 of the Statutes to suspend a Member of the IPU on grounds that it did not "fulfil, as part of its functions, the responsibility that falls to it of protecting its population from genocide, ethnic cleansing, war crimes and crimes against humanity".

The Council was also informed that discussion of the proposed amendments to Articles 21(l) and 24(h) of the Statutes submitted by the President of the Chilean Group would be deferred to the 129th Assembly in Geneva.

266th Session of the Executive Committee

The Executive Committee held its 266th session in Quito on 20, 21 and 26 March 2013. The President of the IPU chaired the session. The following members took part in the session: Ms. F. Diendéré Diallo (Burkina Faso), Mr. D. Oliver (Canada), Ms. S. Moulengui-Mouélé (Gabon), replaced by Ms. P. Nongou Moundounga on 26 March, Mr. J. Winkler (Germany), Ms. N. Ali Assegaf (Indonesia, President of the Coordinating Committee of Women Parliamentarians), replaced by Ms. B. Amongi (Uganda, Second Vice-President of the Coordinating Committee of Women Parliamentarians) on 26 March, Ms. N. Motsamai (Lesotho), Mr. L. Tañada replacing Mr. F. Drilon (Philippines) on 26 March, Mr. K. Örnfjäder (Sweden), Mr. P.-F. Veillon (Switzerland), Ms. R. Kadaga (Uganda), Mr. R.M.K. Al Shariqi (United Arab Emirates) and Mr. H. Tajam, replacing Ms. I. Passada (Uruguay). Mr. K. Chshmarityan (Armenia), Mr. F.K. Kundi (Pakistan) and Mr. D. Vivas (Venezuela) were absent.

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

The Executive Committee considered the situation of several Members and was pleased to note that no Members were liable for suspension under the terms of Article 5.3 of the Statutes. It urged those Members that were in arrears of two or more years to make their payments in a timely manner. The Committee examined an amendment to Article 4 of the Statutes pertaining to the suspension of a

Member Parliament, submitted by the French delegation. It expressed doubts about the desirability and formulation of the proposal and recommended that it be withdrawn.

At its second sitting, the Committee held a hearing with the Syrian delegation on the situation in the country. The delegation was composed of new members of parliament from several political parties and independents. The Committee sought to ascertain what efforts, if any, were being deployed by the parliament to bring an end to the crisis. The delegation welcomed the idea of an IPU mission to Syria in the coming months and responded to a number of questions from members.

At its last sitting, the Executive Committee approved the text of a Presidential Statement on sexual violence against women, which was endorsed by the Assembly at its closing session. It also approved a request to produce a summary of the General Debate on "Buen Vivir", which would take the form of the Quito Communiqué. That document was adopted by the Assembly at its last sitting on 27 March.

Under implementation of the IPU Strategy, the Committee was informed of the IPU's contribution to the design of the post-2015 development framework.

At its first sitting, the Executive Committee held an initial discussion on a set of proposals relating to the new format of IPU Assemblies, the functioning of the Standing Committees and their Bureaux, and the status of the IPU Committee on United Nations

Affairs. At its second sitting, it finalized the proposals and decided to recommend that the Council endorse them.

The Committee received a Skype presentation on developments regarding the new logo and strap line. The members decided to defer their final decision to the next Assembly in October.

It had an in-depth discussion about the procedure and timeline for the election of the Secretary General and decided to publish the vacancy announcement for the post on 1 May 2013 and invite applications until 1 September 2013. That had been decided following an amendment submitted by the Swiss delegation to extend the selection process from 10 to 15 months. It drafted the announcement containing a description of the functions, skills, qualifications and language and educational requirements of the new Secretary General, as well as minimum criteria that must be met by all candidates.

The Committee was informed of staff movements in the Secretariat. Mr. R. Oberoi, an Indian national, had been recruited in January 2013 as Web and IT Manager and Ms. C. Cameron of the United Kingdom had been recruited as an administrative assistant.

She would take up her functions as of 1 April 2013. Ms. S. Varturk of South Africa had been selected as Executive Assistant to the Secretary General and would commence her functions in April 2013. Ms. S.-A. Sader, Conference Services Officer, had been promoted to the P3 level as had Ms. A. Blagojevic, Programme Officer for HIV/AIDS and Development. The process of selecting a new Director for the New York Office was currently under way.

Sub-Committee on Finance

The Sub-Committee on Finance met on 19 March to prepare and facilitate the Executive Committee's consideration of financial and budgetary matters. It examined the Financial Results for 2012, the External Auditor's Report and the Financial Situation of the IPU and was pleased to note that the IPU was now fully compliant with IPSAS. The IPU was in a sound financial position overall, recording a net surplus of about CHF 1 million. It had managed to respect zero growth in Members' contributions and had achieved cost savings in a number of areas due mainly to frozen staff positions and the deferral of website development costs. It also noted with satisfaction a higher level of voluntary contributions.

Meeting and Coordinating Committee of Women Parliamentarians

The Eighteenth Meeting of Women Parliamentarians took place on 22 March 2013 and was attended by 112 women and eight men representing the following 58 parliaments: Algeria, Andorra, Angola, Argentina, Azerbaijan, Bahrain, Belgium, Benin, Burkina Faso, Canada, Chad, Congo, Costa Rica, Cuba, Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Finland, France, Gabon, Germany, Greece, Indonesia, Iran (Islamic Rep. of), Japan, Jordan, Lesotho, Maldives, Mexico, Morocco, Namibia, Oman, Palestine, San Marino, Sao Tome and Principe, Saudi Arabia, Serbia, South Africa, Spain, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, Timor-Leste, Trinidad and Tobago, Turkey, Uganda, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Zambia and Zimbabwe.

The Meeting was also attended by the following Associate Members and international organizations: the East African Legislative Assembly, the Central American Parliament, the Arab Parliament, the Inter-Parliamentary Committee of the West African Economic and Monetary Union, UN Women and UNFPA.

The Meeting was opened by the President of the Coordinating Committee of Women Parliamentarians, Ms. N. Ali Assegaf (Indonesia). The first order of business was the election as President of the Meeting of Ms. S. Fernández, a member of the National Assembly of Ecuador.

Ms. Fernández welcomed the participants and outlined the programme of work. The Speaker of the National Assembly of Ecuador, Mr. F. Cordero Cueva, and the IPU President, Mr. A. Radi, also welcomed the participants.

Ms. U. Karlsson (Sweden) briefly reported on the deliberations of the Coordinating Committee at its 29th session, held in Québec City (October 2012), and its 30th session, held that morning.

Mr. D. Oliver (Canada) reported on the work of the Gender Partnership Group during its session in Quito, in particular with regard to ascertaining the level of women's participation in delegations to IPU Assemblies. The Group congratulated the Parliament of Saudi Arabia, which had included women in its parliament for the first time ever in January 2013.

The Meeting was informed about the follow-up by the IPU Secretariat to the Plan of Action for Gender-sensitive Parliaments, which had been disseminated in the form of a brochure in four languages. In addition, several parliaments had organized workshops, with IPU support, to evaluate their level of gender sensitivity and their specific reform needs.

As its contribution to the Assembly, the Meeting considered, from a gender perspective, the subject items debated by the First and Second Standing Committees:

- Enforcing the responsibility to protect: The role of parliament in safeguarding civilians' lives (First Standing Committee); and
- Fair trade and innovative financing mechanisms for sustainable development (Second Standing Committee).

The participants divided into two discussion groups, one for each subject item. The Coordinating Committee had elected Ms. S. Escudero (Argentina) and Ms. B. Amongi (Uganda) moderator and rapporteur respectively of the first group, and Ms. M. André (France) and Ms. E. Abdulla (Maldives) moderator and rapporteur of the second. In its report, each group proposed a series of amendments to the resolutions of the First and Second Standing Committees respectively. Most of the amendments proposed were adopted.

In the afternoon, the participants heard about the progress made and setbacks sustained in women's representation in parliaments in 2012. During the ensuing discussion, they expressed satisfaction at the progress made, the worldwide average of women in parliaments being 20.3 per cent at the end of 2012. They also discussed the factors influencing participation, including special measures such as quotas and the difficulties posed by election campaign funding.

The Meeting held a dialogue session for men and women on the theme Violence against women, in particular sexual violence. The session was opened by Ms. C.A. Thomas, Director of the Women's Human Rights Programme at The Advocates for Human Rights, who presented the constituent components of legislation on sexual assault.

Her presentation was followed by a talk by Ms. M. Mensah-Williams, Vice-Chairperson of the National Council of Namibia, on the key provisions of the Combating of Rape Act adopted by her country in 2000.

The discussion brought to light many examples of criminal law provisions and measures to protect and assist the victims that worked effectively to prevent sexual violence effectively. The participants underscored the importance of defining rape and sexual assault as human rights violations and attacks on physical integrity. They also emphasized the parliamentary role of oversight, which parliaments should use to ensure that legislation on sexual violence was properly enforced and that the budget allocated sufficient resources for enforcement. At the end of the session, the Meeting requested the Quito Assembly to adopt a solemn declaration urging parliaments and their members firmly to condemn sexual violence and to act without delay to eradicate that scourge.

The Meeting was informed about recent IPU activities on gender issues, in particular the parliamentary meeting organized jointly by the IPU and UN Women on the occasion of the Fifty-seventh Session of the Commission on the Status of Women, which had been held in New York in March 2013. It discussed the contribution of parliaments to reports on the Convention on the Elimination of All Forms of Discrimination against Women. The Meeting also heard talks on the International Knowledge Network of Women in Politics (iKNOW Politics), by Ms. R. Beeckmans, the network's coordinator, and on the IPU's work regarding the adoption of new objectives for the post-2015 development agenda, by Mr. M. Chungong, IPU Deputy Secretary General.

The Coordinating Committee met on 22 March 2013 to review the preparations for the Meeting of Women Parliamentarians and to define its contribution to the implementation of the decisions on reform of IPU Assemblies. It met again on 26 March to assess the results of the 128th IPU Assembly from the point of view of women and to start laying the groundwork for its next meeting, which would take place in October 2013 in Geneva. It also started to discuss strategies for heightening its impact and that of the Meeting of Women Parliamentarians on the deliberations of IPU Assemblies and the Organization's development.

Subsidiary bodies and Committees of the Governing Council

1. Committee on the Human Rights of Parliamentarians

Mr. K. Jalali (Islamic Republic of Iran), Mr. J.P. Letelier (Chile) and Mr. U. Nilsson (Sweden), titular members, and Ms. M. Kiener Nellen (Switzerland), Mr. B. Mbuku-Laka (Democratic Republic of the Congo) and Ms. I. Støjberg (Denmark), substitute members, participated in the Committee's 141st session, which took place from 22 to 26 March 2013. During the session, the Committee met 11 official delegations with a view to enhancing its understanding of the cases before it and informing them of its concerns.

The Committee examined the cases of 147 sitting or former parliamentarians from 24 countries. It submitted 21 resolutions for adoption to the Governing Council on cases concerning the following countries: Belarus, Cambodia, Cameroon, Chad, Colombia, Ecuador, Iraq, Maldives, Myanmar, Palestine/Israel, Russian Federation, Rwanda, Thailand, Togo, Turkey, Yemen and Zimbabwe.

2. Committee on Middle East Questions

The Committee met on two occasions, on 22 and 26 March 2013. The session was attended by Ms. Z. Benarous (Algeria), Ms. M.A. Cristi (Chile), Mr. S. Janquin (France), Mr. D. Papadimoulis (Greece), Mr. H. Franken (Netherlands), Mr. T. Henare (New Zealand), Mr. T. Wickholm (Norway), Ms. M. Green (Sweden) and Lord Judd (United Kingdom).

At its meeting on 22 March 2013, the Committee elected Lord Judd (United Kingdom) as its President.

It examined the report on the mission to Palestine and Israel (see page 57) and endorsed its conclusions and recommendations. The Committee members reaffirmed their conviction that a solution to the conflict belonged to the parties. The role of the IPU and its Committee on Middle East Questions was not to negotiate but to facilitate dialogue. Such dialogue must be inclusive and representative.

The Committee would also like to facilitate an exchange of views between Palestinian and Israeli women MPs.

At its meeting on 26 March 2013, the Committee held a hearing with the leader of the delegation of Palestine. Members received feedback from the

delegation on the report of the Committee's recent visit to Palestine and Israel. The Committee agreed to take the delegation's views into account in its follow-up of the report. The Committee also heard representatives of the delegation of the Syrian Arab Republic on the situation in that country and its implications for the Middle East peace process.

The Committee decided to organize a dialogue session between Palestinian and Israeli legislators as soon as possible. The session would take place between 21 and 23 June 2013 at a venue, possibly Jerusalem, to be decided following consultations with the Secretary General and the parties concerned. The issues to be discussed would be those agreed upon following consultations with the parties. They could include water management and climate change. The session would also be open to the younger generation of Palestinians and Israelis, and to women members of parliament.

The Committee expressed the desire to hold a one-day meeting in Geneva between 24 and 26 July 2013.

Lastly, the Committee decided to defer consideration of the President's proposal to appoint a vice-president until its next session, when more members would be present.

3. Committee to Promote Respect for International Humanitarian Law

The Committee to Promote Respect for International Humanitarian Law met on Monday, 26 March 2013. All titular members and most substitute members attended the meeting. Representatives of the International Committee of the Red Cross (ICRC) and the Office of the United Nations High Commissioner for Refugees (UNHCR) also took part.

The Committee elected Mr. A.A. Cakra Wijaya (Indonesia) as Chair until the end of his mandate in April 2014. The election was held amid uncertainty as to the electoral procedure and mandate of the Committee Chair. Members of the Committee therefore agreed that one of their first tasks should be to review the Committee's rules of procedure and propose amendments to them at its next session.

The Committee was briefed on recent developments with regard to statelessness. It took note of the fact that, according to UNHCR estimates there were up to 12 million stateless individuals

worldwide. The 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness were the main international treaties dealing with the issue. As at 20 March 2013, the number of States parties to the 1954 Convention was 76 and the number of States parties to the 1961 Convention was 50. The Committee called on parliaments to ensure universal ratification of those legal instruments and effective national implementation.

The Committee discussed the updating of the IPU-UNHCR Nationality and Statelessness: A Handbook for Parliamentarians. The 2013 update of the Handbook would reflect recent developments and its aim was to assist parliamentarians wishing to address statelessness in their own countries. It was hoped that a revised version of the Handbook would be ready in 2014, in time for the 60th anniversary of the 1954 Convention.

The Committee was briefed on recent developments with regard to internally displaced persons (IDPs). At the beginning of 2012, there had been 26 million persons uprooted from their homes and livelihoods by armed conflict, natural disasters and the effects of climate change.

UNHCR was also cooperating with the IPU and other partners to develop a handbook for parliamentarians on internal displacement. The Committee would contribute to the development of the handbook, due to be finalized by October 2013, in time for the 129th IPU Assembly in Geneva.

The Committee was briefed on recent developments with regard to refugee protection. Particular attention was paid to the situation in the Syrian Arab Republic. In early April 2012, UNHCR had registered about 33,000 Syrian refugees in the region. Just over 11 months later, it had registered – or given registration appointments to – over 1 million Syrians across the Middle East and North Africa, with the bulk of refugees in Iraq, Jordan, Lebanon and Turkey. Since early January 2013, over 40,000 people had fled Syria every week. UNHCR expected to have 1.1 million Syrian refugees by June 2013.

Three quarters of the refugees were women and children and there were increasing reports of rape and sexual abuse. Following the briefing by UNHCR, the Committee expressed its wish to carry out a field visit to refugee camps in the region. Members asked the IPU Secretariat to look into the question jointly with UNHCR and develop a concept note, schedule and budget for such a

mission. Committee members noted that, should such a field visit take place, extrabudgetary funds would need to be found.

The Committee was briefed by the ICRC on latest developments with regard to international humanitarian law (IHL). With regard to weapons, participants were informed of the UN Conference on the Arms Trade Treaty being held in New York, from 18 to 28 March 2013, and the results of the Conference on the Humanitarian Impact of Nuclear Weapons, held in Oslo (Norway) on 4 and 5 March 2013. Both would require parliamentary follow-up at the national level.

The Committee went on to discuss the role of parliament in the enforcement of IHL norms at the national level. The question of incorporating IHL in domestic law remained a crucial issue, in particular for preventing serious violations. Parliaments needed to ensure that: all IHL treaties had been signed and ratified; IHL treaties were integrated in national legal frameworks; IHL norms were also taken on board by the armed and security forces; IHL was taught in university and research centres; and visibility was given to it through awareness-raising campaigns and the media.

National IHL commissions were also highlighted as useful bodies for the enforcement of IHL. There were 101 such commissions worldwide. Parliaments were invited to support them and take an active part in their work.

The ICRC drew the attention of Committee members to the existence of two related online databases that might support parliaments' work on enforcing IHL: the international humanitarian law database: www.icrc.org/ihl-nat.nsf and the customary law database: www.icrc.org/customary-ihl/eng/docs/home.

The Committee took note of the results of the open briefing, held on 24 March 2013. Attendance was particularly high (50 MPs from more than 20 parliaments) and the debates were lively (see page 21 for a summary of the discussions).

The Committee agreed to devise a work plan for the coming year, to include work on the two proposed IPU-UNHCR handbooks for parliamentarians; monitoring of the refugee situation in countries neighbouring Syria, including through field visits; and closer cooperation with UNHCR and ICRC. Committee members welcomed the invitations from UNHCR and the ICRC to visit their headquarters during the next Committee session in Geneva.

4. Gender Partnership Group

The Gender Partnership Group held its 32nd session on 21 March 2013. In attendance were Mr. D. Oliver (Canada), as Chair, Ms. N. Ali Assegaf (Indonesia), Mr. P.-F. Veillon (Switzerland), and Ms. R. Kadaga (Uganda). The President of the IPU also attended the meeting.

The Group compared the composition of the delegations present at the 128th IPU Assembly with that of previous statutory assemblies. In all, 202 of the 619 delegates (32.6%) present at the Assembly were women, the highest percentage ever recorded at an Assembly. The Group was very satisfied by the improvement.

The Group examined the internal composition of delegations. The majority of delegations present at the current Assembly had more than 30 per cent of women members. In addition, 20 delegations had an equal number of men and women members. Of the 118 delegations present, 109 were composed of at least two delegates. Of those, nine were composed exclusively of men (8.3%). Those all-male delegations were from the parliaments of the following countries: Democratic Republic of the Congo, Ghana, Haiti, Iraq, Latvia, Micronesia (Federated States of), Mozambique, Qatar and Togo. Two delegations – Armenia and Cuba – were composed exclusively of women. Only the delegation of Qatar was subject to sanctions at the Assembly for being represented exclusively by men for more than three times in a row.

The Group monitored the participation of women in IPU bodies, which had remained steady at about 30 per cent over the previous years in both the Governing Council and the Executive Committee. The situation was less satisfactory in the Standing Committees. Of the three current Standing Committee bureaux, two were exclusively composed of men in terms of the titular members. Furthermore, none of the Standing Committees was chaired by a woman. The situation was similar in other committees. Of the 12 current members of the Advisory Group of the Committee on United Nations Affairs, for instance, only one was a woman. The case of the Committee on Middle East Questions was more positive, however. The Committee had an equal number of men and women members, owing to the fact that its rules explicitly required equality in membership. It was agreed that such a measure should serve as an example to enhance women's participation in all other IPU bodies.

The Group decided to complete its work on increasing the number of women by ensuring that gender equality was mainstreamed as a cross-cutting issue among all bodies.

As it did regularly, the Group examined the situation of parliaments with no women members. Most of them were in the Pacific Island States and, until recently, in the Gulf Cooperation Council States. The Group welcomed very positive developments in Saudi Arabia, where 30 women (20%) had been appointed to parliament for the first time ever, in January 2013. It warmly congratulated the delegation on the progress made.

5. Advisory Group on HIV/AIDS and Maternal, Newborn and Child Health

The IPU Advisory Group on HIV/AIDS and Maternal, Newborn and Child Health (MNCH) met during the 128th IPU Assembly for the first time since the expansion of its initial mandate to include maternal, newborn and child health issues. The Group discussed the 2013 work plans of the IPU's HIV/AIDS and MNCH projects, and its working modalities under the expanded mandate. The meeting was attended by the Advisory Group members from Austria, Canada, Indonesia and South Africa. Representatives of international organizations that provided technical support to the Group were also present (UNAIDS, The Global Fund to Fight AIDS, Tuberculosis and Malaria, the World Health Organization and the Partnership for Maternal, Newborn and Child Health). Representatives of UNDP, UNESCO and UNFPA attended the meeting as observers. The Group elected a new Chair, Ms. L. Davies (Canada), but decided that the post of vice-chair should remain vacant until the next meeting. The Advisory Group endorsed the MNCH work plan and gave its support to the Accountability Report as a mechanism to ensure accountability on the implementation of the 2012 IPU Resolution on maternal and child health. As a political custodian of the MNCH project, the Advisory Group will in the future contribute to strategic management of the project and provide input for the development of the work plans.

The Advisory Group agreed that the focus of its work in the area of HIV/AIDS should continue to be on punitive and discriminatory laws. It was also agreed that intellectual property rights should be put back on the IPU agenda and that partnerships should be sought to deal with that complex issue.

The Group decided that support to parliamentary bodies dealing with HIV in Burundi and the comparative study on good legislative practices on key populations affected by HIV should be key activities for the year. The Advisory Group agreed that rights constituted the core of its work and that they should continue to be at the fore and central to HIV/AIDS and MNCH projects. The Advisory Group recommended to the MNCH project that its future work plans should also include women's sexual and reproductive health and rights, which provided a clear linkage between HIV/AIDS and MNCH as was highlighted in the relevant IPU resolution. The Group also endorsed a joint project between the IPU and the Elisabeth Glaser Pediatric

AIDS Foundation on access to HIV treatment for children, seeing it as an initiative linking and supporting both areas under its mandate. The Group also recommended that the IPU should organize a parliamentary meeting at the 2014 International AIDS Conference and start planning for the event in the coming months.

The Advisory Group recognized the need to work more closely in the future and agreed that e-mail exchanges and teleconferences should become regular features of their work. That would ensure not only a timely input by the Group members to the activities of the IPU, but also regular updates by the IPU on the progress made on implementing work plans.

Media and communications

Media coverage of the 128th Assembly was positive. Initial media monitoring revealed more than 918 articles mentioning the IPU Assembly, its participants and a wide range of topics such as the main theme of the Quito Assembly "Buen Vivir" and a new development agenda, Syria and the responsibility to protect, the legalization of drugs, as well as bilateral meetings. Coverage was from all regions, with an emphasis on the Spanish-speaking press.

During the Assembly, the IPU issued three press releases, held three very well-attended press conferences with broadcast and print media and produced two web stories. Fourteen journalists, photographers and cameramen accompanying their national delegations attended the Assembly. In addition, 240 journalists, cameramen and photographers from 49 different media, both Ecuadorian and international, were accredited to the 128th Assembly in Quito. Among the international media were agencies Reuters, AFP, EFE and Prensa Latina. There was a very strong presence of the radio and television services of the Ecuadorian Parliament. Live footage from the Assembly was broadcast daily for eight hours on a new parliamentary television channel in Ecuador as well as being webcast live on envivo.asambleanacional.gob.ec. The Ecuadorian Parliament's TV channel also produced a 30-minute discussion programme daily on each day's highlights, which was aired twice a day. Nearly 40 speakers, MPs, experts and others, including the IPU Secretary General, were interviewed for those shows.

The IPU organized or carried out 20 interviews with international broadcasters such as the BBC World Service, Radio France International (RFI), South African Radio, in English and Arabic, as well as with Ecuadorian media in Spanish. Interviews arranged

with the BBC and RFI included those with the Syrian, Saudi, Bangladeshi, South African and Namibian delegations.

In keeping with recent Assembly practice, a twitter event was held using #IPU128Quito, although irregular displays of the live twitter feed in plenary for technical reasons impacted on the level of delegate participation. On the first day of the Assembly, @IPUparliament reached 274,159 unique twitter accounts and appeared over 483,710 times on twitter streams over 10 hours while #IPU128Quito reached 82,217 twitter accounts and appeared on 621,334 twitter streams in a four-hour period. @IPUparliament gained about 170 new followers during the Assembly period, an increase of more than 25 per cent. Photos of the Assembly were shared on Flickr www.flickr.com/uip128ecuador, which was visited 12,351 times during the five days with 3,485 downloads of images.

Publications issued at Quito included a new model law on disaster response jointly produced by the International Federation of Red Cross and Red Crescent Societies, UNOCHA and the IPU. This was launched to Members during a panel discussion. The annual report – IPU in 2012, the annual analysis of statistics of Women in Parliament, the printed version of the Plan of Action on Gender-sensitive Parliaments and the Social Media Guidelines, as well as the Spanish version of the Handbook for Parliamentarians entitled Supporting Nuclear Non-Proliferation and Disarmament, were also distributed to the membership for the first time. The IPU stand received several hundred order forms for its publications. The IPU communications team carried out 40 interviews and surveys among MPs and other delegates to inform work on the rebuilding of the new IPU website.

Other events

1. Meeting of the Advisory Group of the IPU Committee on United Nations Affairs

The Advisory Group met on 26 March 2013, with 10 of its 12 members in attendance. The Advisory Group considered the document which had been prepared by the IPU Secretariat on modalities to enhance the functioning of the Standing Committees and their Bureaux. The Advisory Group members welcomed the proposal for the Committee on United Nations Affairs to have its status upgraded to that of a standing committee, while underscoring the importance of maintaining its flexibility and unique mandate, in particular in view of the cross-cutting nature of its work.

The Advisory Group reviewed the main findings and recommendations of its earlier field missions geared towards examining implementation of One UN reform at the country level, and proposed that the agenda of the next meeting of the Committee (October 2013) include an item on the lessons learned from the consolidation and rationalization of those UN system operations. The Advisory Group considered other proposals for the next session of the Committee on United Nations Affairs, including cooperation with UN Security Council Committee 1540 (on the proliferation of nuclear, chemical and biological weapons), the status of implementation of the Istanbul Programme of Action for the Least Developed Countries, and preparations for and a possible parliamentary contribution to the 2014 World Conference on Indigenous Peoples. Other issues, including the political participation of persons with disabilities and Internet governance and cybercrime, were also proposed for future consideration by the Committee.

In terms of possible operational activities over the next one-year cycle, the Advisory Group expressed the wish to conduct a new field mission to a country where the United Nations was deploying a strong political presence, as was currently the case of Côte d'Ivoire. Such a mission would also allow the Advisory Group to travel to neighbouring Mali, where the Parliament had been playing a particularly active role in facilitating dialogue and reconciliation in the context of the Tuareg rebellion. In addition to its mission to Africa in mid-2013, it was proposed that the Advisory Group continue to examine One UN reform at the country level, with a new field visit to Uruguay (one of the original One UN pilot countries) in early 2014.

2. Meeting of young parliamentarians

The meeting of young parliamentarians held on 23 March 2013, with Mr. K. Dijkhoff (Netherlands) in the Chair, was attended by about 60 participants. The participants took stock of all activities and meetings since the resolution on Youth participation in the democratic process had been adopted by the 122nd Assembly in Bangkok (Thailand). They welcomed the growing number of participants at the meeting.

The young parliamentarians unanimously adopted a proposal to establish a Forum of Young Parliamentarians of the IPU and decided to submit it to the Executive Committee for endorsement. The Forum of Young Parliamentarians shared the IPU's strategic objectives and would contribute to their achievement by:

- Strengthening democracy through youth participation in parliament;
- Broadening diversity in delegations through age balance;
- Addressing youth-related issues of global interest; and
- Ensuring better follow-up and implementation of decisions and recommendations of IPU resolutions, in particular the resolution on Youth participation in the democratic process.

The participants also offered their input to the new format of IPU Assemblies, the functioning of the Standing Committees and their Bureaux and the status of the IPU Committee on United Nations Affairs. They expressed support for the reform process under way and welcomed measures already included in the document with regard to youth participation. However, the young parliamentarians expressed a desire to see more young parliamentarians appointed as co-rapporteurs to Standing Committees, to allow them to make a substantive contribution to the work and decisions of the IPU.

The young parliamentarians shared their views on the three draft resolutions under consideration during the 128th Assembly. They welcomed the inclusion of a youth perspective in the draft resolution on The use of media, including social media, to enhance citizen engagement and democracy and congratulated the young co-Rapporteur of the Third Standing Committee, Ms. M. Kubayi (South Africa), on her good work.

Two young parliamentarians were appointed by the participants to contribute a youth perspective to the debates of the First and Third Standing Committees. At the end of their meeting, the young parliamentarians renewed the mandate of their Task Force to work towards developing a mandate, structure, composition and functioning of the Forum of Young Parliamentarians of the IPU. The Task Force was composed of young parliamentarians from the delegations of the following countries: Afghanistan, Bahrain, Botswana, Costa Rica, India, Namibia, Netherlands, Norway, Pakistan, Portugal, Serbia, South Africa, United Arab Emirates, United Republic of Tanzania and Zambia.

3. Open session of the Committee to Promote Respect for International Humanitarian Law on The IHL dimension of the responsibility to protect

The Committee to Promote Respect for International Humanitarian Law held an open session on 24 March on the international humanitarian law (IHL) dimension of the responsibility to protect.

The purpose of the open session was to examine the nexus between IHL and the responsibility to protect, which remains unclear despite significant overlap between principles of international law and the underlying humanitarian priority.

IHL consists of a set of international norms aimed at limiting the effects of war on people and objects and regulating means and methods of warfare. It covers the protection of war victims, the limitation and/or prohibition of different types of weapons, the protection of certain objects and the repression of war crimes. The responsibility to protect, on the other hand, refers to the obligation of States towards their own populations and all populations at risk of genocide, war crimes, ethnic cleansing and crimes against humanity.

Mr. A.A. Cakra Wijaya (Indonesia), a member of the Committee, chaired the session. Debates were initiated by Ms. J. Park, Executive Director, Canadian Center for the Responsibility to Protect, Mr. S. Janquin (France), co-Rapporteur of the resolution on Enforcing the responsibility to protect: The role of parliament in safeguarding civilians' lives, and Mr. P. Zahnd, Continental Legal Adviser for the Americas, ICRC.

Discussions first focused on the similarities and differences between the responsibility to protect and IHL. It was noted that the former remained a

relatively new concept. Mainly political in nature and not yet anchored in law, it was a last-resort solution to be applied when everything else failed. The latter was a body of law containing some of the strongest and most fundamental norms of international public law; its enforcement protected civilians, in particular in times of armed conflict. Lying at the core of efforts to protect populations in international or national conflict situations, it imposed obligations on State or non-State actors engaged in armed conflict.

Participants then discussed challenges to the protection of civilians in armed conflict, most of which stemmed from the insufficient implementation and enforcement of legislation, in particular IHL. While recognizing that both the responsibility to protect and IHL responded to the objective of protecting civilians, they highlighted their differences. Focusing on IHL and the challenges to its national enforcement, participants highlighted the specific role of parliament in that respect. The national implementation of IHL treaties remained a crucial task. IHL needed to be incorporated in domestic law and resources should be set aside to ensure proper implementation. Furthermore, parliaments should raise awareness of, promote and give visibility to all related issues.

Lastly, the enforcement of IHL required coordination among all parties to all conflicts, including internal armed conflicts, as they were bound to uphold IHL in all circumstances. For their part, parliaments had responsibility for encouraging, engaging in and supporting dialogue.

4. Panel session on Development in danger: Filling legislative gaps to combat tomorrow's natural disasters

A panel session on Development in danger: Filling legislative gaps to combat tomorrow's natural disasters, held on 24 March 2013, served as a forum for discussing the specific role of parliaments in contributing to disaster management, prevention and recovery, through the adoption of adequate laws and effective enforcement. The session was chaired by Ms. S.V. Kalyan, Member of Parliament (South Africa). Panellists included Mr S.H. Chowdhury, Member of Parliament (Bangladesh), Mr. V. Hernández, Member of Parliament (Ecuador) and Mr. D. Fischer, Coordinator, Disaster Law Programme, International Federation of the Red Cross and Red Crescent Societies (IFRC), and Ms. A.M. Rebaza, Adviser in Peru, United Nations Office for the Coordination of Humanitarian Affairs (OCHA).

The session heard that disasters and the devastation that followed in their path were on the rise around the world, in part owing to the effects of climate change. In 2012 alone, they had affected over 100 million people and caused damage worth over US\$ 44 billion. Large-scale disasters, such as the earthquakes that had struck Haiti, Japan and Pakistan in recent years, Typhoon Bopha (Pablo) in the Philippines and Hurricane Sandy in the United States, seemed to be ever more present in the news, while hundreds of smaller disasters collectively wreaked even greater havoc in terms of human and material cost. Those disasters not only threatened lives around the world, but were also increasingly seen as one of the greatest threats to sustainable development gains, sometimes wiping out in minutes efforts that had taken decades. Moreover, the poorest and most vulnerable populations were invariably the hardest hit and faced the most daunting challenges to recovery. Legislation was one of the most important tools that nations had at their disposal to organize and formulate an effective defence to disasters.

The session was given a presentation of the "Model Act for the Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance", developed by the IFRC, the IPU and OCHA. Participants went on to discuss the role of legislation in disaster relief. They underscored that, for large-scale catastrophes, international assistance often made the difference between life and death, dignity and misery. Few countries, however, had clear rules in place for managing incoming international assistance operations. Those operations were becoming more and more complex as the number and variety of international responders continued to grow. Unintentional legal barriers, such as those related to visas, customs clearance, taxation, registration and transport permissions routinely snarled relief efforts, creating unnecessary restrictions, delays and costs at crucial moments when urgent help was most needed. At the same time, the lack of oversight mechanisms often hampered coordination, resulted in poor-quality relief and undermined the authority and capacity of domestic responders. Participants highlighted the need to secure more coordination between humanitarian relief actors, to develop regional guidelines for provision of relief and to ensure that those who delivered relief aid at the national level were properly trained.

The second part of the session took a broader look at the role of legislation in disaster-risk management at the domestic level, with a special focus on disaster-risk reduction. Panellists highlighted the

international commitments taken under the Hyogo Framework for Action 2005-2015, and that further to it many States had been adapting their legal frameworks to place a greater emphasis on the prevention of disasters. Reviews of progress on the Hyogo Framework for Action in 2011 had found that most disaster management laws remained primarily focused on response and little clarity was available on the extent to which risk reduction and climate change adaptation principles had been mainstreamed into the various areas governed by law. Resulting problems included lack of funding for key programmes, absence of clear lines of accountability, failure to fully engage and inform communities, civil society and the private sector, and major implementation gaps with regard to key rules, such as those related to land use and construction. Participants highlighted the importance of prevention and building national resilience and of investing in compliance with norms that reduced risk and increase resilience. Hazards were natural but disasters were not and members of parliament could help to curb both the incidence and impact of the latter.

5. Meeting of parliamentary whips

For the second time, a meeting that brought together parliamentary whips and political party coordinators from several countries took place at the initiative of Mr. J. Fitzgibbon (Australia) on 24 March 2013. In the absence of Mr. Fitzgibbon, the meeting was chaired by Mr. P. Secker (Australia). Delegates from the following countries attended: Afghanistan, Australia, Bangladesh, Bahrain, Canada, Chad, Chile, Ecuador, Ethiopia, Lesotho, Namibia, New Zealand, South Africa, Trinidad and Tobago and Uganda.

The group discussed the establishment of a network of parliamentary whips as a pilot programme for a period of 18 months. Its aim would be to enhance professional development, encourage information sharing, promote the work and objectives of the IPU and foster inter-parliamentary cooperation.

The name of the network was discussed and, although no consensus was reached, it was decided that a different name would attract a wider audience and the issue should be debated further. The meeting agreed to adopt the provisional title: IPU Parliamentary Coordinators' Network. Those present agreed that it should be hosted under the auspices of the IPU and proposed to explore whether the new IPU website could host the network's website. A proposal was made to organize a workshop for parliamentary whips and party coordinators.

6. Panel discussion on The legalization of drugs: Can it help curb organized crime?

A panel discussion on The legalization of drugs: Can it help curb organized crime? took place on 25 March 2013. Its main objective was to address the successes and challenges of current drug policies and reflect on positioning parliamentarians as critical leaders in taking the debate forward. With Lord Dholakia (United Kingdom) as discussion moderator, the panel included Ms. F.Z. Nadiri (Afghanistan), Ms. M. Obradović (Serbia), Mr. E. de la Reguera, journalist and author of Cocaine, and Mr. J. Calzada, Secretary General of the National Drugs Board of Uruguay.

Drug policies around the world had been driven by three UN instruments agreed in 1961, 1971 and 1988 that had contributed to the establishment of legal systems based on prohibition at the levels of drug production, trafficking and consumption. The presentations and ensuing discussions indicated that those policies had yielded mixed results. Most participants felt that the time had come to revisit those instruments and potentially seek other ways of addressing the drug problem. Political support for the debate had been growing at the highest levels, such that drug issues were no longer a taboo. The organization of the panel and the high level of participation by parliamentarians were seen as further evidence of that trend.

A very rich and lively debate took place on how to deal with drug issues and the effective approaches to doing so. While some countries strongly believed that current policies yielded results, others recommended that new approaches should be discussed and developed. All participants warned, however, that issues relating to drugs were complex and that it would be dangerous to look for over-simplistic solutions. It was recognized that the criminalization of drug use and production might not be the sole answer to the problem, but most participants cautioned against outright legalization. State regulation of the drug market and some forms of decriminalization of drugs were seen by some as possible in-between solutions.

Participants agreed that the fight against drugs called for an examination of the underlying causes of drug production and consumption. Poverty and inequalities were identified as key issues, highlighting the fact that drugs were not only a security but also a development issue. Several participants stressed that drugs and the root causes of their consumption created fertile ground for corruption, which in turn gave rise to weak and fragile institutions. Participants warned that the

strength of State institutions had to be taken into account when discussing responses to drugs. They agreed that one way of fighting corruption was by strengthening the institutions of accountability, including parliament.

It was agreed that the problems of drugs transcended the borders of individual States and that any new solutions to fight them had to be found at the global and regional levels. Equally important, producer and consumer countries needed to work together and exchange information. Within national borders the debate on drugs had to take place at all levels of society, and evidence on the impact and magnitude of the drug problem had to be collected before potential new policies were developed. Both public health and security concerns needed to be taken into account.

Parliamentarians were seen as key actors in fostering the debate on drug issues, involving civil society and other actors. They should seek information about the impact of drugs on their constituencies and lead public opinion. Eventually, parliaments would need to be equipped to translate evidence into legislation. The response of parliament to the issue of drugs should be cross-party and in close collaboration with the executive. It was agreed that the IPU had an important role to play in taking the debate further.

7. Open session of the Committee on the Human Rights of Parliamentarians on Promoting greater parliamentary solidarity with MPs under threat

The Committee on the Human Rights of Parliamentarians held its first ever open session on 25 March 2013. It was attended by over 60 parliamentarians, including 24 women, representing the parliaments of the following 30 countries: Afghanistan, Algeria, Australia, Bahrain, Belgium, Bolivia, Burundi, Chad, Congo, Democratic Republic of the Congo, Denmark, Ecuador, Equatorial Guinea, France, Gabon, Germany, Ghana, Finland, Mali, Netherlands, Palestine, Philippines, Singapore, Sri Lanka, Syrian Arab Republic, Togo, Turkey, United Kingdom, United Republic of Tanzania and Zimbabwe, along with one Associate Member, the East African Legislative Assembly, and one observer, the Global Organization of Parliamentarians against Corruption (GOPAC).

The open session was chaired by Ms. M. Kiener Nellen, a member of the Swiss National Council, and attended by the following members of the

Committee on the Human Rights of Parliamentarians: Mr. B. Mbuku-Laka (Democratic Republic of the Congo), Ms. I. Stoejberg (Denmark), Mr. K. Jalali (Islamic Republic of Iran) and Mr. U Nilsson (Sweden).

The purpose of the session was to highlight the need to protect parliamentarians in the discharge of their duties and examine how parliamentarians could come to the aid of their colleagues. The subject had long preoccupied the IPU, leading in 1976 to the setting up of the Committee on the Human Rights of Parliamentarians. The Committee sought to protect members of parliament and offer them redress whenever they were subject to abuse, as in the case of politically motivated legal proceedings, arbitrary detention, enforced disappearance, torture and murder. The Committee's work was underpinned by the notion of parliamentary solidarity.

After a brief presentation of the role and functioning of the Committee on the Human Rights of Parliamentarians by Ms. Kiener Nellen, two panellists were invited to share the experience of their respective parliaments in protecting MPs.

Ms. P. Ernstberger, a member of the Bundestag, informed participants of the existence of a committee on human rights and humanitarian aid in the Bundestag. It had run the "Parliamentarians Protect Parliamentarians" campaign since 2003, when it had been launched in accordance with the basic principle that parliamentarians who could exercise their mandate in safety should help their fellow parliamentarians at risk in other countries. The committee had members from all elected parliamentary groups and had established a network of international contacts. It enjoyed the support of working groups on human rights and humanitarian aid in various parliamentary groups, the German delegation to the IPU and the German delegations to the parliamentary assemblies of the Council of Europe and the Organization for Security and Co-operation in Europe, along with major international human rights non-governmental organizations, such as Amnesty International and Human Rights Watch. All members of the Bundestag were invited to participate in the campaign.

Describing the experience of the National Assembly of Burundi, Mr. F. Kabura, Second Vice-President of the National Assembly, said that a parliamentary commission on the human rights of parliamentarians had been established in his country in 2006. It was composed of five parliamentarians representing all parliamentary groups in the National Assembly and set out to address the situation of Burundian MPs who had suffered violations of their rights, in

particular during the decade-long political crisis the country had undergone. It monitored ongoing investigations and judicial proceedings, conducted its own fact-finding missions, visited parliamentarians in detention and followed up the cases before it with all competent authorities. It reported to the Speaker of the National Assembly and sent a representative to each IPU Assembly in order to report to the IPU Committee on the Human Rights of Parliamentarians.

In the ensuing debate participants made the following comments and suggestions:

- Parliamentarians who can exercise their mandate in safety should help those who cannot (German model);
- Parliaments whose own MPs have suffered violations of their rights should consider setting up a parliamentary committee to address their situation and facilitate the settlement of such cases (Burundi model);
- Setting up national parliamentary human rights committees is critical as it helps to reinforce cooperation with the IPU and its Committee on the Human Rights of Parliamentarians;
- Human rights concerns should be dealt with in a non-partisan manner as the integrity of each MP must be preserved irrespective of their political affiliation;
- MPs at risk can be helped in different ways but, beyond the expression of inter-parliamentary solidarity, MPs should focus on showing physical solidarity by carrying out missions to assess the situation for themselves, establishing personal contacts and endeavouring to visit detained MPs;
- Parliaments should ensure that members who are aware of human rights cases, or are victims of human rights violations themselves, are included in their delegations to IPU Assemblies;
- The work of the IPU Committee on the Human Rights of Parliamentarians should be more visible and promoted through further open sessions and via the media; the possibility of using the International Day of Democracy (15 September) to promote its work, or of creating a special day, was mentioned by some participants;
- Cooperation between the IPU Committee on Middle East Questions and the Committee on the Human Rights of Parliamentarians could be strengthened;
- IPU Member Parliaments have a responsibility in promoting membership of the Committee that is based on human rights records. While some

suggested that the overall human rights record of States should be a membership criterion, others expressed strong opposition to the suggestion on the grounds that membership should primarily be based on the more objective criterion of individual competence.

8. Panel discussion on the theme Addressing the rights of children with disabilities

The panel discussion on the theme Addressing the rights of children with disabilities provided about 100 parliamentarians with the opportunity to examine how best to address the issue in their parliamentary work. Indeed, the rights of persons with disabilities were often infringed; that was especially true for children, who were stigmatized and made to suffer discrimination and denial.

Moderated by United Nations and civil society experts, the panel resulted in a lively discussion during which the participants exchanged data and experiences of current best practices in various countries.

According to the participants, disability was more of a reality than a perception. The world of disability was porous and open. Anyone could have a disability. That did not mean that disability should give rise to discrimination or that the disabled should be “catalogued” in any way. Persons with disabilities had rights, first and foremost among them the right to life and to be considered as human beings.

The participants firmly recommended that arrangements for children with disabilities be given priority in terms of the measures taken or still to be taken to promote the rights of the child. For those arrangements to be effective, however, children had to be declared and registered at birth, no matter what malformation they had. Ensuring that children were visible acknowledged their right to life and allowed their specific needs to be met. The participants unanimously condemned practices consisting in hiding or killing disabled children.

The participants also recommended that parliamentarians in countries that had still to accede to the international instruments governing the rights of children with disabilities, notably the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities and the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, ratify and incorporate them into their national legislation. The domestic legal arsenal remained the frame of reference for devising policies and programmes, in particular concerning children with disabilities. According to the participants, the first step when drawing up

appropriate legislation was to listen to the people concerned. Aware of the violations of the rights of such children, in particular all forms of violence and child trafficking, the participants recommended the adoption of national mechanisms to combat abuse.

However, the laws adopted would only be effective if they were accompanied by implementing legislation. In that regard, the participants recommended that parliaments ensure that such legislation was enacted.

The allocation of sufficient resources for the implementation of established programmes and follow-up of implementation were mentioned as ways in which parliaments could help address the rights of children with disabilities. To that end, parliaments should ensure that the arrangements for such children corresponded to their specific needs, contrary to current policy, which was to “bury” those needs in general policies.

One of the principal means of addressing the rights of children with disabilities was to integrate and include them. The participants recommended the adoption of relevant policies to that end: the establishment of an appropriate education system, with more open schools that could handle diversity, specialized teachers, well-trained social workers and accessible premises and classrooms. In order to promote inclusion, children without disabilities should be mixed in with disabled children. Doing so would allow each group to learn about the other’s environment and would do away with the concept of difference.

Turning to labour legislation, the participants stressed that the disabled had to be integrated into the working world by way of specific quotas. They applauded the experience of some countries in that regard.

To fight discrimination, the participants recommended that parliaments heighten public awareness so as to encourage a better perception of disability, which should facilitate acceptance of disabled children within their communities.

The participants also drew up recommendations aimed at preventing disabilities in children. For example, they recommended the establishment of prenatal diagnostic centres to screen and remedy malformations.

The families of children with disabilities suffered enormously. The countless difficulties they faced every day prompted the participants to recommend that they be given support enabling them to overcome the financial, psychological and mental hurdles in their way. They also recommended that

the domestic legal framework be amended so as to contain provisions on individualized support for families with a disabled member. The participants assessed the decisive role played by civil society in promoting the rights of children with disabilities, given that civil society spearheaded activities to that end in many countries. They recommended that partnerships be forged with associations and the media, which also played a key role in addressing the rights of people with disabilities and heightening public awareness. Lastly, they expressed the wish for a virtual information network with a view to drawing on parliamentary resources to address the rights of children with disabilities.

9. Workshop on Ensuring accountability for women's and children's health

A workshop on Ensuring accountability for women's and children's health was held on 26 March 2013, to commemorate the first anniversary of the resolution on Access to health as a basic right: The role of parliaments in addressing key challenges to securing the health of women and children, adopted at the 126th IPU Assembly (Kampala, 2012). Its purpose was to review efforts made to date and discuss the mechanism for future reporting by parliaments on implementation of the resolution.

The IPU Secretariat introduced the mechanism that had been developed to ensure accountability for implementing the resolution and gave a progress report on the first year, as required by the resolution. Two technical presentations were made, by Dr. L.A. de Francisco Serpa, Partnership for Maternal, Newborn and Child Health, and Dr. L. Say, World Health Organization. They provided an update of trends, accountability mechanisms and key global processes relating to women's and children's health.

Mr. S. Ali, Deputy Speaker of Parliament (Bangladesh), Ms. R. Kadaga, Speaker of Parliament (Uganda), and Senator S. Ataullahjan (Canada) described how their parliaments had been promoting women's and children's health and using the IPU resolution to step up their parliaments' efforts. They also highlighted the importance of the IPU's ongoing role in supporting parliamentary action.

During the plenary discussion, common areas of action by parliaments were identified. The central importance of gender equality and education were reaffirmed while themes requiring greater prioritization and solidarity were also highlighted. They included advocacy and legislative reforms to address the issues of adolescent pregnancies, gender-based violence, including early marriage,

access to family planning information and services, and sexual and reproductive health rights. The role of parliamentarians in changing mind-sets and harmful traditional practices was also emphasized. Parliamentarians agreed on the importance of using their oversight function to promote access to integrated health services of an acceptable standard, ensure progressive levels of financing and staffing of women's and children's health, and strengthen health and health information systems.

Parliamentarians were reminded that while progress had been made, much remained to be achieved. They were urged to guard against losing focus on women's and children's health, especially in the context of discussions on the post-2015 development framework. They called on the IPU to ensure the widest possible dissemination of its first report on the implementation of the Assembly resolution, encourage efforts by parliaments on women's and children's health, and strengthen accountability reporting in keeping with the Kampala resolution.

10. Workshop on Towards a new vision for sustainable development: What place for democratic governance?

A workshop on Towards a new vision for sustainable development: What place for democratic governance? was held on 27 March 2013. Organized in cooperation with UNDP, it highlighted the central role of democratic governance in the emerging post-2015 development framework. It consisted of three segments designed to prompt maximum interaction and a free flow of ideas: a short panel discussion to provide an overview of the ways in which democratic governance effectively contributed to development, and to review various definitions of democratic governance as a political concept in the context of development; a short presentation of the results of a survey conducted during the Assembly; and a breakout session in which MPs discussed specific questions in small groups. IPU Deputy Secretary General, Mr. M. Chungong, moderated the workshop, whose facilitators were Mr. C. Chauvel, UNDP Parliamentary Adviser, Senator F. Hoohlo (Lesotho) and Ms. J. Logie (New Zealand). About 40 parliamentarians were in attendance.

Within the three main dimensions of democratic governance – participation, transparency and accountability – a most frequently cited stumbling block was that of corruption. Other findings included: democratic governance was crucial to maintain people's trust in their institutions and should be tracked over time through appropriate

indicators; there could be no democratic governance without the inclusion of all groups and proactive engagement with the opposition, civil society and the media; democratic governance was not a bonus but a key element of development and as such ought to receive core support from donors. Participants identified several other building blocks of democratic governance, which included inclusiveness (especially the empowerment of women, youth, indigenous communities and vulnerable groups), the need to place people at the centre of development, and giving due consideration to the environmental aspects of development.

Participants were briefed on the findings of a survey conducted during the Assembly to assess views on including democratic governance as one of the future development goals. The survey confirmed the overwhelming support of the parliamentarians surveyed for the inclusion of a stand-alone goal on democratic governance. That was further confirmed by the discussion at the workshop that considered possible indicators to measure progress on democratic governance and specific strategies MPs could adopt in order to support a distinct goal. The findings of the survey and the conclusions of the workshop would feed into the IPU's contribution to the design of the future generation of development goals.

Other activities

Field visits took place on 24 March 2013 on the theme Addressing the rights of children with disabilities. The visits were intended to enable parliamentarians to learn about Ecuador's strategies to promote the rights of children living with a disability. About 60 people took part: parliamentarians and their staff, IPU and UNICEF personnel, and staff from the Office of the Vice-President of Ecuador.

The visits comprised two parts:

- presentation of the Manuela Espejo and Joaquín Gallegos Lara Missions of Solidarity at the Office of the Vice-President of Ecuador; and
- group visits to projects being carried by the Missions in three Quito neighbourhoods: Calderón, Calacalí and La Magdalena.

(a) Visit to the Office of the Vice-President of Ecuador

At the Office of the Vice-President of Ecuador, the participants heard a presentation on the Manuela Espejo and Joaquín Gallegos Lara Missions of Solidarity, part of a series of programmes known as Ecuador sin barreras (Ecuador without Barriers) intended to improve the lives of Ecuadorians.

The Manuela Espejo Mission of Solidarity has four components:

- Study: The aim of this component is to seek out persons living with one or more disabilities throughout the country. In 2012, 293,578 persons with disabilities were identified. The study records the clinical, genetic, biological, psychological, social and cultural status of each person registered and his/her family.
- Care: Care is provided to improve the quality of life of persons living with a disability. In that connection, houses are built for the persons identified. In 2011 and 2012, over 9,000 homes were built and furnished.
- Prevention: The Office of the Vice-President, together with the Public Health Ministry, has started implementing the programme entitled Con pie derecho, la huella del futuro (With your best foot forward, looking to the future), to apply international directives for the screening of newborn children.
- Integration: The aim is to integrate persons with disabilities wishing to work.

The presentation was followed by a question-and-answer session, during which the participants learned more about the structure of those ambitious programmes.

(b) Group visits

The participants then broke up into three groups to visit three disabled persons living in three neighbourhoods: Dylan Rami, aged four, in Calderón, Shakira Quisilema, 11, in Calacalí, and Ana Lucía Sánchez, 27, in La Magdalena.

Elections and appointments

1. President of the 128th Assembly of the Inter-Parliamentary Union

Mr. Fernando Cordero Cueva, Speaker of the National Assembly of Ecuador, was elected President of the Assembly.

2. Executive Committee

Ms. F. Diendéré Diallo (Burkina Faso) was elected to the Executive Committee for a term ending in October 2015 and Mr. R.M.K. Al Shariqi (United Arab Emirates) was elected for a four-year term ending in April 2017. Mr. Al Shariqi was also elected Vice-President of the IPU.

3. Bureaux of the Standing Committees

First Standing Committee (Peace and International Security)

President

Mr. S.H. Chowdhury (Bangladesh)
(Asia-Pacific Group)

First Vice-President

Mr. D. Filmus (Argentina)
(Group of Latin America and the Caribbean)

Vice-Presidents

African Group
Mr. G. Schneeman (South Africa) - titular
Mr. A. Bougue (Cameroon) - substitute

Arab Group
Mr. N. Lazrek (Morocco) - titular
Ms. S. Haj Hassan (Jordan) - substitute

Asia-Pacific Group
Current President - titular
Mr. S. Danusubroto (Indonesia) – substitute

Eurasia Group
Vacancy - titular
Vacancy - substitute

Group of Latin America and the Caribbean
Current First Vice-President - titular
Mr. L.E. Sierra Grajales (Colombia) - substitute

Twelve Plus Group
Mr. P. Moriau (Belgium) - titular
Mr. N. Evans (United Kingdom) - substitute

Second Standing Committee (Sustainable Development, Finance and Trade)

President

Mr. R. León (Chile)
(Group of Latin America and the Caribbean)

First Vice-President

Mr. F.-X. de Donnea (Belgium)
(Twelve Plus Group)

Vice-Presidents

African Group
Mr. J.J. Mwiimbu (Zambia) - titular
Mr. H.R. Mohamed (United Rep. of Tanzania)
substitute

Arab Group
Mr. N. Najadah (Kuwait) - titular
Mr. M. Dmour (Jordan) - substitute

Asia-Pacific Group
Mr. I.A. Bilour (Pakistan) - titular
Mr. D. Adams (Australia) - substitute

Eurasia Group
Mr. B.-Z. Zhambalnimbuev
(Russian Federation) – titular
Vacancy – substitute member

Group of Latin America and the Caribbean
Current President - titular
Mr. F. Bustamante (Ecuador) - substitute

Twelve Plus Group
Current First Vice-President
Ms. M. Obradović (Serbia) - substitute

Third Standing Committee (Democracy and Human Rights)

President

Mr. O. Kyei-Mensah-Bonsu (Ghana)
(African Group)

First Vice-President

Mr. S. Gavrilov (Russian Federation)
(Eurasia Group)

Vice-Presidents

African Group
Current President - titular
Ms. P. Fouty-Soungou (Congo) - substitute

Arab Group
Ms. J. Nassif (Bahrain) - titular
Mr. R. Abdul-Jabbar (Iraq) - substitute

Asia-Pacific Group
Ms. F.Z. Nadiri (Afghanistan) - titular
Mr. R. Fatyana (Pakistan) - substitute

Eurasia Group
Current First Vice-President - titular
Vacancy – substitute member

Group of Latin America and the Caribbean
Mr. J.M. Galán (Colombia) - titular
Ms. G. Ortíz (Mexico) - substitute

Twelve Plus Group
Mr. C. Janiak (Switzerland) - titular
Ms. L. Wall (New Zealand) – substitute

4. Rapporteurs of the Standing Committee for the 130th Assembly

Standing Committee on Peace and International Security

Towards a nuclear-weapon-free world: The contribution of parliaments

co-Rapporteurs

- Ms. Y. Ferrer Gómez (Cuba)
- Mr. B. Calkins (Canada)

Standing Committee on Sustainable Development, Finance and Trade

Towards risk-resilient development: Taking into consideration demographic trends and natural constraints

co-Rapporteurs

- Mr. S.H. Chowdhury (Bangladesh)
- Mr. P. Mahoux (Belgium)

Standing Committee on Democracy and Human Rights

The role of parliaments in protecting the rights of children, in particular unaccompanied migrant children, and in preventing their exploitation in situations of war and conflict

co-Rapporteurs

- Ms. G. Cuevas (Mexico)
- Ms. J. Nassif (Bahrain)

5. Committee on the Human Rights of Parliamentarians

The Governing Council elected Mr. A.B.M. Fazle Karim Chowdhury (Bangladesh) as a substitute member for a five-year term ending in April 2018.

6. Committee on Middle East Questions

The Governing Council elected Ms. M. Mensah-Williams (Namibia) as a titular member and Ms. H. Amran (Indonesia) as a substitute member for a four-year term ending in April 2017.

7. Committee to Promote Respect for International Humanitarian Law

The Governing Council elected Ms. M. Osman Gaknoun (Sudan) and Ms. V. Petrenko (Russian Federation) as titular members for a four-year term ending in April 2017.

The Governing Council elected Mr. T. Al-Sehry (Egypt) as a substitute member for a four-year term ending in April 2017.

The Committee elected Mr. A.A. Cakra Wijaya (Indonesia) as its President until the end of his term in April 2014.

8. Coordinating Committee of Women Parliamentarians

Regional representatives

Group of Latin America and the Caribbean
Ms. D. Padlerna Luna (Mexico)
Ms. Y. Ferrer Gómez (Cuba)

9. Advisory Group on HIV/AIDS and Maternal, Newborn and Child Health

The Group elected Ms. L. Davies (Canada) as its Chair.

Members of the Inter-Parliamentary Union*

Members (162)

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, Haiti, 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, Myanmar, 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, South Sudan, 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 (10)

Andean Parliament, Arab 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 (WAEMU), Parliament of the Economic and Monetary Community of Central Africa (CEMAC) and Parliamentary Assembly of the Council of Europe

* At the closure of the 128th Assembly

Agenda, Resolutions and other texts of the 128th Assembly of the Inter-Parliamentary Union

1. Election of the President and Vice-Presidents of the 128th Assembly
2. Consideration of requests for the inclusion of an emergency item in the Assembly agenda
3. General debate on the overall theme of From unrelenting growth to purposeful development "Buen Vivir": New approaches, new solutions
4. Enforcing the responsibility to protect: The role of parliament in safeguarding civilians' lives (Standing Committee on Peace and International Security)
5. Fair trade and innovative financing mechanisms for sustainable development (Standing Committee on Sustainable Development, Finance and Trade)
6. The use of media, including social media, to enhance citizen engagement and democracy (Standing Committee on Democracy and Human Rights)
7. Approval of the subject items for the 130th Assembly and appointment of the Rapporteurs
8. Amendments to the Statutes and Rules of the IPU
9. The role of the parliaments in addressing the security and humanitarian impact of the crisis in Syria and in bringing pressure to bear on their governments to assume their international and humanitarian responsibility towards Syrian refugees and to support the neighbouring countries that receive them

ENFORCING THE RESPONSIBILITY TO PROTECT: THE ROLE OF PARLIAMENT IN SAFEGUARDING CIVILIANS' LIVES

Resolution adopted by consensus* by the 128th IPU Assembly (Quito, 27 March 2013)

The 128th Assembly of the Inter-Parliamentary Union,

Acknowledging that, following several global initiatives, the responsibility to protect was recognized at the 2005 World Summit as a necessary and important principle to prevent, and protect populations from, genocide, ethnic cleansing, war crimes and crimes against humanity,

Recalling that this principle was established with a view to preventing genocides such as those that occurred in Srebrenica and Rwanda,

Also recalling that the UN Security Council considers that the international crimes of genocide, war crimes, ethnic cleansing and crimes against humanity constitute threats to international peace and security and that the principle of the responsibility to protect was reaffirmed in its resolution 1674 (2006), which addressed the protection of civilians in situations of armed conflict,

Stressing that any decision related to the application of the responsibility to protect must be taken in a timely and decisive manner, through the UN Security Council, in accordance with the Charter of the United Nations, in particular its Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity, and that any such action must be accompanied by the provision of adequate means to protect civilians, by giving priority to peaceful means,

Underscoring the special plight of women and children in situations of armed conflict,

Recalling that rape and other forms of sexual violence can constitute crimes against humanity under the provisions of UN Security Council resolutions on women and peace and security (1325, 1888 and 1960) and, in particular, resolution 1820, which recognizes that rape and other forms of sexual violence can constitute war crimes, crimes against humanity or a constitutive act with respect to genocide,

Mindful of the fact that the responsibility to protect is based on three pillars: the permanent responsibility of each individual State to protect its population, whether nationals or not, from genocide, war crimes, ethnic cleansing and crimes against humanity, which entails the prevention of such crimes, including their incitement, through appropriate and necessary means; the international community's commitment to assist and help to build the capacity of States to fulfil this obligation; and its commitment to take collective action in a timely and decisive manner when national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity,

Underscoring the importance of combating impunity in the case of perpetrators and instigators of the most serious crimes of concern to the international community and recognizing the contribution in this field of the International Criminal Court (ICC); also underscoring the need to raise awareness of the role played by the ICC, to encourage reporting of and filing of complaints against the perpetrators of such crimes with the appropriate national authorities and the ICC, and to enhance the capacity of national authorities to respond to complaints, pursue justice, and cooperate and coordinate with the ICC, while recognizing the important contribution of those involved in providing the necessary evidence and sufficient information to the ICC,

* The delegation of Cuba expressed a reservation on the entire resolution.
The delegation of Peru expressed a reservation on operative paragraph 10, considering that "any mention of the International Criminal Court (ICC) or the Rome Statute must not be prejudicial to other international jurisdictions recognized by the State in question, in particular regional jurisdictions".
The delegations of Sudan and the Syrian Arab Republic expressed reservations on the ninth preambular paragraph and on operative paragraphs 10 and 11.

Recalling that paragraph 139 of the 2005 World Summit Outcome Document states that “the international community, through the United Nations, also has a responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the UN Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity”; expressing its willingness in this context to take collective action, in a timely and decisive manner, through the UN Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity; stressing the need for the UN General Assembly to pursue its consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law; and undertaking, as necessary and appropriate, to help States build their capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assist those in distress before crises and conflicts break out,

Aware of the concerns raised regarding the possibility of selective enforcement of the responsibility to protect and underscoring that the need to protect should not be seen as providing a pretext for interference in the internal affairs of a State on the basis of political and other extraneous considerations,

Reaffirming that the UN Security Council has primary responsibility in the maintenance of international peace and security and noting the role of the UN General Assembly relating to the maintenance of international peace and security in accordance with the relevant provisions of the Charter,

Underscoring that prevention is a core aspect of the responsibility to protect and stressing the importance of education, the role of the media and the need to address the root causes of armed conflict,

Recognizing that, before any military intervention is authorized by the UN Security Council, it should give due consideration to all other avenues for action under Chapters VI, VII and VIII of the Charter of the United Nations and mindful that the responsibility to protect should be invoked only in order to prevent, or to protect populations from, genocide, war crimes, ethnic cleansing and crimes against humanity,

Reaffirming the principle of the sovereign equality of all States, enshrined in Article 2 of the UN Charter, and underscoring that the responsibility to protect is premised both on State sovereignty and on the State’s pre-existing and permanent legal obligations,

Convinced that parliaments around the world should consider ways and means to apply and implement the responsibility to protect in a timely, consistent and effective manner in order to avoid a situation where the international community is deadlocked over whether and how to act to prevent or to stop the massacre of civilians, having particular regard to UN Security Council resolutions on women and peace and security and on children and armed conflict,

Recalling that the 126th IPU Assembly (Kampala, 2012) adopted a resolution by consensus calling for the immediate cessation of violence and human rights violations and abuses in the Syrian Arab Republic and for support for the efforts of international and regional organizations to bring about a peaceful end to the crisis, and urging the United Nations and the League of Arab States to redouble their efforts to help bring an end to armed violence in the country and address the current humanitarian crisis, and to work urgently to address all aspects related to the problem of displaced Syrians on the border with neighbouring countries,

Convinced that parliaments should be more involved in applying the responsibility to protect and, in particular, that their role in safeguarding the lives and security of their populations entails thorough consideration and action to prevent or stop genocide, ethnic cleansing, war crimes and crimes against humanity,

Also convinced that mutual support between parliament, government, civil society and the judiciary may effectively help to enhance human rights protection,

Aware that restoring or maintaining peace in regions subjected to insecurity and violence requires considerable financial resources,

Convinced of the broader need for State authorities and parliaments to address the root causes of armed conflict and mass atrocities, by practising good governance and ensuring accountable public institutions, promoting and protecting human rights for all, guaranteeing the rule of law and fair, equal and impartial access to justice, professional and democratically accountable security services, inclusive economic growth and respect for diversity,

Underscoring the responsibility of the United Nations in ensuring respect for the rights of refugees in accordance with the Geneva Convention Relating to the Status of Refugees,

Also underscoring that the role of parliament in the application of the responsibility to protect should be based on respect for the different legislative and executive roles and that oversight of the executive should be in line with democratic principles, in particular the protection and promotion of human rights, while noting that parliaments have their own tools and committees for addressing issues related to the responsibility to protect,

1. Invites parliaments and parliamentarians to use all the public education and awareness-raising tools at their disposal to help prevent and put an end to genocide, war crimes, ethnic cleansing and crimes against humanity, paying particular attention to the plight of women and children, and to address issues related to the root causes of armed conflict;
2. Calls on parliamentarians to use all the tools at their disposal, including social media, to denounce acts of violence against women and children and fight impunity;
3. Urges parliaments to ensure that their governments protect populations, whether or not the nationals of their countries, from genocide, war crimes, ethnic cleansing and crimes against humanity, and also urges parliaments and governments to assist and build the capacity of States to prevent the commission of genocide, ethnic cleansing, war crimes and crimes against humanity and protect their populations, whether or not their own, from them and, where necessary, to engage in timely and decisive action, in accordance with the UN Charter, to prevent or put an end to such crimes;
4. Calls on parliaments to step up their oversight of government action to combat terrorism and implement UN Security Council resolutions adopted under Chapter VII of the UN Charter, which call on States to refrain from financing terrorists, facilitating their movement and aiding terrorism;
5. Also calls on parliaments to adopt laws and policies to protect women and children, to prevent and criminalize sexual violence and to provide redress for victims in times of peace and conflict;
6. Encourages parliaments to become acquainted with their States' obligations under international treaties and resolutions, to monitor the executive's submission of country reports as required by the relevant treaty bodies, particularly those relating to human rights, to become more involved with regional and international human rights mechanisms and to ensure that all United Nations doctrines and resolutions regarding the responsibility to protect are fully applied and respected by every country;
7. Calls on parliaments where necessary to ensure that all international treaties to which their country is party are incorporated in domestic law, giving priority to treaties dealing with human rights and the protection of civilians, especially those applicable to the rights and protection of women and children during and after armed conflicts and other crises;
8. Urges all parliaments to adopt measures to respect the rights of civilians caught up in armed conflicts, ensure adequate and effective judicial remedies, including efficient investigation and prosecution, treat women and child victims with dignity, and guarantee reparation to victims;
9. Encourages parliaments to adopt programmes to help child soldiers resume a normal life;
10. Calls on parliaments to take all the necessary measures to bring their countries' criminal and military law into line with international norms on the protection of civilians in armed conflict and to ensure that the perpetrators of the most serious crimes are held to account for their acts before a national court or, where a State is unwilling or genuinely unable to take action, before the International Criminal Court, in the case of a State Party to the Rome Statute;

11. Urges parliamentarians to use their international network to promote the universal ratification of the Rome Statute, which recognizes the competence of the International Criminal Court with regard to crimes of genocide, crimes against humanity and war crimes; requests parliaments to ensure that their governments sign the Rome Statute; and calls on all parliaments that have not already done so to ratify it;
12. Also urges parliaments to promote debate on an arms trade treaty in order to put an end to the transfer of weapons in cases where there is a high risk that such weapons will be used to commit or facilitate violations of human rights or international humanitarian law or to hinder the fight against poverty;
13. Calls on all parliaments that have not yet done so to establish committees to oversee international relations and provide such committees with sufficient financial and human resources and adequate time on the parliamentary agenda to conduct their work;
14. Encourages parliaments to ensure that the protection of human rights, including those of women and children, members of minorities and indigenous peoples, is guaranteed in domestic law and implemented in practice;
15. Urges parliaments and governments to guarantee the human rights of women and further enhance their role in peace and security initiatives, honour existing international commitments to protect women's rights and incorporate women's leadership in decision-making for preventing and putting an end to mass atrocity crimes;
16. Stresses that, with regard to the responsibility to protect, parliaments should pay special attention to the human rights of women and children in crisis areas, as they often suffer the most and their misery is overlooked, with far-reaching human, social and economic consequences;
17. Calls on parliaments to encourage their governments to support the creation and effective functioning of early warning systems and decision-making and response mechanisms at the national, regional and international levels, in order to respond faster and more effectively to situations of armed conflict and internal disturbances and tensions;
18. Invites parliaments to actively bring to the attention of their governments situations of risk for civilian populations by ensuring that their governments discharge their responsibility of follow-up and prevention;
19. Calls for efforts to promote the media's role in documenting, preventing, and raising awareness about the commission of genocide, war crimes, ethnic cleansing and crimes against humanity by guaranteeing freedom of expression; ensuring that freedom of the media is protected by the national constitution and law; demanding that all parties abide by their international obligations related to the protection and safety of journalists, media professionals and associated personnel; encouraging accurate journalism that respects the human rights of all populations; speaking out against expressions of hatred that constitute incitement to discrimination, hostility or violence; and, where appropriate, legislating against such expressions;
20. Calls on parliaments to act resolutely upon the requests of their governments to provide sustainable assistance for the restoration of peace in post-conflict situations that give rise to mass atrocities and require such assistance, and to allocate the necessary funds to assist with the reconstruction of countries emerging from crises or conflicts and contribute to the UN peacebuilding fund as appropriate;
21. Requests parliaments to include funds in State budgets for the organization of operations to protect populations from violence and ensure their safety;
22. Calls on parliaments to ensure implementation of UN Security Council resolution 1325, including by facilitating the participation of women in peace processes and negotiations, ensuring that women make up at least one third of negotiating teams, are well represented in defence and security forces and are properly trained as peacemakers and peacebuilders;

23. Urges the IPU to facilitate an exchange of good practices in the areas of parliamentary oversight of the enforcement of the responsibility to protect and parliamentary involvement in the protection of civilians in situations of armed conflict and in the protection of populations from genocide, ethnic cleansing, war crimes and crimes against humanity;
24. Also urges parliaments to be attentive to and scrutinize the reports of human rights organizations and the way in which governments ensure the protection of human rights;
25. Calls on parliaments to promote good governance based on the positive correlation between good governance and the advancement of peace and security;
26. Also calls on parliaments to monitor closely UN Security Council proceedings, request their governments to make the case at the Security Council for the need to act responsibly when resorting to coercive measures and ensure that once adopted resolutions are enforced in their entirety and in a transparent manner;
27. Further calls on parliaments to ensure that humanitarian agencies mainstream gender throughout their programmes and give women priority in emergency situations;
28. Urges all parliaments to defend and promote human rights, the rule of law and democracy throughout the world;
29. Encourages parliaments to work together with civil society on issues of peace and security in order to better guarantee and improve protection of the human rights of citizens;
30. Calls on governments and parliaments to assume responsibility for protecting the rights of refugees and their right to international protection, and also calls on parliaments and governments to fulfil their obligations to protect refugees and asylum-seekers.

FAIR TRADE AND INNOVATIVE FINANCING MECHANISMS FOR SUSTAINABLE DEVELOPMENT

Resolution adopted unanimously by the 128th IPU Assembly (Quito, 27 March 2013)

The 128th Assembly of the Inter-Parliamentary Union,

Stating that fair trade serves two objectives, namely: it provides real opportunities for the development of small-scale producers and workers in developing countries; and it has a positive impact on the global trading system and private companies, encouraging them to become more justice-oriented, socially inclusive and supportive of sustainable development; all of this must be done in compliance with the standards and policies of the International Labour Organization (ILO),

Aware that fair trade has a positive impact on the income of producers and workers, in particular women, in developing countries as well as on employment in developed countries and on sustainable development,

Recalling the Partnership Agreement between the Members of the Group of African, Caribbean and Pacific States (ACP) and the European Community and its Member States, signed in Cotonou (Benin) on 23 June 2000 (Cotonou Agreement) and amended in Luxembourg on 25 June 2005 and in Ouagadougou (Burkina Faso) on 22 June 2010, in particular Article 23(i), which expresses support for the promotion of fair trade and notes that the realization of fair trade objectives is linked to sustainable development requirements and needs, and emphasizing respect for fair trade principles, particularly in the context of dialogue, transparency, respect and equality in international trade,

Also recalling the São Paulo Consensus, adopted at the Eleventh Session of the United Nations Conference on Trade and Development, held in São Paulo (Brazil) from 13 to 18 June 2004 and the decisions taken at the Rio+20 Summit held in Brazil in June 2012, set forth in the document *The Future We Want*, which noted that, given the social and human dimension of globalization, "development strategies have to be formulated with a view to promoting sustained and inclusive economic growth, social development and environmental protection and thereby to benefit all and to further mainstream sustainable development at all levels, integrating economic, social and environmental aspects and recognizing their interlinkages, so as to achieve sustainable development in all its dimensions",

Noting that the European Union is currently the largest market for fair trade products, accounting for between 60 and 70 per cent of global sales,

Considering that fair trade should be based on the principles of sustainability, equity, transparency and gender equality in order to narrow the gap between the rich and the poor,

Mindful of the need to have innovative financing mechanisms for sustainable development as a way of eradicating poverty, ensuring primary education for all, promoting gender equality and women's empowerment and combating major pandemics,

Also mindful of the need for strong and independent judicial systems to dispense justice in a swift and effective manner as a way of ensuring sustainable development,

Aware of the need to address and combat climate change and global warming, which should be seen as the result of human activity, and of the need to increase public and private investment and international cooperation for enhancing food security in the face of climate change threats, and considering in this regard that the responsibilities and obligations of all countries at all times must be based on the principles of equity and common but differentiated responsibility,

Also aware of the need for international laws governing international trade to ensure a level playing field between and among developed and developing countries,

Further aware of the need to realize the internationally agreed development goals, including the Millennium Development Goals (MDGs), as a way of accelerating sustainable development,

Recalling previous IPU resolutions, in particular those adopted by the 104th Inter-Parliamentary Conference (Jakarta, 2000) on "Financing for development and a new paradigm of economic and social development designed to eradicate poverty" and the 112th Assembly (Manila, 2005) on "The role of parliaments in establishing innovative international financing and trading mechanisms to address the problem of debt and achieve the Millennium Development Goals",

Also recalling the Fourth High Level Forum on Aid Effectiveness (Busan, December 2011), which pledged to "...further develop innovative financial mechanisms to mobilize private finance for shared development goals",

Referring to the ground-breaking work of the Leading Group on Innovative Financing for Development,

Also referring to the Outcome Document of the Rio+20 Conference, which states: "We consider that innovative financing mechanisms can make a positive contribution in assisting developing countries to mobilize additional resources for financing for development on a voluntary basis. Such financing should supplement and not be a substitute for traditional sources of financing. While recognizing the considerable progress in innovative sources of financing for development, we call for a scaling-up of present initiatives, where appropriate",

Confirming that developed countries' fulfilment and respect of their financing commitments and the principles of aid effectiveness are, for the time being, insufficient to achieve the MDGs and other development goals,

Underscoring that, given the magnitude of financing requirements for sustainable development, financial resources need to be raised from the full range of private, public and mixed sources, and through multiple channels and instruments, while taking measures to prevent the deviation of these resources to illicit activities,

Observing that a number of key sectors of the global economy are currently not taxed in some countries despite the negative externalities they generate,

Welcoming the significant upsurge of private philanthropic funds invested in sustainable development projects, which must not absolve States of their responsibility towards their inhabitants,

Considering the growing importance of remittances as a source of financing for the development of poor or middle-income countries, and concerned by the often exorbitant cost of sending them,

Underscoring that climate change will affect developing countries in particular and that funding measures to prevent and mitigate its effects and reduce energy poverty will contribute to achieving the MDGs,

Taking into account the role and work of the World Trade Organization (WTO),

1. Calls on parliaments to promote and support fair trade and other independently monitored trade initiatives that contribute to raising social and environmental standards as tools for achieving the MDGs and the implementation of a post-2015 development agenda; calls on the European Union to continue to promote and support fair trade and other independently monitored trading initiatives, and to implement Article 23 (i) of the Cotonou Agreement;

2. Also calls on all governments to continue to promote and support fair trade and to include fair trade as an integral component of the Sustainable Development Goals, which will be part of the post-2015 development agenda;
3. Further calls on the European Union to continue to promote and support fair trade and other independently monitored trading initiatives, and to implement Article 23 (i) of the Cotonou Agreement;
4. Invites developed countries to provide financial resources to developing countries through their development cooperation mechanisms for developing new fair trade products and ensure that consumers have access to all the information they need to make the right choices;
5. Calls for fair trade to respect fair trade standards, as certified by Fair Trade International, which include inter alia clear minimum and progressive criteria to ensure that the conditions of production and trade of all fair trade-certified products are socially and economically fair and environmentally responsible, paying particular attention to ILO standards;
6. Also calls for supporting partnerships for development between governments, local authorities, businesses and citizens, such as Fair Trade, which ensure market access for disadvantaged producers, guarantee sustainable livelihoods and encourage environmentally sustainable farming and production practices;
7. Requests that fair trade certification processes be put in place under the authority of the State and in the framework of regional organizations competent in the area of trade and the WTO;
8. Urges parliaments and governments to explore the potential of innovative sources of financing required to meet development needs and to identify possible instruments and allocation mechanisms;
9. Encourages parliaments and governments to explore the national, regional and/or international potential of the following innovative financing sources:
 - a financial transaction tax, in a variety of forms;
 - taxation of carbon emissions, in a variety of forms;
 - taxation of globalized activities, such as aviation and maritime activities;
 - public-private partnerships to fight major diseases, such as the GAVI Alliance and Rotary International's successful campaign to eradicate malaria; and
 - the use of guarantees and insurance to stimulate private financing for development, such as Advanced Market Commitments;
10. Urges parliaments to play an active role both through legislation and regulatory action to reduce taxes and fees on fair trade products;
11. Appeals to parliaments and governments to better take into account remittances when defining their development strategies and financing thereof and stresses that labour-recipient countries should not impose any undue restrictions on the money transfers of these workers to their home countries but should, on the contrary, reduce the costs given that these are a basic source of hard currency in such countries;
12. Underscores that these innovative financial flows should not place additional burdens on developing countries, that they should supplement existing official development assistance flows without reducing them, and should be compatible with a post-2015-development-agenda-centred development strategy, while being as far as possible predictable and sustainable;
13. Also underscores that transparency and public scrutiny of innovative financing mechanisms are a sine qua non for their introduction and suggests conducting case studies of existing programmes with a view to providing guidance; appeals for the harmonization of fragmented monitoring and evaluation mechanisms to reduce transaction costs and facilitate independent monitoring and evaluation mechanisms so as to assess the delivery of innovative financing and its impact on development outcomes;

14. Cautions against setting up complicated structures for innovative financing that could impede transparent allocations of their proceeds to development projects, facilitate public scrutiny thereof and guarantee an effective evaluation of their contribution to development goals;
15. Appeals for consideration to be given to allocating the proceeds of innovative financing mechanisms through globally or regionally inclusive institutions;
16. Advocates for the coordination of relevant NGO activities and better use of existing programmes and experience;
17. Urges parliaments and governments of both developed and developing countries to promote international cooperation in the fight against tax evasion and step up efforts in the area of taxation, mainly in terms of tax collection and measures to combat tax evasion and unlawful capital flows to tax heavens, efforts which are crucial to achieving a sound fiscal policy and increasing domestic revenue, in particular through the recognition and protection of property rights, especially for women, land registry systems and improving the business and investment climate in developing countries;
18. Calls for the strengthening and wider implementation of the Extractive Industries Transparency Initiative (EITI) as a means to improve revenue transparency and accountability in the extractive sectors, and invites parliaments to support and monitor EITI processes in their respective countries;
19. Invites the governments of developed countries to scale up their assistance in the area of strengthening tax authorities, the judiciary and anti-corruption agencies in developing countries;
20. Also invites the governments of developed countries to combat active corruption committed in developing countries by companies domiciled in their jurisdictions;
21. Urges developing and developed countries to scale up their efforts to combat corruption by putting in place effective and impartial judicial systems so as to increase the efficiency of public spending and investments;
22. Calls on governments and NGOs to work towards meeting the commitments under the Copenhagen Accord and other international accords dealing with climate change;
23. Encourages parliaments and governments to explore in depth the possibility of establishing innovative financing mechanisms to assist developing countries in combating climate change;
24. Calls on all governments, particularly in developing countries, to work towards the achievement of sustainable development by improving the level of education of their citizens and empowering women, children and other disadvantaged groups, and encourages parliaments and governments to explore in depth the possibility of establishing innovative financing mechanisms for education;
25. Also calls for the holding of an international parliamentary conference on fair trade to discuss ways of achieving fair trade and the role of parliaments therein;
26. Invites those States which have not yet done so to join the Leading Group on Innovative Financing for Development set up in 2006 and to participate in all existing financing mechanisms for sustainable development;
27. Calls on parliamentarians and the IPU to play a pivotal role in advocating for fair trade as a means of ensuring sustainable development.

THE USE OF MEDIA, INCLUDING SOCIAL MEDIA, TO ENHANCE CITIZEN ENGAGEMENT AND DEMOCRACY

Resolution adopted unanimously by the 128th IPU Assembly (Quito, 27 March 2013)

The 128th Assembly of the Inter-Parliamentary Union,

Considering that dialogue between citizens and parliamentarians has the potential to foster greater respect for democracy and democratic institutions, thus countering declining voter participation and promoting greater accountability,

Taking note of the fact that traditional media, in particular those that respect professional standards of editorial independence, plurality and quality of information, continue to be a main source of information on parliament for much of the world's population,

Mindful of the fact that traditional media are facing challenges in responding to rapid technological and financial changes, which may affect their ability to provide information, including information about parliament, and noting that independent, pluralistic and quality media are fundamental for democratic processes,

Aware that increasing numbers of citizens and parliamentarians are using social media globally,

Cognizant of the possibilities offered by social media services for promoting the enjoyment of human rights and fundamental freedoms while underscoring that these same rights and freedoms, in particular the right to privacy and human dignity, may also be threatened on social networks,

Considering the potential of social media to facilitate greater citizen engagement through interaction between parliamentarians and citizens,

Bearing in mind that media, including social media, may also enhance citizen engagement by allowing people to create networks, motivate each other, engage in monitoring activities and contribute to the decision-making process,

Underscoring that parliamentary work should be explained to citizens in a comprehensible and attractive manner,

Affirming the need to enhance the participation and inclusion of women in the democratic process,

Also affirming the need to enhance youth participation and inclusion in the democratic process,

Further affirming the need to enhance the participation and inclusion of senior citizens in the democratic process, while enhancing their knowledge and use of social media,

Underscoring the potential of social media and recent information technology to enhance parliamentarians' engagement with youth and to raise awareness of the problems, needs and aspirations of youth,

Aware of the need to promote security in a digital society, particularly with regard to traditionally unprotected groups of people, such as the elderly or children and persons with a physical, mental and/or sensory disability,

Aiming to ensure that citizen engagement efforts do not discriminate on the basis of gender, age, socio-economic status, place of residence, disability, religious belief, ethnicity or political affiliation,

Convinced of the need to overcome digital divides, particularly in developing countries, which result when some social groups and regions do not have the same access to information and communication technologies as others,

Considering that the digital divide may impede citizens' access to information provided through social media, hence the importance of guaranteeing all citizens access to information technologies as well as using traditional media to keep the public informed,

Also considering that citizens' ability to engage with parliamentarians depends partly on access to technology as well as their knowledge of parliament and parliamentary procedure,

Bearing in mind the irreplaceable nature of personal contact in the field for elected politicians,

Noting that there are difficulties in using social media to build a consensus by gathering various opinions in a balanced manner although they function well in disseminating a certain political opinion,

Underscoring the fact that fostering media and Internet literacy with regard to both traditional and new social media is an essential prerequisite for enhancing youth participation and inclusion in the political process,

Concerned that social media may also be used to send hate messages, sometimes anonymously, and allow people with malicious intentions to organize and mobilize others, which may undermine democracy and peace,

Underlining the importance of respecting laws regarding defamation and libel, with particular legislative efforts aimed at avoiding incitement to hatred,

Aware of the need to use social media responsibly, not only fully respecting prevailing legislation, but also the confidentiality, privacy and integrity aspects of the information dealt with,

Convinced of the very important role that media and press regulatory bodies can play in protecting human rights, particularly freedom of expression and the right to privacy,

Also convinced of the role that media and parliamentary press bodies can play in scaling up communication between parliament and the public,

Aware of the significant challenges that would be encountered in developing a universally enforceable code of conduct for social media users,

Encouraged that the IPU and the ASGP are working on social media guidelines for parliaments,

Convinced that parliamentarians need to share information about the potential of social media to enhance citizen engagement and representative democracy, its risks, and the technical requirements needed to realize its potential,

Mindful of the watchdog role of journalists in the political system and the need for journalists to be accountable to the public while following the codes of ethics of journalism,

Aware that journalists no longer have the monopoly on information dissemination, as users of social media generate content and information themselves,

Convinced that corruption represents a serious threat to the rule of law, democracy, human rights, equity and social justice,

Affirming that the right to freedom of expression should also be protected online, and bearing in mind that the enjoyment of this right carries with it special duties and responsibilities, in accordance with Article 19 of the Universal Declaration of Human Rights and Article 19 of the International Covenant on Civil and Political Rights,

Underscoring Article 20, paragraph 2, of the International Covenant on Civil and Political Rights, according to which "Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law",

Recalling United Nations Human Rights Council resolution 20/8 of 29 June 2012 on "The promotion, protection and enjoyment of human rights on the Internet",

1. Recommends that parliaments develop strategies and guidelines for enhancing citizen engagement in the democratic process through the use of media, including social media;
2. Calls on the IPU to collect and make publicly available the guidelines developed by its Member Parliaments, and to develop best practices in the use of social media to enhance citizen engagement;
3. Encourages parliaments to include in those guidelines additional provisions that address the need for mutual respect among parliamentarians and between parliamentarians and the public when interacting through the media, including social media;
4. Calls on parliaments to disseminate through the media, including social media, information on parliamentary business, debates and procedures with the aim of familiarizing citizens with them and making them more comprehensible, attractive and dynamic;
5. Encourages parliaments to use media, including social media, as part of a platform to interact with citizens, while ensuring that any social media engagement would not replace offline engagement, including through traditional media;
6. Urges parliaments and parliamentarians to ensure that their citizen engagement efforts are accessible to all regardless of gender, age, socio-economic status, place of residence, disability, religious belief, ethnicity or political affiliation;
7. Encourages parliaments to provide parliamentarians with the necessary information technology resources, assistance, training, equipment, technical support, access and any other forms of assistance to effectively use the media, including social media, as a way of engaging with citizens;
8. Urges parliaments to take effective measures aimed at narrowing the digital divide, especially for developing countries where the majority of the population still does not have access to information technology resources;
9. Calls on all stakeholders to foster Internet and media literacy for all citizens, in particular children and young people, for example by developing and offering special educational and training programmes;
10. Urges parliaments and parliamentarians to respect the rights to freedom of expression, information and assembly, both online and offline;
11. Underscores that a free, open and accessible Internet is both a fundamental human right and a tool for citizens to enhance engagement and democracy, and also underscores that parliamentarians must assume responsibility for ensuring that citizens have access to free and secure communications online;
12. Emphasizes that any regulation of the media must be consistent with international human rights obligations in relation to the right to freedom of expression;
13. Calls on all social media users to respect their country's laws regarding defamation and libel in accordance with international human rights law;

14. Also calls on all social media users to refrain from hate speech or incitement to violence in accordance with international human rights law;
15. Further calls on parliaments to actively support and protect journalists and social media users, including bloggers, and defenders of the freedom of speech around the world;
16. Urges parliaments and parliamentarians to protect the right to freedom of expression and speech so as to facilitate journalists' watchdog role through traditional media and social media while respecting ethical codes, thereby enhancing democracy;
17. Calls on parliaments to provide parliamentarians with information and assistance regarding legal and other issues pertaining to defamation, libel, the protection of privacy and confidentiality;
18. Invites parliaments to put in place, where necessary, regulations and procedures guaranteeing the rights of all persons using new information and communication technologies in a representative and participatory democracy;
19. Calls on parliamentarians not only to use new technologies safely, but also to promote such use by third parties and instil a culture of security in the use of social media;
20. Urges parliamentarians to work towards achieving a safer digital society, particularly with regard to the use of social networks;
21. Encourages the incorporation of social media and technologies into laws and regulations governing access to public information;
22. Also encourages parliaments and governments to adopt measures aimed at protecting press freedom, enhancing its transparency, strengthening its capacities and making it more democratic;
23. Urges parliamentarians, especially women parliamentarians, to use social media to support each other and interact with communities to enhance women's participation and inclusion in democratic processes;
24. Also urges parliamentarians to use social media to increase their engagement with youth and raise awareness of youth problems, needs and aspirations;
25. Invites parliaments to conduct a study of media coverage of parliament in their countries so as to gauge the importance of each type of media and each medium;
26. Urges the governments of countries that do not already have one to put in place an independent watchdog body to monitor the proper functioning of the freedom of expression and communication of the media and to prevent abuses and human rights violations that might result from the activity of communications professionals;
27. Encourages parliaments to diversify their means of communication by creating their own media bodies and by facilitating public access thereto;
28. Also encourages parliaments and parliamentarians to establish and respect codes of ethics for communications and to recognize the need for discussions and mutual agreements on how political or other debates should be conducted.

**Results of roll-call vote on the request of the delegation of Morocco
for the inclusion of an emergency item entitled**

**"SHOULD THE DELIBERATE DESTRUCTION OF WORLD CULTURAL HERITAGE NOT BE
CONSIDERED AS A CRIME AGAINST HUMANITY? THE ROLE OF PARLIAMENTS IN:
1) PASSING APPROPRIATE LEGISLATION TO GUARANTEE PROTECTION OF WORLD
CULTURAL HERITAGE; AND 2) DEVELOPING INTERNATIONAL CRIMINAL LAW PROVISIONS
THAT CRIMINALIZE SERIOUS ATTACKS ON THE CULTURAL HERITAGE OF HUMANITY"**

Results

Affirmative votes..... 516 Total of affirmative and negative votes . 819
Negative votes..... 303 Two-thirds majority 546
Abstentions..... 266

Country	Yes	No	Abst.	Country	Yes	No	Abst.	Country	Yes	No	Abst.
Afghanistan			absent	Ethiopia	12	6		Palestine	11		
Algeria	15			Finland		12		Panama			absent
Andorra		10		France		17		Peru		14	
Angola	12			Gabon	11			Philippines			absent
Argentina	16			Germany		19		Poland		15	
Armenia	11			Ghana			absent	Portugal			13
Australia			14	Greece			absent	Qatar	8		
Austria		12		Guatemala	5		5	Republic of Korea	17		
Azerbaijan			absent	Guinea-Bissau			absent	Romania			absent
Bahrain			absent	Haiti			10	Russian Federation			20
Bangladesh			absent	Hungary			absent	Rwanda			absent
Belgium	6		6	Iceland			absent	San Marino		6	4
Benin	12			India			absent	Sao Tome and Principe	10		
Bosnia and Herzegovina			absent	Indonesia	22			Saudi Arabia	14		
Botswana	11			Iran (Islamic Republic of)	18			Serbia	9		3
Brazil			absent	Ireland			11	Singapore			absent
Burkina Faso	13			Japan			20	South Africa			16
Burundi	12			Jordan		12		Spain			15
Cambodia	13			Kuwait	11			Sri Lanka			absent
Cameroon			absent	Lao People's Dem. Republic	12			Sudan	15		
Canada		15		Latvia			11	Suriname			absent
Chad	13			Lesotho	11			Sweden		12	
Chile			13	Lithuania			absent	Switzerland	6	6	
China	23			Maldives			absent	Syrian Arab Rep.		13	
Colombia			absent	Mali		10		Thailand			18
Congo	11			Mexico		20		Timor-Leste			11
Costa Rica	11			Micronesia (Fed. States of)			absent	Togo			absent
Côte d'Ivoire	10			Mongolia			absent	Trinidad & Tobago	8		3
Croatia			absent	Morocco	15			Turkey			18
Cuba		13		Mozambique	13			Uganda	13		
Czech Republic		13		Namibia	11			Ukraine			absent
DR of the Congo			absent	Netherlands		13		United Arab Emirates	11		
Denmark			absent	New Zealand			11	United Kingdom		18	
Djibouti			absent	Nicaragua			10	United Republic of Tanzania	5	10	
Dominican Rep.		12		Niger			absent	Uruguay	11		
Ecuador		13		Nigeria			absent	Viet Nam	9		9
Egypt	18			Norway		12		Zambia			13
El Salvador			12	Oman	11			Zimbabwe			absent
Equatorial Guinea	10										
Estonia			absent								

N.B. This list does not include delegations present at the session which were not entitled to vote pursuant to the provisions of Article 5.2 of the Statutes.

**Results of roll-call vote on the request of the delegation of Syrian Arab Republic
for the inclusion of an emergency item entitled**

**"THE ROLE OF PARLIAMENTS IN ACHIEVING INTERNATIONAL PEACE AND SECURITY
THROUGH A PEACEFUL SETTLEMENT OF THE SYRIAN CRISIS"**

Results

Affirmative votes	346	Total of affirmative and negative votes ..	758
Negative votes.....	412	Two-thirds majority	505
Abstentions	327		

Country	Yes	No	Abst.	Country	Yes	No	Abst.	Country	Yes	No	Abst.
Afghanistan		absent		Ethiopia	10	8		Palestine	11		
Algeria	15			Finland		12		Panama	absent		
Andorra		10		France		17		Peru	14		
Angola	12			Gabon		11		Philippines	absent		
Argentina			16	Germany		19		Poland		15	
Armenia	11			Ghana	absent			Portugal		13	
Australia		14		Greece	absent			Qatar			8
Austria		12		Guatemala	10			Republic of Korea	5		12
Azerbaijan	absent			Guinea-Bissau	absent			Romania	absent		
Bahrain	absent			Haiti			10	Russian Federation	20		
Bangladesh	absent			Hungary	absent			Rwanda	absent		
Belgium		12		Iceland	absent			San Marino		5	5
Benin		12		India	absent			Sao Tome and Principe			10
Bosnia and Herzegovina	absent			Indonesia			22	Saudi Arabia		14	
Botswana		11		Iran (Islamic Republic of)	18			Serbia			12
Brazil	absent			Ireland		11		Singapore	absent		
Burkina Faso			13	Japan			20	South Africa	16		
Burundi			12	Jordan			12	Spain		15	
Cambodia		13		Kuwait			11	Sri Lanka	absent		
Cameroon	absent			Lao People's Dem. Republic			12	Sudan			15
Canada		15		Latvia			11	Suriname	absent		
Chad			13	Lesotho	11			Sweden		12	
Chile			13	Lithuania	absent			Switzerland		12	
China	23			Maldives	absent			Syrian Arab Rep.	13		
Colombia	absent			Mali	10			Thailand	18		
Congo			11	Mexico	6	14		Timor-Leste		11	
Costa Rica			11	Micronesia (Fed. States of)	absent			Togo	absent		
Côte d'Ivoire			10	Mongolia	absent			Trinidad & Tobago		11	
Croatia	absent			Morocco			15	Turkey		18	
Cuba	13			Mozambique	13			Uganda			13
Czech Republic		13		Namibia	11			Ukraine	absent		
DR of the Congo	absent			Netherlands		13		United Arab Emirates			11
Denmark	absent			New Zealand		11		United Kingdom		18	
Djibouti	absent			Nicaragua	10			United Republic of Tanzania	15		
Dominican Rep.	12			Niger	absent			Uruguay			11
Ecuador	13			Nigeria	absent			Viet Nam			18
Egypt		18		Norway		12		Zambia	13		
El Salvador	12			Oman	11			Zimbabwe	absent		
Equatorial Guinea		10									
Estonia	absent										

N.B. This list does not include delegations present at the session which were not entitled to vote pursuant to the provisions of Article 5.2 of the Statutes.

**Results of roll-call vote on the request of the delegation of Jordan
for the inclusion of an emergency item entitled**

**"THE ROLE OF PARLIAMENTS IN ADDRESSING THE SECURITY AND HUMANITARIAN IMPACT OF
THE CRISIS IN SYRIA AND IN BRINGING PRESSURE TO BEAR ON THEIR GOVERNMENTS TO
ASSUME THEIR INTERNATIONAL AND HUMANITARIAN RESPONSIBILITY TOWARDS SYRIAN
REFUGEES AND TO SUPPORT THE NEIGHBOURING COUNTRIES THAT RECEIVE THEM"**

Results

Affirmative votes.....	672	Total of affirmative and negative votes .	821
Negative votes.....	149	Two-thirds majority	547
Abstentions.....	264		

Country	Yes	No	Abst.	Country	Yes	No	Abst.	Country	Yes	No	Abst.
Afghanistan			absent	Ethiopia	13	5		Palestine	11		
Algeria	15			Finland	12			Panama			absent
Andorra	10			France	17			Peru		14	
Angola			12	Gabon		11		Philippines			absent
Argentina			16	Germany	19			Poland	15		
Armenia	11			Ghana			absent	Portugal	13		
Australia	14			Greece			absent	Qatar	8		
Austria	12			Guatemala	5		5	Republic of Korea	17		
Azerbaijan			absent	Guinea-Bissau			absent	Romania			absent
Bahrain			absent	Haiti			10	Russian Federation			20
Bangladesh			absent	Hungary			absent	Rwanda			absent
Belgium	12			Iceland			absent	San Marino	10		
Benin		12		India			absent	Sao Tome and Principe			10
Bosnia and Herzegovina			absent	Indonesia	22			Saudi Arabia	14		
Botswana	11			Iran (Islamic Republic of)		18		Serbia	12		
Brazil			absent	Ireland	11			Singapore			absent
Burkina Faso			13	Japan	20			South Africa			16
Burundi	12			Jordan	12			Spain	15		
Cambodia		13		Kuwait	11			Sri Lanka			absent
Cameroon			absent	Lao People's Dem. Republic			12	Sudan	15		
Canada	15			Latvia	11			Suriname			absent
Chad	13			Lesotho			11	Sweden	12		
Chile	13			Lithuania			absent	Switzerland	12		
China			23	Maldives			absent	Syrian Arab Rep.		13	
Colombia			absent	Mali	10			Thailand			18
Congo	11			Mexico	20			Timor-Leste	11		
Costa Rica			11	Micronesia (Fed. States of)			absent	Togo			absent
Côte d'Ivoire	10			Mongolia			absent	Trinidad & Tobago	11		
Croatia			absent	Morocco			15	Turkey	18		
Cuba		13		Mozambique			13	Uganda	13		
Czech Republic	13			Namibia			11	Ukraine			absent
DR of the Congo			absent	Netherlands	13			United Arab Emirates	11		
Denmark			absent	New Zealand	11			United Kingdom	18		
Djibouti			absent	Nicaragua		10		United Republic of Tanzania	10	5	
Dominican Rep.		12		Niger			absent	Uruguay			11
Ecuador		13		Nigeria			absent	Viet Nam	6		12
Egypt	18			Norway	12			Zambia			13
El Salvador			12	Oman	11			Zimbabwe			absent
Equatorial Guinea		10									
Estonia			absent								

N.B. This list does not include delegations present at the session which were not entitled to vote pursuant to the provisions of Article 5.2 of the Statutes.

THE ROLE OF PARLIAMENTS IN ADDRESSING THE SECURITY AND HUMANITARIAN IMPACT OF THE CRISIS IN SYRIA AND IN BRINGING PRESSURE TO BEAR ON THEIR GOVERNMENTS TO ASSUME THEIR INTERNATIONAL AND HUMANITARIAN RESPONSIBILITY TOWARDS SYRIAN REFUGEES AND TO SUPPORT THE NEIGHBOURING COUNTRIES THAT RECEIVE THEM

**Resolution adopted by consensus* by the 128th IPU Assembly
(Quito, 27 March 2013)**

The 128th Assembly of the Inter-Parliamentary Union,

Recalling the resolution on "Inter-Parliamentary Union initiative for an immediate halt to the bloodshed and human rights violations in Syria, and the need to ensure access to humanitarian aid for all persons in need and to support implementation of all relevant Arab League and United Nations resolutions and peace efforts" adopted by consensus by the 126th IPU Assembly (Kampala, 2012),

Stressing the importance of respecting the independence, sovereignty, unity and territorial integrity of Syria, the principles of the UN Charter, the provisions of the Universal Declaration of Human Rights and the objectives of the IPU as set forth in Article 1 of its Statutes,

Expressing its deep concern over the situation in Syria and its impact on civilians in general and on women, children, the elderly and persons with disabilities in particular,

Considering the psychological trauma from which Syrian refugees are suffering, in particular after losing many of their family members and property,

Conscious of the growing need to take in refugees in neighbouring countries, both in refugee camps and elsewhere, which entails higher costs,

Cognizant of the increasing economic, security, social, health and educational pressures on recipient countries, the majority of which already have scarce resources,

Recalling the pledge made by donor countries at their most recent conference in Kuwait to provide support in the amount of US\$ 1.5 billion to the relief agencies involved in assisting Syrian refugees in the region; and noting that the amount actually received does not exceed US\$ 200 million according to a statement by the UN High Commissioner for Refugees,

Taking note of the significant difference between the international assistance that should be provided in the light of the burden borne by recipient countries and the funds actually received,

Acknowledging with deep appreciation the efforts of neighbouring countries, including Turkey, Jordan, Lebanon and Iraq, to keep their borders open and provide refuge for those fleeing the violence, despite the difficult organizational and security problems associated with this task,

1. Calls on all parliamentarians and IPU Member Parliaments to bring pressure to bear on their governments to provide whatever financial and material support they can to these refugees;
2. Urges the donor countries which met at the most recent conference in Kuwait to fulfil their obligation to provide financial support of US\$ 1.5 billion;

* Reservations with regard to the use of the word "security" in the title of the resolution were expressed by the delegations of Algeria, Cuba, Ecuador, El Salvador, Iran (Islamic Republic of), Mexico, Peru, Russian Federation, Sudan, Syrian Arab Republic and Uruguay. In addition, the delegation of the Syrian Arab Republic expressed reservations on several parts of the resolution which it felt violated the sovereignty of Syria, and the delegation of Cuba expressed a reservation on the first preambular paragraph.

3. Calls on all countries to provide refugees in recipient countries with shelter and accommodation to protect them against the cold in winter and the heat in summer;
4. Appeals to relief agencies to provide sanitation facilities, all necessary medical care (consultation, hospital care, obstetric care and medical equipment) and sufficient quantities of foodstuffs for Syrian refugees, most of whom are women, children, elderly persons or persons with disabilities, and to try to provide schooling for the children in the camps;
5. Urges countries to provide financial support to recipient countries to ease the pressure on their financial resources, which are already scarce in many of them, including Jordan;
6. Calls on Syria's neighbours to ensure, with the support of relief agencies, that refugees on their territories are accommodated in accordance with the 1951 UN Convention Relating to the Status of Refugees and its 1967 Protocol;
7. Also calls on the United Nations to assist recipient countries in preventing the cross-border circulation of weapons so as to guarantee the safety of refugees;
8. Expresses its concern that, given current circumstances surrounding the influx of refugees, some recipient countries may be forced to close their borders, which will further complicate the humanitarian situation in the region;
9. Urges all parties in Syria to put an end to all forms of violence immediately, fully and unconditionally; and calls on all relevant regional and international parties to find ways of helping Syria to reach a peaceful solution to its internal conflict, while safeguarding its territorial integrity and sovereignty, as well as the safety, security and human rights of its citizens.

PRESIDENTIAL STATEMENT ON SEXUAL VIOLENCE AGAINST WOMEN

**Endorsed by the 128th IPU Assembly
(Quito, 27 March 2013)**

On behalf of the members of parliament attending the 128th Assembly of the Inter-Parliamentary Union, I express our deep concern at widespread acts of sexual violence against women and, in particular, rape in all its manifestations and contexts.

We strongly condemn sexual violence. It is one of the most frequent forms of violence inflicted upon women, be it in the public or private sphere. We call for urgent and effective action to guarantee women their right to physical and psychological integrity and a life free of fear and violence.

We express our outrage at these heinous acts of violence and join public calls for an end to impunity.

We urge all parliaments to scrutinize existing laws to ensure that these crimes are defined for what they are - a violation of an individual's physical integrity and sexual autonomy, committed by any person regardless of their relationship to the victims, in any setting. We must criminalize such acts of sexual violence, enhance prevention by tackling their root causes, toughen punishment of perpetrators and provide women with adequate protection.

Through our oversight function and political control, we must ensure the enforcement of laws and the allocation of appropriate resources. We will request our governments to report to us regularly on measures taken to raise public awareness. We will ask for statistical data so as to evaluate the incidence of acts of sexual violence and the effectiveness of measures in place.

We will also demand that our governments ensure that all those involved in law enforcement are adequately prepared, trained and held accountable. We must ensure that the response to rape and sexual violence is sensitive to women's needs and that the victims are not subject to punishment, abandonment or stigmatization.

We firmly declare that such acts are intolerable and commit ourselves to championing the cause of ending sexual violence against women.

QUITO COMMUNIQUE

Adopted by the 128th IPU Assembly
(Quito, 27 March 2013)

On the occasion of the 128th IPU Assembly in Quito, Ecuador, members of parliament came together for a discussion on the theme From unrelenting growth to purposeful development "Buen vivir": New approaches, new solutions. The theme was chosen as a contribution to the global reflection on the post-2015 development agenda and the future Sustainable Development Goals that will apply to both developed and developing countries. The following is a summary of the discussion held during the plenary debate of the Assembly, which the IPU is requested to share with the United Nations. IPU Members may also wish to submit this communiqué to their respective parliaments.

Sustainable development is now at a crossroads. In a finite world, the perennial cycle of increasing consumption and production that is at the heart of the current economic model is no longer sustainable. Growth alone is not the answer to the social, economic and environmental challenges of our time; in fact it is becoming part of the problem. A different approach that focuses on well-being in all its dimensions is required if we are to evolve as a global community able to fulfil core human values of peace, solidarity and harmony with nature.

While growth is a necessary condition for development, and indeed has helped countless generations climb out of poverty, more attention now needs to be paid to the nature of growth and to the distribution of its benefits. Strong growth does not necessarily lead to increased human development and happiness. Inversely, with the right social policy balance it is possible to improve overall well-being even at low levels of economic growth. Job creation and the possibility for people to earn a decent living must be central to policies that support growth and well-being. In developing countries, material growth is essential if we are to eradicate extreme poverty and provide everyone with the necessities of life. Here too, environmental and social sustainability must be part of economic policy from the very start. This will be particularly important in view of population growth and the resultant urban explosion.

Ultimately, well-being consists of human factors that do not necessarily depend on unrestrained material consumption and production. Education, health, culture, leisure time, the practice of religion, the enjoyment of all human rights, emotional fulfilment, as well as a sense of belonging to a community, are all dimensions of human happiness that can be advanced at little cost to the environment and with huge social dividends. Supporting more of these goods should be another focus of a new model of growth and development. While the private sector must continue to lead in job creation, more jobs will be needed in the social sector and in infrastructure development, which benefits communities and minimizes the impact on the environment. Youth unemployment in particular must be given priority.

For well-being policies to succeed, it is imperative that gender inequalities are eradicated so as to realize women's full potential as citizens and economic actors. Women, half of the global population, remain by far the most disadvantaged group in all spheres of life. In many countries, discriminatory laws and cultural norms deprive women of economic opportunities, with less access to credit and lower wages. In most countries, barriers still exist, preventing women from entering political office or corporate boardrooms. Violence against women remains pervasive and further underscores women's vulnerability in most of our societies.

The transition to well-being policies will not be easy and the course has yet to be fully charted. Bold experimentation will be required. Decision-makers must work to reduce the vast inequalities of conditions and opportunities that exist today both within and between countries. Incentives and regulation must be put in place for market forces to work towards well-being. As a number of countries at various levels of development have shown, it is possible today for all governments to adopt indicators to help better target economic, social and environmental policies for human welfare. Measuring national well-being beyond mere GDP will be critical in redefining growth, not only in terms of material production and consumption, but also in terms of social and environmental progress.

The green economy, with its reliance inter alia on technological efficiency and environmentally friendly products, points us in the right direction but only if it is part of a broader policy framework. This will require fiscal incentives and policies to shift the composition of growth towards less resource-intensive production and consumption. A revised growth model will also need to rely more on distributive policies to spread wealth and opportunity more evenly in order to make economies more viable and strengthen well-being. Indeed, nothing undermines well-being more than a feeling of exclusion and deprivation in contrast to the excessive wealth of others.

Well-being policies will need to strive for a better balance between private interests and the common good, between competition and cooperation, and between private and public investments to produce goods that all can enjoy and that the planet can afford to support. In short, the pursuit of well-being as the ultimate purpose of development, and of human progress, will require a new social contract premised on a vision of the planet and of people as assets to be nurtured. The guiding principle of “Buen vivir” should be paired with “Ubuntu”, the African dictum that the success of one depends on the success of the whole community.

To achieve this vision of development, greater global cooperation will be required. Developed countries bear a greater responsibility for global sustainable development and the eradication of extreme poverty. More pro-active efforts to place developed countries’ economies on a sustainable path will be needed. More efforts will also be required to facilitate green technology transfers to developing countries, including technologies to mitigate the effects of climate change and other environmental emergencies. Development cooperation must be increased and made more accountable to both donor and recipient countries. It should also aim more directly to support well-being.

Re-thinking the growth-centric economic model will also require a different kind of globalization: based more on solidarity and cooperation than on unfettered competition. The international economic, financial and trade architecture tends to reinforce the wrong growth model and remains tilted in favour of entrenched interests. There must be policies to reduce the excessive power, both economic and political, of transnational corporations and financial conglomerates. The increasing concentration of land ownership in a few hands undermines the livelihood of the rural poor. Since a more equitable land distribution leads to higher growth and improved human development, this problem needs to be addressed.

By definition, well-being policies require all citizens, and particularly vulnerable groups such as women, youth, indigenous peoples and the poor, to participate in decision-making. Being able to participate in the decisions that affect our lives and the social and environmental context around us is in itself a key dimension of well-being. Inversely, well-being is also necessary for citizens to participate effectively in the management of public affairs. Participation and its attendants of transparency and accountability are in turn key pillars of democracy and of the way democracy applies to the functioning of government at all levels - global, national and local - and in response to citizens’ needs.

Participation, transparency and accountability constitute the core of democratic governance, which is an end in itself and an enabler of sustainable development. There can be no true prosperity without respect for the universal values of democracy, the rule of law and human rights. Democratic governance should therefore be a stand-alone goal among the new Sustainable Development Goals, as well as a dimension of other goals that will be part of the future development framework. This is further supported by the results of a survey of hundreds of members carried out during the Assembly.

To help steer sustainable development on a new course, a rebalancing of the role of the market and that of government is called for. Effective ways to help reconcile market needs with social imperatives include the development of private-public partnerships, community-based enterprises and other forms of cooperative models. Government intervention to guarantee the rights of the very poor and to safeguard the natural resource base will also be needed. The interdependent challenges of sustainable development require a concerted approach that only governments can initiate and help implement.

To this end, it will be more important than ever for parliaments to assert their legitimate place in the decision-making process at the national and international levels. The institution of parliament is pivotal to the entire architecture of democratic governance and needs to be strengthened virtually everywhere in the world, with greater oversight capacities and legislative authority. More specifically, stronger parliaments will have to play a central role in the implementation of the future Sustainable Development Goals. This will include ensuring that development policies and plans are drawn up through participatory and inclusive processes, and with regular progress reports submitted to parliament for review.

This debate should continue in national parliaments as a way of engaging them in the global consultations foreseen in the Rio outcome document, aptly called *The Future We Want*.

Reports, Decisions, Resolutions and other texts of the Governing Council and Executive Committee

COOPERATION WITH THE UNITED NATIONS SYSTEM

List of activities undertaken by the IPU between October 2012 and March 2013

Noted by the IPU Governing Council at its 192nd session
(Quito, 26 March 2013)

The United Nations

- The IPU began to engage with a major UN-led process to help redefine the current development framework in the light of new challenges and based on the experience of the soon-to-expire Millennium Development Goals (MDGs). As a first step, the IPU made a contribution to the UN Secretary-General's High-Level Panel of Eminent Persons on the Post-2015 Development Agenda that met in Monrovia, Liberia, in late January. Much of the discussion centred on the need to include a goal on democratic governance among the Sustainable Development Goals (SDGs), intended to replace the current MDGs. As an extension of this global drive, the IPU encouraged national parliaments to participate in national consultations and individual MPs to provide their views through a UN online survey facility.
- The IPU participated in meetings of the Open Working Group on the SDGs, recently established by the UN General Assembly. It also participated in the first phase of consultations about the creation of a new high-level forum for sustainable development by the end of this year, which will replace the current Commission for Sustainable Development. The forum is intended to be a more open structure, able to accommodate a variety of stakeholders, including possibly parliamentarians.
- A first preparatory meeting for the 2014 session of the Development Cooperation Forum (DCF) took place in Vienna in December. The meeting focused on gender issues and how they should permeate the new post-2015 development agenda. As the sole parliamentary partner of the DCF, the IPU contributed actively to the discussion. The Speaker of the Austrian Parliament was among the high-level officials who helped launch the two-day meeting.
- The annual joint Parliamentary Hearing at the United Nations was held on 6 and 7 December. Entitled A road less travelled: Parliamentary approaches to conflict prevention, reconciliation and peace building, the Hearing brought together close to 200 MPs for an interactive discussion with UN ambassadors and other officials. The event experimented with a new format that proved very successful based on participants' evaluation forms. More importantly, the event helped highlight how parliaments can support peace around the world both in their own right and in cooperation with the United Nations.
- The IPU joined a new Multi-Stakeholder Advisory Group of the President of the Economic and Social Council (ECOSOC) together with representatives of civil society and the private sector. The purpose of this informal group, which met for the first time in January, is to help identify concrete ways to make ECOSOC more relevant and its decisions more actionable at the national level. At the same time, the IPU began consultations with the ECOSOC Secretariat to consider new modalities for interaction between ECOSOC and parliaments.
- In terms of substantive UN processes, the IPU was most active during the last three months of 2012 in the discussions concerning the reform of UN field operations (under the item Quadrennial Comprehensive Policy Review) by advocating for UN country teams to work directly with parliaments to support the implementation of national development plans. Important statements were delivered before the General Assembly on follow up of the MDGs, UN operations and sustainable development.

UN Women

- In cooperation with UN Women, a parliamentary meeting on violence against women took place on 5 March in the wings of the 57th session of the Commission on the Status of Women. The meeting provided an opportunity to drive home to UN decision makers some of the positions that parliaments and the IPU have long adopted on this sensitive issue. A summary of the conclusions was read before the plenary of the Commission.
- The IPU and UN Women provided joint support for mainstreaming gender into the Turkish Parliament's Committee on Equal Opportunities for Women and Men. In this framework, a gender self-assessment was organized in December 2012. The assessment helped the Committee to take stock of its impact on gender-related legislation, appraise the role it was playing in parliament and identify capacity-building needs.

UNDP

- A major review of the current Memorandum of Understanding (MoU) between the IPU and UNDP was conducted in late 2012, as provided for in the MOU. Representatives of key UNDP offices met with senior IPU management to review all areas of cooperation. The outcome was overwhelmingly positive but also highlighted the need to fine-tune some of the working modalities and extend cooperation to neglected sectors. Discussions on a revised MoU began early in the year. The IPU President met with the UNDP Associate Administrator to pledge his political support to the process.
- As part of its work in support of the MDGs, the IPU contributed to two subregional consultations with parliamentarians and civil society in Dhaka and Manila. The final Declarations of both events in turn fed into the on-going global process to redefine the development agenda after 2015, when the MDGs will expire.
- Together with UNDP's Democratic Governance Group (DGG), the IPU worked in the first quarter of 2013 on preparing a survey of parliamentarians on key questions of governance. The DGG assisted with preparations for a workshop on governance to be held at the Quito Assembly.
- An evaluation of the first Global Parliamentary Report was initiated. Published by the IPU and UNDP in April 2012, the Report has to date seen follow-up action in 14 parliaments and currently exists in eight languages.
- The IPU continued to work closely with UNDP country offices, providing technical assistance and capacity-building programmes to national parliaments. Over the past six months, it has conducted such activities in Afghanistan, Bangladesh, Democratic Republic of the Congo, Myanmar and Palestine.

Office of the UN High Commissioner for Human Rights

- The IPU submitted reports to the 53rd and 54th sessions of the UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) on the level of parliamentary involvement in the reporting process and on the situation of women in politics in the countries concerned.
- The IPU participated in the 10th session of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action. Ms. L. Meier-Schatz, a Swiss MP, made a presentation on the role of parliament in combating racial discrimination in which she showcased the IPU's untiring efforts since the 2001 Durban Conference to get parliamentarians involved in fighting against racial discrimination.

World Health Organization (WHO)

- The IPU submitted a report to the UN Secretary-General on progress made by the organization in honouring its commitment to the Global Strategy for Women's and Children's Health.
- The IPU supported several WHO events to implement the recommendations of the Commission on Information and Accountability for Women's and Children's Health. Support included the participation of IPU technical staff and senior management as well as efforts to facilitate the participation of parliamentarians in the meetings. The IPU contributed to the first report of the independent Expert Review Group on Accountability for Women's and Children's Health (IERG).

- With the financial and technical support of the WHO, the IPU's Maternal, Newborn and Child Health Project scaled up its work in terms of providing support to parliaments and adding a parliamentary perspective to global platforms. Some key activities include the production of an IPU handbook for parliamentarians on maternal, newborn and child health, assistance to the Parliament of Kenya in conducting a rapid assessment of the legislative environment for women's and children's health and support to the Parliament of Uganda in developing an advocacy strategy for women's and children's health. The WHO supported the efforts of the IPU in the area of women's and children's health by participating in the technical Reference Group set up under the IPU project.

United Nations Population Fund (UNFPA)

- UNFPA's Africa Regional Office provided financial, technical and logistical support for a planning meeting to consult with parliamentarians and other actors on the IPU's proposal to produce a handbook for parliamentarians on women's and children's health.
- UNFPA, along with UNICEF, lent their support to the IPU's efforts in this area by participating in the technical Reference Group.

World Trade Organization (WTO)

- The annual session of the Parliamentary Conference on the WTO took place in mid-November in Geneva. Entitled Back to basics: Connecting politics and trade, the meeting examined the current trade regime from the perspective of job creation and economic growth. It also featured a hearing with the Director-General of the WTO.

VACANCY ANNOUNCEMENT FOR THE POST OF SECRETARY GENERAL OF THE INTER-PARLIAMENTARY UNION

Established by the Executive Committee

Functions

Under the supervision of the Executive Committee, the Secretary General manages the Inter-Parliamentary Union and is accountable for the management of the Organization to the Governing Council.

He/she shall carry out the functions vested in the post by the Organization's Statutes and Rules or otherwise delegated by the IPU governing bodies. In particular, the Secretary General shall:

- Facilitate the work of the Members of the Organization in the framework of its annual programme of activities;
- Ensure that the organization and its statutory organs function well and that Members are in a position to participate effectively in their activities;
- Ensure that the Statutes and Rules of the Organization are properly enforced and provide legal advice on their correct interpretation;
- Prepare proposals for the programme of work and the budget and be responsible for their implementation;
- Mobilize resources necessary for the functioning of the Organization;
- Make sure that the Inter-Parliamentary Union is represented at major regional and international conferences, foreseen as part of IPU activities;
- Liaise with regional and international organizations with a view to strengthening cooperation;
- Manage the Secretariat and resources of the Organization;
- Disseminate information on the Organization and its work.

Skills

Candidates shall possess leadership and negotiating skills.

They shall be fully committed to the values of democracy, to gender equality and to parliamentary institutions, as well as to the principles of international cooperation.

They shall be skilled in diplomacy and able to work in a multicultural environment.

Their moral authority shall be beyond reproach and they shall be able to lead by example and create a team spirit.

They shall have a high sense of responsibility and show political neutrality coupled with initiative and dynamism.

Qualifications

Candidates shall possess a minimum of fifteen years of working experience at a progressively higher level of responsibility; part of their experience shall be in relation to knowledge of activities and processes of national or international parliamentary assemblies. Through their experience they shall be familiar with human resources management and with managing a budget.

They shall be knowledgeable about constitutional law and constitutional matters.

A solid knowledge of international relations, multilateral institutions and international organizations will be highly valued.

Education

They shall have completed a university degree and possess a post-graduate degree or equivalent experience.

Languages

They shall have a very sound knowledge of the two official languages of the Organization – English and French – and if possible, good knowledge of one of the two other working languages – Arabic and Spanish.

COMMITTEE ON MIDDLE EAST QUESTIONS

REPORT OF THE DELEGATION OF THE COMMITTEE ON ITS MISSION TO ISRAEL AND PALESTINE

**Noted by the IPU Governing Council at its 192nd session, which
also endorsed its conclusions and recommendations
(Quito, 26 March 2013)**

Introduction

The principal purpose of the mission to the region was to gain an understanding of the evolution of the situation on the ground with a view to setting up a more regular and inclusive parliamentary dialogue. To this end, the delegation was mandated to meet and listen to legislators from all the political factions represented in the Israeli and Palestinian Parliaments.

On 28 January 2013, the delegation visited Gaza in the first of its two-part mission to the region. The second part of the mission, with visits to Israel and the West Bank, was undertaken on 3 and 4 March 2013. On both occasions Lord Judd (United Kingdom) led the delegation that included Mr. Serge Janquin (France), Mr. Truls Wickholm (Norway) and Ms. Monica Green (Sweden). Mr. Anders B. Johnsson, IPU Secretary General, accompanied the delegation.

The delegation wishes to express its sincere appreciation for the warm reception extended by the Israeli and Palestinian Parliaments and for the opportunity to hear the views of a broad spectrum of legislators and others (see annex for full list of those with whom the delegation met). It also wishes to record its very real thanks to all those in the IPU Secretariat who provided so much tireless support.

The situation on the ground

De facto there are three entities on the ground; not two. The Palestinian entity was split into two when Hamas broke away from the Palestinian Authority in 2007 and established its control over Gaza.

For the last six years, the 1.7 million inhabitants of Gaza, including 1.1 million refugees, have been ruled by Hamas. They maintain control over most aspects of Palestinian life in the territory.

The people of Gaza are experiencing the humanitarian consequences of a man-made disaster. Eighty per cent of the population are dependent on international assistance. 32% of the population and over 50% of youth are unemployed, 44% of them are food insecure and 90% of the water is undrinkable; the last remaining aquifer is predicted to cease functioning fairly soon. Last November, following further rockets fired into Israel, there was an Israeli aerial bombardment of Gaza.

The blockade has resulted in the impoverishment of the people. Although goods are available in the market for those who can afford them, restrictions on imports and exports continue to severely hamper recovery and reconstruction. The tunnel industry between Egypt and Gaza provides a partial lifeline to some of the population. UNRWA estimates that even if the blockade were to be lifted, it would take years for the economy to be rebuilt.

The West Bank comes under the authority of President Abbas and the Palestinian Government, with Prime Minister Fayad at its head. The West Bank covers 5,500 square kilometres with an estimated population of 2.4 million. A quarter of the 727,471 registered refugees live in 19 refugee camps. West Bank camps are overcrowded, as are schools, with an average of 50 pupils per classroom. Many schools have been damaged by Israeli military activity since September 2000 and are also prone to attacks by settlers. Unemployment levels are particularly high among West Bank refugees.

The territory is divided into three areas. Area A makes up roughly 18 per cent of the West Bank. The area is under full Palestinian civil and security authority. It includes all Palestinian cities and their surrounding areas, with no settlements.

Area B covers some 21 per cent of the West Bank. Here civil authority is under the Palestinian Authority, while the Israeli and Palestinian Authorities share responsibilities for security. The area includes areas of many Palestinian towns and villages and adjoining areas with no settlements.

Approximately 61 per cent of the area of the West Bank is in Area C, where Israel retains near exclusive control, including over law enforcement, planning and construction. These areas include all Israeli settlements (cities, towns, and villages), nearby land, most roadways that connect the settlements (and which are exclusively for Israeli use), as well as strategic areas described as "security zones. It is estimated that 150,000 Palestinians live within this zone compared with over 300,000 Israelis.

Restrictions on movement make it difficult for Palestinians to earn a living or obtain essential services. Palestinians in Area C are not connected to the water network and rely on water from cisterns at vastly increased cost. Since 2006, Israel has frequently resorted to withholding the tax revenues that it collects on behalf of the Palestinian Authority in the occupied West Bank, money that is badly needed to pay public sector salaries.

Israel has a technologically advanced market economy. Cut diamonds, high-technology equipment, and agricultural products (fruits and vegetables) are the leading exports. The global financial crisis of 2008-09 spurred a brief recession in Israel, but the economy has recovered better than most advanced, comparably sized economies. In 2010, Israel formally acceded to the OECD. The unemployment rate in Israel decreased to 6.5 per cent in January of 2013 from 6.9 per cent in December of 2012.

The election in January 2013 was precipitated by President Netanyahu's failure to agree the annual budget with his coalition partners. Economic issues, such as the cost of living and house prices, figured highly in the

election campaign. So did the privileges enjoyed by ultra-Orthodox youth who are exempt from military service and enjoy social stipends to maintain their lifestyle.

It seems that relations with Palestine and progress in peace negotiations, or absence thereof, did not figure in the election campaign. However, security remains a major concern for Israeli citizens with fresh memories of having seen mortars and missiles land in Israeli further and further away from the border with Gaza.

The two parliaments

The Oslo Accords established a parliament for Palestine (Palestinian Legislative Council – PLC). It was first elected in 1996. Hamas boycotted those elections and Fatah, having obtained 55 of the 88 seats, largely controlled the parliament.

Ten years later the Palestinians again went to the polls, this time to elect a 132 member PLC under an amended electoral law. Hamas supported the elections and took an active part promoting candidates from the Change and Reform Block. The Block won a resounding victory, taking 74 of the seats against Fatah's 45. The Popular Front for the Liberation of Palestine (PFLP) received 3 seats and the Alternative, Independent Palestine and the Third Way each received 2 seats. Four Independents were also elected.

Even at the time of the elections it was difficult for the PLC to convene and to conduct normal business. Travel between Gaza and the West Bank was increasingly restricted by the Israelis. Initial meetings took place with the MPs from the West Bank and Jerusalem sitting in Ramallah, and the others being connected via video link from Gaza City.

Subsequent developments put a complete halt to the PLC proceedings. The detention of large numbers of members from the Change and Reform Block (with the resulting loss of majority in the Legislative Council voting) and the split between Fatah and Hamas in 2007 effectively put an end to the PLC. Still today, the Parliament is unable to meet and elections for a new parliament are long overdue.

Meanwhile, the IPU is providing support to the Secretariat of the Legislative Council in Ramallah. The European Union provides funding for a program developed by the IPU and implemented in cooperation with the UNDP to modernize the Secretariat. The aim is to prepare the Parliament so that it can service the members after new elections. The program is limited to the Secretariat in Ramallah and does not extend to Gaza. It ends in June 2013.

In Israel, the elections on 22 January 2013 brought significant change. The outgoing governing parties lost a large number of seats, although they remain the largest coalition. One new centrist party entered parliament for the first time and became the second political force in the Knesset. The 120-member Knesset found itself split down the middle with 60 seats going to each side of the traditional political divide.

Forty-eight of the members are new to the Knesset (40 per cent) and the number of women rose (from 17.5% to 22%). The number of political parties represented in the Knesset remains stable at 12.

The elections in Israel were fought on domestic issues. Peace with Palestine did not figure in the debates. However, in order to be able to form a government, the outgoing Prime Minister Netanyahu is inviting political parties committed to making progress in the peace talks to join him in forming a government. In principle, the sole conduit for future peace negotiations will be former Foreign Minister Tzipi Livni. Today she leads one of the smaller parties (6 members) and has been appointed Justice Minister in the new government.

Palestinian reconciliation

Reconciliation talks facilitated by Egypt are proceeding between Fatah and Hamas. An initial meeting took place in Cairo on 9 January and led to a number of important decisions concerning elections, social protection and the reform of the PLO. The delegation was informed that several sub-committees were established on these and other subjects and they have now begun work.

The delegation heard that there is an agreement to hold elections for a reconstituted PNC (the Palestine National Council that is the representative branch of the PLO) by direct elections wherever possible. Similarly, there is agreement to compensate victims and martyrs of the internal fighting, and a social fund is being established with funding from the Arab League.

A meeting on 8 February evidently produced some progress and, by the end of March, it is hoped that President Abbas will be able to issue a decree to announce the date for elections and the formation of a national unity technocratic government that he will lead.

During the January talks between Fatah and Hamas in Cairo, the parties also agreed to proceed with preparations for elections in Palestine. As a result, voter registration that had been interrupted in July 2012 resumed. The initial phase concluded on 20 February with 82 per cent of eligible voters having been registered. The final voter registration list is now under preparation and should be completed by the end of March 2013.

In discussions the view was strongly expressed to the delegates that, for elections to proceed on the Palestinian territories, agreement and cooperation between Fatah and Hamas is essential and that proceeding with elections in only one part of the territory could well lead to further divisions and the de facto partition of Palestine for a long time to come.

There are, however, voices within the Palestinian leadership that argue with some force that if agreement is not forthcoming anytime soon, elections should go ahead in the West Bank and East Jerusalem. It was held by some that by changing the electoral system to a fully representative system with Palestine as one constituency, it would be possible for candidates from Gaza to stand in the elections even if the electorate on that territory is not allowed to vote.

Human rights

All the Palestinians met by the delegation view the occupation as the most fundamental violation of their rights. It is a violation in itself and it also contributes to further violations.

There are many aspects to human rights in the region. The blockade of Gaza and the conflict that flares up from time to time has led to stricter controls and human rights violations. The population in Gaza lives under continuous stress and there has been an increase in domestic violence, particularly directed at women. There are examples of human rights violations on the West Bank as well, although the situation has recently improved.

Discussions with Palestinians about violations of human rights invariably turn to issues concerning confiscation of property, denial of access to water, harassment by settlers, administrative detention, allegations of torture and ill treatment of prisoners (including minors). There are those who argue that, having originally (in 1948) been subjected to ethnic cleansing, since 1968 the Palestinians have been living under occupation and more recently find themselves treated as second-class citizens in their own land under a form of apartheid. Palestinians view the detention and arrest of their countrymen as arbitrary, unwarranted and humiliating. The death of Arafat Jarradat in Israeli detention on 19 February has served to mobilize Palestinian public opinion against the practice but, in reality, since 1967 the issue has always been at the top of their agenda.

Shortly after the 2006 Palestinian elections, 45 members of the Change and reform Block in parliament, including the Speaker of the PLC, were seized by the Israeli Defence Forces (IDF) in the occupied West Bank and Jerusalem and transferred to Israeli prisons. The MPs were charged with membership of a terrorist organization, namely Hamas, carrying out activities on behalf of that organization and providing it with services. Most of them were sentenced to prison terms of about 40 months and were released after having served their sentence.

During its talks at the Israeli Knesset, the delegation was told that all Israeli authorities strictly adhere to due process and that all relevant information is presented to the courts before decisions are taken concerning any individual. It was also told that the Judiciary in Israel is impartial and independent and the Supreme Court can review any judicial or other governmental decision.

Many key politicians in Israel argue that Hamas is a terrorist organization whose primary goal is to establish an Islamic State in the entire territory of the State of Israel, that Hamas refuses to recognize Israel's right to exist and that it denies the three Quartet principles for a peace process. They also claim that the PLC members who belong to Hamas form an integral part of the organization and actively participate in its activities. They believe that membership of the PLC cannot be regarded as a shield against criminal accountability.

According to the Israeli interlocutors, administrative detention is a lawful security measure allowing the deprivation of a person's liberty for a limited time. Administrative detention orders are used as a preventive measure against persons posing grave threats to the security in the West Bank whose detention is considered to be absolutely necessary for imperative reasons of security.

Most, but not all of the Israeli politicians met by the delegation, argued that administrative detention is used solely as a preventive measure and only as a last resort, and cannot be employed where criminal prosecution is possible or less restrictive administrative procedures would adequately contend with the security risk posed by the individual. The argument continued that, when the administrative avenue is chosen, the detention is conducted in strict adherence to the provisions of the Fourth Geneva Convention, allowing inter alia for judicial review and access to judicial instances for each detainee.

During 2012 there was a significant decrease in the number of administrative detentions in general and of Change and Reform Block members of Parliament in particular. Over a six-month period, eighteen PLC members were released from administrative detention. By the time of the delegation's visit to Jerusalem, there were eight PLC members held in administrative detention (in addition to three others who were in detention pending trial on criminal charges and two who are serving lengthy prison sentences).

Regional context

Leaders in Israel are concerned by developments in the region. Several of them are perceived as potentially destabilizing for the country. Many believe that the conflict in Syria is bound to lead to continued turmoil and that there is no guarantee that the post-President Assad regime will be any better than the current government. It is already affecting the situation in Lebanon and could further complicate the situation on Israel's northern border.

The uncertainties in Egypt constitute another cause for Israeli concern. Egypt has acted as a guarantor for peace in the past. This can no longer be taken for granted. Many Israelis assert that the coming to power of Islamist forces in Egypt and elsewhere does not bode well for Israel's security. They hold that, worse still, Egypt could descend into outright civil conflict. Iran and its nuclear ambitions constitute yet another major concern for Israel.

Some Israeli leaders are keen to re-establish their previous relationship with Turkey and to pursue cooperation with other countries in the region and beyond.

Many Palestinian interlocutors take a different view. The people want a Palestinian State made up of Gaza, West Bank and East Jerusalem. In November 2012 the United Nations recognized the State of Palestine and Palestinians were encouraged to know that they had the support of the majority of the international community.

Several Palestinians said that they were encouraged by support from specific sectors of the international community, including the British government, which had stated that achieving a two-state solution to the Israeli-Palestinian conflict was a top international priority. Some felt that the re-election of President Obama, who was now less likely to bow to political pressure in his second term, could bring about an atmosphere more conducive to peace negotiations.

Last but by no means least, the situation in Egypt provided an additional powerful incentive for the peace process. The new authorities in Egypt were genuinely keen to accomplish reconciliation between Hamas and Fatah and wanted to see an end to the conflict. At the same time, however, Egypt has more pressing issues to deal with at home.

Peace negotiations

Negotiations have been at an impasse for several years. The divide between the two sides may appear absolute. Yet, there are many Palestinians who express cautious optimism that peace might be attainable. And in the words used by the interim Speaker of the Knesset when talking to the delegation, "of all the people in the region, the Palestinians are those with whom we have the most in common and with whom we can agree on language to achieve peace."

The Palestinians expressed the desire for a Palestinian State made up of Gaza, West Bank and East Jerusalem and, as noted above, welcomed United Nations' recognition of the State of Palestine in November 2012. By

and large, however, they expressed little faith in peace prospects. They feel under siege. They point to a steadily shrinking territory. In their view the continued expansion of settlement activities makes it unlikely that a viable Palestinian State can ever be established. Palestinian leaders feel humiliated by their Israeli counterparts. Israel offers peace talks, they say, but continues to detain Palestinian political representatives, expand settlements and expel Palestinians from Jerusalem. In their view, they are deliberately being undermined. Israeli action only serves to delegitimize them in the eyes of the Palestinian population and provide ammunition to their political opponents.

For their part, those Israelis met by the delegation pleaded for faith and trust. They point to the disengagement from Gaza as proof that settlements will never stand in the way of an agreement. They are convinced that Israel can help provide solutions to many of the urgent problems facing Palestine in terms of access to water, trade, employment, etc. All those Israeli political leaders with whom the delegation talked declared their commitment to the peace process and expressed their conviction that peace could be achieved. They were also convinced that if an agreement can be produced today, the Israeli citizens would support it in their overwhelming majority.

Conclusions

The visit to the region, however brief, exposed the delegation to a very rich diversity of views. It also enabled the delegation to gain a clearer understanding of the situation on the ground. In all areas visited by the delegation, people can be seen to be going about their daily life. Children go to school, older students attend university, shops and markets are open, roads are filled with vehicles of all types and construction is going on.

Nonetheless, in Gaza the economy has, de facto, been completely isolated from the rest of the world. It will require a complete lifting of the blockade and an end to the isolation for conditions to improve. While the situation is clearly much better on the West Bank where Ramallah has developed into a bustling metropolis, the limits imposed by occupation are not hard to see.

Making peace is as much a question of perceptions as of realities. Allegations and accusations, right or wrong, true or false; at the end of the day they will solve nothing. What counts are the perceptions of the parties to the conflict. Progress in peace negotiations therefore very largely depends on the ability of each party to listen to and understand each other. In short, dialogue must play a crucial part.

The IPU has a special role in providing a forum in which as wide a cross section of parliamentarians as possible can come together to develop a dialogue. The Israeli and Palestinian Parliaments are both members of the IPU and take an active part in its activities. They cooperate with the Committee on Middle East Questions and have on occasion taken part in dialogue sessions with some of their members.

The delegation is convinced that there is an urgent need for dialogue between a convincing cross section of Israeli and Palestinian lawmakers. Ideally, this should take place as quickly as possible to exploit whatever momentum there is in the wake of the Palestinian reconciliation talks and the Israeli elections.

While the mission believes that it will be essential for all the parties genuinely to own and internalize their commitment to the peace process, it must be recognized that the Palestinians strongly argue for an honest broker because of their own disadvantaged situation. The delegation believes that the IPU can fulfill that role when it comes to facilitating dialogue between legislators from both sides.

There seems to be consensus between Palestinians that reconciliation between Fatah and Hamas is a top priority. There is equally very broad support among them for a national unity government. The delegation holds the view that once such a government is established, it must be able to count upon the support of the international community.

Already there are ominous voices of dissent with some governments threatening to cut off aid if reconciliation succeeds. The delegation strongly holds the view that the international community should refrain from interfering in what must be an internal Palestinian matter. States deal with States, not political factions.

What counts is the commitment and actions of the government as a whole, not of any political faction forming part of the government. Norway was among those who took this position.

2006 was the last time there was a unity government. The international community then decided to boycott the newly elected government because it included representatives of a group with whom it did not agree,

Hamas. In the views of the delegation, it would be truly tragic if the international community were to repeat that action.

It is vital that Palestinians be given the opportunity to elect a new parliament. The absence of a functioning Parliament means that the checks and balances do not work as they should and the system is per se dysfunctional. There is no possibility for a new generation of leaders to come forward and gain experience in governing the country. The delegation strongly urges the international community to lend its support to such elections and recommends that the IPU observe the electoral process.

The delegation is also convinced that any future parliament must be one in which there is a place for each one of the political parties, a parliament that is particularly attentive to inclusiveness in the decision-making process and one that has a neutral and professional administration. It will also be important for parliament to be fully committed to the defence of human rights and to be vigilant in holding the security sector to account.

The IPU is currently helping to build a professional administration in the parliament in Ramallah. It is vital that this programme of support be continued beyond June 2013 and that it be extended to the parliamentary administration in Gaza. It should help provide a more permanent presence for the IPU in the region and in that way organize a more comprehensive range of activities in support of the Parliament and the peace process.

Finally, it is clear to the delegation that peace in the Middle East is an important factor in bringing peace and stability to the region and to the world. Conversely, the developments in the region and the immediate neighbours of Israel and Palestine will continue to impact on the prospects for peace. The delegation is therefore of the view that the Committee on Middle East Questions must expand its activities to examine developments in the region from that perspective.

Recommendations

The delegation recommends that the Committee on Middle East Questions, the Executive Committee and the Governing Council, within their respective remit:

- ü Adopt the present report and endorse its conclusions;
- ü Request the Secretary General to make arrangements as soon as possible for future dialogue sessions between a convincing cross section of Palestinian and Israeli legislators: thematic global and environmental issues facing both Israelis and Palestinians (e.g. water and climate change) could play an important ancillary part in this;
- ü Request the Secretary General to make arrangements for continued IPU support to the Palestinian parliamentary administration, including that in Gaza, and for the establishment of an IPU physical presence in the region;
- ü Invite external donors to provide funding for a programme of activities along the lines outlined above;
- ü Invite the Committee on Middle East Questions to examine developments in the region from the perspective of their impact on peace between Israel and Palestine; and
- ü Invite the Committee on Middle East Questions to report on progress at its next session in Geneva (October 2013)

* * * * *

THOSE WHOM THE DELEGATION MET IN JERUSALEM, RAMALLAH AND GAZA

Jerusalem

Mr. B. Ben-Eliezer, MK, Acting Speaker of the Knesset (Labour)
Mr. M.K. Sheehri, MK (Hatnua – The Movement)
Mr. R. Hoffman, MK (Yesh Atid – Future Party)
Mr. E. Frej, MK (Meretz – Social Democrat)
Mr. Jacob Perry, MK (Yesh Atid – Future Party)

Ambassador O. Ben-Hur, Senior Diplomatic Advisor to the Knesset
Mr. O. Zemet, International Law Department, Knesset

Mr. M. Singleton, Deputy Head of Mission, Office of the Quartet Representative
Mr. D. Viveash, Field Office Director, The Carter Center

Ramallah

Mr. S. Fayyad, Prime Minister
Mr. A. Al-Ahmed, member of the PLC (Head of Fatah)
Mr. E.G. Z. Sabella, member of the PLC (Fatah)
Ms. K. K. Jarrar, member of the PLC (Abu Ali Mustafa Parliamentary List), Head of PLC Prisoners' Committee
Mr. M.K. Al-Barghouti, member of the PLC (Head of Independent Palestine bloc)
Mr. B.A. Al Salhi, member of the PLC (Al Badeel List)
Ms. N. Al-Astal, member of the PLC (Fatah)
Ms. H.M. Ashrawi, member of the PLC (Al Tariq Al Thaleth List)
Mr. J.A. Zneid, member of the PLC (Jerusalem Governance)
Mr. I. Khreisheh, Secretary General of the PLC
Mr. B. Al-Deek, Advisor to the Secretary General

Mr. I. Qaraqae, Minister of Detainees and Ex-detainees
Mr. Q. Fares, President of the Prisoner Club
Mr. M. Shtayyeh, Minister, Palestinian Economic Council for Development and Reconstruction
Mr. S. Jabarin, General Director of Al-Haq (Affiliate of International Commission of Jurists)
Mr. A. Harb, Commissioner General, Independent Commission for Human Rights

Gaza

Mr. Ziad Abu Amr, member of the PLC (Independent), former Foreign Minister of the Palestinian Authority
Mr. Ahmed M. Bahar, First Deputy Speaker of the PLC (Change and Reform Bloc)
Mr. Moshir O. Al Masri, member of the PLC, Head of Foreign Affairs (Change and Reform Bloc)
Mr. Atef Ibrahim Adwan, member of the PLC (Change and Reform Bloc)
Ms. Huda Naim Naim, member of the PLC (Change and Reform Bloc)
Mr. Jamal N.S. El Khoudary, member of the PLC (Independent)
Mr. Faisal Abu Shala, member of the PLC (Fatah)
Mr. Jamil Majdalawi, member of the PLC (Popular Front for the Liberation of Palestine - PFLP)
Mr. Robert Turner, Director of Operations, United Nations Relief and Works Agency (UNRWA)
Ms. Helene Skaardal, UNRWA Secretariat

IMPLEMENTATION OF THE IPU STRATEGY 2012-2017

Proposals to enhance the functioning of Standing Committees and their Bureaux

Approved by the IPU Governing Council at its 192nd session
(Quito, 26 March 2013)

Decision of the Governing Council	Possible options for implementation
<p>2. It is recommended that the three Standing Committees meet on the occasion of both annual IPU Assemblies.* In this way, Members will have an opportunity within any given year to address topics of their choice and adopt at least three resolutions on highly relevant political issues.</p>	<p style="text-align: center;">Responsibilities and functions of Standing Committees</p> <ol style="list-style-type: none"> 1. Each Standing Committee meets twice per year, during both annual Assemblies. 2. Each Standing Committee adopts one resolution per year. 3. A system of rotation between the Standing Committees will be put in place: <ul style="list-style-type: none"> • Two Standing Committees meet to adopt a resolution at the first Assembly of the year. The remaining Standing Committee may hold debates and hearings or take up any other item that is placed on its agenda. • The programme of the Standing Committees will be rotated at the second Assembly of the year. The two Standing Committees that adopted resolutions at the first Assembly may hold debates and hearings or take up any other item on its agenda. The remaining Standing Committee will meet to adopt a resolution. 4. The method of choosing the subject of future resolutions remains unchanged. The Bureau makes a proposal to the Standing Committee. The Standing Committee's decision is submitted for the approval of the Assembly. The subject is debated and a resolution is adopted at the following Assembly. 5. Standing Committees set their own agenda for the Assembly where they do not adopt a resolution. Agenda items may relate to any subject that falls within the mandate of the Committee. One agenda item should normally be dedicated to follow-up action taken by parliaments on one or more previous resolutions. 6. Standing Committees may decide, for example, to carry out activities such as commissioning research, organizing field missions, holding hearings with UN and other officials, or other activities of their choice. Parliaments would be required to defray the cost of their members' participation in field missions organized by the Standing Committees. 7. Standing Committees may choose to establish a long-term work plan.
<p>9. The Standing Committees should be given broader responsibilities. This could include planning and implementing activities in their areas of competence, starting to develop institutional expertise, holding hearings with heads of international organizations and senior UN officials, undertaking field missions, preparing and submitting reports and reporting on good practices and progress in implementing IPU resolutions resulting from their Committee work.</p>	

* Due primarily to cost implications there is little support for the option of convening Standing Committees outside the bi-annual Assemblies (which would have allowed the participation of parliamentarians from relevant committees in their own parliaments to take part in the proceedings).

Decision of the Governing Council	Possible options for implementation
<p>10. In order to be able to carry out a more ambitious programme of work, the Standing Committees would need to receive support by way of both financial and human resources. It is proposed that, within the regular budget, funds be identified to support the work of the Standing Committees. In turn, the IPU Secretariat will need to devote more time and effort to providing the assistance required to sustain such activities.</p>	<p>8. In the interest of continuity, Member Parliaments will be encouraged to designate in advance the MPs who will be following the items placed on the Standing Committee agenda. These MPs will also play an important role in ensuring follow-up to IPU resolutions in their national parliaments.</p> <p>9. Standing Committees currently do not receive any financial allocation from the IPU budget, and little substantive support from the IPU Secretariat. Human and financial resources will have to be found to implement the reforms set out in this document. It is proposed that an initially limited financial allocation be made to each Standing Committee from within existing resources, and that staff resources be reorganized in order to begin to provide substantive support to the work of the Standing Committees.</p>
<p>11. The Bureaux should play an active role in planning, guiding and directing the work of the Standing Committees. They should be encouraged to adopt a multiyear programme of work and invite the membership to propose items for debate and rapporteurs to help prepare them. The Bureaux should also play an active role in monitoring follow-up to resolutions, including in terms of encouraging the systematic reporting by Members on any action they have taken.</p> <p>14. Bureau members would also be encouraged to interact with the geopolitical groups, with a view to preparing the groundwork for multiyear programmes of work, identifying the best possible office-holders, and enhancing the contribution by Members to the work of the Standing Committees.</p>	<p style="text-align: center;">Role of the Bureaux</p> <p>10. The Bureaux of the Standing Committees meet at each Assembly to prepare the work plan and agenda for the future meetings of the Committee. The Bureau reviews implementation of the Committee's work plan and proposes adjustments as necessary.</p> <p>11. The Bureau of each Standing Committee may propose subject items for the agenda of the other Standing Committees. Joint meetings of the Bureaux of the Standing Committees will take place regularly to avoid duplication and to enhance coordination.</p> <p>12. Geopolitical groups are encouraged to place a regular item on their agenda on the work of each Standing Committee, during which Bureau members would report to their geopolitical group on the Committee's activities and agenda proposals.</p> <p style="text-align: center;">Decision-making</p> <p>13. The Bureau takes decisions by a simple majority of members present.</p> <p>14. The rules on decision-making in the plenary of the Committee remain unchanged.</p>

Decision of the Governing Council	Possible options for implementation
<p>12. Members of the Bureaux should be appointed for a two-year period, renewable once, on the basis of their competences and ability to take part in all meetings. All candidates for Bureaux membership should submit a brief biography, specifying their Committee membership in parliament and familiarity with the issues covered by the Committee. This should be accompanied by a commitment from their parliament that they will be supported in their work and included in future delegations to Assemblies.</p> <p>13. Both titular and substitute members of the Bureau would be encouraged to attend its meetings. It is proposed that attendance be strictly monitored, that quorums be enforced, and that simple majorities be used for decision-making.</p>	<p style="text-align: center;">Composition of the Bureaux</p> <p>15. Each geopolitical group is represented on each Bureau by at least two members. The larger geopolitical groups may have additional seats on the Bureau. The allocation of seats would be as follows:</p> <ul style="list-style-type: none"> • African Group: 4 members • Arab Group: 2 members • Asia-Pacific Group: 3 members • Eurasia Group: 2 members • Latin America and Caribbean Group: 3 members • Twelve Plus Group: 4 members <p>16. The current system of titular and substitute members will be replaced by a unified system, whereby all members of the Bureaux are titular members.</p> <p>17. Members of the Bureaux are elected by the Standing Committee for a two-year period, renewable once, at the first Assembly of the year. Bureau vacancies are communicated by the IPU Secretariat in the Convocation to Standing Committees.</p> <p>18. Candidatures for the Bureaux are normally submitted by the geopolitical groups. Candidatures should demonstrate the necessary experience and expertise in the Committee's area of work. The principle of gender equality shall be strictly observed: geopolitical groups entitled to two members shall designate one man and one woman, and those entitled to three or four members shall designate no more than two members of each sex.</p> <p>19. Every effort will also be made to include young parliamentarians among the Bureau members. In addition, it is recommended that the geopolitical groups encourage candidatures from new Member Parliaments and parliaments that do not hold other offices in the IPU.</p> <p>20. Submission of candidatures for the Bureaux should be accompanied by an assurance from the respective parliament that the candidate will receive the necessary support and be included in delegations to IPU Assemblies for the duration of his/her mandate.</p> <p>21. A member of the Bureau who is unable to participate in a session may be replaced by another representative of the same Member Parliament, duly mandated for that purpose and for the duration of that session only.</p> <p>22. Each Bureau shall have one President and one Vice-President. The geopolitical groups shall coordinate so as to ensure an equitable distribution of leadership functions within the Bureaux. The principle of gender equality shall be observed in leadership positions of the Standing Committees.</p> <p>23. In addition to his existing responsibilities as set out in the Rules, the President of the Bureau is responsible for monitoring attendance and enforcing the quorum at Bureau meetings. If the Bureau is unable to meet twice for lack of quorum, decisions at the subsequent meeting can be taken by simple majority of members present.</p> <p>24. Bureau members who are absent for two consecutive sessions without reasonable explanation will be excluded from the Bureau and a new election will be held to fill the respective vacancy with a member of the same sex.</p>

Decision of the Governing Council	Possible options for implementation
<p>15. When considering subject items to be taken up by the Standing Committees, the Bureaux should invite the proponents of the various items to present and make the case for their proposal. When the discussion on proposed subject items is inconclusive, the Bureaux should be able to submit more than one proposal to the full Committee for its decision.</p> <p>16. Each proposal for a rapporteur should be accompanied by an assurance from the parliament concerned that it will provide the necessary support and assist the rapporteur in his or her tasks. When deciding on subject items, consideration should be given only to those proposals that are accompanied by the name of at least one rapporteur.</p> <p>17. Once the Standing Committees have selected a subject item, Members should be encouraged to provide input and suggestions <u>before</u> a first draft of the reports(s) and resolution is formulated by the rapporteurs and circulated to the membership. The second Assembly of the year would allow for hearings and a first exchange of views and proposals on the item under consideration, with resolutions expected to be adopted at the first Assembly of the following year.</p> <p>18. It is proposed that the Presidents and First Vice-Presidents of the Standing Committees meet and consult on possible guidelines and modalities of work to ensure the resolutions are sharp, focused, and action-oriented. According to the IPU Statutes, the</p>	<p style="text-align: center;">Selection of items for the agenda of the Standing Committee</p> <p>25. Member Parliaments are invited to make written proposals on the future work of the Committee. The deadline for submission of proposals is 15 days before the start of each Assembly.</p> <p>26. Member Parliaments are entitled to present their proposals to the Bureau when it meets to consider the future work of the Committee.</p> <p>27. Bureau members are expected to consult with the geopolitical groups about the proposals on the Committee's work plan.</p> <p>28. The Bureau is entitled to make proposals on the work plan and agenda as it sees fit. The Bureau may, for example, select from among the proposals made by Member Parliaments, combine two or more suggestions into a single proposal, or put forward any other subject item that it so chooses. The Bureau may also submit more than one proposal to the Standing Committee.</p> <p>29. Every effort will be made to ensure that gender is mainstreamed in proposals for agenda and subject items.</p> <p style="text-align: center;">Appointment of co-Rapporteurs of resolutions</p> <p>30. Two co-Rapporteurs are normally appointed by the Assembly at the same time as the subject item of a future resolution is adopted. The principle of gender equality shall be observed in the appointment of co-Rapporteurs. Every effort will also be made to appoint young parliamentarians as co-rapporteurs. Candidatures for co-Rapporteurs are only considered if they are accompanied by a brief biography.</p> <p>31. If it proves to be impossible to appoint two co-Rapporteurs before the end of an Assembly, the President of the IPU is given a mandate to pursue consultations in order to appoint the missing co-Rapporteur(s) at the earliest possible opportunity, with due regard for gender and geopolitical balance.</p> <p>32. The parliament of the co-Rapporteurs shall make every effort to support them in their work and include them in future delegations to Assemblies for the duration of their mandate as co-Rapporteurs.</p> <p style="text-align: center;">Preparation of resolutions</p> <p>33. Member Parliaments are invited to provide written input to future resolutions after the adoption of the subject item. Input must be provided in one of the official languages of the IPU and must not exceed two pages in length. It is proposed that resolutions follow a 6-month cycle.</p> <p>34. Guidelines for co-Rapporteurs will be developed. The Guidelines may, for example, recommend good practices in areas such as:</p> <ul style="list-style-type: none"> • direct communication and cooperation between co-Rapporteurs • working with input and suggestions from parliaments • gender-mainstreaming

Decision of the Governing Council	Possible options for implementation
<p>purpose of the exercise is to “bring about action by parliaments and their members.”</p> <p>19. Every effort will be made to have the draft resolutions finalized in the Standing Committees. Only when necessary should they be referred to a drafting committee. The composition of the drafting committees needs to reflect a gender and regional balance and should not exceed 15 members, with a recommended geopolitical distribution of seats similar to that applied by the IPU Executive Committee.</p>	<ul style="list-style-type: none"> • consulting experts during the research phase • drafting resolutions <p>35. Preliminary draft resolutions are published online before the resolution is taken up for debate and adoption. Preliminary draft resolutions will be brief (no more than two pages) and action-oriented.</p> <p>36. Preliminary draft resolutions are accompanied by an explanatory statement from the co-Rapporteurs of no more than five pages.</p> <p>37. Member Parliaments are invited to submit one set of amendments (as opposed to two sets currently).</p> <p>38. The discussion of amendments normally takes place in the plenary of the Standing Committee. Rules will be developed, as necessary, to ensure the smooth functioning of this process. A drafting committee may be established, if deemed necessary.</p>
<p>20. The IPU Committee on United Nations Affairs should be maintained as a plenary body open to all IPU Member Parliaments. Its programme of work should be more focused and regular. The Committee should concentrate more on priorities and planning of activities to avoid duplication with other IPU bodies and to promote more productive relations with the United Nations.</p>	<p style="text-align: center;">Committee on United Nations Affairs</p> <p>39. The Committee on UN Affairs will be established as a fourth Standing Committee and will be guided by the same rules and regulations. The time allocated for discussion will be aligned with the time allocated to the other Standing Committees, to the extent possible.</p> <p>40. The Advisory Group to the Committee on UN Affairs will be transformed into a Bureau functioning grosso modo according to the same guidelines as the Bureaux of the other three Standing Committees. The principle of gender equality shall be strictly observed in terms of its composition.</p> <p>41. The Committee on UN Affairs will maintain its unique mandate to give direction to the evolving relationship between the United Nations and the IPU and to assist in the elaboration of parliamentary input to major UN processes. As such, it will not be expected to adopt resolutions on a regular basis.</p>
<p>22. Lastly, in order to enhance the overall impact of IPU Assemblies and encourage the engagement of as many parliamentarians as possible, the IPU Secretariat will examine possibilities to better utilize available ICT tools, including Twitter, webcast and online delegates’ forums. This would allow participants to contribute to on-going and emerging debates, and hence enrich the outcome of such debates.</p>	<p style="text-align: center;">Making better use of ICT</p> <p>42. The following documents will be published on the IPU website, in addition to those which are already published:</p> <ul style="list-style-type: none"> • Work plans and agenda of the Standing Committees • Input from Member Parliaments to the preparation of resolutions <p>43. The Bureaux will consider other options for publicizing the work of the Standing Committees.</p>

Future meetings and other activities

Approved by the IPU Governing Council at its 192nd session
(Quito, 27 March 2013)

Parliamentary meeting on the occasion of the 2013 Global Platform for Disaster Risk Reduction (Geneva, 19-23 May), co-sponsored by UNISDR and the IPU	GENEVA 20 May 2013
28 th session of the Steering Committee of the Parliamentary Conference on the WTO	BRUSSELS 28-29 May 2013
Regional parliamentary workshop for the Arab States on Parliament and society in the twenty-first century	RABAT (Morocco) May 2013
Regional seminar on The role of parliaments in promoting birth registration	LIMA (Peru) 7-9 June 2013
Regional seminar on Gender-sensitive Parliaments (African Parliaments)	LIBREVILLE (Gabon) 7-9 June 2013
Information seminar on the Structure and functioning of the IPU for English-speaking participants	GENEVA 11-14 June 2013
Regional Conference jointly organized by the National Assemblies of Mali and Côte d'Ivoire, and the Inter-Parliamentary Union on The role of parliaments in conflict prevention and management in West Africa	ABIDJAN (Côte d'Ivoire) May / June 2013
Regional seminar on Violence against women	Venue to be determined June / July 2013
267 th extraordinary session of the Executive Committee	Venue to be determined Early July 2013
Conference for Pacific Island Parliaments organized in cooperation with the Australian Parliament	Tonga August 2013
8 th Meeting of Women Speakers of Parliament	Venue and date to be determined
29 th session of the Steering Committee of the Parliamentary Conference on the WTO	GENEVA September 2013
Regional seminar on Accountability mechanisms for maternal, newborn and child health	WEST AFRICA (venue et date to be determined)
Regional seminar on Gender-sensitive Parliaments (Twelve Plus Group)	Serbia September / October 2013
129 th IPU Assembly and related meetings	GENEVA 7-9 October 2013
Joint IPU-ASGP Conference	GENEVA 10 October 2013
Information Seminar on CEDAW and its Optional Protocol	GENEVA 10 October 2013

Annual Parliamentary Hearing at the United Nations	NEW YORK November / December 2013
Bali session of the Parliamentary Conference on the WTO, held in connection with the 9 th WTO Ministerial Conference	BALI (Indonesia) 2 and 5 December 2013
Regional follow-up seminar on The role of parliamentarians in the implementation of Universal Periodic Review recommendations	AFRICA (venue and date to be determined)
Regional seminar on Promoting accountability for women's and children's health	Venue and date to be determined
130 th IPU Assembly and related meetings	BAKU (Azerbaijan) 10-13 April 2014
132 nd IPU Assembly and related meetings	HANOI (Viet Nam) 29 March-1 st April 2015

AGENDA OF THE 129th ASSEMBLY

(Geneva, 7 - 9 October 2013)

1. Election of the President and Vice-Presidents of the 129th Assembly
2. Consideration of requests for the inclusion of an emergency item in the Assembly agenda
3. Panel discussions on the subject items chosen for debate during the 130th Assembly (Baku, 10-13 April 2014)
 - (a) Towards a nuclear-weapon-free world: The contribution of parliaments (Standing Committee on Peace and International Security)
 - (b) Towards risk-resilient development: Taking into consideration demographic trends and natural constraints (Standing Committee on Sustainable Development, Finance and Trade)
 - (c) The role of parliaments in protecting the rights of children, in particular unaccompanied migrant children, and in preventing their exploitation in situations of war and conflict (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

LIST OF IPU PERMANENT OBSERVERS

United Nations

Food and Agriculture Organization of the United Nations (FAO)
International Labour Organization (ILO)
United Nations Children's Fund (UNICEF)
United Nations Conference on Trade and Development (UNCTAD)
United Nations Development Programme (UNDP)
United Nations Educational, Scientific and Cultural Organization (UNESCO)
United Nations Entity for Gender Equality and the Empowerment of Women (UN Women)
United Nations High Commissioner for Refugees (UNHCR)
United Nations Population Fund (UNFPA)
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)
Global Organization of Parliamentarians Against Corruption (GOPAC)
Indigenous Parliament of the Americas
Inter-Parliamentary Assembly of the Eurasian Economic Community (EURASEC)
Inter-Parliamentary Assembly of Member Nations of the Commonwealth of Independent States (IPA CIS)
Interparliamentary Assembly on Orthodoxy (IAO)
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)
Parliamentarians for the Americas (PARLAMERICAS)
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 Russia
Parliamentary Association for Euro-Arab Co-operation (PAEAC)
Parliamentary Confederation of the Americas (COPA)
Parliamentary Union of the Organization of the Islamic Conference Member States (PUIC)
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
The Global Fund to Fight Aids, Tuberculosis and Malaria
World Federation of United Nations Associations (WFUNA)
World Scout Parliamentary Union (WSPU)

SUBJECT ITEMS FOR THE 130th ASSEMBLY

(Baku, Azerbaijan, 10-13 April 2014)

Approved by the 128th IPU Assembly
(Quito, 27 March 2013)

1. Towards a nuclear-weapon-free world: The contribution of parliaments
(Standing Committee on Peace and International Security)
co-Rapporteurs: - Ms. Y. Ferrer Gómez (Cuba)
- Mr. B. Calkins (Canada)

2. Towards risk-resilient development: Taking into consideration demographic trends and natural constraints
(Standing Committee on Sustainable Development, Finance and Trade)
co-Rapporteurs: - Mr. S.H. Chowdhury (Bangladesh)
- Mr. P. Mahoux (Belgium)

3. The role of parliaments in protecting the rights of children, in particular unaccompanied migrant children, and in preventing their exploitation in situations of war and conflict
(Standing Committee on Democracy and Human Rights)
co-Rapporteurs: - Ms. G. Cuevas (Mexico)
- Ms. J. Nassif (Bahrain)

Resolutions Concerning the Human Rights of Parliamentarians

CASE No. CM/01 - DIEUDONNÉ AMBASSA ZANG - CAMEROON

Resolution adopted unanimously by the IPU Governing Council at its 192nd session (Quito, 27 March 2013)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Dieudonné Ambassa Zang, a member of the National Assembly of Cameroon, and to the resolution it adopted at its 190th session (April 2012),

Recalling the following information on file:

- Mr. Ambassa Zang, Minister of Public Works from August 2002 to December 2004 and known, according to the source, for having fought corruption within that ministry, was elected in 2007 on the ticket of the Cameroon People's Democratic Rally;
- On 14 July 2009, the Bureau of the National Assembly met to examine a request to lift Mr. Ambassa Zang's parliamentary immunity filed by the Minister of Justice; the grounds advanced for the request were misappropriation of public funds managed by Mr. Ambassa Zang when he was Minister of Public Works; the Bureau postponed consideration of the request, its members taking the view that the matter had to be thoroughly examined before they could rule on it; on 7 August 2009, the Bureau, meeting in extraordinary session, lifted Mr. Ambassa Zang's parliamentary immunity; although Mr. Ambassa Zang left Cameroon on 12 July 2009, he had a defence note sent on 3 August 2009 to all members of the Bureau; there is no indication that the note was included in the file before the Bureau;
- According to the authorities, the accusations against Mr. Ambassa Zang stem from an audit prompted by a complaint by the French Development Agency (AFD), the funding source for the renovation of the Wouri Bridge, for which Mr. Ambassa Zang had been responsible; according to the Prosecutor General, State companies, ministries and other State structures managing public funds are subject to annual audits by the Supreme State Audit Office (CONSUPE), which reviews the State's management; the Minister of Justice has linked the audit of Mr. Ambassa Zang's management to the fight against corruption initiated by the Cameroonian State in 2005;
- According to the Minister Delegate to the Office of the President in charge of the Supreme State Audit Office, the final audit report was submitted to the Head of State, who opted for criminal proceedings on a charge of misappropriation of public funds because of the need, highlighted by the international community, to put public finances on a sound footing; the file had therefore been referred to the Minister of Justice; a new, thorough examination had been carried out of the accounts and, after the lifting of Mr. Ambassa Zang's parliamentary immunity, the file had been handed over to the Prosecutor General of the Court of Appeal; the case was at the preliminary investigation stage;
- The source affirms that the provisions of Article 11 of Law No. 74/18 of 5 December 1974 on control of authorized officials, administrators and managers in charge of overseeing public expenditure and State enterprises, as amended and finalized in 1976, were not respected; it stresses that the accusations should have been dealt with by the Budgetary and Financial Discipline Council and that Law No. 74/18 was intended to protect the managers of public funds insofar as Articles 10 and 12 thereof set out guarantees relating, inter alia, to procedure, the rights of the defence and appeal mechanisms; it highlights in this respect that, in cases handled by the Council, the accused have the possibility to be represented, in their absence, by counsel, unlike in criminal proceedings;
- According to the source, Mr. Ambassa Zang has replied with defence memoranda to each of the accusations, which he has rejected as unfounded; the few CONSUPE documents that Mr. Ambassa Zang has been able to obtain point to no wrongdoing or misappropriation in his

favour of any sum whatsoever; the source affirms that the acts of which Mr. Ambassa Zang is accused can be seen at worst as mismanagement of public funds and in no way amount to an offence; according to the source, the final audit report was not forwarded to Mr. Ambassa Zang; moreover, it is clear that at least one new accusation was apparently introduced into the file submitted to the judicial authorities but not raised in the request for information originally addressed to him;

- The source affirms that Mr. Ambassa Zang cannot at present return to Cameroon because he would be arrested as a fugitive without ever having been sentenced or prosecuted, and that his safety is no longer guaranteed in Cameroon,

Considering that the authorities have repeatedly stated that Mr. Ambassa Zang is not specifically targeted by the investigation, which concerns many others, all of whom are currently at liberty, that the authorities therefore suggest that Mr. Ambassa Zang return to Cameroon to defend himself before the judicial authorities in the case, in which only his testimony is missing, and that the source has replied that the accusations brought against Mr. Ambassa Zang have to do with objective facts and the relevant documents are available at the Ministry of Public Works, the Office of the Prime Minister, the Tenders Regulation Agency and donors such as the AFD and its German counterpart, KfW (the Committee has asked the French and German parliaments for assistance in verifying this information with their respective donor agencies),

Considering that Mr. Ambassa Zang's common-law wife was attacked soon after the 2011 mission to Cameroon from the Committee on the Human Rights of Parliamentarians left the country, and that, in a message addressed to Mr. Ambassa Zang, the perpetrators vaunted their crime with an explicit reference to the IPU mission, whose action concerning the parliamentarian was known only to a limited circle of senior officials; noting that, in his letter of 9 August 2011, the Minister of Justice states that he has ordered an enquiry into the matter,

Considering that, according to an article published on 16 September 2011 in the Cameroonian daily *Le Jour* and in a number of other media, a new investigation was opened into Mr. Ambassa Zang concerning the manner in which contracts were awarded for laying asphalt on the bridge over the Mounjo river in 2004 (the first bridge over this river bordering the coastal and south-west regions having collapsed), and that Mr. Ambassa Zang exercised his right of reply, underscoring inter alia that the urgent measures needed in order to find a speedy solution to the problem of the collapsed bridge were decided by an interministerial committee presided over by the Prime Minister on the orders of the President of the Republic and that the contract for maintenance of the detour roads was formalized and signed by the Minister for Economic Affairs, who guaranteed that they would be paid out of his ministry's budget for special State works,

Considering that, according to the source, the prosecution of Mr. Ambassa Zang must be seen in the context of "Opération Épervier" (Operation Casting Net), which was widely criticized as a campaign originally intended to combat corruption and misappropriation of public funds but instead used to purge critically-minded public figures who, like Mr. Ambassa Zang, expressed views not always in line with those of their party; thus the Vice-President of the National Assembly, in a statement to the press as he left a meeting of the Assembly's Bureau on 14 July 2009, reportedly expressed surprise at how fast the investigation of Mr. Ambassa Zang's case had been completed and described the lifting of his parliamentary immunity as a settlement of scores; recalling the concerns expressed by human rights agencies, in particular the United Nations Human Rights Committee, on the independence of the judiciary in Cameroon,

Bearing in mind that Cameroon is party to the International Covenant on Civil and Political Rights and is thus bound to respect the fundamental rights therein guaranteed, such as the rights to freedom of expression, to freedom and security of person, and to a fair trial ensuring the rights of the defence,

1. Notes with regret the absence of a response from the Cameroonian authorities and deplores the fact that nothing seems to have been done by the competent authorities to facilitate a satisfactory settlement of the case, even though it is ten years since the acts alleged against Mr. Ambassa Zang occurred and four years since his parliamentary immunity was lifted;

2. Re-emphasizes that the authorities opted to institute criminal proceedings, which, unlike the procedure before the Budgetary and Financial Discipline Council, do not allow the accused to be represented by a lawyer in their absence; repeats its conviction that this was done precisely with a view to arguing that the case cannot proceed unless Mr. Ambassa Zang presents himself to the judicial authorities in Cameroon; notes in this regard that Mr. Ambassa Zang has provided extensive replies to the accusations known to him and is willing to provide additional information should that be necessary;
3. Reaffirms the doubts consistently expressed about the fairness of the proceedings against Mr. Ambassa Zang; remains convinced that the conditions are not met for the equitable and objective treatment of this case should Mr. Ambassa Zang return to Cameroon; again considers that the information published in the media about another investigation would tend to justify those fears;
4. Again urges the competent authorities to do everything in their power to facilitate a satisfactory settlement of the case, either by referring it to the Budgetary and Financial Discipline Council and thereby enabling Mr. Ambassa Zang's representative to defend his client, or by dropping the charges;
5. Again urges the competent authorities to provide information on the outcome of the investigation into the attack against Mr. Ambassa Zang's common-law wife after the Committee's mission to Cameroon in May 2011 and reminds the authorities that they have a duty to prosecute the perpetrators and prevent any other act of intimidation against Mr. Ambassa Zang's relatives;
6. Invites the Secretary General to convey this resolution to the competent executive, judicial and parliamentary authorities, including the President of Cameroon;
7. Requests the Committee to continue examining this case and to report back to it in due course.

CASE No. CHD/01 - NGARLEJI YORONGAR - CHAD

Resolution adopted unanimously by the IPU Governing Council at its 192nd session (Quito, 27 March 2013)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Ngarleji Yorongar, a member of the National Assembly of Chad, and to the resolution it adopted at its 191st session (October 2012),

Considering the information provided by the authorities and the sources met by the President of the Committee on the Human Rights of Parliamentarians during his visit to Chad from 28 February to 2 March 2013,

Recalling the following information on file:

- Mr. Yorongar and other members of the political opposition were abducted during a rebel attack on the capital city of Chad between 28 January and 8 February 2008;
- The national Commission of Inquiry established by the authorities to investigate those events established in its report, published in early September 2008, that Mr. Yorongar "was arrested at his home on Sunday, 3 February 2008, at about 5.45 p.m. by eight to 10 elements of the defence and security forces carrying weapons some of which were reminiscent of those of the presidential guard, led by a tall (1m 80) robust man travelling in a khaki Toyota pick-up, new and with no number plate";

- The Commission concluded that “abductions and arrests, together with acts of intimidation against opposition politicians, had occurred after the rebel withdrawal from N’Djamena; [which] clearly involves the responsibility of the defence and security forces”, and specified that, insofar as “from 3 February 2008 onwards, public security was mainly provided by elements of the presidential guard, it can also be inferred that the Chadian State was responsible”;
- The Commission recommended that the government “pursue the police and judicial investigations with a view to determining the place of detention and the re-appearance of Mr. Yorongar in Cameroon [...], that it compensate the victims or their families in an equitable and not merely symbolic manner [...]” and that it set up a specialized committee entrusted with monitoring the effective implementation of its recommendations;
- That committee was established in late September 2008 and chaired by the Prime Minister; initially made up of a dozen ministers, it was expanded in January 2011 to include two international experts, from the European Union and the Organisation internationale de la Francophonie; a technical subcommittee in charge of the follow-up committee’s secretariat and a legal pool comprising State prosecutors, magistrates, judges and bailiffs and tasked with the management of ongoing judicial proceedings were set up under the coordination of the Prosecutor General;
- The conclusions of the Commission of Inquiry were laid before the Prosecutor General, who opened judicial cases; owing to the 12-month deadline for the preliminary enquiry, the first trials were to start in 2010; to date, however, none of the judicial proceedings relating to the hundreds of cases of enforced disappearance that occurred during the attacks of February 2008, in particular that of Mr. Yorongar, has resulted in an indictment; only about thirty women victims of rape have received humanitarian compensation from the government pending the judicial conclusions concerning the perpetrators of those crimes;
- In a communication dated 9 October 2012, the Minister of Justice stated that it would be premature to draw conclusions on the perpetrators at that point in time, that the only reason for the slowness of the investigation, which concerned thousands of cases, was its complexity, which was related to the context in which the offences were perpetrated, and that Chad remained firmly committed to enabling the judicial system to investigate in full transparency and independence and to make available to it all the means it needed to establish the truth on the crimes and offences committed during the events of 2008,

Considering the following: the ill-treatment inflicted on Mr. Yorongar during his arrest in February 2008 reportedly affected his health, which has since deteriorated; Mr. Yorongar remains under medical treatment and regularly undergoes medical treatment abroad; he has filed a number of financial claims concerning the reimbursement of medical expenses and the payment of parliamentary stipends that he claims are owed to him by the National Assembly; bearing in mind that, during his hearing by the Committee at its 137th session (March-April 2012), the Speaker of the National Assembly indicated that all of Mr. Yorongar’s financial claims had been settled,

Considering that the Committee President visited Chad in order to meet all the competent authorities in the case, Mr. Yorongar and several representatives of the international community, that he met with the Speaker of the National Assembly, the Minister of Justice, the Prosecutor General and the chairman of the technical subcommittee, and that he learned the following:

- Given the absence of progress in the investigations, a new examining magistrate was appointed at the end of 2011; a single examining magistrate is currently assigned to the legal pool in charge of examining the 1,050 cases relating to the events of February 2008, including that of Mr. Yorongar; the legal pool is experiencing numerous logistical and financial difficulties that hamper its effectiveness; the investigations have made no progress and have yet to identify any suspects;
- The technical subcommittee, for its part, is focusing on implementation of the Commission of Inquiry’s recommendations regarding the legislative and regulatory framework, in particular with a view to empowering the judicial authorities to oversee all places of detention;

- As concerns Mr. Yorongar's case, the Minister of Justice and the Prosecutor General said that the judicial proceedings were stalled because Mr. Yorongar refused to be heard by the examining magistrate and had said that he opposed any judicial use of his statement to the Commission of Inquiry, which was apparently the only item in his file available to the examining magistrate; the Minister of Justice guaranteed that the investigations would start if Mr. Yorongar agreed to appear before the examining magistrate or gave written consent for the investigation to be continued on the basis of his statement to the Commission of Inquiry;
- Mr. Yorongar confirmed that he refused to cooperate with the judicial authorities; he said that the Chadian judicial system was well known for its lack of independence and impartiality and that he no longer trusted it and preferred compensation to criminal proceedings; he was a long-standing member of the political opposition, and as such his fundamental rights had been violated on multiple occasions in the past and the numerous complaints he had filed before the courts had never been to any avail, the perpetrators going unpunished; consequently, and in view of the time that had elapsed since the events and the absence of any progress whatsoever in the investigation of the cases relating to the events of 2008, he did not believe that criminal proceedings would lead anywhere and did not wish to lend credibility to the process by participating in them;
- Concerning Mr. Yorongar's financial claims vis-à-vis the National Assembly, the Speaker of the National Assembly repeated that all of the claims for reimbursement and compensation owed for the current legislative period had been settled and that Mr. Yorongar had benefitted from a medical evacuation abroad in 2012; the claims relating to previous legislative periods were apparently unbacked by any supporting documents; the National Assembly Secretary General said that it would be difficult to check the claims because the National Assembly archives had disappeared during the events of February 2008, but he promised to take up the matter with the parliamentary budget office and to transmit the file to the National Assembly Bureau so that it could rule on the question once and for all; Mr. Yorongar was invited to provide the National Assembly with all the supporting documents for his claims as soon as possible,

Taking into account that the Speaker of the National Assembly confirmed that the National Assembly would become involved in the follow-up of the judicial proceedings, in the discharge of its role of government oversight and in strict compliance with the principles of separation of powers and the independence of the judiciary,

1. Sincerely thanks the Speaker of the National Assembly for his cooperation and assistance during the visit by the Committee President to Chad and asks him to convey its thanks to the Minister of Justice, the Prosecutor General and all the authorities met during the visit; also thanks Mr. Yorongar, the members of the international community and the non-governmental human rights organizations for the information they provided;
2. Remains deeply concerned that, more than five years after the serious human rights violations committed in February 2008, no progress has been made towards identifying the perpetrators of the crimes committed against Mr. Yorongar, despite the significant avenues of investigation indicated in the Commission of Inquiry's report, in particular with regard to the implication of loyalist security forces in the commission of crimes and the responsibility of the Chadian State in this respect; can only express astonishment that only one examining magistrate is in charge, on his own, of 1,050 cases; doubts that serious investigations can be conducted in such circumstances; is also astonished that the draft legislative and regulatory texts drawn up by the technical subcommittee, in particular for the introduction of judicial control of civilian and military places of detention, have not yet been adopted; urges the competent authorities to move forward with the implementation of the Commission of Inquiry's recommendations on those points and again suggests that they do all in their power to ensure that the investigations are pursued and produce tangible results as soon as possible, particularly in the case of Mr. Yorongar; welcomes the commitment of the Speaker of the National Assembly to become fully involved, in the discharge of his duty of oversight, in the follow-up of the judicial proceedings concerning Mr. Yorongar;

3. Notes that Mr. Yorongar has refused to cooperate with the judicial authorities and that, according to the Minister of Justice and the Prosecutor General, his refusal is holding back the start of the investigation; nevertheless asks the competent authorities to inform it about the possibility of pursuing the investigation despite Mr. Yorongar's refusal to cooperate; would like to know in particular if the examining magistrate has heard the people who, at the time of the February 2008 events, were responsible for the defence and security forces, in particular the presidential guard, and the soldiers who took action to counter the rebel attack, in view of the conclusions of the Commission of Inquiry's report on their responsibility for the acts committed against opposition members;
4. Understands why Mr. Yorongar feels that the investigation concerning him has made no progress in the past five years, but is nevertheless surprised by this attitude and finds it hard to understand why he refuses to authorize the examining magistrate to use his statement to the Commission of Inquiry; asks Mr. Yorongar to clarify the reasons for his refusal; wishes to point out that this attitude would appear to do little to establish the truth and invites Mr. Yorongar to reconsider the matter, especially in view of the undertaking by the Minister of Justice and the Prosecutor General to start the investigation as soon as his written agreement has been confirmed;
5. Takes note that Mr. Yorongar has said that he would henceforth prefer compensation and asks Mr. Yorongar and the competent authorities if, under Chadian legislation, procedures other than criminal proceedings would allow Mr. Yorongar to obtain compensation for the injury sustained;
6. Invites Mr. Yorongar to provide all the supporting documents for his financial claims and asks the Speaker of the National Assembly to ensure that they are examined as soon as possible by the parliamentary budget office and the Bureau with a view to settling the matter once and for all;
7. Requests the Secretary General to convey the present resolution to the Speaker of the National Assembly, the Minister of Justice, the sources, and the members of the international community involved in following up the recommendations of the Commission of Inquiry into the events of February 2008;
8. Requests the Committee to continue examining this case and to report back to it in due course.

CASE No. RW/06 - LÉONARD HITIMANA - RWANDA

Resolution adopted unanimously by the IPU Governing Council at its 192nd session (Quito, 27 March 2013)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Léonard Hitimana, who disappeared 10 years ago, on 7 April 2003, while he was a member of the Transitional National Assembly of Rwanda, which was dissolved on 22 August 2003, and to the resolution it adopted at its 190th session (April 2012); referring also to the report of the on-site mission carried out by the Committee on the Human Rights of Parliamentarians in June 2011 (CL/189/11(b)-R.3),

Recalling the following information on file:

- Mr. Hitimana disappeared on the evening of 7 April 2003, the day before he was to have refuted accusations in parliament that his party, the Republican Democratic Movement (MDR), was fomenting ethnic strife and division; the MDR was to be banned and dissolved on the basis of those accusations;

- The authorities have always maintained that Mr. Hitimana fled to a neighbouring country, that an Interpol yellow notice for missing persons was issued with special emphasis on neighbouring countries where the authorities believed Mr. Hitimana might be living, and that they were optimistic that he would soon be located; Mr. Hitimana nevertheless continues to be missing ten years after his disappearance; the authorities have stated on various occasions that Mr. Hitimana was not a key political figure and that it was therefore highly unlikely that he would have been the target of a forced disappearance; according to them, Mr. Hitimana's disappearance had nothing to do with his imminent statement in parliament; in past letters, the Speakers of both Houses of Parliament stated that both the Police and the National Human Rights Commission had looked into the sources' allegations and concluded that they were unfounded and that they were unaware of any new evidence having emerged since the IPU mission carried out in June 2011;
- The following picture has emerged from the information provided by various sources over the years of the alleged circumstances of Mr. Hitimana's disappearance:
 - According to eyewitness accounts, Mr. Hitimana's car was intercepted late in the afternoon of 7 April 2003 by Rwandan Directorate of Military Intelligence (DMI) agents; the agents are alleged to have taken Mr. Hitimana to Kami military camp, where, on the orders of superiors, he was tortured and killed in May 2003 by Mr. John Karangwa, who was Deputy Director of Counterintelligence at the time; Mr. Hitimana's remains were then removed to an unknown destination; persons making their rounds at the Kaniga border post say they saw Mr. Hitimana's car and that of the military; Mr. Hitimana's car was allegedly moved by police or intelligence officers to Byumba, where it was apparently kept for a month; Mr. Hitimana's representatives subsequently retrieved the car and were told by the police that it was in the condition in which they had found it close to the border with Uganda; according to the representatives, the car's electrical cables had been cut, the key was no longer in the ignition and there were bloodstains on the front seat;
 - The suspected perpetrator, DMI officer John Karangwa, has been accused by non-governmental sources not only of having killed Mr. Hitimana but also of having abducted and executed, in April 2003, Mr. Augustin Cyiza, the Vice-President of Rwanda's Supreme Court, the President of Rwanda's Cassation Court and a founding member of two Rwandan human rights organizations;
 - The sources believe that Mr. Hitimana was abducted by the DMI in order to silence any opposition to the dissolution of his party;
 - In 2003, the United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment sent urgent appeals to the Rwandan Government regarding the arbitrary detention and alleged torture of detainees at Kami and other military camps; the United Nations Human Rights Committee, in its concluding observations (CCPR/C/RWA/CO/3) of 31 March 2009, expressed "concern about reported cases of enforced disappearances and summary or arbitrary executions in Rwanda and about the impunity apparently enjoyed by the police forces responsible for such violations" and about "the lack of information from the State party regarding the disappearance of Mr. Léonard Hitimana";
 - According to the sources, Mr. Hitimana's family has been harassed, including his elderly father - now 87 years old - who was arrested, detained and finally declared innocent by a Gacaca court, only to be rearrested shortly thereafter, reportedly on the strength of "new information", convicted and sentenced to a 15-year prison term for his involvement in the 1994 genocide; Mr. Hitimana senior remains in prison despite repeated requests that he be released on humanitarian grounds owing to his age and failing health,

Recalling that the Speakers of both Houses of Parliament, in their letter of 19 October 2012, stated that the investigations were ongoing but had achieved no results to date, that the Rwandan judicial system respects the rights of witnesses and ensures their protection and that videoconferencing is used in Rwanda when required for the purposes of an investigation,

Considering that, according to information provided by the sources in December 2012, Mr. Hitimana's disappearance had still not been seriously investigated and his father remains in prison,

1. Is extremely concerned about Mr. Hitimana's continued disappearance, ten years after he was last seen; considers that the lack of any serious investigation supports the long-standing accusation that he was the victim of an enforced disappearance; stresses that Mr. Hitimana was not a junior politician but played an important role in his party and that the fact that he was slated to speak in parliament the following day against the party's dissolution in a pre-electoral context in which it was considered a serious contender constitutes a serious motive for the crime;
2. Recalls that enforced disappearances are a serious human rights violation and that the forced disappearance of a member of parliament, if not elucidated and punished, stands as a threat to parliament as such, to all its members and, in the final analysis, to the people parliament represents, as it can only encourage the repetition of such acts;
3. Again urges the authorities to carry out an independent, prompt and effective investigation examining all lines of enquiry, including by questioning Mr. John Karangwa, Deputy Director of Counterintelligence at the time of Mr. Hitimana's disappearance; recalls in this regard that the Minister of Justice pledged, during the Committee's 2011 mission, that he would ensure that the investigation would also examine the possibility that Mr. Hitimana had been assassinated in Rwanda; is convinced that if new lines of inquiry are effectively followed, new evidence will soon emerge and looks forward to receiving information to this effect;
4. Takes note of the authorities' affirmation that the Rwandan judicial system guarantees witness protection and that videoconference means exist and are used to take the statements of witnesses located at a distance when necessary; recalls, however, that witness fear of reprisals and lack of effective protection were major obstacles encountered by the mission and affect the pursuit of justice; remains anxious, therefore, to know whether the planned witness protection law has been adopted and what practical steps have been taken as a result, and whether other initiatives have been taken to reassure potential witnesses in Rwanda that their safety will be fully guaranteed if they come forward; reaffirms its belief that the investigation would benefit from hearing any witnesses living abroad in their countries of residence, in particular by means of videoconferencing; repeats that it wishes to know whether the authorities have explored this possibility;
5. Is dismayed that, contrary to what the mission was told, Mr. Hitimana's father, who is over 80 years old and in poor health, has yet to be released on humanitarian grounds; urges the competent authorities to release him as a matter of urgency and to provide information on the measures taken to that end and the reasons why the release procedure has lasted almost two years, as this appears excessive, particularly considering the age and deteriorating health of Mr. Hitimana's father and the risk that he may soon die in detention;
6. Requests the Secretary General to convey this resolution to the parliamentary authorities, the Attorney General, the President of the Republic, and the sources;
7. Requests the Committee to continue examining this case and to report back to it in due course.

CASE No. TG/05 - AHLI KOMLA A. BRUCE)	TOGO
CASE No. TG/06 - MANAVI ISABELLE DJIGBODI AMÉGANVI)	
CASE No. TG/07 - BOÉVI PATRICK LAWSON)	
CASE No. TG/08 - JEAN-PIERRE FABRE)	
CASE No. TG/09 - KODJO THOMAS-NORBERT ATAKPAMEY)	
CASE No. TG/10 - TCHAGNAOU OURO-AKPO)	
CASE No. TG/11 - AKAKPO ATTIKPA)	
CASE No. TG/12 - KWAMI MANTI)	
CASE No. TG/13 - YAO VICTOR KETOGLO)	

**Resolution adopted unanimously by the IPU Governing Council at its 192nd session
(Quito, 27 March 2013)**

The Governing Council of the Inter-Parliamentary Union,

Seized of the case of the nine above-mentioned former parliamentarians, which has been examined by the Committee on the Human Rights of Parliamentarians since its 132nd session (January 2011) under the Procedure for the treatment by the Inter-Parliamentary Union of communications concerning violations of the human rights of members of parliament,

Referring to the letter of 19 February 2013 from the Secretary General of the National Assembly and the information provided by the authorities and the sources met by the President of the Committee during his visit to Lomé from 2 to 5 March 2013,

Considering the following information on file:

- The above-mentioned former parliamentarians were all elected in 2010 on the ticket of the Union of Forces for Change (UFC), an opposition party led by Mr. Gilchrist Olympio; following the latter's association with the Togolese People's Rally (RPT), the ruling party, which gave the UFC seven ministerial portfolios soon after the elections of March 2010, 20 UFC members of the National Assembly broke away and formed a new political party called the National Alliance for Change (ANC); they resigned from the UFC parliamentary group at the same time and formed an ANC parliamentary group;
- Before their election, the parliamentarians in question had been obliged, in accordance with a well-established practice among Togolese political parties, to sign and give to their party undated blank letters of resignation as a condition of inclusion in its electoral rolls;
- After the break-up of the UFC and the formation of the ANC, the letters of resignation of the nine parliamentarians concerned were transmitted by the Speaker of the National Assembly to the Constitutional Court, which took note of the undated resignations, declared the corresponding seats vacant and replaced the persons in question; the parliamentarians were not heard during the proceedings by either the National Assembly or the Constitutional Court, and clearly stated that they had not resigned their seats; the parliamentary authorities and the Constitutional Court were aware of the nature of the letters of resignation and knew that the persons concerned had no intention of resigning their seats;
- The parliamentarians thus removed from office brought their case before the Community Court of Justice of the Economic Community of West African States (ECOWAS) with a view to obtaining their reinstatement to the National Assembly;
- On 7 October 2011, the ECOWAS Community Court of Justice handed down its judgement in the case and ruled that the State of Togo had violated "the plaintiffs' fundamental right to be heard as set out in Article 10 of the Universal Declaration of Human Rights and Article 7 of the African Charter on Human and Peoples' Rights" and, consequently, ordered Togo "to make reparation for the violation of the plaintiffs' human rights and pay each of them the amount of three million (3,000,000) CFA francs" [translated from the French]; in a decision of 13 March

2012 on a request for judicial review it also ruled that, given that it was not an appeal court or able to quash the judgements of national courts, it was not competent, according to its well-established case-law, to overturn the decision of the Togolese Constitutional Court and order that the parliamentarians in question be reinstated;

- The Togolese State took note of the Community Court of Justice's ruling and, pursuant to a decision by the Council of Ministers of 2 November 2011, the Minister of Justice asked the Minister of Finance to ensure that the amount of 3 million CFA francs was made available to each of the plaintiffs in compensation for the injury they had sustained; the parliamentarians concerned refused that compensation, which therefore remains to be paid, and continued to demand their reinstatement to the National Assembly;
- The exclusion of several opposition members of parliament exacerbated the political tension in Togo between majority and opposition parties; the legislative elections scheduled for the autumn of 2012 were postponed and are currently scheduled to take place in May 2013,

Bearing in mind the Constitution of the Republic of Togo, Article 52 of which stipulates that "... each deputy shall be the representative of the entire Nation. Any imperative mandate shall be nullified", and Article 50 of which stipulates that "the rights and duties set forth in the Universal Declaration of Human Rights and in the international human rights instruments ratified by Togo shall form an integral part of the present Constitution",

Considering that the Minister of Planning, Decentralization and Local Communities has publicly announced that draft legislation against "fair weather politics" would be sent to the National Assembly shortly,

Considering the following: the Committee President visited Lomé from 2 to 5 March 2013 in order to meet with the competent authorities and the parliamentarians concerned; he was unable to meet with the parliamentary authorities, as the National Assembly was not in session and the Speaker and Deputy Speaker were travelling on the dates of his visit; he met the Ministers of Justice and Planning, both of whom have jurisdiction in the case, the parliamentarians concerned, and several representatives of the international community; during the visit:

- The nine parliamentarians concerned expressed their wish to engage in renewed dialogue with the authorities thanks to mediation and asked for the IPU's assistance to organize such mediation; they said that they were willing to accept financial compensation; only Mr. Jean-Pierre Fabre, the party president, continued to demand reinstatement to the National Assembly; he nevertheless indicated that he would be willing to accept payment of one symbolic franc if his party agreed to financial reparation;
 - The Ministers of Justice and Planning also said that the Togolese State was willing to engage in political dialogue with the former parliamentarians, with a view to finding a solution to the crisis thanks to mediation facilitated by the IPU;
 - The international players present in Togo, in particular the European Union and the United Nations, welcomed and strongly endorsed the Committee's action and the IPU, which they trusted would rekindle political dialogue between the authorities and the Togolese opposition in the run-up to the forthcoming legislative elections,
1. Thanks the authorities, the sources and the various people met by the Committee President during his visit to Lomé for their cooperation and notes with satisfaction that they wish to re-engage in political dialogue with a view to resolving the case;
 2. Is convinced that there can be no political solution unless the parliamentarians concerned and the authorities resume their dialogue, and can but encourage them to do so; fully endorses the organization of mediation facilitated by the IPU and requests the Secretary General to take all appropriate measures to that end as soon as possible, given the forthcoming legislative elections;
 3. Considers that, in addition to the grave prejudice suffered by the nine former parliamentarians, the widespread practice by political parties in Togo of obliging candidates wishing to figure on their electoral lists to sign blank and undated letters of resignation is clearly at odds with the prohibition of the imperative mandate enshrined in the Constitution; welcomes the Minister of

Planning's announcement that draft legislation against "fair weather politics" will be sent to the National Assembly soon and calls on the National Assembly to take appropriate legislative measures to put a stop to that practice; suggests that, in the context of its technical assistance programme for the National Assembly, the IPU, with the parliamentary authorities, should study the possibility of cooperating with them to that end; wishes to learn the views of the parliamentary authorities on this point;

4. Requests the Secretary General to convey this resolution to the competent parliamentary and executive authorities, the sources and the members of the international community working to resolve the political crisis in Togo;
5. Requests the Committee to continue examining this case and to report back to it in due course.

CASE No. ZBW/44 - NELSON CHAMISA - ZIMBABWE

Resolution adopted unanimously by the IPU Governing Council at its 192nd session (Quito, 27 March 2013)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Nelson Chamisa, a member of the National Assembly of Zimbabwe, and to the resolution it adopted at its 190th session (April 2012),

Taking into account the information provided by the Speaker of the House of Assembly during the 128th IPU Assembly (Quito, March 2013) on the occasion of a hearing with the Committee on the Human Rights of Parliamentarians,

Considering the following information on file:

- Mr. Chamisa has been an opposition member of parliament from the Movement for Democratic Change (MDC) since the initial submission of the complaint in 2005; following the November 2008 Global Political Agreement and the establishment of the Government of National Unity in February 2009, Mr. Chamisa was appointed to executive functions and is currently Minister for Information, Communication and Technology;
- Since the initial submission of the complaint in 2005, Mr. Chamisa has been arrested, detained and harassed on numerous occasions, as were other MDC parliamentarians and members at that time;
- Mr. Chamisa was arrested in Harare on 11 March 2007, reportedly for participating in a prayer meeting organized by the Save Zimbabwe Campaign to protest against a blanket police ban on meetings; according to the Police Memorandum of 17 July 2007, the meeting was an unauthorized rally disguised as a prayer meeting, as posters carried during the meeting had the MDC logo and indicated that the meeting was part of a campaign to defy the government and the country's laws; according to the sources, Mr. Chamisa was one of 50 people who were taken to a police station, told to lie on their stomachs in the courtyard and severely beaten by members of the ZANU-PF (Zimbabwe African National Union - Patriotic Front) youth militia and police officers; the sources indicated that the people concerned were denied access to lawyers and medical care and that the police failed to comply with a High Court order that such access be provided; the people were released on 13 March 2007 without being charged; no investigation has ever been conducted into the acts of torture and ill-treatment committed by the police during this incident;

- On 18 March 2007, in the presence of police, Mr. Chamisa was brutally attacked by eight men, reportedly security agents, at Harare International Airport on his way to attend ACP-EU Joint Parliamentary Assembly meetings in Brussels; Mr. Chamisa suffered a fractured skull, multiple lacerations to the face and a detached retina; he was hospitalized in critical condition in a Harare hospital under police guard; no investigations or judicial proceedings were ever instituted with a view to identifying and holding the perpetrators to account or to establishing the police failure to intervene to protect Mr. Chamisa; according to the Police Memorandum of 17 July 2007, “while it was common cause that Mr. Chamisa was assaulted (...)”, he did not make an official report to the police; pursuant to Zimbabwean criminal procedure, the police were therefore unable to institute investigations as the victim is required to cooperate with law enforcement agents on any police and judicial action on a crime of assault; several attempts to have Mr. Chamisa lodge a formal complaint failed; in his letter of 30 August 2010, the Attorney General commented along the same lines, stating that Mr. Chamisa had failed to put forward any admissible evidence pointing to any identifiable suspect, for which reason there was no basis for alleging that he had not been accorded the protection of the law,

Recalling that the Public Order and Security Act, enacted in 2002 and amended in 2007, gives the police sweeping powers, that it has been widely criticized as severely restricting freedom of expression, assembly and association, and that human rights organizations have in particular expressed concern at the way in which police have interpreted the Act to justify excessive use of force and to deter dissenting voices from holding public rallies and demonstrations,

Further recalling the political context in Zimbabwe: President Robert Mugabe and his political party, ZANU-PF, which dominated the country's politics since independence in 1980, have recently faced growing opposition in the form of popular protests and substantial gains, including in Parliament, for the opposition MDC; following the disputed results of the presidential and legislative elections of March 2008, the Global Political Agreement, a power-sharing agreement, was signed by Mr. Mugabe and Mr. Morgan Tsvangirai, leader of the MDC, in November 2008; it led to the establishment of the Government of National Unity in February 2009,

Noting that the ongoing process of constitutional reform is to culminate in elections before the end of 2013 and that the draft Constitution was largely approved by a referendum held on 16 March 2013 without any significant incidents,

Recalling that the Speaker of the House of Assembly has repeatedly stated 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 principle of the separation of powers,

Considering that the Speaker of the House of Assembly provided the following information during his hearing with the Committee at the 128th IPU Assembly (Quito, March 2013):

- Mr. Chamisa has confirmed that he wishes the Committee to continue pursuing his case in the absence of any police or judicial investigations of the assault;
- Mr. Chamisa never formally reported the assault to the police as he felt doing so would not achieve anything, given that the police were present during the incident and failed to take any action to protect him; he continues to refuse to file an official complaint with the police for the same reasons while the police continue to insist that Mr. Chamisa should first report the incident so that they can open an investigation; in the absence of any police docket, the prosecutor's office is unable to formulate charges and bring the case to the attention of the Attorney General's Office and the courts;
- The Parliament of Zimbabwe has taken measures to ensure that the rights of parliamentarians are respected and continues to engage with the police and relevant ministries to ensure that parliamentarians are arrested only with the prior consent of Parliament and treated with dignity by the police if they are arrested and detained; the Parliament of Zimbabwe will continue condemning every incident in which a member of parliament is not treated fairly;

- The Parliament of Zimbabwe would like to see Mr. Chamisa's case resolved but finds it difficult to recommend concrete steps to that end in the absence of an official complaint from Mr. Chamisa enabling the police to institute investigations and the Prosecutor's Office to bring charges,

Recalling that Zimbabwe is party to the International Covenant on Civil and Political Rights, under which it is obliged to respect the prohibition of torture and other ill-treatment (Article 7), the right to liberty and security of person (Article 9), and the right to freedom of expression (Article 19), and to ensure that "any person whose rights or freedoms as herein recognized are violated shall have an effective remedy (...)" (Article 2(3)(a)); further recalling that the prohibition of torture is a peremptory norm of international law and that, according to the United Nations Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, "wherever there is reasonable ground to believe that an act of torture (...) has been committed, the competent authorities of the State concerned shall promptly proceed to an impartial investigation (...)"; noting that the Government of Zimbabwe announced in June 2012 that it intended to ratify the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment,

1. Thanks the Speaker of the House of Assembly of Zimbabwe for the information provided and is pleased to note that the Parliament of Zimbabwe continues to exercise, in line with its stated commitment to protect the rights of its members, its duty of oversight to ensure that the competent authorities respect those rights;
2. Repeats the long-standing serious concerns expressed in its previous resolutions and urges the competent authorities to undertake investigations to identify and punish the culprits of both the ill-treatment in detention of Mr. Chamisa on 11 March 2007 and the brutal attack of 18 March 2007 in the alleged presence of police officers who did nothing to protect Mr Chamisa; also repeats that Zimbabwe, as a party to the International Covenant on Civil and Political Rights, is bound not only to prohibit torture and cruel, inhuman or degrading treatment, but also to institute ex officio investigations into known torture allegations in order to hold those responsible to account, and once again stresses that, with respect to the attack on Mr. Chamisa, the absence of a formal complaint regarding an attack of which the authorities were aware cannot be invoked to justify inaction; remains convinced that such impunity is highly detrimental to the rule of law and respect for human rights in the country and is bound to encourage the repetition of similar crimes;
3. Considers that Mr. Chamisa is currently in a unique position, as a government minister, to contribute to the promotion of accountability on the part of the police and security forces by lodging a complaint and bringing his case before the national courts; sincerely hopes that Mr. Chamisa will reconsider the possibility of filing an official complaint;
4. Strongly encourages the competent authorities urgently to undertake institutional and legislative reform, particularly as regards the police and security forces and the judiciary, in order to guarantee their effective impartiality, ensure full accountability for past abuses, particularly in the case of Mr. Chamisa, and put an end to persistent abuses on their part; further emphasizes that there is an urgent need to repeal the Public Order and Security Act to prevent such abuses from occurring again; is convinced that such reforms need to be put in place urgently so that Zimbabwe can hold credible, free, fair and peaceful elections in an environment respectful of human rights;
5. Requests the Secretary General to convey this resolution to the parliamentary and other competent authorities and to Mr. Chamisa;
6. Requests the Committee to continue examining this case and to report back to it in due course.

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 192nd session
(Quito, 27 March 2013)**

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of seven members of the Unión Patriótica (Patriotic Union) concerning 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 that forced Mr. Hernán Motta Motta into exile in October 1997, and to the resolution it adopted at its 190th session (April 2012),

Taking into account the information provided by the competent authorities to Senator Juan Pablo Letelier, Vice-President of the Committee on the Human Rights of Parliamentarians, during his visit to Colombia on 20 and 21 March 2013,

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 continues to live 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 to conduct an effective investigation so as to establish the identity of the instigators and the full scale of collaboration between State agents and paramilitary forces in carrying out the crime; it also ordered the State to make reparation, including through the public acknowledgement of responsibility and a public apology; on 9 August 2011, the authorities organized an event for this purpose on the premises of the National Congress; the event focused exclusively on Senator Cepeda's murder and its ramifications and was attended by high-ranking State officials and parliamentarians from across the political spectrum;
- A general petition submitted to the Inter-American Commission on Human Rights in 1997 regarding the persecution of the Patriotic Union and offences committed, directly or indirectly, against its members, including all the aforementioned parliamentarians except Mr. Cepeda, is still pending;
- Since 2008, the Procuraduría 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;
- On 17 May 2011, the Prosecutor's Office formally accused Mr. José Miguel Narváez, former Assistant Director of the Administrative Department of Security, of involvement in Mr. Cepeda's assassination and ordered that he be remanded in custody; Mr. Narváez is currently being held and prosecuted in a number of cases in connection with his alleged collaboration with paramilitary groups;

- Investigations with respect to the other murder cases are ongoing; in the case of Mr. Posada, a suspect, Mr. Baquero Agudelo, accepted a plea bargain and his case was 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, 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. Alberto Romero, former chief of the Administrative Department of Security, who had previously come under investigation, still had to be determined and further evidence taken,

Considering that both the Office of the Chief Prosecutor and that of the Procuraduría confirmed, on the occasion of the Committee Vice-President's visit to Colombia, that the pursuit of justice in this case remained critical; the current Chief Prosecutor had developed a new methodology focusing on the most serious crimes and reconstructing the context in which they had taken place; the Prosecutor's Office had identified the case of persecution of Patriotic Union members as a priority and was trying to bring together the various legal proceedings being conducted across Colombia,

Considering further that, according to the information provided during the Committee Vice-President's visit to Colombia, Mr. Cepeda's murder has been declared a crime against humanity,

1. Thanks the competent Colombian authorities for their cooperation and for receiving the Committee's Vice-President;
2. Takes note with great interest of the new approach taken by the Chief Prosecutor; is pleased that his Office and the Procuraduría remain fully committed to shedding light on the murders of Patriotic Union congressmen;
3. Wishes to ascertain exactly what steps the authorities are taking, in line with the ruling by the Inter-American Court of Human Rights in the case Mr. Cepeda's murder, to establish full accountability for this crime; wishes to receive confirmation that trial proceedings against Mr. Narváez have meanwhile started and to know whether his statements have helped shed further light on the extent of State responsibility for the crime and on the identity of those involved;
4. Wishes to know whether the murders of the other Patriotic Union congressmen and the death threats against Mr. Motta have also been declared crimes against humanity; wishes to ascertain whether or not the Prosecutor's Office has decided to bring charges against Mr. Romero in the case of Mr. Jaramillo's murder, and to receive detailed information on the steps taken in the investigations being conducted to elucidate, to the extent possible, the other assassinations;
5. Reaffirms that these cases, which relate to the assassination of members of Congress as part of the large-scale persecution of a political party, are of direct concern to Congress; trusts that, through its oversight function, Congress is doing its utmost to help ensure that ongoing efforts to elucidate the murders of and death threats against Patriotic Union parliamentarians 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. Trusts that the Inter-American Commission on Human Rights is steadily advancing in its consideration of the Patriotic Union case; wishes to ascertain the stage reached in its examination and whether a time-line exists for its completion;
7. Requests the Secretary General to convey this resolution to the competent authorities and to the source; also requests the Secretary General to transmit the resolution to the Inter-American Commission on Human Rights;
8. Requests the Committee to continue examining this case and to report back to it in due course.

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

Resolution adopted unanimously by the IPU Governing Council at its 192nd session (Quito, 27 March 2013)

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, Cundinamarca department, and to the resolution it adopted at its 190th session (April 2012),

Taking into account the information provided by the competent authorities to Senator Juan Pablo Letelier, Vice-President of the Committee on the Human Rights of Parliamentarians, during his visit to Colombia on 20 and 21 March 2013,

Recalling the following information on file:

- Lieutenant Carlos Humberto Flores, from Military Intelligence B2, was tried for complicity in the murder and acquitted at first and second instance; a cassation petition filed by the Prosecutor's Office and Senator Galán's family, as the civil party to the proceedings, remains pending before the Supreme Court, with the Procuraduría having yet to submit its observations;
- On 1 September 2011, the Supreme Court upheld the first-instance verdict whereby Mr. Santofimio, a politician from Tolima, was sentenced to a 24-year prison term for having incited drug baron Pablo Escobar to have Senator Galán killed in order to prevent the latter, if elected President of Colombia, from acting on his intention to extradite drug traffickers to the United States of America;
- 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, and declared the murder a crime against humanity; on 6 April 2010, the then Chief Prosecutor ordered General Maza's provisional release; however, General Maza was called to trial on 25 November 2010 and rearrested on 15 January 2011; on 1 June 2011, the prosecutor in the case confirmed the indictment against General Maza, arguing that there was substantive evidence that he was responsible for the murder; trial proceedings started on 10 October 2011, at which time the judge in the case, the First Specialized Judge of Bogotá, confirmed that Senator Galán's murder was a crime against humanity; the Supreme Court annulled the proceedings against General Maza on 20 January 2012 on the grounds that he was entitled to privilege of jurisdiction and that his case should therefore have been referred directly to Colombia's Chief Prosecutor; General Maza was released as a result and the proceedings started afresh;
- On 25 November 2009, the Procuraduría, who had formed a special team to conduct the investigation into the murder, requested the Prosecutor's Office to extend the investigation to retired General Oscar Peláez Carmona, who was the Head of the Criminal Investigation Department at the time and had allegedly acted in complicity with General Maza in misleading and obstructing the original investigation; in March 2010, the Procuraduría also asked the Prosecutor's Office to extend the investigation to Mr. Alberto Romero, former DAS intelligence chief, Colonel Manuel Antonio González Henríquez, who had served as DAS protection chief, former paramilitary leader Iván Roberto Duque Gaviria, alias "Ernesto Báez", and Captain Luis Felipe Montilla Barbosa, Soacha Police Commander; on 26 August 2011, the source stated that the Prosecutor's Office had not yet formally responded to the Procuraduría's requests to link those individuals to the investigation,

Considering that, according to information provided on 22 March 2013 by the source, the Prosecutor's Office ordered the preventive detention of Colonel González Henríquez and Captain Montilla on 10 March 2013 and the two men were subsequently taken into custody,

Considering further that, according to the latest information provided by the source, the Prosecutor General was in the process of deciding whether or not to order General Maza's preventive detention,

Considering finally that both the Office of the Chief Prosecutor and the Procuraduría reconfirmed, on the occasion of the Committee Vice-President's visit to Colombia, that the pursuit of justice in this case was a priority for them,

1. Thanks the competent Colombian authorities for their cooperation and for receiving the Committee's Vice-President;
2. Takes note with interest of the recent detention of two presumed culprits in the case; wishes to ascertain whether they have been formally charged and, if so, when trial proceedings are expected to begin; eagerly awaits the decision of the Prosecutor's Office with respect to General Maza;
3. Trusts the Prosecutor's Office will soon decide whether or not to extend the investigation to the others who have been identified by the Procuraduría as potentially responsible for the murder;
4. Sincerely hopes that the Procuraduría will submit without any further delay its views to the Supreme Court in the cassation petition regarding the alleged role of Lieutenant Flores in the crime, so that the Court can finally rule on this matter;
5. Requests the Secretary General to convey this resolution to the competent authorities and to the source;
6. Requests the Committee to continue examining this case and to report back to it in due course.

CASE No. CO/121 - PIEDAD CÓRDOBA - COLOMBIA

Resolution adopted unanimously by the IPU Governing Council at its 192nd session (Quito, 27 March 2013)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Ms. Piedad Córdoba, a former member of the Colombian Senate, and to the resolution it adopted at its 190th session (April 2012),

Taking into account the information provided by the competent authorities, including the Office of the Prosecutor General and the Procuraduría, to Senator Juan Pablo Letelier, Vice-President of the Committee on the Human Rights of Parliamentarians, during his visit to Colombia on 20 and 21 March 2013,

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, had illegal ties to Colombia's main guerrilla group, the Revolutionary Armed Forces of Colombia (FARC);
- During the investigation, the Supreme Court provided the Procuraduría with a copy of the case file, so that the Procuraduría could decide whether or not to institute a disciplinary investigation against her; that decision was taken in June 2009;

- On 27 September 2010, the Procuraduría concluded that Ms. Córdoba had promoted and worked with the FARC and, as a disciplinary sanction, barred her from holding public office for 18 years; on 27 October 2010, the Procurador ratified the decision of his Office, as a result of which Ms. Córdoba lost her Senate seat;
- 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 challenged the disbarment before the Council of State, which on 21 November 2011 agreed to examine her request for annulment of the decision to disbar her but rejected her request that the disbarment be suspended until it had ruled on the request for annulment;
- Ms. Córdoba also challenged her disbarment before the Bogotá Tribunal superior and the Supreme Court, both of which dismissed the challenge; Ms. Córdoba has filed a writ for protection of constitutional rights before the Constitutional Court, which is expected to rule in the first half of 2013 on the question of whether those dismissals were in accordance with the law,

Recalling that Ms. Córdoba was disbarred inter alia on the basis of incriminating material alleged to have been found in the computers of a high-ranking FARC member, Mr. Raúl Reyes, and that, 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 that Article 23(2) of the American Convention on Human Rights, on respect for the exercise of political rights, stipulates: “The law may regulate the exercise of the rights [...] only on the basis of age, nationality, residence, language, education, civil and mental capacity, or sentencing by a competent court in criminal proceedings”,

Recalling that an IPU mission travelled to Bogotá in August 2011 to help strengthen the National Congress of Colombia and, as part of that assignment, formulated recommendations, including that the Procurador should be divested of the power to revoke the parliamentary mandate as a disciplinary sanction,

Recalling that the current Procurador, after he was first elected, publicly questioned his competence under the Constitution to disbar members of Congress on disciplinary grounds,

1. Thanks the competent Colombian authorities for their cooperation and for receiving the Committee’s Vice-President;
2. Reaffirms 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 political rights and the right to a fair trial;
3. Is concerned that, two and a half years after Ms. Córdoba was disbarred, the Council of State has yet to rule on her challenge; observes that, as a result of this delay, the remedy she seeks, which is to be allowed to serve out the remainder of her term of office, is becoming increasingly meaningless; considers furthermore that a decision on her challenge is all the more pressing in the light of the Supreme Court’s conclusions regarding an important item of evidence in the case against her, which cast doubt on the original justification for disbarring her; urges the Council of State to adopt its views on the challenge as a matter of priority;
4. Trusts that the Constitutional Court will also rule on Ms. Córdoba’s petition as a matter of urgency, taking due account of the Supreme Court’s conclusions and of the other concerns in this case;

5. Reaffirms its belief that this case highlights the need to modify existing legislation with respect to disciplinary proceedings against members of Congress with a view to bringing it in line with relevant international and regional standards; is aware that enhanced legal protection for members of Congress is a very sensitive subject in Colombia as it is easily perceived as unduly serving the interest of its members; expresses the hope, therefore, that the National Congress, with the support of the relevant executive, judicial and administrative authorities, will come out in support of new legislation to eliminate the Procurador's authority to revoke a parliamentary mandate as a disciplinary sanction;
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 to report to it in due course.

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

Resolution adopted unanimously by the IPU Governing Council at its 192nd session (Quito, 27 March 2013)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Álvaro Araújo Castro, a former member of the Colombian Congress, and to the resolution it adopted by the Governing Council at its 190th session (April 2012),

Taking into account the information provided by the competent authorities and the source to Senator Juan Pablo Letelier, Vice-President of the Committee on the Human Rights of Parliamentarians, during his visit to Colombia on 20 and 21 March 2013,

Recalling the following information on file:

- On 15 February 2007, the Supreme Court issued detention orders for then Senator Araújo Castro on charges of aggravated criminal conspiracy and voter intimidation; Senator Araújo Castro was also charged with aggravated abduction for the purpose of extortion, a charge that was subsequently dismissed;
- Given that Colombian members of parliament are investigated and judged in single-instance proceedings by the Supreme Court, Mr. Araújo Castro relinquished his seat in Congress on 27 March 2007; as a result, his case was transferred to the ordinary judicial system, under which he would be investigated by the Prosecution Office and tried by an ordinary court with the possibility of appeal;
- However, after a reinterpretation of its jurisprudence, the Supreme Court re-established its jurisdiction with respect to his case and, on 18 March 2010, without giving him the opportunity of being heard, declared him guilty of aggravated criminal conspiracy and voter intimidation and sentenced him to a prison term of 112 months and payment of a fine; in the same ruling, the Supreme Court ordered that an investigation be conducted to establish whether or not Mr. Araújo Castro could be considered part of the paramilitary command structure and therefore to share responsibility for the crimes against humanity they committed; as with the original charges, both the investigation and any subsequent trial on this matter are entrusted to the Supreme Court, whose ruling would not be subject to appeal;
- A legal expert, Mr. Alejandro Salinas, asked by the Committee to examine whether the right to a fair trial had been respected in the case, concluded that the legal proceedings against Mr. Araújo Castro were fundamentally flawed;
- Mr. Araújo Castro was conditionally released in February 2011, having served three fifths of his prison sentence,

Recalling that in June 2012 the President of Colombia formally objected to a legislative initiative for judicial reform proposing inter alia the establishment of an appeal instance in the procedure applicable to members of Congress in criminal cases, and that his objection subsequently led Congress to dismiss the initiative; recalling also that an IPU mission travelled to Bogotá in August 2011 to help strengthen the National Congress of Colombia and, as part of that assignment, formulated a series of recommendations, including with a view to helping ensure greater respect for fair-trial standards in criminal cases against members of Congress,

Considering that, in the meeting that the Committee Vice-President had on 21 March 2013 with the President and other members of the Supreme Court of Colombia, Mr. Fernando Alberto Castro Caballero, a member of the Supreme Court Criminal Chamber, stated that the Court was in favour of an appeal instance but that such an instance would have to be established by Congress,

Recalling that Mr. Araújo Castro submitted a petition to the Inter-American Commission on Human Rights in 2012 denouncing the flawed judicial proceedings in his case,

1. Thanks the competent Colombian authorities for their cooperation and for receiving the Committee's Vice-President;
2. Reaffirms its longstanding view that Mr. Araújo Castro was convicted in legal proceedings that violated his right to a fair trial and in the absence of compelling tangible and direct evidence to substantiate his conviction, on the grounds of his complicity with the paramilitary forces, on charges of aggravated criminal conspiracy and voter intimidation;
3. Remains deeply concerned, therefore, that the Supreme Court used this conviction as the basis for ordering an investigation into the much more serious accusation that he was in fact part of the paramilitary command structure, and that such investigation, which relates to crimes against humanity, can run indefinitely as it is not subject to the statute of limitations;
4. Considers that so long as basic fair-trial concerns are not addressed and there is no convincing evidence for the lesser charge, such investigation is inapposite; sincerely hopes, therefore, that the Supreme Court will discontinue it;
5. Remains convinced that 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; is aware that enhanced legal protection for members of Congress is a very sensitive subject in Colombia, as it is easily perceived as unduly serving the interest of its members; expresses the hope, therefore, that the National Congress, along with the executive, judicial and administrative authorities, will come out together in support of new legislation that will introduce a genuine separation between the investigating authorities and the courts and a real possibility for members of Congress to appeal; wishes to be kept informed in this regard, in particular inasmuch as reform of this kind concerns the implementation of recommendations made by a previous IPU mission;
6. Recalls that the American Convention on Human Rights and related jurisprudence provide extensive protection of the right to a fair trial; considers, therefore, that action by the Inter-American Commission on Human Rights is crucial to helping address the apparent injustice suffered by Mr. Araújo Castro; requests the Committee's Vice-President and the Secretary General to contact the Inter-American Commission with a view to encouraging its swift consideration of Mr. Araújo Castro's petition;
7. Requests the Secretary General to convey this resolution to the competent authorities and to the source;
8. Requests the Committee to continue examining this case and to report back to it in due course.

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 192nd session
(Quito, 27 March 2013)**

The Governing Council of the Inter-Parliamentary Union,

Referring to the cases 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), and to the resolution it adopted at its 190th session (April 2012),

Taking into account the information provided by the competent authorities to Senator Juan Pablo Letelier, Vice-President of the Committee on the Human Rights of Parliamentarians, during his visit to Colombia on 20 and 21 March 2013,

Recalling the following information regarding the death threats received by incumbent members of Congress of the Alternative Democratic Pole since 2010:

- On 10 April 2010, a public communiqué issued by an illegal group known as Los rastrojos - comandos urbanos declared Senators López, Robledo and 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 López and Congressman Árias 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. 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 issued a pamphlet threatening Mr. Cepeda and others who were helping to organize a debate in Congress on the problem of land dispossession that was to be broadcast live across the country on 18 August 2010;
- On 2 June 2011, Los rastrojos - 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 time, Águilas negras also mentioned both Mr. Cepeda and Ms. Bautista in a statement, giving them 20 days 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, he received a letter from an inmate of that prison stating that he had been incited to stab Mr. Cepeda during the latter's visit; the inmate alleged 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 that 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 the tape had been reused;
- Mr. Cepeda's work as a congressman has been increasingly stigmatized since early 2010 in the media; in several instances he has been labelled a friend of the Revolutionary Armed Forces of Colombia (FARC), in particular 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;

- On 4 July 2012, a threat was sent by e-mail to Mr. Cepeda and others in connection with their work to promote the restitution of land, with those expressing the threat accusing them of expelling the true owners,

Recalling the following information on file: the then acting Chief Prosecutor stated in October 2010 that all 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 by Los rastrojos - comandos urbanos against Senators López, Robledo and Jaramillo were all the subject of ongoing criminal investigations; 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 concluded that no criminal organization called Los rastrojos existed and ruled out the possibility that the threat came from a criminal organization,

Considering that the Chief Prosecutor informed the Committee's Vice-President during the latter's visit to Colombia in March 2013 that his Office was doing everything possible to hold the culprits of threats against members of the opposition to account,

1. Thanks the competent Colombian authorities for their cooperation and for receiving the Committee's Vice-President;
2. Remains alarmed at the constant threats Mr. Cepeda faces in carrying out his work as a member of Congress;
3. Considers that the risks Mr. Cepeda has incurred as a long-standing critical voice in Colombia have to be taken extremely seriously, as the failed attempt on his life less than a year ago has once again shown;
4. Trusts that the authorities have taken immediate steps to ensure that Mr. Cepeda and those assisting him in his work as a member of Congress are provided with an effective security detail; wishes to receive confirmation on this point;
5. Urges the authorities to establish full accountability for the failed attempt on Mr. Cepeda's life and the attack on the inmate who refused to execute it; remains particularly eager to receive confirmation that action has been taken against the two security guards and to know what evidence has been collected to help identify the instigators of these crimes; reaffirms in this respect that the alleged involvement in the attempt on Mr. Cepeda's life of two security guards apparently picked by the authorities to ensure his protection, and the allegations that this crime, in common with the subsequent retaliation against the inmate, took place on premises run by the competent authorities, cast extremely serious doubt on the authorities' capacity, if not willingness, to protect the basic right to life;
6. Is pleased that the current Chief Prosecutor is fully committed to ensuring that the threats against members of Congress belonging to the Alternative Democratic Pole do not go unpunished; remains concerned, however, that there is no information on file indicating that any of the culprits have been identified and held to account; wishes to know what recent steps the Prosecutor's Office has taken to promote accountability;
7. Requests the Secretary General to convey this resolution to the competent authorities and to the source;
8. Requests the Committee to continue examining this case and to report back to it in due course.

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 192nd session
(Quito, 27 March 2013)**

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, and to the resolution it adopted at its 189th session (October 2011),

Taking into account the information provided by the source on 22 March 2013,

Recalling the following:

- The Special Commission of Inquiry (CEI) set up immediately after the murders to help elucidate them has from the outset been sharply critical of the conduct of the investigation and of the prosecution authorities, notably their scant consideration of the serious leads it 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 convicted in March 2009 at final instance and are currently serving a 16-year prison term for their role in the murders;
- In 2009 and 2010, two suspects, Mr. Washington Aguirre and Mr. Gil Ayerve, were arrested in the United States of America and Colombia respectively, and their extradition requested by the Ecuadorian authorities; Mr. Ayerve was extradited in April 2010 in connection with a drug-trafficking case; 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 for the murders; it therefore ordered the national police not to arrest Mr. Ayerve; in response, the National Assembly of Ecuador, in a 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; the National Assembly also affirmed that the ruling was in breach of Article 23 of the 1998 Constitution, which states that political crimes are not subject to the statute of limitations, and called on the National Court of Justice to take all necessary legal steps to ensure that those responsible for the murders were held to account,

Considering that, according to the latest information provided by the source, Mr. Ayerve is still in detention in Ecuador, that Mr. Hurtado's family is advocating for the murders to be considered a crime against humanity, for which there is no statute of limitations, that the matter is before the courts, which have yet to issue a final ruling on this point, and that attempts to have Mr. Aguirre extradited to Ecuador have been complicated inter alia by the fact that he holds Italian citizenship,

1. Remains deeply concerned that, more than 14 years after these high-profile murders were committed, the authorities have failed to identify the instigators and bring to trial all the alleged perpetrators;
2. Considers that criminal proceedings against Mr. Ayerve and Mr. Aguirre are crucial to the pursuit of truth and justice, particularly since they provide a crucial opportunity to give due consideration to the work of the CEI, including the substantive leads it presented for an alternative line of inquiry to shed full light on the crime;

3. Reaffirms that, in addition to the arguments to be found in Ecuadorian legislation in support of continued criminal legal action against both suspects, in many jurisdictions across the world, the statute of limitations for murder, one of the most heinous of crimes, far exceeds 10 years and is suspended in specific circumstances, most commonly when the suspects, as in this case, are on the run;
4. Calls, therefore, on the judicial authorities to interpret the applicable legal provisions and jurisprudence as broadly as possible, so that both suspects will indeed stand trial for their alleged involvement in the murders; wishes to be informed of the decision by the court in the case of Mr. Ayerve regarding the legal qualification of the crime;
5. Sincerely hopes that the extradition process for Mr. Aguirre, four years after his arrest, can soon be completed; wishes to be kept informed of progress in this regard;
6. 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;
7. Requests the Committee to continue examining this case and to report back to it in due course.

CASE No. CMBD/01 - SAM RAINSY - CAMBODIA

Resolution adopted unanimously by the IPU Governing Council at its 192nd session (Quito, 27 March 2013)

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 communication's submission, and to the resolution it adopted at its 191st session (October 2012),

Taking into account the information provided by the Minister of Justice to the Secretary General on the occasion of the latter's visit to Cambodia on 21 February 2013, the letter from the Speaker of the National Assembly dated 11 February 2013, the letter from the Chairman of the First Commission of the National Assembly dated 18 February 2013, and the letter from the Deputy Chief of the Multilateral Relations Office, Assistant to the Cambodian delegation, National Assembly, dated 4 March 2013,

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 to defend himself, Mr. Sam Rainsy was prosecuted and, in judgments handed down in January and September 2010, sentenced to 12 years in prison 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; on 20 September 2011, the Appeal Court reduced the prison sentence on the second count from ten to seven years; on 25 April 2011, Mr. Sam Rainsy was found guilty in a third case on charges of defaming Cambodian Foreign Minister Hor Namhong in 2008 and of incitement to discrimination; he was sentenced at first instance to two years in prison and a fine, and ordered to pay compensation to the Minister; Mr. Sam Rainsy appealed the sentence in the third case;
- The verdict whereby Mr. Sam Rainsy was found guilty of destroying public property was upheld in March 2011 by the Supreme Court, and the National Assembly stripped Mr. Sam Rainsy of his parliamentary mandate on 15 March 2011 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 forfeit their membership in the National Assembly,

Recalling that no one disputes the fact that the border between Viet Nam and Cambodia is currently being demarcated, that border post #185 was a temporary wooden post, that the Government recognized that it was not a legal border marker, as confirmed by the Prime Minister himself 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 that, following the publication of the Prime Minister’s response, Mr. Sam Rainsy asked for a review of his sentence in the case concerning the destruction of property and incitement to racial hatred; recalling further that there is at present no map recognized as official and binding by Viet Nam and Cambodia,

Recalling that, according to the members of the Cambodian delegation heard during the 126th IPU Assembly (Kampala, March-April 2012), Mr. Sam Rainsy should have raised his concerns regarding the border between Viet Nam and Cambodia in the National Assembly; recalling in this regard that, when opposition parliamentarians asked for a public parliamentary debate on the issue, the Government reportedly refused to take part, arguing that it had already provided all necessary explanations in the past,

Considering that the Minister of Justice, in his meeting with the Secretary General, said that Mr. Sam Rainsy had created a very dangerous situation on the border when he removed the border post, thereby putting many persons’ lives at risk, and that this was tantamount to a serious provocation that could have endangered the security of the country,

Recalling the following: in his report of 16 July 2012 to the United Nations Human Rights Council (A/HRC/21/63), the Special Rapporteur on the human rights situation in Cambodia stated that “respect for freedom of expression, opinion and assembly remains a principal concern in Cambodia (...) It appears that many Cambodians exercise self-censorship in what they say and write, provoked by a fear of arrest and detention. This holds particularly true in respect of people wishing to express views critical of those in power (...)”, and that “a political solution should be found to enable [Mr. Sam Rainsy], as the leader of the opposition, to play a full role in Cambodian politics. The Special Rapporteur believes that a concerted effort by the ruling and opposition parties towards reconciliation is in the interests of strong and deeper democratization of Cambodia”; in his previous report of August 2011 (A/HRC/18/46), the Special Rapporteur expressed concern at the use of the judiciary for political ends and had the following to say regarding the Sam Rainsy case in particular: “The allegation made by the Government was that Mr. Sam 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”; the Special Rapporteur recommended inter alia that “Parliament should safeguard the right to freedom of expression of its own members and protect their parliamentary immunity”,

Recalling that, according to the Minister of Justice, Mr. Sam Rainsy was not eligible for a pardon because he had challenged two of the cases in court and those challenges remained pending, which meant that the legal process had not yet been completed; considering that Mr. Sam Rainsy has since withdrawn those challenges,

Considering that parliamentary elections are to be held on 28 July 2013 and that, on the occasion of his visit to Cambodia, the Secretary General discussed the IPU’s continued assistance to the National Assembly with the parliamentary authorities he met,

1. Thanks the Minister of Justice, the Speaker of the National Assembly and the Chairman of the First Commission of the National Assembly for their extensive cooperation;
2. Considers, however, that the information they provide does not dispel its long-standing concerns that Mr. Sam Rainsy’s removal of a temporary border marker was a political gesture and that, consequently, the courts should never have been seized of the matter in the first place;

3. Deeply regrets, therefore, that, with elections drawing near, it has not been possible for Mr. Sam Rainsy to return to Cambodia and make, as the country's principal opposition leader, a meaningful contribution to free and fair elections;
 4. Renews its call on the ruling and opposition parties to do everything possible to work together as a matter of urgency with a view to helping ensure that Mr. Sam Rainsy can stand as a candidate in the elections; sincerely hopes that the fact that Mr. Sam Rainsy has withdrawn his challenges in the two ongoing court cases will facilitate and accelerate this outcome;
 5. Calls on the soon-to-be-elected National Assembly to promote healthy working relationships within parliament, including by ensuring that all parties are consulted and have a say when parliament takes major decisions, that the rights and responsibilities of the opposition are duly upheld and that there is full respect for parliamentary immunity; suggests that the IPU, as part of its ongoing programme of assistance to the National Assembly, explore with the parliamentary authorities the possibility of sharing its expertise for this purpose;
 6. Requests the Secretary General to convey this resolution to the competent authorities and the sources;
 7. Requests the Committee to continue examining this case and to report back to it in due course.
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CASE No. IQ/59 - MOHAMMED AL-DAINY - IRAQ

Resolution adopted unanimously by the IPU Governing Council at its 192nd session (Quito, 27 March 2013)

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 communication's submission, and to the resolution it adopted at its 191st session (October 2012),

Recalling the following information on file:

- 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; on 25 February 2009, parliament lifted his immunity on account of an accusation that he had masterminded the 12 April 2007 suicide bombing of parliament; Mr. Al-Dainy fled abroad for fear of his life;
- Ten members of Mr. Al-Dainy's family and nine members of his staff (mainly escorts) were arrested at various times in February 2009, and detailed information was provided by the source about the circumstances of their arrest without warrants, their ill-treatment and the ransacking of their homes; when some of them were released later in 2009 and 2010, ample evidence came to light that they had been tortured in secret detention centres to implicate Mr. Al-Dainy in the commission of crimes, in particular: (a) the bombing of the Council of Representatives in April 2007; (b) the launch of mortar shells into the Green Zone during the visit of the Iranian President in 2008, and the murder of one of the inhabitants of the neighbourhood from which the shells were launched; (c) the killing of 155 people from Al-Tahweela village who were allegedly buried alive; and (d) the murder of Captain Ismail Haqi Al-Shamary;
- On 24 January 2010, Mr. Al-Dainy was sentenced to death in absentia; the verdict runs to a little more than one page (French translation), contains two paragraphs dealing with the suicide bombing of parliament and one on the shelling of the Green Zone, six lines on the storing of weapons and the founding of a terrorist organization linked to the Ba'ath party, and, to prove that Mr. Al-Dainy committed these crimes, relies heavily on the testimony of three members of

his security staff (Mr. Riadh Ibrahim, Mr. Alaa Kherallah, Mr. Haydar Abdallah) and a secret informant; it does not refer to any of the other accusations;

- In December 2010, the Court of Cassation quashed the judgment handed down regarding two of Mr. Al-Dainy's escorts who had testified against him;
- On 24 July 2011, the Speaker of the Council of Representatives set up an ad hoc committee of inquiry of five parliamentarians to examine Mr. Al-Dainy's case; following in-depth inquiries, the committee concluded on 15 March 2012 that: (a) the lifting of Mr. Al-Dainy's parliamentary immunity had violated the applicable rules, as it had been decided in the absence of a quorum and was therefore unlawful; (b) as regards the allegation that Mr. Al-Dainy had killed more than 100 villagers in Al-Tahweela village, the on-site investigation revealed that no crime had taken place; (c) Mr. Al-Dainy was in Amman at the time of the firing of mortar shells into the Green Zone during the visit to Baghdad of the Iranian President, a fact borne out by stamps in his passport; (d) as to the allegation concerning Captain Haqi Al-Shamary's murder, the committee found that the Captain was still alive; the committee issued its final report, recommending inter alia: (1) that the case of Mr. Al-Dainy be promptly reviewed in the interests of truth and justice, and (2) that the perpetrators of the acts of torture committed against Mr. Al-Dainy's family members and escorts during their detention in Al-Sharaf prison be held accountable,

Considering that the Speaker of the Council of Representatives submitted the final report of the ad hoc parliamentary committee on Mr. Al-Dainy's case to the High Judicial Council on 17 July 2012 and requested it to take all necessary measures in view of the committee's findings and recommendations,

Considering further that the conclusions of the parliamentary committee, including its official request for Mr. Al-Dainy's retrial, were broached, including in direct meetings, with the High Judicial Council, the Prime Minister and other competent authorities,

Recalling that the Joint study on global practices in relation to secret detention centres 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 thirteenth session, includes a section on secret detention centres in Iraq and explicitly mentions the group of people arrested in connection with the accusations against Mr. Al-Dainy and held in secret detention in the Green Zone run by the Baghdad Brigade, describes the torture inflicted on them and states that they were forced to sign and fingerprint pre-prepared confessions,

Considering that, on 8 October 2011, following investigations into secret detention centres conducted by its human rights committee, the Council of Representatives adopted a resolution recognizing that Al-Sharaf prison in the Green Zone is a secret prison where serious violations of human rights have been committed, including acts of torture inflicted on detainees to extort coerced confessions, in violation of Article 19 of the Iraqi Constitution,

Bearing in mind that Iraq is a party to the International Covenant on Civil and Political Rights, which it ratified in 1971 and which 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. Remains convinced that it is in the interests of justice and a matter of urgency to invalidate the entire proceedings against Mr. Al-Dainy and to quash the iniquitous verdict against him;
2. Fully supports, therefore, the recommendation of the parliamentary committee of inquiry that Mr. Al-Dainy be retried;
3. Takes note with interest that this recommendation has been the subject of follow-up meetings with the High Judicial Council, the Prime Minister and other competent authorities; trusts that the competent authorities will give full and urgent consideration to this matter;

4. Considers that a mission to Iraq by a delegation of the Committee on the Human Rights of Parliamentarians would offer a timely opportunity to meet with senior officials of the executive and judicial branches, particularly the Prime Minister, the President of the High Judicial Council and the Prosecutor General, so as to obtain first-hand information on the prospects for progress in the case; requests the Secretary General to seek the authorities' agreement for such a mission;
5. Reiterates its wish to receive information on the measures taken by the competent authorities following the confirmation by the Council of Representatives of the existence of Al-Sharaf secret prison and the routine use of torture; trusts that the prison will be closed promptly and wishes to know if any steps are being taken to this end and to address the critical situation of prisoners detained in Iraqi prisons, particularly women and persons in preventive detention;
6. Requests the Secretary General to convey this resolution to the parliamentary authorities, the High Judicial Council and the Prime Minister;
7. Requests the Committee to continue examining this case and to report back to it in due course.

MALDIVES

CASE No. MLD/16 - MARIYA DIDI	CASE No. MLD/38 - HAMID ABDUL GHAFOOR
CASE No. MLD/28 - AHMED EASA	CASE No. MLD/39 - ILYAS LABEEB
CASE No. MLD/29 - EVA ABDULLA	CASE No. MLD/40 - RUGIYYA MOHAMED
CASE No. MLD/30 - MOOSA MANIK	CASE No. MLD/41 - MOHAMED THORIQ
CASE No. MLD/31 - IBRAHIM RASHEED	CASE No. MLD/42 - MOHAMED ASLAM
CASE No. MLD/32 - MOHAMED SHIFAZ	CASE No. MLD/43 - MOHAMMED RASHEED
CASE No. MLD/33 - IMTHIYAZ FAHMY	CASE No. MLD/44 - ALI WAHEED
CASE No. MLD/34 - MOHAMED GASAM	CASE No. MLD/45 - AHMED SAMEER
CASE No. MLD/35 - AHMED RASHEED	CASE No. MLD/46 - ABDULLA JABIR
CASE No. MLD/36 - MOHAMED RASHEED	CASE No. MLD/47 - AFRASHEEM ALI
CASE No. MLD/37 - ALI RIZA	

**Resolution adopted unanimously by the IPU Governing Council at its 192nd session
(Quito, 27 March 2013)**

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of the above-mentioned parliamentarians, all members of the People's Majlis of the Maldives, and to the resolution it adopted at its 191st session (October 2012) on all the above-mentioned individuals except Mr. Abdulla Jabir and Dr. Afrasheem Ali, the only two who do not belong to the opposition Maldivian Democracy Party (MDP),

Considering the report (CL/192/12(b)-R.1) of the mission sent by the Committee on the Human Rights of Parliamentarians to the Maldives from 19 to 21 November 2012, during which the Committee was seized of Mr. Abdulla Jabir's case, as reflected in the report,

Taking into account the communication from the Deputy Minister of Gender, Family Affairs and Human Rights of 21 March 2013 and the information provided by the source on 16 and 23 March 2013,

Having before it the case, submitted following the mission, of Dr. Afrasheem Ali, who was stabbed to death on 2 October 2012; considering that, according to the information provided by the source on 16 March 2013, two people have been charged with the murder,

Considering the following information provided by the source since the mission:

- The Police recently announced that someone had been arrested for attacking Ms. Mariya Didi on 7 February 2012, but that person was not a policeman; the case of the attack on Mr. Ibrahim Rasheed on the same day has been with the Prosecutor General for over eight months without

any progress being made; in contrast, the case against Mr. Rasheed, who is charged with assaulting a police officer, is proceeding and two hearings have taken place;

- The Police Integrity Commission released its findings on the arrest of Mr. Abdulla Jabir on 15 November 2012 and concluded that he had been physically assaulted by police officers using undue force; however, the report noted that the perpetrators could not be identified because they were wearing masks and that therefore no further steps could be taken on the case;
- According to a letter from the Minister of Defence, the Maldives National Defence Force, which provides security for members of parliament, does not do so if the members in question are wanted by the Police or taking part in demonstrations;
- In response to the mission report's observations, the aggrieved members of the People's Majlis have made all the necessary complaints to the Police and other competent authorities and assisted the investigation with a view to identifying those responsible, without any result,

Considering the following: the Political Parties Bill and the Parliamentary Privileges Bill were ratified by the President in March 2013, after he had returned both bills to the People's Majlis for reconsideration and the latter had adopted them a second time; before the Political Parties Bill was passed, however, the Attorney General had challenged it before the Supreme Court; the People's Majlis amended its Standing Orders in December 2012 in order to have non-confidence motions adopted by secret ballot; the Attorney General challenged this decision before the Supreme Court, which on 14 March 2013 ruled that secret ballots violated Article 88 of the Constitution,

Considering that presidential elections will be held in the Maldives on 7 September 2013, that former President Nasheed from the MDP is on trial for abuse of power for having ordered the arrest and detention of Judge Abdulla Mohamed in January 2012, and that concerns have been expressed in and outside the Maldives about due process in the proceedings and the effects of Mr. Nasheed's possible exclusion from the presidential elections,

Considering that the Deputy Minister of Gender, Family Affairs and Human Rights provided the following observations on the mission report: "We find the report extremely useful for us to understand and iron out issues in different institutions in our young democracy. We assure the IPU of the government's commitment to ensure that the rule of law prevails in accordance with our Constitution and international commitments. We appreciate the IPU's role in helping to strengthen democratic governance",

Considering finally the statement made by the IPU President, Mr. Abdelwahad Radi, on 26 March 2013 on the situation of the People's Majlis,

1. Thanks the Maldivian authorities for their cooperation; thanks in particular the Speaker of the People's Majlis and the Deputy Minister of Gender, Family Affairs and Human Rights for their efforts to ensure the smooth conduct of the mission;
2. Also thanks the mission for its work and endorses its overall conclusions;
3. Takes note with interest of the observations made by the Deputy Minister of Gender, Family Affairs and Human Rights, the Privileges Committee of the People's Majlis and the source;
4. Remains deeply concerned that, despite the evidence collected, in particular available footage, and the stated willingness of the authorities, not a single police officer has thus far been held to account for the ill-treatment inflicted on members of parliament on 8 February 2012, and that the Police Integrity Commission has now confirmed the circumstances of the arrest and ill-treatment of Mr. Jabir, thus lending weight to the allegation that his arrest was indeed politically motivated; is also deeply concerned that the police officers responsible for Mr. Jabir's arrest and ill-treatment cannot be identified, even though it is apparently mandatory under the Police Act (No. 5/2008) for police officers to wear name tags; calls on the authorities to do everything possible to speed up the identification and prosecution of police officers who have acted unlawfully since the transfer of power on 7 February 2012 and to ensure that police officers can be clearly identified when they take part in law enforcement operations;

5. Is pleased that the police authorities are making material progress in the investigation into the death of Dr. Afrasheem Ali; trusts that they are doing everything possible to establish the identity of the culprits with diligence and objectively; wishes to know the facts underpinning the arrests made in the case and whether the police authorities have been able to establish the motive for the murder;
6. Is concerned about the source's allegation that members of the People's Majlis may no longer be receiving the security protection they require; wishes to receive the observations of the competent authorities on this important matter;
7. Urges the authorities to heed the mission report's recommendation that they tread extremely carefully in pursuing the criminal cases against the members of the People's Majlis belonging to the MDP and proceed only when there is conclusive evidence against them and when their prosecution is clearly in the public interest; points out that most of the cases are directly linked to the members' participation in demonstrations contesting the transfer of power of 7 February 2012; is keen to receive the observations of the Prosecutor General on this matter;
8. Is extremely concerned about the context of confrontation that continues to exist between the People's Majlis and the other branches of the State and about the fact that parliament's authority appears to be continuously challenged; calls on all sides to heed the mission report's recommendation that they move beyond political expediency and partisanship, engage in dialogue and promote consensus-building in order to facilitate free, fair and meaningful presidential elections in September 2013;
9. Requests the Secretary General to convey this resolution to the relevant executive, parliamentary and judicial authorities and to the source;
10. Requests the Committee to continue examining this case and to report back to it in due course.

MYANMAR

The following persons elected in the parliamentary elections of 1990

(i) Died in custody or soon after their release:

CASE No. MYN/53 - HLA THAN

CASE No. MYN/55 - TIN MAUNG WIN

CASE No. MYN/72 - SAW WIN

CASE No. MYN/83 - KYAW MIN

CASE No. MYN/131 - HLA KHIN

CASE No. MYN/132 - AUN MIN

CASE No. MYN/245 - MYINT THEIN ¹

(ii) Were assassinated:

CASE No. MYN/66 - WIN KO

CASE No. MYN/67 - HLA PE

**Resolution adopted unanimously by the IPU Governing Council at its 192nd session
(Quito, 27 March 2013)**

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 voted into office in the elections of May 1990, and to the resolution it adopted at its 191st session (October 2012),

¹ On 2 April 2008, the Members of Parliament Union-Burma affirmed that Myint Thein had died following his release as his health had been badly impaired by his detention.

Taking into account the letter from the Director General of the Parliament Office, dated 15 March 2013, and the information collected by the IPU Secretary General during his visit to Myanmar on 18 February 2013,

Recalling its long-standing examination of the cases of the former members-elect of the Pyithu Hluttaw and its earlier concerns about violations of their human rights, including undue restrictions on political activity, detention without charge and imprisonment as a result of summary trials,

Recalling that the President of Myanmar amnestied over 600 prisoners in January 2012, including the last five former parliamentarians-elect, so as to “enable them to participate in the political process”; also recalling that, on 11 October 2011, more than 6,000 people had already been released under a previous amnesty, including three former members-elect,

Considering that these releases should be seen as one of an increasing number of steps taken in the past two years by the civilian authorities to foster political dialogue and reform; recalling in this regard the observations of the IPU on-site mission that visited Myanmar from 5 to 9 March 2012 to raise, among other things, outstanding human rights concerns: all the officials encountered expressed the view that the reform process under way in Myanmar was irreversible and that steps were being taken to promote human rights,

Considering that, with respect to the IPU’s earlier concerns in the case, the letter from the Director General of the Parliament Office states that parliament has obtained the following response from the Ministry of Home Affairs:

- 87 former parliamentarians had been tried in court for having violated various laws and had had to serve the prison terms handed down by the courts;
- All these persons have been released by Presidential Order of the new Government on humanitarian grounds;
- Parliament is in the process of amending and repealing laws that do not serve the purpose of reform;
- Parliament was taking steps, with the help of international and national organizations, to improve prison administration procedures and was examining a new Prison Bill;
- Parliament and the government were earnestly collaborating to improve general conditions in the country and for the people and were making steady progress towards that end,

Considering that, in his letter, the Director General of the Parliament Office also states that parliament is willing to do whatever it can under the Constitution to address any pending human rights matters of concern to the IPU,

Considering the following: the Special Rapporteur on the situation of human rights in Myanmar concludes in his report (A/HRC/22/58) of 6 March 2013 that “continuing reforms in Myanmar are resulting in ongoing improvements to the human rights situation. Important changes have taken place, such as legislative reform, but sometimes not to the point where international human rights standards are met”; the report notes the important and evolving role of Myanmar’s parliamentary committees and that the Bills Committees of the Upper and Lower Houses are constitutionally mandated to vet draft legislation and report their findings to the joint session of parliament; it mentions that both Houses also have committees that deal with the fundamental rights outlined in chapter VIII of the Constitution; the Special Rapporteur encourages one of these committees to act as the focal point for ensuring that all new legislation is vetted and therefore in line with Myanmar’s international human rights obligations; the report states that following his meeting with the Attorney General, the Special Rapporteur was encouraged to learn that relevant ministries, the Attorney General’s Office and parliament were considering reforms to a number of laws he had previously highlighted as not being in line with international human rights standards (see A/67/383); the Special Rapporteur reiterates his recommendation that target dates be set for the conclusion of the review, and urges that proper attention be paid to ensuring the amendments successfully bring the laws into line with international human rights standards,

Considering that, in the same report, the Special Rapporteur recommends that the authorities, in addition to enacting a new media law, review the proposed Printing and Publishing Enterprise Law and reform the Electronic Transactions Law (2004), the Motion Picture Law (1996), the Computer Science Development Law (1996), the Television and Video Law (1985), the Printers and Publishers Registration Act

(1962), the Wireless Telegraphy Act (1933), the Emergency Provisions Act (1950), and the State Protection Act (1975), with a view to bringing them into line with international human rights standards,

Considering that the IPU is currently providing a comprehensive programme of assistance to the Myanmar Assembly of the Union,

1. Thanks the Director General of the Parliament Office for his letter;
2. Welcomes the continued efforts being made by the authorities, in particular parliament with regard to legislation, to give effect to human rights in Myanmar;
3. Feels obliged, nevertheless, to reiterate its long-standing view that the former parliamentarians-elect who were detained and sentenced were all political prisoners held on the basis of unjust laws and unfair procedures;
4. Trusts that the parliament of Myanmar, as the State institution representing the people and their interests and therefore guaranteeing their full enjoyment of civil and political rights, will act decisively and speedily so as to review, and if need be repeal, those laws to ensure compliance with international human rights standards; wishes to know whether parliament has established, as suggested by the Special Rapporteur, a time-line for undertaking this review; calls on parliament to ensure more specifically that the necessary regulatory and legislative framework is in place to protect members of parliament in their work; suggests that the IPU help ensure that this is taken into account in the ongoing capacity-building assistance it provides to parliament;
5. Recalls that seven former parliamentarians-elect died in prison or shortly after their release as a result of their conditions of detention and that two were assassinated without their murders ever having been elucidated, a situation that it deplores; recalls the importance of the principles of truth, justice and reconciliation and sincerely hopes that the Myanmar authorities, in particular the Assembly of the Union, will seek to translate these principles into action; trusts that the new Prison Act will ensure that prisoners are treated in full accordance with international norms; wishes to receive a copy of the legislative proposal and to be kept informed of progress towards its adoption;
6. Requests the Secretary General to convey this resolution to the parliamentary authorities and to the source;
7. Requests the Committee to continue examining this case and to report back to it in due course.

CASE No. PAL/17 - NAYEF AL-ROJOUR) PALESTINE / ISRAEL
CASE No. PAL/18 - YASER MANSOUR)
CASE No. PAL/20 - FATHI QARAWI)
CASE No. PAL/21 - EMAD NOFAL)
CASE No. PAL/28 - MUHAMMAD ABU-TEIR)
CASE No. PAL/29 - AHMAD ATTOUN)
CASE No. PAL/30 - MUHAMMAD TOTAH)
CASE No. PAL/32 - BASIM AL-ZARRER)
CASE No. PAL/48 - MAHMOUD AL-RAMAHI)
CASE No. PAL/57 - HASAN YOUSEF)
CASE No. PAL/60 - AHMAD MUBARAK)

**Resolution adopted unanimously by the IPU Governing Council at its 192nd session
(Quito, 27 March 2013)**

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, and to the resolution it adopted at its 191st session (October 2012),

Taking into account the letter of 6 January 2013 from the Diplomatic Advisor to the Speaker of the Knesset and the report of 11 March 2013 by the delegation of the Committee on Middle East Questions on its mission to Israel and Palestine,

Recalling the following: the parliamentarians concerned were elected to the Palestinian Legislative Council on the Electoral Platform for Change and Reform and arrested following the kidnapping of an Israeli soldier on 25 June 2006; they were prosecuted and found guilty of membership of 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,

Also recalling that, while most of the parliamentarians concerned were released after serving their sentences, many were subsequently rearrested, sometimes several times, and placed in administrative detention,

Considering that the letter from the Diplomatic Advisor to the Speaker of the Knesset states that the following five members of the Palestinian Legislative Council are currently in administrative detention and provides the following details in this regard:

- Mr. Basim Al-Zarrer was arrested on 22 November 2012; the Military Commander issued an order that he be placed in administrative detention for a period of six months, until 22 May 2013; the administrative order was presented for judicial review on 28 November and 5 December 2012; on 5 December, Mr. Al-Zarrer's attorney, Mr. Fadi Kawasme, asked the Court to postpone the review since he intended to suggest an alternative to arrest to the relevant authorities; it appears that a decision on the order is pending;
- Mr. Fathi Qarawi was arrested on 23 November 2012; the Military Commander issued an order that he be placed in administrative detention for a period of three months, from 3 December 2012 to 23 February 2013; according to the Israeli authorities, Mr. Qarawi is a member of the Reform and Change Party, which is a faction of Hamas; the administrative order was presented for judicial review before a military judge on 10 December 2012 and approved for the whole period; Mr. Qarawi has appealed the decision;
- Mr. Nayef Al-Rojoub was arrested on 5 December 2010; since then, a number of orders have been issued for his administrative detention and subsequently approved in judicial reviews; according to the Israeli authorities, the most recent order was issued for a period of six months, until 27 May 2013, since new information had been received that Mr. Al-Rojoub, who is a senior Hamas member, continues to organize and order the execution of terrorist activities endangering public security from his cell; the administrative order was presented for judicial review on 4 December 2012; on that date, the judge decided to shorten the order, which will now expire on 27 March 2013;
- Mr. Mahmoud Al-Ramahi was arrested on 22 November 2012; the Military Commander issued an order that he be placed in administrative detention for a period of six months, from 25 November 2012 to 22 May 2013; according to the Israeli authorities, Mr. Al-Ramahi is a senior Hamas member involved in prominent and recent activities that constitute a clear and immediate threat to public and regional security; the order was presented for judicial review on 28 November 2012 and approved for the whole period;
- Mr. Yaser Mansour was arrested on 24 November 2012; the Military Commander issued an order that he be placed in administrative detention for a period of six months, from 26 November 2012 until 24 May 2013; the Israeli authorities affirm that Mr. Mansour is a senior Hamas member currently involved in Hamas activities and thus endangers public and regional security; the administrative order was presented for judicial review on 29 November 2012 and approved for the whole period,

Considering that the letter from the Diplomatic Advisor to the Speaker of the Knesset states that criminal indictments have been issued against the following three members of the Palestinian Legislative Council and provides the following information in this regard:

- Mr. Hasan Yousef was arrested in July 2012 and a criminal indictment issued against him; according to the Israeli authorities, Mr. Yousef is charged with being a member of and active in Hamas: in September 2011, he allegedly started attempting to establish a sub-committee of Hamas leaders in the Ramallah area, in order to revive and strengthen the organization's activities in the West Bank;
- Mr. Ahmad Mubarak was arrested in July 2012 and a criminal indictment issued against him; according to the Israeli authorities, Mr. Mubarak is charged with being a member of and active in the above-mentioned sub-committee and with providing assistance to Hamas;
- Mr. Emad Nofal was arrested on 22 November 2012; the Military Commander issued an order that he be placed in administrative detention for a period of six months, from 26 November 2012 to 22 May 2013; according to the Israeli authorities, Mr. Nofal is a senior Hamas member and a member of the outlawed Atslah WaTa'ir party, which is part of Hamas; the Israeli authorities affirm that Mr. Nofal conducted various activities on behalf of Hamas; the administrative order was presented for judicial review on 3 December 2012; however, according to the Israeli authorities, it was then decided to file criminal charges against Mr. Nofal since the prosecutor held that unclassified information made this possible; on 6 December 2012, an indictment was issued against Mr. Nofal and he was charged with participating in an assembly of an unlawful association; according to the indictment, in 2011 he participated in an illegal Hamas parade in the Qalqilia area; he has been remanded in custody until the end of the criminal proceedings;

Considering the following information provided in the past by the Israeli authorities and the source, as well as by the Diplomatic Advisor to the Speaker of the Knesset in his latest communication, with regard to the use of administrative detention:

- The Israeli Supreme Court has ruled that the exceptional measure of administrative detention, which is usually ordered for six months but can in fact be prolonged indefinitely, can only be applied if there is current and reliable information to show that the person poses a specific and concrete threat or if the confidential nature of the intelligence and the security of the sources prohibit the presentation of evidence in an ordinary criminal procedure; there are two avenues of judicial review, namely the independent and impartial military courts, which have the authority to assess the material relevant to the detainee in question 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, and military prosecution, which implements a "cautious and level-headed" policy in the use of administrative detention, an approach that has resulted in fewer administrative detention orders;
- In his letter of 4 January 2012, the Speaker of the Knesset stressed that those detained had the right to appeal their detention or other aspects of their case before an instance of appeal within the military justice system and to petition Israel's Supreme Court;
- In his letter of 6 January 2013, the Diplomatic Advisor to the Speaker of the Knesset stated that due process was strictly adhered to by all Israeli authorities and that all relevant information was presented to the courts before decisions were taken concerning any individual; he underlined that in 2012 Israel had significantly decreased the number of people held in administrative detention in general and of Hamas PLC members in particular; in the previous six months, it had released 18 Hamas PLC members from administrative detention; as of 31 December 2012, only five Hamas PLC members were being held in administrative detention;
- Human rights organizations in and outside Israel have repeatedly stressed that administrative detention is usually motivated by a "security threat", but that the scope and nature of the threat are not specified and the evidence is not disclosed; although administrative detainees are entitled to appeal, this right is ineffective as the detainees and their lawyers do not have access to the information on which the orders are based and are therefore unable to present a meaningful defence,

Considering that, during the mission by the delegation of the Committee on Middle East Questions to Israel and Palestine, an invitation was extended to the Committee on the Human Rights of Parliamentarians to observe the legal proceedings in one or more cases of administrative detention of PLC

members directly; considering also that the legal situation of the PLC members in Israeli detention was raised during a meeting between Ms. Margret Kiener Nellen, substitute member of the Committee, and the Israeli Ambassador to Switzerland,

Recalling the following information on file with regard to the revocation of the residence permits of three PLC members: in May 2006, the then Israeli Minister of the Interior revoked the Jerusalem residence permits of Mr. Muhammad Abu-Teir, Mr. Muhammad Totah and Mr. Ahmad Attoun, arguing that they had shown disloyalty to Israel by holding seats in the Palestinian Legislative Council; the order was not implemented owing to their arrest in June 2006; after their release in May/June 2010, the three men were immediately notified that they had to leave East Jerusalem; Mr. Abu-Teir was ordered to leave by 19 June 2010 and, refusing to do so, 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, took refuge in the International Committee of the Red Cross (ICRC) building in Jerusalem, from which they were removed by the Israeli authorities on 26 September 2011 and 23 January 2012, respectively; it appears that Mr. Totah has been remanded in custody since then; in response to a petition against the revocation of the residence permits and the deportation orders to the Supreme Court, on 23 October 2011 the Court asked the government to respond within 30 days to the claim that the Minister of the Interior did not have legal authority to revoke a residence permit; considering that, according to the letter from the Diplomatic Advisor to the Speaker of the Knesset, after several delays, the government submitted its response in July 2012 and the next hearing was scheduled for 16 January 2013,

Bearing in mind, lastly, that, in its concluding observations on the third periodic report of Israel under the International Covenant on Civil and Political Rights,² the United Nations 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,

Considering that parliamentary elections were held in Israel on 22 January 2013,

1. Thanks the Diplomatic Advisor to the Speaker of the Knesset for the extensive information provided in his letter;
2. Would appreciate receiving a copy of the indictments in the cases of the three PLC members who, according to the Israeli authorities, are subject to criminal prosecution, so as to understand the facts underpinning the charges; notes that the latter are primarily related to membership of and activity in Hamas; recalls in this regard its previous concerns that the PLC members who were sentenced shortly after the 2006 elections were not convicted on specific criminal charges but rather on account of their political affiliation;
3. Wishes to know if, as reported by the sources, Mr. Totah is also being prosecuted and, if so, on what grounds;
4. Acknowledges that the Israeli authorities have greatly diminished the use of administrative detention; is nevertheless concerned that five PLC members remain detained under administrative orders; wonders how Mr. Al-Rojoub can continue to organize and execute terrorist activities from his cell; wishes to receive clarification on this point; wishes to know also if Mr. Al-Zarrer remains in administrative detention, as his lawyer had proposed an alternative;
5. Remains keen to understand how, in cases of administrative detention, which often rely on classified evidence, those held in detention can fully benefit from due process in practice and can effectively challenge their deprivation of liberty, as the authorities affirm; appreciates, therefore, the invitation to attend one or more judicial reviews in the cases of PLC members in administrative detention; requests the Secretary General to make the necessary arrangements for a Committee member to attend one or several review hearings;

² CCPR/C/ISR/CO/3.

6. Reiterates its concerns about the decision to revoke the residence permits of three PLC members and how it was implemented; considers that the revocation is at odds with the Hague Convention (IV) of October 1907, which is considered to enshrine rules of customary international law and Article 45 of which stipulates that the inhabitants of occupied territory, such as East Jerusalem, may not be compelled to swear allegiance to the occupying power; sincerely hopes that the Supreme Court will rule on the petition speedily, taking full account of Israel's international obligations, and wishes to be kept informed in this regard;
 7. Requests the Secretary General to convey this resolution to the new Israeli parliamentary authorities and the sources, inviting them to provide the requested information;
 8. Requests the Committee to continue examining this case and to report back to it in due course.
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CASE No. TH/183 - JATUPORN PROMPAN - THAILAND

Resolution adopted unanimously by the IPU Governing Council at its 192nd session (Quito, 27 March 2013)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Jatuporn Prompan, a former member of the House of Representatives of Thailand, and to the resolution it adopted at its 191st session (October 2012),

Taking into account the information provided by the Secretary General of the House of Representatives in his letter of 15 February 2013 and by the source on 23 March 2013,

Recalling the following:

- Mr. Jatuporn, a leader of the United Front for Democracy against Dictatorship (UDD) and at the time a member of the House of Representatives, played a prominent role in the "Red Shirt" demonstrations that took place in central Bangkok between 12 March and 19 May 2010; in the weeks following the demonstrations, Mr. Jatuporn and his fellow UDD leaders were officially charged with participating in an illegal gathering that contravened the state of emergency declared by the government and with terrorism in relation to arson attacks on several buildings that took place on 19 May 2010, when the UDD leaders had already been taken into police custody; Mr. Jatuporn was quickly released on bail thereafter;
- On 10 April 2011, Mr. Jatuporn took the stage during the commemoration organized at the Democracy Monument in Bangkok to mark the first anniversary of the government's response to the Red Shirt demonstrations; in his speech, he criticized the then government and the Royal Thai Army for using the pretext of "protecting the monarchy" to criminalize the Red Shirt movement and kill its members the year before; Mr. Jatuporn also criticized the Constitutional Court for sparing the Democrat Party from dissolution, making reference to leaked video recordings that showed some of the justices colluding with party officials; following this, representatives of the Royal Thai Army filed a complaint alleging that Mr. Jatuporn had committed lese-majesty in his speech; the Department of Special Investigations (DSI) asked the Criminal Court to revoke his bail following the complaint, which it did on 12 May 2011; Mr. Jatuporn was subsequently held in Bangkok Remand Prison until 2 August 2011; the DSI subsequently dismissed the charge and the case was referred to the Office of the Attorney General for consideration on 17 January 2012;
- A week after the revocation of his bail, Mr. Jatuporn's name was included on the party list submitted by Pheu Thai for the legislative elections to be held on 3 July 2011; the Election Commission endorsed the list after verifying that the candidates met the required legal conditions; in advance of the elections, Mr. Jatuporn's lawyers repeatedly filed motions requesting that the Criminal Court grant bail or temporary release to allow him to vote; the

requests were denied and Mr. Jatuporn was thereby prevented from exercising his right to vote; according to the source, his failure to cast a vote was immediately seized upon by the opposition as evidence that he was not qualified to sit in parliament; at first, the Election Commission certified the election results, allowing Mr. Jatuporn to be sworn in as a member of the new House of Representatives, which first met on the day of his release; in late November 2011, however, the Election Commission ruled by a 4-1 vote that Mr. Jatuporn should be disqualified as a member of parliament and asked the Speaker of the House of Representatives to refer the case to the Constitutional Court for a final ruling;

- On 18 May 2012, the Constitutional Court ruled that Mr. Jatuporn's detention on election day, and consequent failure to vote in the election, disqualified him from serving as a member of parliament; it reasoned that Mr. Jatuporn was prohibited from voting under Article 100(3) of the 2007 Constitution, which specifies that "being detained by a warrant of the Court or by a lawful order" on election day was one of the prohibitions leading to disenfranchisement, and that this in turn meant that he had automatically lost his membership of his political party under the 2007 Organic Act on Political Parties; the loss of party membership was the basis (under Articles 101(3) and 106(4) of the Constitution) on which he was disqualified from sitting in the House of Representatives,

Recalling that the source affirms that the charges against Mr. Jatuporn are entirely inapposite, that the specific charge of participation in an illegal gathering stemmed from the previous government's unlawful use of emergency powers, and that the terrorism charges on which Mr. Jatuporn and other Red Shirt leaders were indicted in August 2010 are politically motivated, but that, while the Red Shirts were accused by the government of committing various acts of violence, there exists no evidence that their leaders played a role in planning the attacks, or even knew about them; considering that hearings will be held twice a week in the criminal case between 19 April and July 2013,

Recalling further that Mr. Jatuporn was sentenced on 10 July and 27 September 2012 respectively in two criminal cases to two six-month prison sentences (with a two-year suspension) and fines of 50,000 baht on charges of defaming then Prime Minister Abhisit Vejjajiva, but that an appeal is pending in both cases; bearing in mind that the United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression repeated in his report (A/HRC/17/27 of 16 May 2011) the call for all States to decriminalize defamation,

Bearing in mind that Thailand is a party to the International Covenant on Civil and Political Rights and therefore obliged to protect the rights enshrined therein,

Considering that, on 1 April 2013, the House of Representatives will start debating changes to the Constitution that are expected to affect inter alia the legal framework governing political parties and their dissolution; recalling that the source fears that Mr. Jatuporn's disqualification may be used by his party's opponents to argue that the governing Pheu Thai party "inappropriately endorsed" Mr. Jatuporn's candidacy, and that Mr. Jatuporn's inclusion on the party's slate of candidates therefore caused the election to be conducted in a "dishonest and unfair manner" and that his party therefore should be dissolved,

1. Thanks the Secretary General of the House of Representatives for his letter and cooperation;
2. Reaffirms its view that the letter does not dispel its concerns that Mr. Jatuporn was disqualified on grounds that appear directly to contravene Thailand's international human rights obligations;
3. Considers that, although the Thai Constitution specifically provides for the disenfranchisement of persons "detained by a lawful order" on election day, preventing those accused of a crime from exercising the right to vote is at odds with the provisions of the International Covenant on Civil and Political Rights, Article 25 of which guarantees the right to "take part in the conduct of public affairs" and "to vote and to be elected at genuine periodic elections" without "unreasonable restrictions";
4. Considers in this regard that denying an incumbent member of parliament temporary release from prison to exercise the right to vote is an "unreasonable restriction", particularly in the light of the Covenant's provisions guaranteeing persons accused of a crime the right to be presumed

innocent (Article 14) and “separate treatment appropriate to their status as unconvicted persons” (Article 10(2)(a)); points out that Mr. Jatuporn’s disqualification also appears to run counter to the spirit of Article 102(4) of the Thai Constitution, which stipulates that only those convicted, not those accused, of a crime lose their right to stand for election once a candidacy has been submitted;

5. Remains likewise concerned that Mr. Jatuporn’s political party membership was terminated at a time when it had not been established that he had committed any wrongdoing and on account of a speech that appeared to fall within the exercise of his right to freedom of expression; remains also concerned that the courts can rule on the question of party membership when this is first and foremost a private matter between Mr. Jatuporn and his party and there was no dispute between them on the question;
6. Sincerely hopes that, in the light of the above, the competent Thai authorities will do everything possible to reconsider Mr. Jatuporn’s disqualification and ensure that all current legal provisions are in line with the relevant international human rights standards; wishes to be kept informed of the consequences of the constitutional amendment process in this regard;
7. Remains concerned about the alleged legal basis for and facts adduced to substantiate the charges pending against Mr. Jatuporn and about the possibility that the court may order his return to preventive detention; wishes to receive a copy of the charge sheet; considers that, in the light of the concerns in the case, it would be useful to send a trial observer to the proceedings, and requests the Secretary General to make the necessary arrangements;
8. Remains concerned that Mr. Jatuporn was prosecuted, sentenced and convicted on charges of defamation; concurs in this regard with the recommendation made by the United Nations Special Rapporteur that defamation should not be considered an offence under criminal law; wishes to ascertain, therefore, whether the Thai authorities are contemplating reviewing the existing legislation with this in mind; wishes to receive a copy of the first-instance rulings and to be kept informed of the appeal proceedings;
9. Considers that the present case has ramifications that go well beyond the situation of Mr. Jatuporn alone and concerns the constitutional and institutional relationship between the House of Representatives and the courts; requests the Secretary General to visit Thailand with a view to raising this matter with the competent parliamentary, executive and judicial authorities and exploring the possibility of IPU assistance in this area;
10. Requests the Secretary General to convey this resolution to the competent authorities and to the source;
11. Requests the Committee to continue examining this case and to report back to it in due course.

CASE No. YEM/02 - AHMED SAIF HASHED - YEMEN

Resolution adopted unanimously by the IPU Governing Council at its 192nd session (Quito, 27 March 2013)

The Governing Council of the Inter-Parliamentary Union,

Having before it the case of Mr. Ahmed Saif Hashed, an opposition member of the Parliament of Yemen, which has been examined by the Committee on the Human Rights of Parliamentarians, pursuant to the Procedure for the treatment by the Inter-Parliamentary Union of communications concerning violations of the human rights of members of parliament,

Considering that, according to the sources, Mr. Hashed has, on account of his human rights work, been the target of repeated threats and constant harassment,

Taking into account the letter from the Secretary General of the House of Representatives, dated 20 February 2013, and the information provided by the source in February and March 2013,

Considering the following information on file: on 12 February 2013, Mr. Hashed was attacked and seriously wounded by five soldiers as he and others took part in a sit-in outside the Council of Ministers office to demand appropriate consideration under the law for injuries sustained during the demonstrations in 2011; according to the source, Mr. Hashed started losing his balance after having been struck twice on the head by the soldiers; the source affirms that protesters then tried to intervene to help Mr. Hashed but suffered the same treatment and that the soldiers again tried to grab Mr. Hashed but were blocked by protesters who had moved between them and him; the soldiers then threw tear gas canisters at the crowd; according to the source, Mr. Hashed narrowly escaped with his life thanks to the help of protesters who covered him with a blanket and rushed him to an ambulance; the office guards were also deployed to help him and allow the ambulance to reach him; Mr. Hashed was taken for treatment to the intensive care unit at a hospital in Sana'a,

Considering that the attack came after Amnesty International had issued a public warning on 6 February 2013 against the use of unlawful force against protesters,

Considering that, according to the source, the incident was not simply an attack but an attempt on Mr. Hashed's life orchestrated by high-level officials, including the Interior Minister and the head of the Central Security Organization, in view of the following:

- The five anti-riot soldiers who perpetrated the attack were affiliated to the Interior Ministry;
- Although they had never been to the sit-in area during the two previous weeks of protests, the five soldiers started surveying it early in the morning, while the protesters were still asleep, according to the source's photo evidence; the anti-riot forces deployed usually remained inside their vehicles and did not approach the protesters;
- On 12 February, the five soldiers approached and repeatedly provoked the protesters, especially the women, with verbal insults; according to the source, there is photographic and eyewitness evidence of this;
- The face of one of the five soldiers, possibly the one who took the lead in the attack was covered; he was standing in front of the radio station before the incident, but then moved to the side where the protesters were;
- A senior anti-riot officer, Brigadier-General Almaqdashi, met with the five soldiers in front of the office about half an hour before the incident;
- After Mr. Hashed lodged a complaint against the Interior Minister and the head of the Central Security Organization, the latter visited him in hospital and asked him to withdraw his accusations,

Considering that, according to the Secretary General of the House of Representatives, the government has expressed deep regret for the assault on Mr. Hashed and, following a call from the Prime Minister, the public prosecutor and the Interior Minister set up a panel of inquiry headed by the Ministry's under-secretary to investigate the attack as soon as possible and to make its findings public and submit them to the public prosecutor,

Considering that the source does not believe that the panel of inquiry, in its current composition, can establish the facts independently since the Interior Minister, who is the highest-level suspect in the attack, is involved in the investigation and both the Interior Minister and the head of the Central Security Organization, according to source, were still refusing to cooperate with the judicial authorities one month after the panel's establishment,

Considering the following: the source fears that the attack on Mr. Hashed will remain unpunished and has indicated, in that regard, that under the law the judicial authorities are obliged to collect evidence and refer defendants and suspects to the prosecution within 24 hours; this did not happen in this case; on 23 March 2013, Mr. Hashed started a sit-in inside the House of Representatives, demanding that the perpetrators of the assassination attempt be brought to justice and protesting against the refusal of the head of the Central Security Organization and the Interior Minister to respond to the public prosecutor's official request that they hold the culprits to account, and against the House of Representatives' failure to question the Interior Minister on the case,

1. Thanks the Secretary General of the House of Representatives for his communication and cooperation;
2. Is deeply concerned that Mr. Hashed was brutally attacked in the course of a peaceful protest and that some of those who tried to help him were likewise assaulted; is particularly concerned at the allegations that the attack was premeditated and carried out with the acquiescence or at the instigation of senior State officials;
3. Is pleased that the authorities swiftly condemned the attack and set up a panel of inquiry to shed light on how it occurred and establish accountability for it;
4. Is deeply worried nevertheless that the persons who are directly in charge of overseeing the work of the panel of inquiry are also accused of being the instigators of the attack; considers that the panel's failure to produce its report and bring about the arrest of the attackers, even though the incident occurred in the presence of multiple witnesses, and the alleged refusal to cooperate with the public prosecutor lend weight to the claim that the investigation is not independent;
5. Urges the authorities to do everything required to ensure that the attack on Mr. Hashed is fully investigated and that the culprits, including the instigators, are held to account; considers in this respect that, in the continued absence of any results by the panel of inquiry, the public prosecutor should be allowed to take direct charge of the investigation; wishes to receive the observations of the authorities on this point;
6. Considers that parliament has a particular interest in making sure that the attack on one of its members is properly investigated and sanctioned; wishes to know what steps parliament is taking to monitor the investigation, including by questioning the Interior Minister, as suggested by Mr. Hashed;
7. Requests the Secretary General to convey this resolution to the parliamentary authorities and to the source;
8. Requests the Committee to continue examining this case and to report back to it in due course.

CASE No. BLS/05 - VICTOR GONCHAR - BELARUS

Resolution adopted unanimously by the IPU Governing Council at its 192nd session (Quito, 27 March 2013)

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, and to the resolution it adopted at its 190th session (April 2012),

Recalling, among the extensive information on file, the following:

- The investigation into the disappearance of Mr. Gonchar and Mr. Krasovsky after they had been abducted has thus far yielded no results, and the authorities have consistently refuted the conclusions of a report by the Parliamentary Assembly of the Council of Europe into disappearances for allegedly political reasons in Belarus (Pourgourides report), which linked senior officials to the disappearances of Mr. Gonchar and Mr. Krasovsky; the evidence collected by Mr. Pourgourides to this effect includes a handwritten document from the then police chief, General Lapatik (the authenticity of which the Belarusian authorities have acknowledged), in which General Lapatik accuses Mr. V. Sheyman, then Secretary of the Belarusian Security Council, of having ordered the killing of Mr. Zakharenko, a former Minister of the Interior, and states that the order was carried out by a special task force (SOBR unit) commanded by Colonel

Pavlishenko, with the assistance of the then Minister of the Interior, Mr. Sivakov, who provided Colonel Pavlishenko with an official pistol, temporarily removed from SIZO-1 prison, for the execution; the same method was reportedly used in the executions of Mr. Gonchar and Mr. Krasovskiy;

- According to the results of the initial investigation by the Belarusian authorities, Mr. Gonchar and Mr. Krasovskiy were abducted by an organized armed group and taken away by car to an undisclosed location; the traces of blood discovered at the crime scene proved to be the blood of Mr. Gonchar; witnesses were found to the abduction; in November 2000, after the mass media reported the alleged implication of senior State officials, the Prosecutor General, the KGB Chairman and his deputy as well as officials involved in the investigation were removed and Mr. Sheyman,³ the main suspect at the time in the case, was appointed Prosecutor General; according to the sources, it was at that time that the investigation started to drag and two volumes disappeared from the investigation file;
- In an interview President Lukashenko gave on 10 June 2009 to the Russian newspaper *Zavtra*, he stated that the cases of Mr. Gonchar and Mr. Krasovskiy “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. Krasovskiy 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 Russian TV channel and was also available in Belarus; the film dealt inter alia with the involvement of State authorities in the disappearance of politicians, including Mr. Gonchar; no response has been received to an application made to the Prosecutor General to investigate the evidence presented in the documentary,

Taking into consideration that, according to the letter dated 8 January 2013 from the Chairman of the House of Representatives Standing Committee on National Security, who was appointed after the September 2012 legislative elections in Belarus, the Standing Committee was informed by the General Prosecutor’s Office that the case of the disappearance of Mr. Gonchar and Mr. Krasovskiy had been transferred from the Minsk City Prosecutor’s Office to the new Investigative Committee of the Republic of Belarus, which was established on 1 January 2012 and was now in charge of conducting the preliminary investigation under the oversight of the General Prosecutor’s Office and pursuant to an additional investigation plan; in his letter, the Chairman further indicated that the investigation had once more been extended, this time until 24 March 2013, but, yet again, provided no new information, and in particular no response to or observations on the specific questions and considerations long raised in previous resolutions; the Chairman merely reiterated that various lines of investigation were being pursued, that no details regarding the investigation could be revealed before the investigation was closed, and that the House of Representatives lacked supervisory authority over the Prosecutor General’s Office, thereby precluding any possibility of studying the case material being investigated by the Office,

Noting that, in April 2012, the United Nations Human Rights Committee established under the International Covenant on Civil and Political Rights issued its decision on the merits of the application filed by Mrs. Krasovskiy and her daughter regarding the disappearance of Mr. Krasovskiy,

Considering that the Human Rights Committee concluded that Belarus had violated its obligation to investigate properly and take appropriate remedial action regarding Mr. Krasovskiy’s disappearance and requested Belarus to provide the victims thereof with an effective remedy, including a thorough and diligent investigation and prosecution and punishment of the perpetrators, that the Human Rights Committee further required Belarus to provide adequate information concerning the results of the investigation, as well as adequate compensation to the authors of the complaint, and that Belarus was given 180 days by the Human Rights Committee to submit information about the measures taken pursuant to its decision,

³ Following heavy criticism of his appointment, including in a joint statement issued by the Committee on Legal Affairs of the Parliamentary Assembly of the Council of Europe and the IPU Committee on the Human Rights of Parliamentarians, Mr. Sheyman was later removed from this post.

1. Thanks the Chairman of the Standing Committee on National Security for his letter;
2. Points out that the decision by the United Nations Human Rights Committee in the case of Mr. Krasovsky confirms its own long-standing concerns about the absence of an effective investigation into both disappearances and the secrecy in which the investigation has been shrouded from the beginning;
3. Trusts, therefore, that the authorities, as is their obligation, have fully complied with the Human Rights Committee's decision and wishes to be informed of the measures taken; expects that the authorities will leave no stone unturned in shedding full light on this crime, notably by thoroughly investigating the many leads and concerns that have emerged thus far, in particular in the report of the Parliamentary Assembly of the Council of Europe; is therefore keen to know how the additional investigation plan will examine these leads and concerns; further assumes that the authorities have informed Mr. Gonchar's family, as the United Nations Human Rights Committee has required them to do in the case of Mr. Krasovsky's family, about the results of the investigation; wishes to receive confirmation thereof;
4. Firmly believes that the serious conclusions reached by the Human Rights Committee should prompt the House of Representatives to do everything possible to help ensure that an effective investigation is indeed carried out; urges the House of Representatives to do this, in particular by insisting on obtaining specific information regarding the leads being pursued and any progress made in the investigation;
5. Considers that a visit to Belarus by a delegation of the Committee on the Human Rights of Parliamentarians would offer a timely opportunity to obtain first-hand information on the current state of the investigation and the prospects for progress in the case; requests the Secretary General to seek the authorities' agreement for the visit;
6. Requests the Secretary General to convey this resolution to the parliamentary authorities and to the sources;
7. Requests the Committee to continue examining this case and to report back to it in due course.

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

**Resolution adopted unanimously by the IPU Governing Council at its 192nd session
(Quito, 27 March 2013)**

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, and to the resolution it adopted at its 190th session (April 2012),

Recalling the following information on file 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 men, Mr. Akishin and Mr. Kolchin, 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; there are open national and international arrest warrants for three other individuals,

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 the Russian Federation “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),

Recalling the information that Mr. Sergey A. Gavrilov, a member of the Russian delegation, provided to the Committee on the Human Rights of Parliamentarians at the hearing held during the 126th IPU Assembly (Kampala, March-April 2012):

- It was very difficult to identify the masterminds behind Ms. Starovoitova’s murder, which had to be seen in the context of her political activism; after it became possible, in 2006, for convicts to obtain reduced sentences in exchange for cooperation in providing essential information about unresolved crimes, Mr. Kolchin had cooperated to help advance the recently resumed investigation into Ms. Starovoitova’s murder; as a result, the authorities had been able to identify Mr. Mikhael Glushchenko, a former member of parliament and a businessman involved in large-scale criminal activities, as the presumed mastermind; Mr. Glushchenko was now a formal suspect in the investigation into Ms. Starovoitova’s murder and had been found guilty of extortion and sentenced to a long term in prison, which he was currently serving;
 - The State Duma was fully committed to shedding light on and establishing accountability for Ms. Starovoitova’s murder and had set up an anti-corruption and security committee that was monitoring the case and enquiring of the Prosecutor General’s Office about further developments; it should be possible to communicate further information on the investigation and proceedings to the IPU in the coming months,
1. Wishes to receive information on any judicial developments in the case since the Committee’s meeting with a member of the Russian delegation during the 126th IPU Assembly (Kampala, March-April 2012);
 2. Trusts that the pursuit of justice in this case continues to make progress towards identifying the mastermind(s) behind Ms. Starovoitova’s murder; reaffirms its conviction that the State Duma’s continued interest in the case of a former colleague killed for having exercised her right to freedom of speech is critical to helping ensure that justice is done;
 3. Looks forward to receiving information about further developments in the investigation, the start of trial proceedings and the continued monitoring of the case by the State Duma, in particular its specialized committee; is particularly interested to know if the results obtained thus far in the investigation show whether Mr. Glushchenko masterminded the crime on his own or with the help of accomplices;
 4. Requests the Secretary General to bring this resolution to the attention of the parliamentary authorities and the source;
 5. Requests the Committee to continue examining this case and to report back to it in due course.

TURKEY

CASE No. TK/41 - HATIP DICLE

CASE No. TK/67 - MUSTAFA BALBAY

CASE No. TK/68 - MEHMET HABERAL

CASE No. TK/69 - GÜLSER YILDIRIM (Ms.)

CASE No. TK/70 - SELMA IRMAK (Ms.)

CASE No. TK/71 - FAYSAL SARIYILDIZ

CASE No. TK/72 - IBRAHIM AYHAN

CASE No. TK/73 - KEMAL AKTAS

CASE No. TK/74 - ENGIN ALAN

Resolution adopted unanimously by the IPU Governing Council at its 192nd session (Quito, 27 March 2013)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of the above-mentioned Turkish parliamentarians, elected in the June 2011 parliamentary elections, and to the resolution it adopted at its 191st session (October 2012),

Taking into account the letter of 18 March 2013 from the President of the Turkish IPU Group,

Recalling that Mr. Balbay and Mr. Haberal were elected on the list of the Republican People's Party, Mr. Alan on the list of the National Action Party and the six others as members of the pro-Kurdish Peace and Democracy Party, that the persons in question were all certified by the Supreme Election Board (YSK) while in detention as eligible candidates for the legislative elections, and that, once elected, their petitions for release to enable them to take up their parliamentary duties were rejected by the competent courts,

Considering the following information on file on their individual situations:

- **Regarding Mr. Balbay:**

Mr. Balbay was reportedly arrested at the beginning of 2009 and is being prosecuted on charges of being a member of an organization, Ergenekon, conspiring to destabilize and overthrow the ruling Justice and Development Party. The source affirms that he was the Ankara correspondent for Cumhuriyet, a long-running daily in Turkey, that he was a well-known critic of the government, and that he had been briefly detained in July 2008. Although he stopped working at the newspaper, the source affirms that he continued to criticize the government and was again arrested in 2009 on the grounds that the police had recovered previously deleted data in the computer seized during his first arrest. According to the source, the information obtained is nothing more than journalistic notes, which Mr. Balbay had already published in his books.

- **Regarding Mr. Haberal:**

Mr. Haberal was reportedly arrested around the same time as Mr. Balbay and faces the same charges. According to the source, Mr. Haberal is a physician and is well-known for his social work. It affirms that the prosecutor accuses him of using his meetings to discuss plans to overthrow the government. According to the source, these meetings were no more than brainstorming exercises attended by politicians, including two MPs from the governing party, and civil servants.

- **Regarding Mr. Alan:**

Mr. Alan was prosecuted as part of the "Sledgehammer case", which is the name of an alleged Turkish [secularist military coup](#) plan reportedly dating back to 2003. A judgement was handed down in this case on 21 September 2012. Mr. Alan was convicted and sentenced to a prison term of 18 years.

- **Regarding Ms. Yildirim, Mr. Ayhan, Mr. Aktas, Ms. Irmak and Mr. Sariyildiz:**

The five independent parliamentarians are all being prosecuted for crimes against the constitutional order, in particular membership of the Kurdish Communities Union (KCK), said to be the urban wing of the Kurdistan Workers Party (PKK). They were reportedly arrested between December 2009 and April 2010, with the exception of Mr. Ayhan, who was arrested in October 2010.

- **Regarding Mr. Dicle:**

- Mr. Dicle has been in detention since December 2009 in relation to the KCK case.
- He was convicted and sentenced in 2009 at first instance to a prison sentence of one year and eight months, pursuant to Article 7/2 of the Anti-Terror Law, in connection with a statement he made to the ANKA news agency in October 2007 with respect to the unilateral ceasefire declared by the PKK in 2006 and to the subsequent reportedly intensified attacks by the army. Mr. Dicle reportedly stated, "... this ceasefire has become invalid. The PKK will use its legitimate right of defence unless the army stops the operations."
- The Supreme Court of Appeals upheld the judgement on 22 March 2011. After registering the criminal record, the ruling was submitted to the YSK on 9 June 2011. The President of the Turkish IPU Group affirms that, at that point, under the Electoral Law, the YSK was no longer in a position to make any changes to the final list of candidates for the elections, which explains why it was possible for Mr. Dicle to stand but his election subsequently invalidated.
- Mr. Dicle, whose seat has been attributed to a member of the ruling party, has submitted a petition to the European Court of Human Rights alleging that his rights under the European Convention on Human Rights have been violated,

Recalling that the sources raised serious questions with respect to all nine cases about the length of the proceedings, which appeared not to be advancing and in which many of the accused had not yet been able to present their defence, and affirmed that no concrete facts had been presented to justify the preventive detention decisions,

Also recalling that the sources affirmed that some of the evidence against the accused has been fabricated by the investigators, that most of the accused had been detained on the basis of unsigned anonymous letters and that the computers of the accused had been tampered with; further recalling that the sources also affirmed that all the accused were known to be in opposition to the present government, that the government fully controlled the Supreme Board for Judges and Prosecutors in charge of the judicial system, and that there had been direct political interference in the cases,

Considering the extensive information on the ongoing judicial cases provided by the President of the Turkish IPU Group during a hearing with the Committee at the 127th IPU Assembly (Quebec, October 2012) and in the letter dated 18 March 2013, including the following:

- The Ergenekon and Sledgehammer cases have to be seen against the background of repeated interference, including coups d'état, by the military in national politics in the recent history of Turkey; the parliamentarians concerned were/are accused as part of extremely complex criminal cases concerning multiple suspects;
- The parliamentary human rights committee has visited the parliamentarians in detention, concluded that their conditions are appropriate, and adopted a report to this effect which can be made available;
- As part of its third judicial reform package, the Turkish parliament recently amended the criminal code of procedure with a view to expediting legal proceedings and facilitating the release of those standing accused in cases such as the ones at hand; however, the courts have refused to grant the parliamentarians provisional release on the grounds that the crimes of which they are accused are very serious and their release may jeopardize the collection of evidence,

Recalling that, in the resolution it adopted during the 127th IPU Assembly (Quebec, October 2012), it was pleased to note that the President of the Turkish IPU Group agreed that an on-site mission by the Committee on the Human Rights of Parliamentarians, which would meet with the parliamentary, executive and judicial authorities and the parliamentarians concerned, would be timely and help enhance understanding of the cases, including with regard to the particularly complex context in which they had to be seen,

Considering in this respect that the President of the Turkish IPU Group indicated the following in the letter of 18 March 2013:

“As Turkish Delegation to the IPU, we are glad the IPU Committee on the Human Rights of Parliamentarians has an intention of visiting Turkey. In this respect, we began to make the necessary arrangements for you to meet with the institutions you mentioned in your letter in order to ensure your visit goes effectively. As you know, the judiciary process of the detained parliamentarians still continues and the public prosecutor is in the process of giving his consideration. Hence the case is yet to be in the stage of judgment. For this reason a probability of your visit influencing the judiciary cannot be disregarded. Besides, nowadays, the agenda of Grand National Assembly of Turkey is mainly occupied with the new constitution debates. Therefore we are concerned that the purposes of your visit may not be reached due to busy agenda of the Assembly during the time period of your planned visit. Considering the mentioned points above, we have reached a conclusion that it would be better to reconsider your visit in the future time. However, as Turkish Delegation to the IPU, we have determined to provide all the information you demand and be helpful through the process of your studies (...) we would again like to express our contentment to cooperate with you and we also appreciate your understanding”,

Fully acknowledging the essential role of the Grand National Assembly of Turkey in the ongoing constitutional reform process and in ensuring that the fourth judicial package recently submitted by the Government effectively addresses all outstanding critical legal issues raised by the European Court of Human Rights,

Taking note of the statement made by Mr. Abdullah Öcalan on 21 March 2013 to the effect that “a new era is beginning. The period of armed struggle is ending and the door is opening to democratic politics. We are beginning a process focused on political, social and economic aspects; an understanding based on democratic rights, freedoms and equality is growing” and that “our common past is a reality that requires to create a common future. Today the spirit that established the Turkish Grand Assembly leads the way to the new era”,

Bearing in mind that Turkey is party to the European Convention on Human Rights and the International Covenant on Civil and Political Rights, and is therefore bound to respect the right to freedom of expression, the right to liberty and the right to participate in political life,

1. Thanks the President of the Turkish IPU Group for her cooperation; reaffirms its satisfaction that the Grand National Assembly has taken an active interest in the cases under examination and appreciates the extensive additional information provided on 18 March 2013;
2. Understands that the Grand National Assembly of Turkey has a busy schedule owing to its critical involvement in the ongoing process of constitutional and legal reform;
3. Sincerely believes that, given Turkey's ambitious reform efforts, the Committee's mission would be all the more timely in that it would help enhance understanding of the cases, including with regard to the political and historical context in which the different criminal proceedings in these cases have to be seen;
4. Wishes to assure the authorities that the Committee fully respects the independence of the judiciary at all times, does not intend to influence ongoing judicial proceedings in any way and is committed to exercising particular caution during its mission in response to the concerns expressed in this respect;

5. Notes with particular appreciation that steps were taken to arrange for the mission to meet with the relevant authorities on the proposed dates of 27 to 31 May 2013; fully understands that the parliamentary authorities would prefer to postpone the mission and that it may be difficult for some authorities to accommodate meetings with the mission on these dates owing to their current workload; sincerely hopes that the mission will nevertheless be able to take place on the suggested dates and to benefit from the assistance of all relevant authorities;
6. Requests the Secretary General to seek urgent confirmation of the above agreed mission dates with the parliamentary authorities, taking into account all the above-mentioned considerations; requests him also to convey this resolution to the parliamentary authorities and the sources;
7. Requests the Committee to continue examining these cases and to report back to it in due course.