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129th Assembly of the Inter-Parliamentary Union

1. Opening of the Assembly

The 129th Assembly opened at the Centre international de Conférences de Genève (CICG) on the morning of Monday, 7 October 2013. The President of the IPU, Mr. Abdelwahad Radi, welcomed the participants and declared the Assembly officially open. He then chaired the Assembly's deliberations.

In his opening statement, the President, referring to the terrorist attack perpetrated in Kenya and to the Syrian conflict, recalled that the IPU had "always taken an unequivocal stance on all conflicts: only dialogue and negotiation can bring lasting peace". He then referred to the subjects on the agendas of the Assembly's various bodies, in particular the Committee on United Nations Affairs, which would discuss the recently adopted Arms Trade Treaty and the implementation of Security Council resolution 1540 on the non-proliferation of weapons of mass destruction. Referring to the Treaty, he said: "[t]his Treaty goes to the very heart of the IPU's work to further dialogue, peace and cooperation. Parliaments and parliamentarians thus have a particular responsibility to ensure its early entry into force and implementation." Turning to the Sustainable Development Goals (SDGs) to be defined by the international community beyond 2015, he said: "Since the adoption earlier this year of the Quito Communiqué – a novel communication tool for the IPU – we have been working hard to press for governance to be part of the future SDGs, the successors of the current MDGs. We have been lobbying at the United Nations and other international forums on the post-2015 development agenda for democratic governance to be a stand-alone goal and to permeate all the other SDGs. Just two weeks ago, at the United Nations, Heads of State issued a declaration [...] pledging to discuss democratic governance in the new development framework. We said loud and clear that mere talk will not do this time. Governments will need to agree a goal with clear targets and measurable indicators." President Radi concluded by remarking that, in order to improve the way the IPU functioned, the Assembly would be voting on a series of amendments to the Statutes and Rules.

2. Participation

Delegations from the parliaments of the following 132 countries took part in the work of the Assembly:¹ Afghanistan, Albania, Algeria, Andorra,

Angola, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palestine, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, San Marino, Saudi Arabia, Seychelles, Singapore, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Zambia and Zimbabwe.

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

Observers comprised representatives of: (i) the United Nations system: the United Nations, United Nations Development Programme (UNDP), 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, International Labour Office (ILO), Food and Agriculture Organization of the United Nations (FAO), United Nations International Strategy for Disaster Reduction (UNISDR), World Health

¹ For the complete list of IPU Members, see page 21

Organization (WHO), World Bank, Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO), World Trade Organization (WTO); (ii) African Union; (iii) African Parliamentary Union (APU), Arab Inter-Parliamentary Union (AIPU), Asian Parliamentary Assembly (APA), Association of Senates, Shoura and Equivalent Councils in Africa and the Arab World (ASSECAA), Inter-Parliamentary Assembly of the Eurasian Economic Community (EURASEC), Inter-Parliamentary Union of the Intergovernmental Authority on Development (IPU-IGAD), Maghreb Consultative Council, Parliamentary Assembly of the Black Sea Economic Cooperation (PABSEC), Parliamentary Assembly of the Mediterranean (PAM), Parliamentary Assembly of the Organization for Security and Co-operation in Europe (OSCE PA), Parliamentary Assembly of the Turkic-Speaking Countries (TURKPA), Parliamentary Assembly of the Union of Belarus and the Russian Federation, Parliamentary Union of the OIC Member States (PUIC); (iv) Socialist International; and (v) 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), Partnership for Maternal, Newborn and Child Health (PMNCH).

Of the 1,191 delegates who attended the Assembly, 539 were members of national parliaments. The parliamentarians included 40 presiding officers, 36 deputy presiding officers and 168 women (31.2%).

3. Choice of an emergency item

On 7 October, the President informed the Assembly that the following eight requests had been received for the inclusion of an emergency item:

- Action by parliaments to safeguard the fragile democracy in Haiti, proposed by Haiti;
- Addressing criminal acts of deliberate destruction of world cultural heritage in countries in a situation of armed conflict or fighting terrorism: The role of parliaments, proposed by Morocco and Palestine;
- Cyber warfare – A serious threat to peace and global security, proposed by Uruguay (with the support of the Group of Latin America and the Caribbean - GRULAC);
- Enhancing the role of parliaments in maintaining international peace and security through support for a political settlement, by refusing any manner of aggression, or threat of aggression, violation of State sovereignty and interference in Syria's affairs that exceeds the framework of international legitimacy, and by applying all international

- community resolutions on the fight against terrorism, proposed by the Syrian Arab Republic;
- The security and humanitarian crisis in the Central African Republic: Facilitating assistance for the population and promoting the transition to democracy, proposed by France;
- Promoting universal ratification of the 2013 Arms Trade Treaty, proposed by Mexico;
- The role of parliaments in supervising the destruction of chemical weapons and the ban on their use, proposed by Denmark, Finland, Iceland, Norway and Sweden; and
- Condemnation of the terrorist attack on Westgate Mall in Nairobi, Kenya, on 21 September 2013, proposed by Kenya.

The delegations of France, Haiti, Kenya and Mexico decided to withdraw their proposals. Following a roll-call vote (see pages 23 to 26), the item put forward by Denmark, Finland, Iceland, Norway and Sweden was adopted and added to the agenda as Item 6.

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

(a) Emergency item

The role of parliaments in supervising the destruction of chemical weapons and the ban on their use (Item 6)

The debate on the emergency item was held in the morning of Tuesday, 8 October, with the President of the 129th Assembly and of the IPU, Mr. A. Radi, in the Chair.

The debate was preceded by a brief introduction by the delegation of Finland, speaking on behalf of the Nordic countries that had submitted the draft resolution deploring and condemning the established use of chemical weapons in the Syrian Arab Republic. That incident confirmed that there continued to exist stockpiles of chemical weapons that some parties were willing to employ and had prompted the delegations from the Nordic countries to ask the following question: What could parliaments do to support and guarantee the goals of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (Chemical Weapons Convention), and to completely eliminate chemical weapons?

Thirty speakers took the floor during the debate. They underscored the importance of the Chemical Weapons Convention, which enjoyed quasi universal support; it had been ratified by 189 States Parties, whose combined populations accounted for 98 per cent of the world's people. With regard to

the draft resolution, some delegations expressed reservations about preambular paragraph 7, which referred to the IPU resolution entitled Enforcing the responsibility to protect: The role of parliament in safeguarding civilians' lives.

The Assembly referred the emergency item to a drafting committee made up of representatives of Belarus, Burkina Faso, Finland, Germany, Iran (Islamic Republic of), Malaysia, Mexico, Morocco, Saudi Arabia, Sweden, Uruguay and Zambia.

The drafting committee appointed Ms. M. Lohela (Finland) as its chair and rapporteur. It met on 8 October to finalize the draft resolution.

At its last sitting on 9 October, the Assembly adopted the resolution by consensus. The delegations of Algeria, Bolivia, Cuba, Ecuador, Iran (Islamic Republic of), Lebanon, Nicaragua, Palestine, Peru, Sudan, Syrian Arab Republic and Venezuela expressed reservations on preambular paragraph 7. In their view, the concept of responsibility to protect was not clearly defined, leaving the door open to interference in the internal affairs of other States, selective and abusive implementation, and violation of the sovereignty and territorial integrity of States.

(b) Panel discussion (First Standing Committee subject item at the 130th Assembly):

Towards a nuclear-weapon-free world: The contribution of parliaments (Item 3a)

The panel discussion was held in the afternoon of 8 October 2013, with the President of the First Standing Committee, Mr. S.H. Chowdhury (Bangladesh), in the Chair.

Before starting the discussion, the participants watched a documentary on the history of the nuclear arms race made available by the delegation of Kazakhstan and providing a clear presentation of the subject. The documentary was followed by keynote addresses by the Ambassador of Costa Rica, Mr. M. Dengo, Chairperson of the Open-ended Working Group on Taking Forward Multilateral Nuclear Disarmament Negotiations, Baroness Miller, a member of the House of Lords, and Mr. A. Ware, Global Coordinator of Parliamentarians for Nuclear Non-proliferation and Disarmament (PNND). Lastly, the co-Rapporteurs, Ms. Y. Ferrer Gómez (Cuba) and Mr. B. Calkins (Canada), presented their draft reports, which focused on the dangers of nuclear weapons and the need for parliamentarians to make sure that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was applied so as to ensure general and comprehensive nuclear disarmament in the long term.

Taken together, the presentations provided an accurate picture for the ensuing debate on the need to work towards nuclear disarmament, given the obvious health and security risks involved. Delegates from 31 parliaments and one Observer organization took the floor. With very few exceptions, they underscored that, despite the international commitments made, nuclear weapons continued to proliferate and several countries were pursuing, strengthening and even modernizing military nuclear programmes. Some delegates pointed out that countries that had previously possessed nuclear weapons had got rid of them, showing that it was possible to dismantle nuclear arsenals. The establishment of denuclearized zones, covering a country or a region, was among the best practices to be encouraged. Several speakers reaffirmed that only determined political will would prompt military powers worldwide to control, limit and reduce their nuclear arsenals, and that the fact that negotiations at the Conference on Disarmament had been blocked for over 10 years showed that such determination was lacking.

Some speakers pointed out that it was perfectly possible to produce nuclear energy under controlled conditions and for non-military purposes, and that, in any event, States had to work as transparently as possible with the International Atomic Energy Agency (IAEA), in particular to ensure that nuclear weapons did not end up in the hands of terrorist organizations. It was also crucial to protect the planet and shield future generations. The participants highlighted the health implications of using nuclear energy, whether for military or civilian purposes. They also considered the financial aspect of a nuclear policy. The participants outlined the economic argument against the development of arsenals, especially in the current period of crisis, which they considered as wasteful given that funds were needed to finance the MDGs and the future SDGs.

When it came to the role of parliaments, many delegates gave examples of best practices and suggested ways in which parliamentarians could advance global nuclear disarmament. They all agreed that the IPU-PNND Handbook entitled Supporting Nuclear Non-Proliferation and Disarmament was one of the best instruments they had at their disposal. They also stressed the need for concerted action and proposed that it be organized within the IPU. In conclusion, they emphasized the need to resume negotiations and asked parliamentarians to exert pressure on their respective governments to sign the NPT and to pledge, for their part, to ratify it.

- (c) Panel discussion (Second Standing Committee subject item at the 130th IPU Assembly):
Towards risk-resilient development: Taking into consideration demographic trends and natural constraints (Item 3(b))

The panel discussion took place in the afternoon of 7 October, with Mr. R. León (Chile), President of the Standing Committee, in the Chair. For a part of the session, he was replaced in the Chair by Mr. F. Bustamante (Ecuador), a member of the Standing Committee Bureau.

The two co-Rapporteurs appointed at the 128th Assembly, Mr. P. Mahoux (Belgium) and Mr. S.H. Chowdhury (Bangladesh), presented their joint background note. Ms. M. Wahlström, the Special Representative of the Secretary-General for Disaster Risk Reduction, and Ms. M. Temmerman, Director of the Department of Reproductive Health and Research at the World Health Organization (WHO), renowned experts in the fields of disaster risk reduction and reproductive health, respectively, provided additional insight. Those introductory statements were followed by an exchange of views, with a total of 34 delegates from 32 countries taking the floor.

The background note prepared by the co-Rapporteurs offered a broad overall framework for the debate on the need for sustainable patterns of production and consumption and for action on population dynamics. Within this broad context, the co-Rapporteurs paid particular attention to the cost-effectiveness of policies governing risk preparedness and response, reproductive and sexual health and the promotion of access to family planning services, and to the need for disaster risk reduction to be mainstreamed into overall development planning, policy and programmes.

The ensuing discussion focused on disaster risk reduction and how population growth, inadequate planning, unpredictable weather and climate change patterns, and urban development heightened the risk of disasters. The delegates made a number of proposals concerning issues that the future draft resolution should address, including the question of political responsibility for risk governance, the importance of gender-sensitive risk-resilient policies, the role of local governments, and the need for formal and informal education at all levels.

The panel discussion also recalled that parliaments had an important role to play in fostering the sustainable development agenda that would be agreed by the international community in 2015. It drew particular attention to the concept that a

holistic approach to development was needed – one that strengthened vital synergies between development economics, social protection and democracy – if sustainable development was to be successful and deliver results.

- (d) Panel discussion (Third Standing Committee subject item at the 130th Assembly):

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 (Item 3(c))

The panel discussion took place in the morning of 8 October, with Mr. O. Kyei-Mensah-Bonsu (Ghana), President of the Standing Committee, in the Chair. The two co-Rapporteurs appointed at the 128th Assembly, Ms. G. Cuevas (Mexico) and Ms. J. Nassif (Bahrain), presented their background papers on the subject.

Two experts also made introductory statements. Ms. L. Aubin, Coordinator of the Global Protection Cluster led by the United Nations High Commissioner for Refugees (UNHCR), provided an overview of the risks faced by children on the move. She underlined how important it was to ensure that children had proper documentation, starting with birth records. An integrated national child protection system and child-friendly migration and asylum policies were other key tools for reducing the vulnerability of children. Professor M. Mattar, Executive Director of the Protection Project based at The Johns Hopkins University, presented a model law on child protection developed through extensive research into national legislation and expert consultation. He proposed constitutional protection for vulnerable children as a good starting point for addressing the issues, and called on parliaments to review existing legal mechanisms in order to identify gaps in implementation or coverage.

These introductory statements were followed by an exchange of views, with 43 delegates taking the floor. Many delegates referred to the vulnerability of children who had been displaced by conflict, for example in the Syrian Arab Republic. Such children often lacked access to basic rights, such as education, and were at greater risk of physical and sexual abuse. Many delegates also highlighted the risks faced by children migrating between countries. Migrant children might not be accompanied or might become separated from their parents, exposing them to a variety of dangers and preventing them from fulfilling their potential. Many parliaments had enacted child protection laws, but their implementation remained a challenge.

Adequate funding for implementation and suitable training in child protection issues for law enforcement agencies were just two of the issues highlighted. The participants showed that they had the political resolve to bring about an appropriate parliamentary response to the challenges.

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

The Committee on United Nations Affairs met in Geneva on 7 and 9 October, with three full sittings devoted to cooperation at the national level between parliaments and UN country teams, the implementation of major commitments in the area of arms control, and the human rights of vulnerable groups.

All three sittings enjoyed strong and active participation by IPU Members and benefited from valuable input provided by senior UN officials. These included the UN High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States, Mr. G. Acharya, the UNDP Resident Coordinator in Burkina Faso, Mr. P. Karorero, the Deputy Secretary-General of the UN Conference on Disarmament, Mr. J. Sareva, and experts from the Office of the UN High Commissioner for Human Rights (OHCHR) and the International Committee of the Red Cross (ICRC). A number of ambassadors leading important UN processes also contributed to the discussions: Ambassador J.M. Ehouzou of Benin, in his capacity as Representative of the African Union to the United Nations Office at Geneva, Ambassador P. Woolcott of Australia, who had served as President of the UN Conference on the Arms Trade Treaty, Ambassador Oh Joon of the Republic of Korea, in his capacity as Chair of the UN Security Council 1540 Committee, and Ambassador L. Gallegos of Ecuador, who had spearheaded negotiations on the UN Convention on the Rights of Persons with Disabilities.

The Committee also welcomed the substantive contributions of a number of non-governmental organizations (NGOs) and leading academic institutions, including Amnesty International, the World Future Council, New York University and the Verification, Research, Training and Information Centre (VERTIC). Through their expertise and field work, many of those organizations not only provided parliamentarians with information and analysis, they also forged a valuable link between citizens and parliamentarians and could serve as an engine for progress and change.

The outcome of the Committee's deliberations, which included a number of findings and recommendations for follow-up action by the IPU and its Member Parliaments, was presented to the Assembly at its closing sitting in the afternoon of 9 October. At that time, the Committee President, Mr. M. Traoré (Burkina Faso), set forth a number of proposals to bridge existing gaps and further enhance interaction between national parliaments and UN country teams, including in terms of implementing international commitments such as the 2011 Istanbul Programme of Action.

Mr. E. Ethuro, President of the Senate of Kenya, after referring to the devastation caused by the unregulated flow of conventional weapons in his country and throughout Africa, firmly urged all parliaments to give due consideration to and lend their support for the enforcement of major arms control and non-proliferation instruments, including the newly adopted Arms Trade Treaty and Security Council resolution 1540.

Mr. M. Tomassoni (San Marino) and Mr. D. Sánchez Heredia (Bolivia), speaking on behalf of parliamentarians with disabilities and indigenous peoples, respectively, presented the outcome of the Committee's session on defending the rights of vulnerable groups and urged all parliamentarians to take the action needed for the relevant international commitments to be translated into national realities.

The full Report of the Committee on United Nations Affairs is available on page 45.

In tandem with the Assembly, the Advisory Group of the Committee on United Nations Affairs also met on 8 October, to review the status of IPU reform, in particular from the perspective of the Committee's transformation into the fourth IPU Standing Committee. This would mean that, as of March 2014, the Committee would have its own expanded Bureau, which in turn would replace the current Advisory Group. Several members of the Advisory Group expressed an interest in continuing to support the Committee's work and encouraged other colleagues to do likewise. The Advisory Group decided to meet again on 15 November in New York, on the occasion of the annual Parliamentary Hearing at the United Nations. Among other things, it would then discuss future operational activities, including a possible field mission to Uruguay in early 2014.

(f) Presidential Statement on the terrorist attack in Kenya

At the closing sitting of the Assembly, the President read out a statement expressing deep concern at the recent terrorist act on Westgate Mall in Nairobi, Kenya, and extending the sympathy of the IPU and its Members to the Parliament and people of Kenya in the face of that national tragedy. The statement also expressed deep concern at the rise in terrorist acts plaguing Kenya and other East African countries, and strongly condemned terrorism in all its forms. The Assembly endorsed the statement (see page 28).

5. Amendments to the Statutes and Rules

During its last sitting on Wednesday, 9 October, and in keeping with Article 28.3 of the Statutes, the Assembly unanimously approved a set of amendments to the Statutes relating to the new format of the IPU Assemblies, the functioning of the Standing Committees and their Bureaux, and the status of the IPU Committee on United Nations Affairs. In so doing, the Assembly followed the favourable opinion expressed by the Governing Council concerning the proposed amendments to the Statutes. On the same occasion, the Assembly approved a set of related amendments to its own Rules. The full text of adopted amendments to the Statutes and Rules is available on page 29.

193rd Session of the Governing Council

1. Membership of the Inter-Parliamentary Union

At its sitting on 7 October, the Governing Council approved a request for affiliation from the Parliament of Bhutan and a request for reaffiliation from the Parliament of Somalia. It also approved a recommendation by the Executive Committee to waive the arrears accumulated by the Parliament of Somalia towards the IPU before its suspension from the Organization in 2009, given the exceptional nature of political and economic conditions in Somalia.

On the recommendation of the Executive Committee, the Council decided to apply the provisions of Article 4.2 of the Statutes relating to loss of membership to the parliament of Egypt.

The Council also approved a request for observer status from the Parliamentary Assembly of the Economic Cooperation Organization (PAECO).

2. Financial situation of the IPU

The Governing Council was presented with a comprehensive report on the financial situation of the IPU and an updated list of unpaid contributions as at 4 October 2013. On that date, four Members - Bolivia, Djibouti, Mauritania and Sierra Leone – had significant arrears and were subject to voting sanctions and reduced delegation size. The total amount of contributions in arrears was substantially reduced compared with previous years.

The Council took note that the income and expenditure of the IPU were close to target for the first half of the year, with some overall cost savings anticipated by the end of the year in staff and operating costs. The first Assembly, the largest

expense of the year to date, had been completed almost on budget with a slight increase in translation and travel costs.

For the 2013 budget, the Secretary General had anticipated a voluntary funding budget of CHF 1.5 million. The total amount of voluntary funds actually received had in fact reached CHF 1.7 million by mid-year. The Governing Council was informed of further voluntary contributions to fund IPU activities. In particular, it welcomed a new partnership with Worldwide Support for Development, a Japanese NGO, which would bring US\$ 3 million over five years to fund three core IPU programmes: capacity-building for parliaments, advancing gender equality and providing support to young parliamentarians, with a focus on Asia.

3. Programme and budget for 2014

The Council received the consolidated budget proposal for 2014. Reporting on behalf of the Executive Committee, the Chairperson of the Sub-Committee on Finance, Mr. K. Örnfjäder (Sweden), stated that the Sub-Committee had provided guidance and oversight to the Secretariat in the preparation of the budget. The budget document followed the same structure as the IPU Strategy for 2012-2017 and was supplemented with a summarized logical framework providing a further budget breakdown.

The budget had been prepared with no overall increase in the level of assessed contributions at a time of continuing economic hardship for many Members. Total contributions from Members would be lower in 2014 than they had been in 2007. It was noted that the United Nations had updated its scale of contributions based on a reassessment of each

nation's capacity to pay. The IPU scale had automatically been adjusted accordingly, hence most Members would see a difference in their individual contributions even though the overall total had not increased.

The budget reflected cost savings in the core expenditures on staff, travel, insurance and office costs. Despite the cuts, it included funding for additional activities requested by the Governing Council, including the strengthening of the four Standing Committees, preparations for the Speakers' Conference in 2015 and additional support for the Committee on Middle East Questions.

Since 2011, the Working Capital Fund of the IPU had increased by CHF 1.9 million thanks to surpluses achieved through cost savings and increased asset values. The Governing Council approved the request to offset the increased depreciation charges of the IPU Headquarters building and website development, if needed, against the Working Capital Fund at the end of 2014.

The Governing Council approved the 2014 budget of CHF 13,746,400. The approved budget and scale of contributions for 2014 are presented on pages 37 and 38.

4. Cooperation with the United Nations system

The Governing Council took stock of recent developments in IPU-UN cooperation and was informed of activities carried out in collaboration with or in support of the United Nations (see page 42).

It noted that the IPU had commissioned a legal opinion on the existing cooperation agreement with the United Nations and that the Executive Committee had decided to establish the Sub-Committee on the future IPU-UN cooperation agreement in the wider context of examining the IPU's international legal status.

In the framework of cooperation between the two organizations, the Council heard a presentation by the UN High Commissioner for Refugees, Mr. A. Guterres, as part of the Special debate on the humanitarian impact of the Syrian crisis (see page 18). It also heard a presentation by the UN High Commissioner for Human Rights, Ms. N. Pillay (see page 19).

5. Implementation of the IPU Strategy for 2012-2017

The Governing Council adopted a landmark document on Gender Mainstreaming at the IPU. The document (see page 55) set out the IPU's

general position on gender equality, defined gender mainstreaming and outlined the strategy through which the IPU would achieve its objectives of institutionalizing gender equality at the IPU, promoting equality in representation and participation, building capacity and developing mechanisms for gender mainstreaming. The document also contained provisions for ensuring implementation, monitoring and evaluation.

The Council took note of the decision taken by the Executive Committee to adopt a modified colour version of the current IPU logo with a strap line, "For democracy, for everyone".

It approved amendments and sub-amendments to the Rules of the Standing Committees in keeping with the decision it had taken at its previous session in Quito to improve the functioning of the Assembly and its Standing Committees. It also expressed a favourable opinion on the proposed amendments to the Statutes.

The full text of adopted amendments to the Statutes and Rules is available on page 29.

6. Recent specialized meetings

The Governing Council took note of the results of the Regional Seminar on The evolving relationship between citizens and parliaments in the Arab world (<http://www.ipu.org/splz-e/morocco13.htm>), the Parliamentary Workshop on The right to identity: Promoting universal birth registration in Latin America and the Caribbean (<http://www.ipu.org/splz-e/lima13.htm>), the Regional Seminar for French-speaking African parliaments on Gender-sensitive parliaments (<http://www.ipu.org/splz-e/gabon13.htm>), and the Multi-country Seminar on Parliaments and accountability for women's and children's health (<http://www.ipu.org/splz-e/dhaka13.htm>).

7. Reports of plenary bodies and specialized committees

At its sitting on 9 October, the Governing Council took note of the reports on the activities of the Coordinating Committee of Women Parliamentarians (see page 13), the Committee on the Human Rights of Parliamentarians (see page 14), the Committee on Middle East Questions (see page 14), the Gender Partnership Group (see page 15) and the Forum of Young Parliamentarians of the IPU (see page 15).

The Council approved the report of the Middle East Committee, noting that the delegations of Indonesia and Palestine expressed reservations on the report, which they stated did not accurately reflect the fact

that 90 per cent of the dialogue with the Committee had dealt with issues of human rights and the situation of detained members of the Palestinian Parliament.

It also approved the 21 resolutions submitted to it by the Committee on the Human Rights of Parliamentarians, noting the reservations expressed by the delegations of Bahrain, Democratic Republic of the Congo and Sri Lanka and the comments made by the delegations of Chad and Thailand.

In addition, it took note of the report of the Committee to Promote Respect for International Humanitarian Law and the report of the Committee's mission to Jordan and adopted the Committee's Rules (see page 66).

8. Future inter-parliamentary meetings

The Governing Council confirmed the decision to hold the 130th Assembly in Geneva from 17 to 20 March 2014. It also approved the list of international organizations and other bodies to be invited to follow the work of the 130th Assembly as Observers (see page 71).

The Council approved the list of future meetings and other activities to be funded by the IPU's regular budget and by external sources. It also approved a request for co-sponsorship of the Eleventh Meeting of Parliamentary Scholars and Parliamentarians, to be held in July 2014 at Wroxton College, Oxfordshire, United Kingdom.

267th Session of the Executive Committee

The Executive Committee held its 267th session in Geneva on 4, 5, 8 and 9 October 2013. The President of the IPU chaired the meetings. The following members took part in the session: Ms. F. Diendéré Diallo (Burkina Faso), Mr. Nhem Thavy (Cambodia), Mr. D. Oliver (Canada), Ms. N. Ali Assegaf (Indonesia, President of the Coordinating Committee of Women Parliamentarians), Mr. J.P. Winkler (Germany), Ms. N. Motsamai (Lesotho), Mr. M.R. Rabbani (Pakistan), Mr. F. Drilon, (Philippines), Mr. K. Örnfjäder (Sweden), Mr. P.-F. Veillon (Switzerland), Ms. R. Kadaga (Uganda), Mr. R.M.K. Al Shariqi (United Arab Emirates) and Ms. I. Passada (Uruguay). Ms. G Riquena, replacing Mr. D. Vivas (Venezuela), attended the sittings on 8 and 9 October.

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

The Committee reviewed developments in the situation of a number of Member and non-Member Parliaments since the Quito Assembly. It recommended that the Council approve a request for affiliation from the Parliament of Bhutan and a request for reaffiliation from the Parliament of Somalia. It also recommended that, given the exceptional nature of political and economic conditions in Somalia, the arrears accumulated by the Parliament of Somalia towards the IPU before its suspension from the Organization in 2009 should be waived.

The Committee noted that there was no functioning parliament in Egypt and examined the statutory provisions relating to membership, in particular those pertaining to suspension. It also examined the latest communication received from the interim Egyptian authorities on the roadmap. It concluded at its sitting of 5 October that, since the parliament had been dissolved and there was no institution that could exercise membership in the IPU, it had no option than to apply the provisions of Article 4.2 of the Statutes on loss of membership.

The Executive Committee heard the report and recommendations concerning the 2014 draft programme and budget of the Sub-Committee on Finance, which had met on 3 October (see below). The Committee designated the Chairperson of the Sub-Committee to present the 2014 budget to the Governing Council.

At its sitting of 4 October, the Committee received a Canadian delegation led by Senator S. Ataullahjan. The delegation elaborated on its request for the IPU to revisit the overall budget and level of assessed contributions in the face of economic austerity. At its sitting of 5 October, the Executive Committee approved a response to the Canadian request that was subsequently distributed to the geopolitical groups. It proposed to undertake a review of the IPU's programme and budget in the context of the mid-term review of the IPU Strategy for 2012-2017, to be spearheaded by the Sub-Committee on Finance.

Also at its sitting of 4 October, the Committee heard a presentation by the External Auditor, Mr. K. Grüter, Director of the Swiss Federal Audit Office. The External Auditor delivered a favourable audit opinion on the IPU's 2013 accounts and commended the Organization for its sound financial position and successful shift to the International Public Sector Accounting Standards (IPSAS). Asked whether he considered utilizing increases in the Working Capital Fund to cover certain budget gaps to be acceptable financial practice, he replied in the affirmative, as long as such expenditures were approved by the governing bodies.

The Executive Committee was briefed by the Director of Support Services, acting as Registrar, on the process to elect the new Secretary General, at its sitting of 5 October. The deadline for receiving applications had been set at 1 September. Applications had been received from all geographical regions, with women accounting for 25 per cent of all applicants. The President of the IPU and the Vice-President of the Executive Committee would examine the candidatures and produce a first short list of 20 candidates, which would be sent to all members of the Executive Committee on 15 October. The final five short-listed candidates would be convened for interviews with the Executive Committee at the next Assembly.

In connection with the implementation of the IPU Strategy for 2012-2017, the Committee examined a number of matters that were subsequently referred to the Governing Council (see page 10).

At its sitting of 8 October, the Committee heard the external consultant mandated to assess the IPU's implementation of the recommendations emanating from the evaluation of the technical assistance programme conducted in 2011. She considered that many of the recommendations had already been or were being taken on board by the IPU.

In accordance with the decision taken by the Governing Council at its 192nd session in Quito, concerning the new format of IPU Assemblies and its Standing Committees, the Executive Committee formulated an opinion on sub-amendments submitted by Belgium, Pakistan and the United Arab Emirates. The Committee voted on one sub-amendment submitted by the United Arab Emirates regarding the composition of the Bureaux of the Standing Committees. At its sitting on 8 October, the Executive Committee endorsed a revised proposal relating to the composition of Standing Committee Bureaux made by the Joint Meeting of the Bureaux of the Standing Committees and Chairpersons of the geopolitical groups.

At its sitting of 8 October, the Executive Committee took a final decision on the IPU logo. It decided to adopt a modified colour version of the current logo that could also be reproduced in black and white. The name of the Organization would appear below the graphic in various languages, along with a strap line, "For democracy, for everyone".

At its sitting of 5 October, the Executive Committee recommended that the Governing Council adopt the landmark document on Gender Mainstreaming at the IPU.

Under the item covering cooperation with the United Nations system, the Executive Committee examined a legal opinion commissioned by the IPU. The opinion examined options that were available to the IPU to place its cooperation with the United Nations on a stronger and more equal footing. It considered how best the new developments that had occurred in the cooperation between the two organizations could be reflected in a new cooperation agreement. The opinion also sought to clarify if the new agreement could be used to address and perhaps also resolve some of the difficulties experienced by the IPU in implementing the current agreement, including by clarifying the issue of the Organization's international status.

Recognizing that the issue was both technical and political in nature and could have far-reaching ramifications for the IPU, the Executive Committee decided to set up a sub-committee on the future IPU-UN cooperation agreement. The Sub-Committee would examine the different options set forth in the legal opinion, their implications and the modalities through which they could be implemented. The Sub-Committee would also be free to identify and examine other options not contained in the legal opinion. The Members of the Sub-Committee were encouraged to seek legal advice from experts within their own countries.

At the sitting on 9 October, both outgoing and incoming members of the Executive Committee were in attendance. The Committee approved the composition of the Sub-Committee on Finance (see page 20) and the newly established Sub-Committee on the future IPU-UN cooperation agreement.

Also at that sitting, the Committee was informed of the six Vice-Presidents appointed by the geopolitical groups for a period of one year. It re-elected Ms. I. Passada (Uruguay) as Vice-President of the Executive Committee (see also page 20).

Sub-Committee on Finance

The Sub-Committee on Finance met on 3 October to prepare and facilitate the Executive Committee's consideration of the financial situation of the IPU, the draft programme and budget for 2014 and the situation of voluntary funding. It advised the Executive Committee to recommend to the Governing Council that it adopt the 2014 budget, having been closely involved in overseeing its preparation throughout the year.

The Sub-Committee reviewed the request from Canada for the IPU to revisit its budget and the issue of membership fees and provided advice to the Committee based on an analysis of the IPU's funding structure. Following the election of three new members and the end of the term of the Chairperson, Mr. K. Örnfjäder (Sweden), the Sub-Committee elected Mr. D. Oliver (Canada) as its interim Chairperson until its next meeting in March 2014.

Coordinating Committee of Women Parliamentarians

The Coordinating Committee of Women Parliamentarians met on 6 October 2013 to discuss the contribution of women to the deliberations of the 129th Assembly and to prepare the work of the 19th Meeting of Women Parliamentarians. The meeting opened with Ms. N. Ali Assegaf (Indonesia), President of the Coordinating Committee, in the Chair; she was later replaced in the Chair by Ms. B. Amongi (Uganda), the Committee's Second Vice-President.

The Committee started by considering its contribution to the 129th Assembly. It discussed the draft reports to be examined by each of the three Standing Committees, broaching them from a gender perspective.

Next the Committee discussed the preparations for the 130th IPU Assembly (Geneva, March 2014), in particular for the election of its own members and the members of the Standing Committee Bureaux. It reviewed all the vacancies and resolved to ensure that women candidates emerged from the geopolitical groups.

The Committee next exchanged views on the means of improving the work of the Meeting and Coordinating Committee of Women Parliamentarians. Given that the Meeting of Women Parliamentarians would convene twice a year starting in 2014, the Committee wished to see the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) figure on its agenda every year, so as to give greater visibility to the necessary work of parliaments to monitor the Convention's application. The Committee also discussed strategies aimed at encouraging men to take part in discussions of gender issues and at guaranteeing that the point of view of women parliamentarians was reflected in the subjects dealt with by the IPU, notably by providing input to the resolutions adopted by the Assembly. It decided to set up a

working group to consider those questions and examine the Rules of the Meeting of Women Parliamentarians and the Coordinating Committee, which would have to be amended in line with the changes made to the IPU Statutes. Ms. E. Abdulla (Maldives), Ms. B. Amongi (Uganda), Ms. M. André (France) and Ms. F. Diendéré Diallo (Burkina Faso) were appointed to the working group.

With regard to the preparations for the 19th Meeting of Women Parliamentarians, the Committee decided that the Meeting would examine the agenda items to be deliberated by the Second and Third Standing Committees at the 130th Assembly, namely: Towards risk-resilient development: Taking into consideration demographic trends and natural constraints, and 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.

The Committee further decided that the Meeting's afternoon session would debate women in politics and hear the candidates for the post of IPU Secretary General. The aim of the hearing was to obtain a clear picture of the importance the future Secretary General would give to gender issues in his or her programme.

Following a presentation by a UNICEF representative, the Committee decided to organize a panel discussion at the 130th Assembly on the challenges posed by migration and unaccompanied child migrants and on the means needed to provide such children with an education.

Lastly, the Committee was informed about recent and future IPU activities in the field of advancing gender equality. It also held a lengthy discussion of the Guidelines on Women's Caucuses and the IPU online database on women's caucuses worldwide, which are to be published and launched, respectively, in November 2013.

Subsidiary bodies and Committees of the Governing Council

1. Committee on the Human Rights of Parliamentarians

Ms. A. Clwyd (United Kingdom), Mr. K. Jalali (Islamic Republic of Iran), Mr. U. Nilsson (Sweden) and Mr. K. Tapo (Mali), titular members, and Ms. C. Giaccone (Argentina), Ms. M. Kiener Nellen (Switzerland), Mr. F.K. Chowdhury (Bangladesh) and Mr. B. Mbuku-Laka (Democratic Republic of the Congo), substitute members, attended the Committee's 142nd session, which took place from 5 to 8 October 2013. During the session, the Committee heard 15 official delegations with a view to obtaining a clearer picture of the cases before it and to informing them of its concerns.

The Committee examined the cases of 180 parliamentarians and former parliamentarians from 24 countries. It submitted 21 resolutions to the Governing Council for adoption, relating to cases in the following countries: Bahrain, Belarus, Burundi, Cambodia, Cameroon, Chad, Colombia, Democratic Republic of the Congo, Eritrea, Iceland, Madagascar, Maldives, Mongolia, Pakistan, Palestine/Israel, Sri Lanka and Turkey.

2. Committee on Middle East Questions

The Committee met on 5, 6 and 7 October 2013. The meetings were attended by Lord Judd (United Kingdom), Ms. M. Green (Sweden), Mr. T. Henare (New Zealand), Ms. M. Mensah-Williams (Namibia), and Ms. H. Amran (Indonesia). Mr. H. Franken (Netherlands) attended the first session, Ms. Z. Benarous (Algeria) the second and third, and Mr. D. Papadimoulis (Greece) the third.

The Committee elected Ms. M. Green (Sweden) as its Vice-President.

During the Committee's sitting on 5 October, the President presented the report of his June 2013 mission to the region. The Committee made preparations for its 7 October dialogue session with members of parliament from Israel and Palestine, and defined its future work plan. (For the full report see page 51.)

3. Committee to Promote Respect for International Humanitarian Law

The Committee to Promote Respect for International Humanitarian Law met on Tuesday, 8 October 2013. Representatives of the ICRC and UNHCR also attended.

The Committee discussed the report on its mission to Jordan in June to assess the impact of the Syrian crisis on refugees and host communities. The mission members stressed that they had been overwhelmed by the magnitude of the human tragedy taking place, the scale of the resulting needs, the scope of the response, and the generosity of the host country, Jordan. They laid particular emphasis on the plight of children and the need to better document their situation, to protect them from abuse and exploitation and to empower them through education. They also stressed the importance of addressing gender-based violence.

The Committee welcomed the mission report and thanked UNHCR for its support. It recalled that, in follow-up to the mission, the IPU had appealed to parliaments to back funding efforts in support of Syrian refugees and host countries. It welcomed the recommendations made in the mission report and invited IPU Member Parliaments to act on them.

The Committee welcomed the production of the Handbook for Parliamentarians entitled *Internal displacement: Responsibility and action*. It recommended that the Handbook be widely disseminated and that parliaments make use of it to develop or amend legislation. It thanked UNHCR for its cooperation in developing the Handbook.

The Committee was briefed on recent developments with regard to statelessness. By UNHCR estimates, there were up to 12 million stateless individuals worldwide. Following the commemoration of the 50th anniversary of the 1961 Convention on the Reduction of Statelessness in 2011, more than 60 States had made statelessness-related pledges relating to accession, the adoption of stateless status determination procedures and the revision of nationality laws. UNHCR briefed the Committee members on the pledges made.

The Committee also discussed updating the 2005 IPU-UNHCR publication, *Nationality and Statelessness: A Handbook for Parliamentarians*, in time for the 60th anniversary of the 1954 Convention relating to the Status of Stateless Persons.

The ICRC representative briefed the Committee on the latest developments with regard to international humanitarian law, notably the Arms Trade Treaty

and issues related to the national enactment of IHL and to the protection of the rights of people deprived of freedom. The Committee agreed to begin working with the ICRC on updating the 1999 IPU-ICRC Handbook for Parliamentarians: Respect for International Humanitarian Law.

The Committee members also attended an interesting and useful briefing at ICRC Headquarters.

The Committee discussed the draft rules developed to facilitate its work, which were subsequently approved by the Governing Council (see page 66).

4. Gender Partnership Group

The Gender Partnership Group held its 33rd session on 5 and 8 October 2013. The session was attended by Mr. D. Oliver (Canada), Ms. R. Kadaga (Uganda), Mr. F. Drilon (Philippines) and Ms. I. Passada (Uruguay).

The Group compared the composition of the delegations present at the 129th IPU Assembly with that of previous statutory assemblies. Out of 539 delegates, 168 were women (31.2%), marginally fewer than at the 128th Assembly. Of the 134 delegations present at the 129th Assembly, 116 were composed of at least two delegates. Of those, 16 (13%) were composed exclusively of men; they were from the following countries: Cambodia, Denmark, Estonia, Ghana, Guatemala, Haiti, Iraq, Japan, Kuwait, Latvia, Mali, Malta, Mauritius, Monaco, Myanmar and Suriname. Two delegations – Finland and Norway – were composed exclusively of women. Four delegations were liable to sanctions at the Assembly for being represented exclusively by men three times in a row: Haiti, Malta, Micronesia (Federated States of) and Qatar.

The Group also considered the participation of women in IPU bodies. It noted that the participation of women had remained steady at about 30 per cent in recent years in both the Governing Council and the Executive Committee. It also noted that the composition of subsidiary groups and committees was satisfactory, as several of them were composed of 50 per cent of women. Women nevertheless remained underrepresented in the Standing Committee Bureaux and in the Committee on United Nations Affairs. The Group trusted that the new Standing Committee Rules, once adopted, would rapidly remedy the situation. It emphasized the need to encourage women to submit their candidatures and drew the geopolitical groups' attention to the importance of observing the principle of gender parity in all Standing Committee Bureaux at the next Assembly.

The IPU Strategy called for the development of a gender mainstreaming strategy. The Gender Partnership Group had taken the lead and developed a document on gender mainstreaming at the IPU, in cooperation with the Coordinating Committee of Women Parliamentarians. At the Geneva session, it had finalized the document, which was subsequently approved by the Governing Council. The Group called for the rapid adoption of an implementation plan.

As it did regularly, the Group examined the situation of parliaments with no women members, noting with satisfaction that their number was decreasing. There were at present only four parliaments with no women members: three were Pacific island States (Federated States of Micronesia, Nauru and Vanuatu) and one an Arab State (Qatar). The Group was pleased to note the temporary special measures introduced by several Pacific island States and urged Qatar to take action to allow women to sit in its parliament.

On Tuesday, 8 October, the Group met with the delegation from Saudi Arabia. It congratulated Saudi Arabia, where 30 women (i.e. 20% of members) had been appointed to parliament for the first time ever in January 2013. The members of the delegation explained that the decision to appoint women had been taken by the King after national consultations had shown support for women's participation in the kingdom's political life. They also pointed out that, since women had entered into parliament, men and women members had been working together in all parliamentary bodies. Parliament discussed all legislation, including legislation related to women's rights, such as the recently adopted law on domestic violence. Many other legislative initiatives relating to women's participation in decision-making were also being discussed. The Group expressed support for parliament's work in that regard.

5. Forum of Young Parliamentarians of the IPU

The Forum of Young Parliamentarians of the IPU met on 8 October 2013. Close to 50 participants were in attendance. The meeting was chaired by Mr. K. Dijkhoff (Netherlands).

The main item on the agenda was the Forum's draft Rules and Working Modalities. The young parliamentarians agreed on the Forum's terms of reference, objectives and working methods. They also agreed on the rules for the composition of the Forum and its Board. After a lengthy discussion, they voted to set the upper age limit at 45 years.

The age limit was decided based on the average age of parliamentarians (53 years) established in the Global Parliamentary Report, a 2012 joint IPU-UNDP publication. It also took into consideration the age of eligibility, which was high in several countries.

Many participants considered that the age limit should be 40 years, so as to encourage parliaments to include young parliamentarians in their delegations to IPU meetings, and so that the Forum would be a legitimate counterpart for other national and regional youth organizations. In addition, the Forum would stand out from other IPU bodies for its obvious specificity.

The Forum decided to establish its own decision-making body, the Board of Young Parliamentarians of the IPU. Members of the Board would be elected by

the Forum of Young Parliamentarians. The Board would be composed of two representatives of each geopolitical group and equal numbers of men and women, and would have a two-year term. The maximum age limit for election to the Board would be 43 years. The President of the Board of Young Parliamentarians would be selected from among its members based on a system of mandatory rotation by sex and by region.

The Forum's draft Rules and Working Modalities would be submitted for adoption to the IPU's governing bodies at the 130th IPU Assembly (Geneva, March 2014).

Media and communications

Media coverage of the 129th IPU Assembly was strong and varied, ranging from reports on the participation by national delegations and the various issues dealt with at the Assembly to the stance of the Islamic Republic of Iran on nuclear issues and the outcomes of bilateral meetings and Assembly resolutions. Media monitoring of a limited range of open-source content on websites around the world revealed coverage in many languages, including English, French, Spanish and Arabic, and in all regions of the world. Initial media monitoring from different sources revealed at least 1,000 online articles and blogs mentioning the IPU and the Assembly. About 460 of those articles had 76 million unique visitors to those pages.

The IPU issued four press releases relating to the Assembly. A well-attended press briefing for the Geneva press corps at the United Nations was held before the Assembly, and a press conference on human rights resolutions was attended by international media, including Agence France Presse (AFP), Voice of America and EFE, and national media from Japan, Mexico and Switzerland. A press conference jointly organized with the delegation and Permanent Mission of the Islamic Republic of Iran was attended by more than 40 TV, radio, print and online media, photographers representing global media, news agencies such as AP, Reuters and AFP, and national media.

Journalists from the Geneva press corps were present during the three days of the Assembly; 56 print, TV and radio media were accredited to the Assembly through their national delegations.

Television coverage of the Assembly was more international. In addition to the coverage generated by media accredited to national delegations,

including IRIB, United Arab Emirates, Kuwaiti, Nigerian and Venezuelan broadcasters, during the first two days of the Assembly edited television footage from the Assembly was broadcast to 56 national television channels across Europe and elsewhere via the European Broadcasting Union (EBU).

The Speakers of the Parliaments of the Islamic Republic of Iran, Uganda and the United Republic of Tanzania were interviewed for CNN's "Amanpour", BBC Swahili TV and BBC World TV's "Focus". About 40 individual radio and print interviews were given by the IPU President, the IPU Secretary General, parliamentarians from different countries, the IPU Spokesperson and an Eritrean source of the IPU Committee on the Human Rights of Parliamentarians, Tsedal Yohannes. The media involved included various language services of BBC World Service Radio (Burmese, Bengali, Dari and BBC Mundo) and the English, Arabic and Portuguese services of UN Radio. Interviews with RFI English, BBC's "Focus on Africa" and the English service of Channel Africa ensured very high coverage across the continent. The TV and radio channels carrying those interviews would have combined viewer and listener figures reaching tens of millions of people.

For the first time, the plenary sessions of a Geneva-held Assembly were webcast live, albeit only the plenary sessions. The webcasts were watched by 225 unique visitors.

Social media were once again key to outreach during the Assembly. At peak moments, such as the Assembly's opening plenary session, tweets using #IPU129 were being posted on 765,000 live twitter streams during a three-hour period. Mentions of

@IPUparliament reached similar figures, at nearly 700,000. The number of followers of the @IPUparliament twitter account also increased.

Flickr was used to showcase and distribute photos of the IPU Assembly to both participants and media. Media monitoring revealed online use of the photos.

As usual, an IPU stand distributed publications old and new and took 104 order forms for IPU publications. Two IPU Handbooks for Parliamentarians – Sustaining Parliamentary Action to Improve Maternal, Newborn and Child Health and Internal Displacement: Responsibility and Action – were also launched during the Assembly.

Other meetings

1. Panel discussion on Addressing internal displacement: The responsibility of parliaments

The panel discussion on Addressing Internal Displacement: The Responsibility of Parliaments was held on 8 October. It brought together men and women parliamentarians to discuss the current crisis

of internal displacement, highlight the plight of internally displaced persons (IDPs) in several parts of the world and identify specific initiatives taken by parliaments. Participants heard from Mr. E. Ethuro, President of the Kenyan Senate, Mr. J. Riera, Senior Adviser to the Director of International Protection, UNHCR, and Mr. A. Zamudio, Director, Internal Displacement Monitoring Centre (IDMC).

The panel began by discussing the plight of IDPs. It noted that when people were forced to leave their homes because of conflict, human rights violations or disasters, their lives were uprooted, even if they remained in their own country. They left behind their property and livelihoods, and in many cases were separated from their families and communities.

The participants heard that, as a result of internal displacement, citizens and residents found themselves in situations of extreme vulnerability. In search of a better place, IDPs, especially women and children, risked their safety and security. Wherever they chose to settle, they often had severely limited access to basic amenities. The physical and mental toll on displaced individuals and families was overwhelming.

Despite being a very personal experience, internal displacement was occurring on a massive scale. The populations of over 50 countries had, to some degree, experienced internal displacement caused by armed conflict and violence. Many others had faced such displacement in the context of flooding, storms, earthquakes and other natural disasters, with tens of millions of displaced persons finding themselves in need of the protection and assistance of their governments. In 2012, it had been estimated that 28.8 million people were internally displaced.

The panellists explained that the impact of internal displacement on the State could be equally devastating. Formerly self-sustaining populations found themselves requiring protection and assistance, which the State might have neither the capacity nor the infrastructure to provide.

The protection of IDPs was primarily a State responsibility. Yet experience had shown that existing laws – which were generally not designed for situations of humanitarian crisis – were often unable to cope with the challenges of internal displacement. It was therefore necessary to establish effective national protection systems to address situations of internal displacement and strengthen national responses by developing an appropriate legal framework backed by proper enforcement. That was where parliaments had a crucial role to play.

The panel provided the perfect opportunity to launch the IPU-UNHCR Handbook entitled Internal displacement: Responsibility and action (<http://www.ipu.org/PDF/publications/Displacement-e.pdf>). The purpose of the Handbook was to help members of parliament develop an adequate legal framework for supporting IDPs and protecting their rights.

2. Panel discussion on Political party control over parliamentarians: Striking the right balance

The panel provided an opportunity for delegates to discuss the relations between parliamentarians and their political party. Following opening remarks by Ms. M. André (France), Ms. B. Amongi (Uganda) and Mr. J.C. Mahía (Uruguay), 27 members of parliament took the floor in a lively, interactive exchange of views ably moderated by Mr. M. Gonzi (Malta).

The participants agreed that the issue of party control was complex and multifaceted. There was a clear potential for tension between the individual mandate to represent citizens that each parliamentarian held, and the loyalty owed to the political party on whose platform the MP had been elected. Resolving that tension was a primary concern of all parliamentarians.

The discussion covered both the ordinary situation of everyday political life and extreme situations where sanctions were imposed on parliamentarians by the party.

The need for intra-party democracy was clearly highlighted. When a party group had clearly defined rules and procedures, met regularly and allowed its members to participate effectively in decision-making, then it was reasonable to expect that members would abide by the decisions of the party group and refrain from acts of rebellion. In reality, however, political parties had many different practices. In some cases, party leaders sought to impose their decisions on all members of the party. In others, the party had no clear ideology or platform, and there was little to bind members to the party and prevent them from moving from one party to another.

Party whips played an important role in enforcing party discipline, and the discussion brought out many examples in different political systems. One was the "three-tier" whipping system, which defined different levels of discipline for party members and categorized votes in three groups: one in which members had to vote in accordance with party instructions; one in which members were expected to vote along the party line but dissident voices were tolerated; and free votes, where no party line was fixed. The notion of "conscience" votes on societal subjects such as abortion was widely felt to be important.

The electoral system had a big impact on relations between parliamentarians and their political party. In party-list proportional systems, the parliamentarian was elected purely on a party ticket and was accountable first and foremost to the party. In constituency-based majoritarian systems, parliamentarians were elected both with support from their party and with the votes of their constituents. This created a dual accountability. In

certain cases, parliamentarians would argue that it was reasonable not to follow the party line when they considered that doing so was not in the best interests of their constituents.

When there was conflict between a parliamentarian and the party, the party might impose sanctions such as expulsion. Some countries had legal provisions whereby parliamentarians who were expelled from the party also lost their parliamentary seats. But that was not common to all jurisdictions, and raised many issues concerning parliamentarians' freedom of expression. An IPU study on The impact of political party control over the exercise of the parliamentary mandate (2012) provided a detailed overview of the legal provisions in existence around the world.

Given the richness of the debate, there could be no single conclusion. Among the main principles, however, the following could be singled out:

- Parties were essential to democracy. Yet it was also essential for parties to have their own internal democratic organization, and that they respect democratic principles and procedures.
- Parliamentarians were – in most cases – elected with the support of a political party and had a general duty towards voters and the party to work for implementation of the political platform on which they had run.
- To maintain the necessary balance, parliamentarians needed to work permanently with their party, and not for their personal interests. In certain circumstances, however, such as when a party moved away from the policy platform on which it had been elected, or acted in an undemocratic manner, it might be acceptable – or even necessary – for the parliamentarian to speak out against such behaviour.

Other events

1. Special debate on the humanitarian impact of the Syrian crisis, with the participation of Mr. A. Guterres, UN High Commissioner for Refugees

A special debate was organized during the last session of the Governing Council on 9 October to discuss the humanitarian impact of the Syrian crisis on refugees and host communities. The debate was launched by the UN High Commissioner for Refugees, Mr. A. Guterres, the President of the IPU Committee to Promote Respect for International

Humanitarian Law, Mr. A.A. Cakra Wijaya (Indonesia), and Senator S. Haj Hassan (Jordan).

The debate provided the participants with an update on the latest figures and issues related to refugees in the region. It also offered an opportunity to present the findings of the mission to Jordan conducted in June by the above-mentioned IPU Committee (see page 59).

As at early October, there were 2.1 million Syrian refugees: more than 780,000 in Lebanon; 538,000 in Jordan; 500,000 in Turkey; 195,000 in

Iraq and 127,000 in Egypt. Since 2011, Jordan's population had increased by more than 6 per cent as a result and Lebanon's by almost 20 per cent.

The debate focused on the plight of refugees - men, women, boys and girls - who had lived through dramatic experiences that would be difficult to heal or forget. The panellists highlighted the magnitude of the human tragedy, the resilience and dignity of refugees and the generosity of host countries. Displacement at any time was traumatic and resulted in new dangers. Special attention was paid to the plight of women and children refugees, whose vulnerability was heightened in such situations, exposing them to potential violence and abuse.

The response to help mitigate the suffering had been impressive and the assistance provided by international and national aid agencies as well as host countries was to be commended.

However, the participants highlighted that the solution to the crisis could not be a purely humanitarian one. The real solution had to be political. While such a solution was being sought, innovative financial mechanisms for support needed to be found. That was particularly crucial for the future, especially Syria's reconstruction, as the conflict had already wiped out two decades of development.

Participants called for greater mobilization and commitment on the part of the international community and for more innovative ways of providing support. Parliaments were called upon to follow up on the Syria Regional Response Plan 5 (RRP5), which had been developed by the international community in coordination with governments of the region. The international community was invited to contribute in-kind and direct support to governments of the region, and to consider alleviating the financial burden they bore. Syria's neighbours were encouraged to review their legislation, where relevant, so as to facilitate the provision of in-kind support from foreign countries. That could take the form, for instance, of allowing foreign medical workers to treat refugees, thereby easing the pressure on national health services.

IPU Members were called upon to champion the cause of refugees, who were voiceless, and to provide support to the host communities, who were holding up more than their end of the bargain.

2. Address by Ms. N. Pillay, UN High Commissioner for Human Rights

On 9 October, the UN High Commissioner for Human Rights, Ms. N. Pillay, addressed the Council in the presence of two OHCHR colleagues,

Mr. I. Salama, Director of the Human Rights Treaty Division, and Mr. B. Ndaye, Director of the Human Rights Council and Special Procedures Division.

Ms. Pillay's presentation focused on the importance of the contribution of parliamentarians to the promotion and protection of human rights for all. She spoke of the work of her Office, which was celebrating its 20th anniversary in 2013. She lauded the many achievements it had made in that time in advancing human rights, none of which would have been possible without the strong involvement of all relevant stakeholders, including parliaments.

The High Commissioner highlighted the role that parliaments had played with regard to the treaty body system, including by ratifying treaties and endorsing treaty body reports. She referred in particular to the very productive cooperation that existed, with the help of the IPU, between the Committee on the Elimination of Discrimination against Women and parliaments.

Ms. Pillay described the UN Human Rights Council as an effective mechanism aimed at improving the human rights situation in all countries and addressing human rights violations wherever they occurred. She made special reference to the Council's Universal Periodic Review (UPR), under which the human rights situation of all UN Member States was examined during a four-year cycle. She underscored that parliaments had a critical contribution to make to the Council's work and that the momentum existed to step up their involvement, especially following the organization in May 2013 of a panel discussion during the Council session on the same topic.

The ensuing exchange with parliamentarians focused on the contribution of parliaments to the reporting procedures of the UN Human Rights Council and the treaty bodies, in particular the CEDAW Committee.

3. Launch of the Handbook for Parliamentarians, Sustaining Parliamentary Action to Improve Maternal, Newborn and Child Health

During the first sitting of the Governing Council, the IPU Secretary General launched a new Handbook for Parliamentarians, Sustaining Parliamentary Action to Improve Maternal, Newborn and Child Health. The IPU had developed the Handbook to follow up the resolution adopted at the 126th IPU Assembly (Kampala, March-April 2012), Access to health as a basic right: The role of parliaments in addressing key challenges to securing the health of women and children. The Secretary General observed that there was growing recognition and appreciation within

the United Nations and other organizations of the role played by parliaments and the IPU to promote women's and children's health. The IPU's work in that field was helping to position parliaments at the centre of discussions on the new global development framework and on accountability for its implementation.

The Speaker of the Parliament of Uganda, Ms. R. Kadaga, reminded the Governing Council of her Parliament's contribution to developing the

resolution and expressed appreciation for the IPU's efforts to implement it by developing the Handbook and supporting parliamentary endeavours, including those in Uganda. She praised the content of the Handbook, which she believed would play a critical role in enhancing the capacity of her Parliament to intensify action on women's and children's health. She recommended the Handbook to all parliaments, parliamentary committees and regional parliamentary organizations.

Elections and appointments

1. President of the 129th Assembly of the Inter-Parliamentary Union

The President of the Inter-Parliamentary Union, Mr. Abdelwahad Radi, chaired the deliberations.

2. Vice-Presidents of the Inter-Parliamentary Union

African Group: Ms. N. Motsamai (Lesotho)

Group of Latin America and the Caribbean: Ms. I. Passada (Uruguay)

Arab Group: Mr. R.M.K. Al Shariqi (United Arab Emirates)

Asia-Pacific Group: Mr. F. Drilon (Philippines)

Twelve Plus Group: (name to be communicated subsequently)

Eurasia Group: Mr. V. Senko (Belarus)

3. Vice-President of the Executive Committee

The Committee elected Ms. I. Passada (Uruguay) as its Vice-President until October 2014.

4. Executive Committee

The following members were elected to the Executive Committee: Mr. M.R. Rabbani (Pakistan) until October 2015 (end of the term of the parliamentarian he is replacing), Mr. P. Tanbanjong (Thailand), Mr. V. Senko (Belarus), Mr. K. Dijkhoff (Netherlands) and Mr. R. Walter (United Kingdom) for a term of four years ending in October 2017.

5. Sub-Committee on Finance of the Executive Committee

The following members were appointed: Mr. P. Tanbanjong (Thailand), Mr. D. Oliver (Canada) and Mr. V. Senko (Belarus). The term of Ms. S. Moulengui-Mouélé (Gabon) was extended until October 2014. Mr. D. Oliver was nominated as interim Chairperson.

6. Sub-Committee on the future IPU-UN cooperation agreement

The following members were appointed: Mr. R.M.K. Al Shariqi (Arab Group), Ms. R. Kadaga (African Group), Ms. I. Passada (Group of Latin America and the Caribbean), Mr. V. Senko (Eurasia Group) and Mr. M.R. Rabbani (Asia-Pacific Group).

The name of the representative from the Twelve Plus Group will be communicated subsequently.

7. Committee on Middle East Questions

Mr. H. Franken (Netherlands) was elected titular member for a term of four years until October 2017.

Mr. G. Farina (Italy), Ms. C. Guittet (France) and Mr. M. Sheerit (Israel) were elected as substitute members for a similar term.

8. Internal Auditor for the 2014 accounts

The Governing Council appointed Mr. K. Örnfjäder (Sweden) as Internal Auditor for the 2014 accounts.

Members of the Inter-Parliamentary Union *

Members (163)

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, 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, 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, Somalia, 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 129th Assembly

Agenda, Resolutions and other texts of the 129th Assembly of the Inter-Parliamentary Union

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
 - (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
6. The role of parliaments in supervising the destruction of chemical weapons and the ban on their use

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

**"ADDRESSING CRIMINAL ACTS OF DELIBERATE DESTRUCTION OF WORLD CULTURAL HERITAGE IN
COUNTRIES IN A SITUATION OF ARMED CONFLICT OR FIGHTING TERRORISM:
THE ROLE OF PARLIAMENTS"**

Results

Affirmative votes.....	779	Total of affirmative and negative votes..	983
Negative votes.....	204	Two-thirds majority	655
Abstentions	561		

Country	Yes	No	Abst.	Country	Yes	No	Abst.	Country	Yes	No	Abst.
Afghanistan	14			Georgia			11	Niger	13		
Albania		Absent			Germany		19		Nigeria	10	10
Algeria	15			Ghana	13			Norway			10
Andorra			10	Greece	10		3	Oman	11		
Angola			12	Guatemala		12		Pakistan	21		
Argentina			16	Guinea-Bissau	Absent			Palestine	11		
Armenia	11			Haiti	11			Panama			11
Australia		14		Hungary			13	Peru	10		
Austria			12	Iceland		10		Philippines	18		
Bahrain	Absent			India			23	Poland			15
Bangladesh	20			Indonesia	22			Portugal	7		6
Belarus			13	Iran (Islamic Republic of)	18			Qatar	8		
Belgium	12			Iraq	14			Republic of Korea	17		
Benin	12			Ireland			11	Romania			14
Bhutan			10	Israel		12		Russian Federation	10		10
Bosnia and Herzegovina	11			Italy			17	San Marino	5		5
Botswana	11			Japan			20	Saudi Arabia	14		
Brazil			20	Jordan	12			Seychelles	Absent		
Burkina Faso	13			Kazakhstan	10			Singapore	12		
Burundi	10			Kenya		14		Slovenia			11
Cambodia	13			Kuwait	10			Somalia	10		
Cameroon	13			Lao People's Dem. Republic	10			South Africa	7		
Canada		15		Latvia		11		Spain			15
Chad	7		6	Lebanon	11			Sri Lanka	13		
Chile			13	Lesotho	10			Sudan	15		
China	5		18	Liechtenstein		10		Suriname			10
Colombia			10	Lithuania			11	Sweden		12	
Congo	11			Malawi			13	Switzerland			12
Costa Rica			11	Malaysia	Absent			Syrian Arab Rep.	5		8
Côte d'Ivoire	13			Maldives	Absent			Thailand	10		8
Croatia	11			Mali	Absent			The fYR of Macedonia			11
Cuba	13			Malta	8			Timor-Leste			11
Cyprus	5			Mauritius	11			Turkey	6		
Czech Republic		10		Mexico			20	Uganda	7		6
DR of the Congo	17			Micronesia (Fed. States of)			8	Ukraine	10		
Denmark		12		Monaco	Absent			United Arab Emirates	8		
Dominican Rep.			12	Mongolia	2			United Kingdom		14	4
Ecuador			13	Morocco	15			United Republic of Tanzania	15		
El Salvador			12	Myanmar	17			Uruguay			11
Equatorial Guinea	11			Namibia	11			Venezuela			8
Estonia			10	Netherlands	4			Viet Nam	18		
Ethiopia	Absent			New Zealand			11	Zambia			13
Finland		12		Nicaragua	3			Zimbabwe	10		
France		17									
Gabon	8		3								

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 delegations of Uruguay with the support of
GRULAC for the inclusion of an emergency item entitled**

"CYBER WARFARE – A SERIOUS THREAT TO PEACE AND GLOBAL SECURITY"

Results

Affirmative votes	850	Total of affirmative and negative votes..	1032
Negative votes.....	182	Two-thirds majority	688
Abstentions	502		

Country	Yes	No	Abst.	Country	Yes	No	Abst.	Country	Yes	No	Abst.
Afghanistan			14	Georgia			11	Niger	13		
Albania		Absent		Germany			19	Nigeria	20		
Algeria	8		7	Ghana	13			Norway			10
Andorra	10			Greece	10		3	Oman	5		
Angola			12	Guatemala	12			Pakistan	21		
Argentina	16			Guinea-Bissau		Absent		Palestine	3		
Armenia	11			Haiti	11			Panama	11		
Australia		14		Hungary	13			Peru	10		
Austria			12	Iceland		10		Philippines	18		
Bahrain		Absent		India	23			Poland	15		
Bangladesh			20	Indonesia	22			Portugal	13		
Belarus			13	Iran (Islamic Republic of)	6		12	Qatar	4		
Belgium			12	Iraq			14	Republic of Korea	17		
Benin	6		6	Ireland			11	Romania			14
Bhutan			10	Israel		12		Russian Federation			20
Bosnia and Herzegovina	11			Italy	17			San Marino			10
Botswana	11			Japan	20			Saudi Arabia		14	
Brazil	20			Jordan			12	Seychelles		Absent	
Burkina Faso			13	Kazakhstan	10			Singapore			12
Burundi			10	Kenya	14			Slovenia			11
Cambodia			13	Kuwait			10	Somalia	10		
Cameroon	10			Lao People's Dem. Republic	10			South Africa			16
Canada		15		Latvia		11		Spain	15		
Chad			13	Lebanon			11	Sri Lanka	13		
Chile	13			Lesotho			10	Sudan		15	
China	20		3	Liechtenstein		10		Suriname			10
Colombia	10			Lithuania			11	Sweden		12	
Congo	11			Malawi	10			Switzerland			12
Costa Rica	10			Malaysia		Absent		Syrian Arab Rep.			13
Côte d'Ivoire	13			Maldives		Absent		Thailand	10		8
Croatia	11			Mali		Absent		The fYR of Macedonia			11
Cuba	13			Malta	8			Timor-Leste	11		
Cyprus	5			Mauritius	11			Turkey			18
Czech Republic		10		Mexico	20			Uganda	13		
DR of the Congo	5			Micronesia (Fed. States of)	8			Ukraine			10
Denmark		12		Monaco		Absent		United Arab Emirates	11		
Dominican Rep.	12			Mongolia	5			United Kingdom		18	
Ecuador	13			Morocco	5		10	United Republic of Tanzania	15		
El Salvador	12			Myanmar	17			Uruguay	11		
Equatorial Guinea	10			Namibia			11	Venezuela	8		
Estonia		Absent		Netherlands	4			Viet Nam	18		
Ethiopia		12		New Zealand			11	Zambia	13		
Finland		17		Nicaragua	4			Zimbabwe	10		
France			3								
Gabon	8										

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 delegations of the Syrian Arab Republic
for the inclusion of an emergency item entitled**

**"ENHANCING THE ROLE OF PARLIAMENTS IN MAINTAINING INTERNATIONAL PEACE AND SECURITY
THROUGH SUPPORT FOR A POLITICAL SETTLEMENT, BY REFUSING ANY MANNER OF AGGRESSION, OR
THREAT OF AGGRESSION, VIOLATION OF STATE SOVEREIGNTY AND INTERFERENCE IN SYRIA'S AFFAIRS
THAT EXCEEDS THE FRAMEWORK OF INTERNATIONAL LEGITIMACY, AND BY APPLYING ALL
INTERNATIONAL COMMUNITY RESOLUTIONS ON THE FIGHT AGAINST TERRORISM"**

Results

Affirmative votes..... 497 Total of affirmative and negative votes.. 777
Negative votes..... 280 Two-thirds majority 518
Abstentions 785

Country	Yes	No	Abst.	Country	Yes	No	Abst.	Country	Yes	No	Abst.
Afghanistan	14			Georgia		11		Niger			13
Albania		Absent			Germany		19		Nigeria	20	
Algeria	15			Ghana			13	Norway			10
Andorra			10	Greece	10		3	Oman	11		
Angola			12	Guatemala			12	Pakistan	21		
Argentina			16	Guinea-Bissau		Absent		Palestine	3		
Armenia	11			Haiti			11	Panama			11
Australia			14	Hungary			13	Peru			10
Austria			12	Iceland		10		Philippines			18
Bahrain		Absent			India			23	Poland		15
Bangladesh			20	Indonesia	22			Portugal		7	6
Belarus	13			Iran (Islamic Republic of)	18			Qatar			8
Belgium		12		Iraq	14			Republic of Korea			17
Benin			12	Ireland			11	Romania			14
Bhutan			10	Israel		12		Russian Federation	20		
Bosnia and Herzegovina	11			Italy			17	San Marino	10		
Botswana	11			Japan			20	Saudi Arabia		14	
Brazil			20	Jordan	12			Seychelles		Absent	
Burkina Faso			13	Kazakhstan	10			Singapore			12
Burundi			10	Kenya	14			Slovenia			11
Cambodia			13	Kuwait			10	Somalia	10		
Cameroon			13	Lao People's Dem. Republic	10			South Africa	8		
Canada		15		Latvia			11	Spain		15	
Chad			13	Lebanon	11			Sri Lanka	13		
Chile			13	Lesotho			10	Sudan			15
China	23			Liechtenstein		10		Suriname			10
Colombia			10	Lithuania			11	Sweden		12	
Congo			11	Malawi	13			Switzerland			12
Costa Rica			10	Malaysia		Absent		Syrian Arab Rep.	13		
Côte d'Ivoire	4		9	Maldives		Absent		Thailand	18		
Croatia			11	Mali		Absent		The fYR of Macedonia		11	
Cuba	13			Malta			8	Timor-Leste		11	
Cyprus	5			Mauritius			11	Turkey		18	
Czech Republic		10		Mexico	20			Uganda			13
DR of the Congo			17	Micronesia (Fed. States of)			8	Ukraine			10
Denmark		12		Monaco		Absent		United Arab Emirates		11	
Dominican Rep.			12	Mongolia	4			United Kingdom		18	
Ecuador			13	Morocco			15	United Republic of Tanzania	5		10
El Salvador			12	Myanmar	17			Uruguay			11
Equatorial Guinea			11	Namibia	11			Venezuela	8		
Estonia		10		Netherlands			13	Viet Nam	18		
Ethiopia		Absent		New Zealand			11	Zambia			13
Finland		12		Nicaragua	3			Zimbabwe	10		
France		17									
Gabon			11								

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 delegations of Denmark, Finland, Iceland, Norway and Sweden for the inclusion of an emergency item entitled

"THE ROLE OF PARLIAMENTS IN SUPERVISING THE DESTRUCTION OF CHEMICAL WEAPONS AND THE BAN ON THEIR USE"

Results

Affirmative votes	1225	Total of affirmative and negative votes..	1267
Negative votes.....	42	Two-thirds majority	845
Abstentions	308		

Country	Yes	No	Abst.	Country	Yes	No	Abst.	Country	Yes	No	Abst.
Afghanistan	14			Georgia	11			Niger	13		
Albania		Absent			Germany	19			Nigeria	20	
Algeria	7		8	Ghana	13			Norway	10		
Andorra	10			Greece	13			Oman	11		
Angola	12			Guatemala			12	Pakistan	21		
Argentina			16	Guinea-Bissau		Absent		Palestine	3		
Armenia	11			Haiti	11			Panama			11
Australia	14			Hungary	13			Peru	10		
Austria	12			Iceland	10			Philippines	18		
Bahrain		Absent			India	23			Poland	15	
Bangladesh	20			Indonesia	12		10	Portugal	13		
Belarus	13			Iran (Islamic Republic of)	9		9	Qatar	8		
Belgium	12			Iraq	5			Republic of Korea	17		
Benin	6		6	Ireland	11			Romania	14		
Bhutan			10	Israel	12			Russian Federation	20		
Bosnia and Herzegovina	11			Italy	12	5		San Marino			10
Botswana	11			Japan	20			Saudi Arabia	14		
Brazil			20	Jordan			12	Seychelles		Absent	
Burkina Faso			13	Kazakhstan	10			Singapore	12		
Burundi			10	Kenya	14			Slovenia	11		
Cambodia	13			Kuwait			10	Somalia	10		
Cameroon	13			Lao People's Dem. Republic	10			South Africa	16		
Canada	15			Latvia	11			Spain	15		
Chad	13			Lebanon			11	Sri Lanka	13		
Chile			13	Lesotho	10			Sudan			15
China	18		5	Liechtenstein	10			Suriname	10		
Colombia			10	Lithuania	11			Sweden	12		
Congo	11			Malawi	13			Switzerland	12		
Costa Rica			10	Malaysia		Absent		Syrian Arab Rep.			13
Côte d'Ivoire	13			Maldives		Absent		Thailand	18		
Croatia	11			Mali		Absent		The fYR of Macedonia	11		
Cuba			13	Malta	8			Timor-Leste	11		
Cyprus	10			Mauritius	11			Turkey	18		
Czech Republic	10			Mexico	20			Uganda	13		
DR of the Congo	17			Micronesia (Fed. States of)	8			Ukraine	10		
Denmark	12			Monaco		Absent		United Arab Emirates			11
Dominican Rep.			12	Mongolia			11	United Kingdom	18		
Ecuador			12	Morocco	5		10	United Republic of Tanzania	15		
El Salvador			12	Myanmar	17			Uruguay			11
Equatorial Guinea	6			Namibia	11			Venezuela			8
Estonia	10			Netherlands	13			Viet Nam	18		
Ethiopia		Absent			New Zealand	11		Zambia	13		
Finland	12			Nicaragua			10	Zimbabwe	10		
France	17										
Gabon	11										

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 SUPERVISING
THE DESTRUCTION OF CHEMICAL WEAPONS AND THE BAN ON THEIR USE**

**Resolution adopted by consensus* by the 129th IPU Assembly
(Geneva, 9 October 2013)**

The 129th Assembly of the Inter-Parliamentary Union,

Saddened by the latest use of chemical weapons claiming hundreds of lives,

Condemning the development, production, stockpiling and use of chemical weapons,

Welcoming the constant hard work done by the Organization for the Prohibition of Chemical Weapons to oversee and monitor the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (Chemical Weapons Convention),

Concerned by the continued existence of declared stockpiles amounting to more than 13,000 metric tonnes of chemical weapons,

Stressing the need for universal adherence to the ban on the use of chemical weapons,

Recalling the Chemical Weapons Convention, to which 189 States are party, and the 1925 Geneva Protocol for the Prohibition of the Use of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare,

Noting the IPU resolution entitled Enforcing the responsibility to protect: The role of parliament in safeguarding civilians' lives,

Recognizing the accession by the Syrian Arab Republic to the Chemical Weapons Convention, and stressing the need for full compliance with the provisions of the Convention,

1. Calls upon all parliaments to condemn the use of chemical weapons and contribute to an environment of zero tolerance for the development, production, stockpiling and use of chemical weapons;
2. Urges parliaments to request status reports from their national authorities responsible for the administration of the Chemical Weapons Convention;
3. Also urges parliaments to check their national legislation concerning chemical weapons and to exercise their oversight powers so as to ensure effective implementation;
4. Encourages parliaments to demand that their respective governments act to sign and ratify the Chemical Weapons Convention;
5. Calls upon parliaments to demand the speedy destruction of any declared stockpiles of chemical weapons, including abandoned stockpiles, and stresses the need for compliance with the deadlines stipulated in the Chemical Weapons Convention;
6. Requests parliaments to support and fully comply with the invaluable work being done by the Organization for the Prohibition of Chemical Weapons;
7. Urges all States that are not yet party to the Chemical Weapons Convention to ratify or accede to it as a matter of urgency and without any preconditions;
8. Encourages the international community to look for sources of funding to be used for the safe destruction of stockpiles of chemical weapons.

* The delegations of Algeria, Bolivia, Cuba, Ecuador, Iran (Islamic Republic of), Lebanon, Nicaragua, Palestine, Peru, Sudan, Syrian Arab Republic and Venezuela expressed reservations on the inclusion in the resolution of the reference in preambular paragraph 7 to the IPU resolution entitled Enforcing the responsibility to protect: The role of parliament in safeguarding civilians' lives.

PRESIDENTIAL STATEMENT ON THE TERRORIST ATTACK IN KENYA

**Endorsed by the 129th IPU Assembly
(Geneva, 9 October 2013)**

On behalf of the members of parliament attending the 129th Assembly of the Inter-Parliamentary Union, I express our deep concern over the recent terrorist act on Westgate Mall in Nairobi, Kenya, which claimed the lives of 67 persons and left 175 injured.

We extend our sympathy to the Parliament and people of Kenya in the face of this national tragedy.

We also express our deep concern over the rise in terrorist acts that have plagued Kenya and other East African countries, such as Burundi, Uganda and the United Republic of Tanzania, and which continue to threaten the lives of innocent civilians.

We strongly condemn terrorism in all its forms. We express our outrage at such cowardly and reprehensible acts, which cannot be justified on any political, religious or ideological grounds.

We reiterate that the only way to achieve lasting peace and understanding is through dialogue and negotiation.

We appeal to national parliaments to ensure that counter-terrorism laws are in place and, more importantly, are enforced. Impunity for the perpetrators of terrorist acts will only beget further acts of terrorism. It is time to break the cycle of violence while upholding the principle of non-violent settlement of conflicts.

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

STATUTES

Amendments approved unanimously by the 129th IPU Assembly (Geneva, 9 October 2013)

Article 6.1

Amend the existing Article as follows:

1. All Members or Associate Members of the Union shall have their own Rules governing their participation in the Union's work. They shall make all structural, administrative and financial provisions required to ensure effectively their representation in the Union, the implementation of the decisions taken and to maintain a regular liaison with the Secretariat of the Union to which they shall send, ~~before the end of January of each year,~~ **an annual** report of their activities, including the names of their officers and the list or the total number of their members.

Article 10.2

Amend the existing Article as follows:

2. The number of members of Parliament appointed as delegates to the ~~first annual session of the Assembly~~ by a Member of the Union shall in no case exceed eight in respect of Parliaments of countries with a population of less than one hundred million inhabitants, or ten in respect of Parliaments of countries with a population of one hundred million inhabitants or more. ~~The number of delegates to the second annual session shall not exceed five or seven for Parliaments of countries with a population of one hundred million inhabitants or more.~~

Article 13.2

Amend the existing Article as follows:

2. Standing Committees shall normally prepare reports and/or draft resolutions for the Assembly **and perform other functions as set out in the Rules (cf. Standing Committees, Rule 6.1quater).**

Article 22

Amend the existing Article as follows:

A Meeting of Women Parliamentarians shall be held on the occasion of ~~the first~~ **both** annual sessions of the Assembly and shall report on its work to the Governing Council. This Meeting shall establish its own Rules which shall be approved by the Governing Council. The Meeting is assisted by a Coordinating Committee whose Rules it shall approve. The Coordinating Committee will meet during both annual sessions of the Assembly.

New Article 22bis

Add a new Article after the existing Article 22 to read as follows:

22bis. The Committee on the Human Rights of Parliamentarians shall meet on the occasion of both annual sessions of the Assembly and may hold additional sessions and organise missions as necessary. The Committee shall report on its work to the Governing Council. The Committee shall establish its own Rules, which shall be approved by the Governing Council.

New Article 22ter

Add a new Article after Article 22bis to read as follows:

22ter. The Forum of Young Parliamentarians shall meet on the occasion of both annual sessions of the Assembly and shall report on its work to the Governing Council. The Forum shall establish its own Rules, which shall be approved by the Governing Council.

Article 23.9

Amend the existing Article as follows:

9. Members of the Executive Committee shall not simultaneously hold office as ~~President or Vice-President~~ **Bureau members** of a Standing Committees.

* * *

RULES OF THE ASSEMBLY

**Amendments approved unanimously by the 129th IPU Assembly
(Geneva, 9 October 2013)**

Rule 4.1

Amend the existing Rule as follows:

1. The Assembly will meet twice a year. ~~The first session will take place in the first half of each year and normally last for five~~ **four** working days. The second session ~~will take place in the second half of the year and normally last for three working days.~~ It will be held in Geneva, unless the IPU Governing bodies decide otherwise.

Rule 10.1

Amend the existing Rule as follows:

1. The agenda of the Assembly, approved on the occasion of its previous session, shall include a General Debate with an overall theme, ~~and one~~ **normally two** subject items proposed by ~~the each~~ Standing Committees and relating to ~~its~~ **their** own field of competence (cf. Standing Committees, Rule 6.1 and Statutes, Art. 14.1) **as well as possible reports submitted by the Standing Committees.**

Rule 13

Amend the existing Rule as follows:

As a rule, the Assembly will appoint two rapporteurs for each **subject item proposed by a** Standing Committee. ~~These rapporteurs who~~ will prepare a **succinct, action-oriented draft resolution and an accompanying explanatory memorandum** ~~report or reports on the item placed on their Committee's agenda.~~ Members of the Union may contribute to ~~such reports~~ **the drafting process** by submitting **their brief written inputs in one of the official languages of the IPU (cf. Assembly, Rule 37.1)** ~~suggestions and comments to the rapporteurs.~~ The arrangements for the submission of such ~~suggestions and comments~~ **written inputs** shall be indicated in the convocation of the Assembly (cf. Standing Committees, Rule 12).

Rule 14.1

Delete the existing Rule.

~~1. The rapporteurs will also prepare a draft resolution on the subject included on the agenda of their Committee.~~

Rule 15.2

Delete the existing Rule.

~~2. The Assembly may hold a panel discussion on a specific topic of general interest, which could also be the overall theme allocated to the General Debate.~~

Rule 15.3

Amend the existing rule as follows:

3. The ~~three~~ subject items placed by the Assembly on its agenda shall be debated by the ~~competent~~ Standing Committees, ~~each of~~ which shall prepare ~~a report and~~ a draft resolutions for consideration by the Assembly (cf. Statutes, Art. 13.2).

Rule 17.1

Amend the existing Rule as follows:

1. Any delegate may submit amendments relating to the draft resolutions prepared by the rapporteurs on the subject item included in the agenda approved by the Assembly. They shall be deposited with the **IPU Secretariat of the Assembly** no later than 15 days before the opening of the Assembly. However, the Meeting of Women Parliamentarians shall be permitted to submit amendments incorporating a gender perspective at any time prior to the closure of the first sitting of the respective Standing Committee. ~~This Rule shall apply to the Coordinating Committee of Women Parliamentarians at the second Assembly of the year~~ (cf. Standing Committees, Rule 12.2).

Rule 38.1

Delete the existing Rule.

~~1. The provisional summary record of each sitting shall be made available to delegates within twenty-four hours. Any delegate may request a rectification; the Steering Committee shall decide, in case of doubt, as to its admissibility.~~

Rule 38.3

Amend the existing Rule and move it up to precede current Rule 38.2.

~~31.~~ The ~~final~~ summary record of the proceedings shall be published and distributed before the following Assembly.

* * *

RULES OF THE STANDING COMMITTEES

Amendments approved unanimously by the Governing Council at its 193rd session
(Geneva, 9 October 2013)

Rule 6.1

Amend the existing Rule as follows:

1. Standing Committees shall ~~normally meet during each session of the Assembly and shall normally~~ debate and prepare **one reports and** draft resolutions **per year** on ~~their respective a~~ subject items placed on the agenda of the Assembly (cf. Assembly, Rule 15.3). **The draft resolution should duly take into account the views of different Members.**

New Rule 6.1bis

Add a new rule after the existing Rule 6.1 to read as follows:

6.1bis. A system of rotation among the Standing Committees shall be put in place to determine the order in which the resolutions are prepared.

New Rule 6.1ter

Add a new rule after Rule 6.1bis to read as follows and then place Rule 6.2 right after Rule 6.1bis:

6.1ter. Without prejudice to the provisions of Rule 6.1 and Rule 6.2, the Standing Committees shall establish their own work plans and set their agendas.

New Rule 6.1quater

Add a new rule after Rule 6.1ter to read as follows:

6.1quater. In addition to the consideration of explanatory memoranda and draft resolutions prepared by the rapporteurs on the subject item placed on the agenda of the Assembly (cf. Assembly, Rules 10.1 and 15.3, and Standing Committees, Rules 12.1 and 12.2), the Standing Committees may inter alia commission research, discuss reports on good practices, review implementation of and follow-up action on previous IPU resolutions, organise field missions and hold hearings on subjects related to their field of competence, whenever possible in cooperation with the United Nations and other official organizations.

Rule 6.2

Amend the existing Rule as follows:

~~25.~~ The **Standing Committees** may also be instructed by the Governing Council to study an item included in the latter's agenda and make a report.

Rule 7.1

Amend the existing Rule as follows:

OFFICERS-BUREAU

RULE 7

1. Each Standing Committee shall elect a Bureau composed of **three representatives of each of the existing geopolitical groups, which shall designate to each Bureau not more than two candidatures of the same sex. Every effort shall be made to include young parliamentarians and encourage candidatures from new Members of the Union as well as Members that do not hold other offices in the Union.** ~~a President and Vice Presidents, one of whom shall be elected as First Vice President. They shall represent the existing geopolitical Groups and the number of Bureau members shall be equivalent to the number of geopolitical Groups. Each member shall have a substitute. An effort shall be made to ensure gender balance.~~

New Rule 7.1bis

Add a new rule after the existing Rule 7.1 to read as follows:

7.1bis. Candidatures for a Bureau shall be submitted by the respective geopolitical group (cf. Statutes, Art. 25.2) and should have expertise and specialization as far as possible in the area of work of the given Standing Committee.

New Rule 7.1ter

Add a new rule after Rule 7.1bis to read as follows:

7.1ter. Elected members of the Bureau shall be supported by their respective parliament in carrying out their function as members of the Bureau. Every effort shall be made to ensure their participation in IPU Assemblies for the duration of their mandate as members of the Bureau.

Rule 7.2

Amend the existing Rule as follows:

2. ~~Officers~~ **Members of the Bureau** shall be elected or re-elected ~~at the first annual session of each Committee~~ by an absolute majority of the votes cast.

Rule 7.3

Amend the existing Rule as follows:

3. **The Standing Committees shall elect a President and a Vice-President from among the members of their Bureau.** The posts of **President and Vice-President** shall be filled at a single election. **The geopolitical groups shall coordinate among themselves so as to ensure, to the extent possible, an equitable distribution of the posts of President and Vice-Presidents of Standing Committees.**

Rule 8.1

Amend the existing Rule as follows:

1. ~~A Members of the Bureau Committee officer shall not be elected for a term of two years and may be re-elected for a further period of two years. eligible for re-election to the same post, either as titular or substitute, after four years in office.~~

Rule 8.2

Amend the existing Rule as follows:

2. When a **member of a Bureau** ~~Committee officer~~ has served for four consecutive years, two years must elapse before that person may again be elected to the ~~post held previously~~ **same Bureau.**

Rule 9.1

Amend the existing Rule as follows:

1. In order to ensure as far as possible a fair distribution of these posts among the Members of the Union, representatives of a Member shall not simultaneously hold more than one post as President or Vice-President **of Standing Committees (cf. Rule 7.3)**, or hold a post in the same body for more than four consecutive years (cf. Rule 8.2).

Rule 9.2

Amend the existing Rule as follows:

2. Members of the Executive Committee shall not simultaneously hold office as ~~President or Vice-President~~ **Bureau members** of a Standing Committees (cf. Statutes, Art. 23.9 and Standing Committees, Rule 10.2).

Rule 9.3

Amend the existing Rule as follows:

3. There shall be no candidates for the post of President **or Vice-President** of a Standing Committee from a Member of the Union represented on the Executive Committee.

New Rule 9bis.1

Under the new Rule 9bis, add a first rule to read as follows:

9bis.1. Members of the Bureau who are unable to participate in a session may be replaced by other duly mandated representatives from the same Members of the Union for the duration of that session only.

New Rule 9bis.2

Under the new Rule 9bis, add a second rule to read as follows:

9bis.2. Members of the Bureau who are absent for two consecutive sessions without a valid reason may lose their seat on the Bureau by a decision of the corresponding Committee. In such cases, a new election will be held at the next session of the Standing Committee to fill the respective vacancy.

New Rule 9ter

Add a new rule after Rule 9bis to read as follows:

RULE 9ter

The Bureau of each Standing Committee shall normally meet at both annual sessions of the Assembly to prepare and review implementation of the Committee's work plans and consider proposals for subject items to be discussed at future Assemblies.

New Rule 9quater

Add a new rule after Rule 9ter to read as follows:

The Bureau of a Standing Committee may meet and deliberate irrespective of the number of Bureau members present. However, a vote may take place only if at least half of the Bureau members or their duly mandated replacements (cf. Rule 9bis.1) are in attendance.

Rule 10.1

Amend the existing Rule as follows:

1. The ~~First~~ Vice-President shall act for the President of a Standing Committee in the latter's absence.

Rule 10.2

Amend the existing Rule as follows:

2. In case of resignation, loss of parliamentary mandate or death of the President of a Standing Committee, or if the affiliation of the Member of the Union to which the President belongs is suspended, the President's duties shall be exercised by the ~~First~~ Vice-President, until such time as the Committee holds its next elections. A similar procedure shall be followed when the President of a Standing Committee is elected to the Executive Committee or to the Presidency of the Inter-Parliamentary Union (cf. Rule 9.2).

Rule 12.1

Amend the existing Rule as follows:

1. The Assembly shall appoint rapporteurs for each **subject item proposed by the Standing Committees**. ~~who~~ ~~These rapporteurs~~ will prepare a **succinct action-oriented draft resolution and an accompanying explanatory memorandum** ~~report or reports~~ on the item placed on their Committee's agenda. Members of the Union may contribute to **the drafting process** ~~such reports~~ by submitting their **brief written inputs in one of the official languages of the IPU (cf. Assembly, Rule 37.1)** ~~suggestions and comments to the rapporteurs~~. The arrangements for the submission of such ~~suggestions and comments~~ **inputs** shall be indicated in the convocation of the Assembly. The **explanatory memorandum** ~~final report~~ shall remain the responsibility of its authors (cf. Assembly Rule 13).

Rule 12.2

Amend the existing Rule as follows:

2. The ~~rapporteurs shall also prepare a draft resolution on the subject to be debated in their Committee, which the Secretariat of the IPU shall send~~ **the draft resolution and the explanatory memorandum** to the Members in advance of the session. Members may propose amendments to the draft resolution no later than 15 days before the opening of the Assembly. However, the Meeting of Women Parliamentarians shall be permitted to submit amendments which incorporate a gender perspective to the draft resolutions at any time prior to the closure of the first sitting of the respective Standing Committee. ~~This Rule shall apply to the Coordinating Committee of Women Parliamentarians at the second Assembly of the year.~~ The Committee will finalise the draft resolution and submit it to the Assembly for adoption (cf. Assembly Rule 17.1).

New Rule 12.3

Add a new rule after the existing Rule 12.2 to read as follows:

12.3. The appointment of rapporteurs shall take into account the principles of gender equality and equitable geographical distribution. Every effort shall be made to include young parliamentarians among the rapporteurs.

New Rule 12.4

Add a new rule after Rule 12.3 to read as follows:

12.4. If at least one rapporteur is not appointed before the end of the Assembly preceding the one where the subject is to be discussed, the President of the IPU shall be entrusted with pursuing consultations with a view to appointing these rapporteurs at the earliest possible opportunity.

Rule 15.1

Amend the existing Rule as follows:

1. ~~The Bureau of a~~ Resolutions shall normally be finalised in the Standing Committees. A Standing Committee may, if necessary, set up a drafting committee, whose members shall be competent and specialize in the subject under study.

New Rule 16bis

Add a new rule after the existing Rule 16 to read as follows:

SELECTION OF SUBJECT ITEMS

RULE 16bis

Any Member of the Union may submit a proposal for a subject item to be discussed by a Standing Committee at a future Assembly. Such proposals shall be deposited with the Secretariat of the Union no later than 15 days before the opening of the Assembly preceding the one where the subject will be discussed.

New Rule 16ter

After Rule 16bis, add a new rule comprising three sub-rules to read as follows:

RULE 16ter

16ter.1. A Standing Committee shall decide on the subject item to be proposed for discussion at the next Assembly (cf. Assembly, Rule 15.3) after hearing the recommendation of its Bureau.

16ter.2. When the Committee is called upon to take a decision on the subject item to be proposed for discussion at the next Assembly, the only proposals in order, other than those included in the recommendation of its Bureau, shall be earlier proposals submitted within the statutory deadlines (cf. Rule 16bis.1) but not accepted by the Bureau.

16ter.3. If a Standing Committee receives a request from a Member of the Union to consider a proposal that was not accepted by the Bureau, the Standing Committee shall first decide whether to consider such a request.

New Rule 16quater

After Rule 16ter, add a new rule comprising four sub-rules to read as follows:

RULE 16quater

16quater.1. The Bureau shall consider all duly submitted proposals for subject items to be discussed at future Assemblies and shall formulate its recommendation to the Standing Committee.

16quater.2. The authors of proposals (cf. Rule 16bis.1) shall be invited to present them to the Bureau.

16quater.3. A member of the Bureau cannot present a proposal on behalf of a delegation.

16quater.4. When considering the proposals for subject items to be discussed at future Assemblies, the Bureau may recommend one of the proposals, combine two or more of them dealing with the same subject or related subjects into a single item, put forward another subject item or decide to submit more than one proposal to the Standing Committee.

New Rule 16quinquies

Add a new rule after Rule 16quater to read as follow:

RULE 16quinquies

The Bureau of one Standing Committee may convey to the Bureau of another Standing Committee its suggestions for subject items to be discussed by that Standing Committee at future Assemblies.

Rule 30.1

Amend the existing Rule as follows:

1. **Decisions of Standing Committees and their Bureaux** ~~decisions~~, with the exception of elections which are held in conformity with the provisions of Rule 7, shall be taken either by show of hands or by roll call.

Rule 34.1

Amend the existing Rule as follows:

1. A Standing Committee may meet and deliberate whatever the number of members present. However, a vote may take place only if at least half of the Members of the Union participating in the Assembly are represented in the Standing Committee. The quorum shall be determined ~~by the Secretary General~~ **on the basis of the number of Members of the Union present at the Assembly** at the **time of its opening** ~~of each Assembly~~.

Rule 34.2

Amend the existing rule as follows:

2. The quorum shall be considered as attained and a vote taken by a Standing Committee as valid, whatever the number of members present or participating therein if, before the voting, the President has not ~~verified whether there is a quorum and/or has not been called upon to do so~~ by a member of the Standing Committee **to verify whether there is a quorum**.

Rule 34.3

Delete the existing rule.

~~3. When, before the vote, the presence of a quorum has been noted, that vote shall be considered as valid whatever the number of members participating therein.~~

Rule 35.1

Amend the existing rule as follows:

1. Decisions **of Standing Committees and their Bureaux** shall be taken by a majority of the votes cast, except as stipulated in Rule 7.2 of these Rules.

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

BUDGET OF THE INTER-PARLIAMENTARY UNION FOR 2014

Approved by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013)

Approved 2014 operating budget

	2013 Approved Budget	2014 Approved Budget		
		Regular Budget	Other Sources	All Funds
REVENUES				
Assessed contributions	10,939,900	10,950,800		10,950,800
Working Capital Fund*	100,000	170,000		170,000
Staff assessment	973,000	987,000		987,000
Interest	75,000	100,000		100,000
Programme support costs	0	111,200	(111,200)	0
Other revenue	16,000	16,000		16,000
Voluntary contributions	1,518,000		1,522,600	1,522,600
TOTAL REVENUES	13,621,900	12,335,000	1,411,400	13,746,400
EXPENDITURES				
Stronger democracies				
1. Better functioning parliaments	1,861,200	1,580,300	471,500	2,051,800
2. Advance gender equality	1,082,500	777,300	230,600	1,007,900
3. Promote respect for human rights	1,341,900	1,059,600	251,500	1,311,100
Subtotal	4,285,600	3,417,200	953,600	4,370,800
International involvement				
4. Parliamentary dimension of multilaterals	919,600	925,000		925,000
5. International development goals	661,300	38,000	539,000	577,000
6. Peace building	87,200	75,000	30,000	105,000
Subtotal	1,668,100	1,038,000	569,000	1,607,000
Parliamentary Cooperation				
7. Enhanced Member relations	3,265,500	3,304,800		3,304,800
8. IPU visibility	939,100	966,900		966,900
9. Management and governance	880,500	870,200		870,200
Subtotal	5,085,100	5,141,900		5,141,900
Support Services	2,511,600	2,595,900		2,595,900
Other charges	180,000	142,000		142,000
Eliminations	(108,500)		(111,200)	(111,200)
TOTAL EXPENDITURES	13,621,900	12,335,000	1,411,400	13,746,400

* Increases in the Working Capital Fund at the year-end have been utilized to offset depreciation increases in order to balance the income and expenditure budgets.

Approved 2014 capital budget

Item	2013	2014
1. Replacement of computers	35,000	35,000
2. Furniture	15,000	15,000
3. Improved conference facilities	0	0
4. Website development	320,000	160,000
Total capital expenditures	370,000	210,000

APPROVED PROGRAMME AND BUDGET FOR 2014

SCALE OF CONTRIBUTIONS FOR 2014 BASED ON THE UN SCALE OF ASSESSMENT

Approved by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013)

Member or Associate Member	UN Scale	Approved Scale (2014)	
		Per cent	CHF
Afghanistan	0.005%	0.110%	12'000
Albania	0.010%	0.110%	12'000
Algeria	0.137%	0.280%	30'600
Andorra	0.008%	0.110%	12'000
Angola	0.010%	0.110%	12'000
Argentina	0.432%	0.630%	68'900
Armenia	0.007%	0.110%	12'000
Australia	2.074%	2.330%	255'000
Austria	0.798%	1.030%	112'700
Azerbaijan	0.040%	0.160%	17'500
Bahrain	0.039%	0.160%	17'500
Bangladesh	0.010%	0.110%	12'000
Belarus	0.056%	0.180%	19'700
Belgium	0.998%	1.240%	135'700
Benin	0.003%	0.100%	10'900
Bhutan	0.001%	0.100%	10'900
Bolivia	0.009%	0.110%	12'000
Bosnia and Herzegovina	0.017%	0.130%	14'200
Botswana	0.017%	0.130%	14'200
Brazil	2.934%	3.170%	346'900
Bulgaria	0.047%	0.170%	18'600
Burkina Faso	0.003%	0.100%	10'900
Burundi	0.001%	0.100%	10'900
Cambodia	0.004%	0.110%	12'000
Cameroon	0.012%	0.120%	13'100
Canada	2.984%	3.220%	352'300
Cape Verde	0.001%	0.100%	10'900
Chad	0.002%	0.100%	10'900
Chile	0.334%	0.520%	56'900
China	5.148%	5.280%	577'800
Colombia	0.259%	0.430%	47'100
Congo	0.005%	0.110%	12'000
Costa Rica	0.038%	0.160%	17'500
Côte d'Ivoire	0.011%	0.120%	13'100
Croatia	0.126%	0.270%	29'500
Cuba	0.069%	0.200%	21'900
Cyprus	0.047%	0.170%	18'600
Czech Republic	0.386%	0.580%	63'500
Democratic PR of Korea	0.006%	0.110%	12'000
Denmark	0.675%	0.900%	98'500
Djibouti	0.001%	0.100%	10'900
Dominican Republic	0.045%	0.160%	17'500
DR Congo	0.003%	0.100%	10'900
Ecuador	0.044%	0.160%	17'500
El Salvador	0.016%	0.120%	13'100
Equatorial Guinea	0.010%	0.110%	12'000
Estonia	0.040%	0.160%	17'500

Member or Associate Member	UN Scale	Approved Scale (2014)	
		Per cent	CHF
Ethiopia	0.010%	0.110%	12'000
Finland	0.519%	0.730%	79'900
France	5.593%	5.700%	623'700
Gabon	0.020%	0.130%	14'200
Gambia	0.001%	0.100%	10'900
Georgia	0.007%	0.110%	12'000
Germany	7.141%	7.170%	784'600
Ghana	0.014%	0.120%	13'100
Greece	0.638%	0.860%	94'100
Guatemala	0.027%	0.140%	15'300
Guinea-Bissau	0.001%	0.100%	10'900
Haiti	0.003%	0.100%	10'900
Honduras	0.008%	0.110%	12'000
Hungary	0.266%	0.440%	48'100
Iceland	0.027%	0.140%	15'300
India	0.666%	0.890%	97'400
Indonesia	0.346%	0.530%	58'000
Iran (Islamic Republic of)	0.356%	0.540%	59'100
Iraq	0.068%	0.200%	21'900
Ireland	0.418%	0.610%	66'700
Israel	0.396%	0.590%	64'600
Italy	4.448%	4.610%	504'400
Japan	10.833%	10.830%	1'185'100
Jordan	0.022%	0.130%	14'200
Kazakhstan	0.121%	0.260%	28'500
Kenya	0.013%	0.120%	13'100
Kuwait	0.273%	0.450%	49'200
Kyrgyzstan	0.002%	0.100%	10'900
Lao PDR	0.002%	0.100%	10'900
Latvia	0.047%	0.170%	18'600
Lebanon	0.042%	0.160%	17'500
Lesotho	0.001%	0.100%	10'900
Libya	0.142%	0.290%	31'700
Liechtenstein	0.009%	0.110%	12'000
Lithuania	0.073%	0.200%	21'900
Luxembourg	0.081%	0.210%	23'000
Malawi	0.002%	0.100%	10'900
Malaysia	0.281%	0.460%	50'300
Maldives	0.001%	0.100%	10'900
Mali	0.004%	0.110%	12'000
Malta	0.016%	0.120%	13'100
Mauritania	0.002%	0.100%	10'900
Mauritius	0.013%	0.120%	13'100
Mexico	1.842%	2.100%	229'800
Micronesia (Federated States of)	0.001%	0.100%	10'900
Monaco	0.012%	0.120%	13'100
Mongolia	0.003%	0.100%	10'900
Montenegro	0.005%	0.110%	12'000
Morocco	0.062%	0.190%	20'800
Mozambique	0.003%	0.100%	10'900
Myanmar	0.010%	0.110%	12,000
Namibia	0.010%	0.110%	12'000
Nepal	0.006%	0.110%	12'000
Netherlands	1.654%	1.920%	210'100
New Zealand	0.253%	0.420%	46'000
Nicaragua	0.003%	0.100%	10'900

Member or Associate Member	UN Scale	Approved Scale (2014)	
		Per cent	CHF
Niger	0.002%	0.100%	10'900
Nigeria	0.090%	0.220%	24'100
Norway	0.851%	1.090%	119'300
Oman	0.102%	0.240%	26'300
Pakistan	0.085%	0.220%	24'100
Palau	0.001%	0.100%	10'900
Palestine		0.100%	10'900
Panama	0.026%	0.140%	15'300
Papua New Guinea	0.004%	0.110%	12'000
Paraguay	0.010%	0.110%	12'000
Peru	0.117%	0.260%	28'500
Philippines	0.154%	0.300%	32'800
Poland	0.921%	1.160%	126'900
Portugal	0.474%	0.680%	74'400
Qatar	0.209%	0.370%	40'500
Republic of Korea	1.994%	2.260%	247'300
Republic of Moldova	0.003%	0.100%	10'900
Romania	0.226%	0.390%	42'700
Russian Federation	2.438%	2.690%	294'400
Rwanda	0.002%	0.100%	10'900
Samoa	0.001%	0.100%	10'900
San Marino	0.003%	0.100%	10'900
Sao Tome and Principe	0.001%	0.100%	10'900
Saudi Arabia	0.864%	1.100%	120'400
Senegal	0.006%	0.110%	12'000
Serbia	0.040%	0.160%	17'500
Seychelles	0.001%	0.100%	10'900
Sierra Leone	0.001%	0.100%	10'900
Singapore	0.384%	0.580%	63'500
Slovakia	0.171%	0.330%	36'100
Slovenia	0.100%	0.240%	26'300
Somalia	0.001%	0.100%	10'900
South Africa	0.372%	0.560%	61'300
South Sudan	0.004%	0.110%	12'000
Spain	2.973%	3.210%	351'300
Sri Lanka	0.025%	0.140%	15'300
Sudan	0.010%	0.110%	12'000
Suriname	0.004%	0.110%	12'000
Sweden	0.960%	1.200%	131'300
Switzerland	1.047%	1.300%	142'300
Syrian Arab Republic	0.036%	0.150%	16'400
Tajikistan	0.003%	0.100%	10'900
Thailand	0.239%	0.410%	44'900
The FYR of Macedonia	0.008%	0.110%	12'000
Timor-Leste	0.002%	0.100%	10'900
Togo	0.001%	0.100%	10'900
Trinidad and Tobago	0.044%	0.160%	17'500
Tunisia	0.036%	0.150%	16'400
Turkey	1.328%	1.590%	174'000
Uganda	0.006%	0.110%	12'000
Ukraine	0.099%	0.240%	26'300
United Arab Emirates	0.595%	0.810%	88'600
United Kingdom	5.179%	5.310%	581'000
United Republic of Tanzania	0.009%	0.110%	12'000
Uruguay	0.052%	0.170%	18'600
Venezuela	0.627%	0.850%	93'000

Member or Associate Member	UN Scale	Approved Scale (2014)	
		Per cent	CHF
Viet Nam	0.042%	0.160%	17'500
Yemen	0.010%	0.110%	12'000
Zambia	0.006%	0.110%	12'000
Zimbabwe	0.002%	0.100%	10'900

Member or Associate Member	UN Scale	Approved Scale (2014)	
		Per cent	CHF
Andean Parliament		0.020%	2'200
Central American Parliament		0.010%	1'100
East African Legislative Assembly		0.010%	1'100
European Parliament		0.070%	7'700
Latin American Parliament		0.020%	2'200
Parliamentary Assembly of the Council of Europe		0.050%	5'500
Transitional Arab Parliament		0.010%	1'100
WAEMU		0.010%	1'100
CEMAC		0.010%	1'100
ECOWAS		0.010%	1'100
TOTAL		100%	10,931,100

COOPERATION WITH THE UNITED NATIONS SYSTEM

List of activities undertaken by the IPU between early April and end September 2013

Noted by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013)

The United Nations

- The IPU pursued its efforts to provide a parliamentary perspective to the post-2015 development agenda. It relayed the key messages of the Quito Communiqué to the May and June sessions of the Open Working Group of the UN General Assembly that is designing a new set of Sustainable Development Goals (SDGs); provided input to the UN Secretary-General's Report for the High-level Meeting of the General Assembly in September; and participated in a thematic debate of the Economic and Social Council (ECOSOC) on 4 July, where the role of parliaments in the post-2015 development agenda was discussed.
- The IPU explored other avenues of cooperation with ECOSOC within the context of this body's ongoing restructuring with stronger multi-stakeholder engagement. Meetings with the President of ECOSOC took place in New York and Geneva. The IPU followed the substantive session of ECOSOC during the month of July in Geneva, where it also raised gender equality and human rights issues.
- The IPU made a significant contribution to the May session of the United Nations Permanent Forum on Indigenous Issues, where plans for a parliamentary contribution to next year's World Conference on Indigenous Peoples were outlined. The outcome of the Forum explicitly welcomed such a contribution, including through a multi-stakeholder hearing at the United Nations in May 2014.
- A first symposium of the 2014 session of the Development Cooperation Forum took place in Addis Ababa, Ethiopia, in early June. The IPU participated with a delegation of 10 parliamentarians in a discussion meant to help reconfigure the global partnership for development in view of the new post-2015 development agenda. The accountability role of parliaments in ensuring that the global partnership delivers better results at the country level was underscored.
- Preparations got underway for this year's Parliamentary Hearing at the United Nations in November. For the first time, the President of ECOSOC will co-sponsor the Hearing together with the incoming President of the General Assembly at its 68th session. The Hearing will be devoted to the post-2015 development agenda and will provide an opportunity for MPs to engage directly with members of the Open Working Group on the SDGs.
- The IPU actively promoted the UN-proclaimed International Day of Democracy on 15 September by encouraging Member Parliaments to mark the Day through a special activity or political statement. The main theme of the Day, agreed in cooperation with the United Nations, was "Strengthening Voices for Democracy".
- In close coordination with the UN Department of Peacekeeping Operations, a mission of the Advisory Group of the IPU Committee on United Nations Affairs was dispatched to Cote d'Ivoire in mid-June. The mission took the cue from the outcome of last year's Parliamentary Hearing at the United Nations to examine in greater detail how the parliament of a post-conflict country could work together with UN field operations towards achieving political stability.
- Together with the United Nations Office for Disaster Risk Reduction, the IPU helped organize a parliamentary meeting on governance for disaster risk reduction as a contribution to on-going consultations towards a post-2015 framework for disaster risk reduction and the post-2015 development agenda. The meeting was held in Geneva on 20 May.
- On 23 May, at the invitation of the President of the UN Open-ended Working Group on Nuclear Disarmament and as part of the Working Group's official programme of work, the IPU organized a parliamentary panel discussion at the United Nations Office at Geneva aimed at spurring government action to initiate comprehensive negotiations in the area of nuclear disarmament. The panel heard

several presentations, including by the President of the IPU Standing Committee on Peace and International Security, and was well-attended by UN Member States, experts, non-governmental organizations and other stakeholders.

- Based on a favourable decision taken by the IPU governing bodies in Quito, the IPU worked closely with the UN Office for Disarmament Affairs and the World Future Council on selection of the 2013 Future Policy Award. The jury, of which the IPU is a member, met to discuss the 25 national and regional policies that had been submitted for consideration. The award ceremony, scheduled to take place on 23 October at UN Headquarters in New York, will recognize exemplary and innovative disarmament policies that can inspire action by other countries.
- The IPU began discussions with the UN Security Council and its 1540 Committee, which monitors implementation of its namesake resolution on preventing the proliferation of weapons of mass destruction. The Committee would like to engage more closely with parliaments and the IPU to facilitate implementation of Security Council resolution 1540 through proactive national legislation and stronger parliamentary oversight. Similar interest has been expressed by the Security Council's Counter-Terrorism Committee. The Chair of the 1540 Committee confirmed his availability to attend the next session of the IPU Committee on United Nations Affairs during the 129th IPU Assembly in Geneva.

UN Women

- Within the framework of the joint IPU-UN Women programme of support to the Equal Opportunities Commission of the Grand National Assembly of Turkey, a report on the findings of a gender-sensitive self-assessment, together with a corresponding plan of action, were officially adopted and launched in parliament. This marks the beginning of the implementation phase of the report's recommendations.
- The IPU model of how to promote the participation of women in its bodies and policies has been highlighted as an example of best practice in a report issued in May by UN Women and the Mary Robinson Foundation. UN Women recommended that the IPU example be studied and possibly replicated in the context of climate change and the United Nations Framework Convention on Climate Change (UNFCCC) process. The IPU subsequently participated in a panel in Bonn on promoting gender balance and women's empowerment in the UNFCCC process, where it provided practical advice on making political processes gender-sensitive.

UNDP

- As a follow-up to last year's seminal Global Parliamentary Report, the IPU and UNDP, together with the Parliament of Morocco, organized a regional workshop in Rabat on 5 and 6 June on "The evolving relationship between citizens and parliaments in the Arab world". The meeting examined ways of capitalizing on the political and institutional shake-up caused by the Arab Spring.
- With the support of UNDP country representatives and in cooperation with the UN Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States (UN-OHRLS), the IPU worked to organize a number of focus groups in a select number of parliaments to provide global-level feedback on how parliaments are working to mainstream implementation of the 2011 Istanbul Programme of Action for the Least Developed Countries (IPoA).
- The IPU continued to work closely with UNDP country offices, providing technical assistance and delivering capacity-building programmes to national parliaments. This has been the case over the past six months in Bangladesh, Democratic Republic of Congo, Myanmar, Pakistan and Palestine.

Office of the UN High Commissioner for Human Rights (OHCHR) and the UN Human Rights Council

- The IPU co-organized a panel on the contribution of parliaments to the work of the Human Rights Council and its Universal Periodic Review (UPR) during the Council's May session in Geneva. The panel considered several ways for parliaments to complement the work of the Council through more proactive engagement both domestically and at the Council. In particular, it recommended that parliamentarians attend the sessions of the Council, including its UPR, as part of their national delegations. It was also proposed that a series of regional workshops on interaction between national parliaments and the Council be held in 2014.

- The IPU participated in a panel organized by the OHCHR on accountability for the implementation of the future post-2015 development agenda from a human rights perspective. The event took place in New York on 22 May and discussed inter alia how international human rights commitments can be translated into enforceable legislation at the national level.

United Nations High Commissioner for Refugees (UNHCR)

- As a follow-up to the IPU emergency item resolution adopted at the Quito Assembly earlier this year on the humanitarian impact of the crisis in Syria, the IPU Committee to Promote Respect for International Humanitarian Law, with the support of UNHCR, carried out a mission to Jordan in June to examine the situation of Syrian refugees and their impact on host countries. The mission sought to gather first-hand information on the plight of refugees, paying special attention to the situation of women and children. It visited refugee camps and urban areas, which host the bulk of the refugee population in the region. It held meetings with high-level government and parliamentary authorities as well as with UNHCR national and regional representatives. As an immediate follow-up to the mission, and based on the Committee's preliminary findings, the IPU President launched an appeal to the parliamentary community to support the UN Regional Response Plan 5 (RRP5) in support of Syrian refugees and host communities. The mission will present its full findings and report to the IPU Assembly in Geneva in October 2013.

UNAIDS

- The IPU participated in the Thanda Dialogue on AIDS Governance, an informal brainstorming meeting convened jointly by UNAIDS and the New Partnership for Africa's Development (NEPAD) in South Africa at the end of May. The meeting sought to identify future directions for governance of the AIDS response, amplify its voice, strengthen norms of inclusion and non-discrimination, and identify novel forms of accountability. The outcomes of the meeting will inform the future work plans of the African Union and UNAIDS.

World Health Organization (WHO)

- The IPU continued to receive financial support from WHO for its project on maternal, newborn and child health. This support has allowed the IPU to conduct various activities, such as the multi-country seminar hosted by the Bangladesh Parliament on accountability for women's and children's health (Dhaka, 30-31 July 2013).
- The IPU pursued its support of WHO efforts to implement the recommendations of the Commission on Information and Accountability for Women's and Children's Health established by the UN Secretary-General, and contributed to the report of Independent Expert Review Group.
- In turn, WHO, together with UNICEF, reciprocated by participating in the technical Reference Group of the IPU project on maternal, newborn and child health.

United Nations Population Fund (UNFPA)

- UNFPA provided financial and logistical support for the field testing of the IPU orientation manual on maternal, newborn and child health for parliaments. The field test was conducted in Uganda and saw the participation of 25 parliamentarians, who provided much-needed input to the final stages of producing the manual.
- UNFPA continued to participate in the technical Reference Group of the IPU project on maternal, newborn and child health.

World Trade Organization (WTO)

- Preparations got underway at the IPU and the European Parliament for the annual session of the Parliamentary Conference on the WTO, which will take place in conjunction with the 9th WTO Ministerial Conference in Bali (MC9) in early December. The Indonesian House of Representatives will be playing host and providing logistical and other support to the parliamentary event. A meeting of the Steering Committee of the Parliamentary Conference was held in Brussels in May. It stressed the need for MC9 to make progress on four key issues: trade facilitation, agriculture, food security and issues of particular concern to the least developed countries.

REPORT OF THE IPU COMMITTEE ON UNITED NATIONS AFFAIRS

**Noted by the 129th IPU Assembly
(Geneva, 9 October 2013)**

The Committee on United Nations Affairs met in Geneva on 7 and 9 October 2013, during the 129th IPU Assembly, and had a full and comprehensive agenda before it.

During its first session, on the morning of 7 October, the Committee discussed interaction between national parliaments and UN country teams. It also examined, specifically, the work conducted in national parliaments to follow up the Fourth United Nations Conference on the Least Developed Countries.

The discussion was informed by the Report of the latest mission of the Advisory Group of the Committee on United Nations Affairs to Côte d'Ivoire, in June 2013, which sought to assess cooperation between the Parliament and the United Nations in support of peacebuilding and reconciliation efforts there. Previous field missions to the United Republic of Tanzania (2008), Viet Nam (2009), Sierra Leone and Ghana (2011) and Albania and Montenegro (2012) had assessed progress in the implementation of One UN reform in those countries, in particular in terms of greater coherence and effectiveness of UN interventions.

Organized as an interactive debate with the head of the UN country team in Burkina Faso, the discussion started with the first subject, with the participants sharing their experience with the UN teams in their respective countries and making recommendations with a view to improving their cooperation with them.

Turning to the action of UN country teams in the field, the participants pointed out that the teams were not evenly distributed geographically. In some countries they had a significant presence; in others they were practically non-existent. This made it difficult for the national parliament in those countries to interact with them. To remedy that problem, the participants advocated that UN country teams be present in every country.

UN programmes and policies were designed for people, who were represented by parliamentarians. Parliamentarians were therefore well placed to know people's real needs and to define their priorities. By the same token, in line with their prerogatives as the people's elected representatives, parliamentarians could ensure respect for international commitments, notably those undertaken in the context of the United Nations. They played an equally decisive part in the implementation of the major resolutions and decisions produced by international meetings, such as the Millennium Development Goals and the post-2015 development agenda. Their contribution could take the form of action to arrange the legislative framework in such a way as to reflect the relevant provisions.

This crucial parliamentary contribution notwithstanding, the participants deplored the fact that members of parliament were neither informed nor consulted about the various activities undertaken by the United Nations in their countries. They also deplored the fact that UN programmes were often predefined and did not reflect the population's real needs and priorities.

The participants stressed that, in order to remedy that shortcoming, the United Nations had to inform parliamentarians of its activities by sending national parliaments annual reports and important decisions and resolutions. In the same vein, the participants recommended that the United Nations consult with parliamentarians earlier in the programme-development process. In that regard, the United Nations could prepare an annual summary of its objectives. Because they were in constant contact with their constituents, parliamentarians could convey their needs to the United Nations, which in turn could incorporate them into its programmes. In addition, the population's concerns had to be taken into account from the outset and reflected in the decisions taken by international bodies.

While it was true that UN country teams had to interact with national parliaments, parliaments, for their part, had to take steps to facilitate such interaction.

As a preliminary step, the participants suggested that the internal dialogue between parliament and government be improved, with a view to facilitating the flow of information between the two.

In addition, the participants pointed to the need for the national parliament, the executive branch and the United Nations to have a vision. Combining those visions would allow parliament to play its role and adopt a methodological approach to the preparation of an appropriate strategy for interaction with UN country teams.

The participants recommended that the strategy comprise the following components:

- the establishment within national parliaments of bodies tasked with coordinating the work of the committees dealing with UN affairs; to that end, they proposed that the IPU draw up an inventory of existing bodies of that kind so as to facilitate the exchange of best practices;
- the appointment of a parliamentary focal point entrusted with conveying UN decisions and resolutions;
- the elaboration of guidelines that could help structure interaction between national parliaments and UN country teams;
- the institutionalization of an annual reporting exercise by UN country teams to the national parliament of the country in which they were operating, which would include an overview of UN operations conducted in the country during the year and plans for the year ahead.

The Committee also took stock of the progress made in implementing the Istanbul Programme of Action, in a discussion in which the UN High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States, the Speaker of the National Assembly of the United Republic of Tanzania, the UNDP Resident Coordinator in Burkina Faso and the Permanent Observer of the African Union to the United Nations Office at Geneva all participated.

There were 49 least developed countries: roughly two thirds in Africa, one third in Asia, and one – Haiti – in the Caribbean. The population of approximately 900 million was affected by low income, poor social development and high vulnerability; they were essentially at the bottom of the development ladder. The very ambitious goal of the Istanbul Programme of Action was to lift half of the least developed countries out of that category by 2021.

Going forward, parliaments would have a critical role to play in advancing the Istanbul Programme of Action through national development plans while at the same time continuing to provide input to the General Assembly Open Working Group on Sustainable Development Goals and the Secretary-General's High-Level Panel of Eminent Persons on the Post-2015 Development Agenda. While the process should focus on real action at the national level, it should also remain bidirectional, i.e. national input should be provided for global discussions and consultations, and vice versa.

The Committee underscored the need for parliaments to take the Istanbul Programme of Action into consideration when debating investment laws. It also highlighted the difficulties faced by donor countries, particularly in the current climate of financial crisis. It suggested that greater efficiency and transparency on the part of UN agencies would foster more trust among donors. The Committee proposed that a set of indicators be developed specifically for the Programme, as had been for the Millennium Development Goals. What was important now was what all stakeholders were willing to do both to implement the Programme and to take it to the next level and ensure that the least developed countries had every opportunity to graduate from that category.

At its second session, in the afternoon of 7 October, the Committee focused on important developments at the United Nations in the area of non-proliferation, in particular the adoption of the Arms Trade Treaty in April 2013 and efforts aimed at enhancing implementation of Security Council resolution 1540 on the non-proliferation of weapons of mass destruction to non-State actors, an issue of particular relevance in the context of the dramatic situation in the Syrian Arab Republic.

As the panellists highlighted during the session, the Arms Trade Treaty was a landmark agreement adopted by an overwhelming majority (154 States in favour, 3 against, 23 abstentions). It sought to regulate the international trade in conventional weapons and establish common standards to assess international weapons transfers. In practice, the Treaty aimed to prevent weapons transfers in situations where there was evidence that those would lead to grave violations of international human rights law or international humanitarian law, or would adversely affect sustainable development. In so doing, the Treaty aimed to provide a new multilateral framework for transparency and accountability in the arms trade.

Over 75 countries had signed the Treaty in the first month after it was opened for signature in early June (113 by 1 October), with the first ratification by Iceland on 2 July. The Treaty would come into force 90 days after it was ratified by the fiftieth signatory State, which it was believed would occur sometime in the latter part of 2014. All parliaments were called upon to play a pivotal role in both ratification and implementation, adapting national legislation as required, allocating resources and monitoring progress in meeting the commitments undertaken.

As highlighted during the debate, the potential impact of the Arms Trade Treaty was far-reaching: fostering peace and security by regulating arms flows to conflict regions, preventing human rights and international humanitarian law abusers from being supplied with arms, and keeping warlords, pirates and gangs from acquiring weapons. The Treaty would therefore significantly boost efforts to protect women and children in situations of armed conflict or widespread armed violence. Monitoring mechanisms would also be put in place, accompanied by an annual reporting exercise. Several governments were already contributing to the UN Trust Facility Supporting Cooperation on Arms Regulation, a funding mechanism for assistance programmes to help develop new policy and legislation.

The participants discussed the good practices that could be implemented to reinforce the aim of the Treaty, create clear accountability mechanisms and ensure greater transparency of arms transfers. They referred to the establishment of national control processes, official administrative guidelines, national inspectorates and practical enforcement measures, including punitive measures for those that did not comply with regulations on the transfer of arms.

Despite its limitations – including the fact that it did not go as far as might have been hoped and that a small group of countries contested its adoption in the absence of unanimous support – the Treaty filled an obvious gap in the global conventional arms control system, and that was preferable by far to the current lack of regulation.

Many delegations expressed the hope that the new Arms Trade Treaty would help curb the immense suffering caused by what until now had been a poorly regulated arms trade. As noted by the President of the Senate of Kenya, the huge quantities available of unregulated guns had represented true weapons of mass destruction for the African continent, a situation that had to change. All States – and all parliaments – had a responsibility to make sure the new Arms Trade Treaty became an effective and workable tool for achieving that shared objective.

The Committee also welcomed the participation at its session of the Chair of the Security Council 1540 Committee and of prominent experts from the academic world and civil society, who presented Security Council resolution 1540 on the non-proliferation of weapons of mass destruction to non-State actors, the context in which the resolution had come about, its main provisions and implications, and the benefits of implementation.

First adopted in 2004 and then renewed in 2011, the resolution in essence obliged all UN member States to: (a) refrain from providing any form of support to non-State actors that attempted to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery; (b) adopt and enforce appropriate and effective laws to prohibit and prosecute such activities by non-State actors; and (c) establish domestic controls over materials, equipment and technology which could be used for the design, development, production or use of weapons of mass destruction and their means of delivery. Given the transnational nature of organized crime, action to counter the proliferation of such weapons was only as strong as its weakest link.

During the presentations and discussion, the Committee underscored the key role that legislators were called upon to play in ensuring that the necessary legal instruments were in place to help protect their citizens from terrorism with potentially devastating effects. Resolution 1540 had a strong legislative component, as it called for the establishment of national legal frameworks to prevent the proliferation of nuclear, chemical and biological weapons and their means of delivery. Several areas of national legislation were concerned, including criminal law, export-import laws, strategic goods and transfers control, regulatory systems for dual-use materials, and the requisite enforcement measures.

Under the resolution, each State could decide the type of implementing measures it required in accordance with its constitutional processes. Such measures could take various forms: the adoption of stand-alone laws on specific categories of weapons of mass destruction (as was the case in countries such as Australia, Belgium, Canada, Cuba, the Russian Federation, Singapore and the United States in respect of the Biological Weapons Convention); the adoption of a "weapons of mass destruction law" (as was the case in Chile, India and South Africa); or the implementation of several laws and regulations (most European and civil law countries had adopted this approach, filling gaps in and amending the penal code, export control laws, safety/security provisions pertaining to weapons of mass destruction, etc.).

Irrespective of how resolution 1540 had come about and the objections of a limited number of States, ultimately it was the responsibility of all parliamentarians to do their utmost to enhance the security of their citizens. Implementing Security Council resolutions – which were legally binding on all States – was one sure way to do that. In addition, the implementation of resolution 1540 presented a number of other benefits: strengthening the capacity of States to investigate and prosecute any offences (including preparatory acts) associated with nuclear, chemical and biological weapons or related materials by non-State actors; strengthening the capacity of States to monitor and supervise any activities related to weapons of mass destruction; enhancing public health and safety and national security; strengthening border control; sending a strong signal to potential investors that they were a safe and responsible place to do business; better equipping States to meet their other obligations related to weapons of mass destruction and comply effectively with international reporting requirements.

The point was that, even though resolution 1540 was a non-proliferation and counter-terrorism measure, if properly implemented it could strengthen the rule of law and foster development. The Committee therefore called on all parliaments to pay careful attention to this very important resolution and to do their utmost to ensure its effective implementation. The Committee President and the Speaker of the East African Legislative Assembly also recommended that the IPU and the UN Security Council continue to cooperate on raising awareness of the resolution at regional level, including by convening regional events and providing support for the establishment of regional action plans.

At its last session, on the morning of 9 October, the Committee focused on promoting international commitments and defending the rights of vulnerable groups, in particular indigenous peoples and persons with disabilities.

Despite the adoption in 2007 of the United Nations Declaration on the Rights of Indigenous Peoples, indigenous peoples remained among the most vulnerable members of society. Their level of participation and representation in decision-making, including in parliaments, remained extremely low, even though parliaments had to be truly representative of all sectors of society in order to carry out their constitutional mandate of legislating and holding government to account.

Since 2007, the IPU had conducted extensive research on the presence of indigenous representatives in parliament; it had convened an international parliamentary conference in 2010 to debate those issues. The resulting Chiapas Declaration contained key recommendations for ensuring effective participation by indigenous peoples in politics.

The session underscored that it was parliament's duty to recognize the specific identity and culture of indigenous peoples and enhance understanding of the particular problems they faced, to raise awareness in society and thereby combat prejudice, and to take special measures to promote and protect indigenous people's rights. Moreover, parliaments should make sure that the right to free, prior and informed consent was observed at all stages leading up to the adoption of legislative and administrative measures potentially affecting indigenous peoples.

The World Conference on Indigenous Peoples was scheduled to take place at UN headquarters in New York in September 2014, and it was important to ensure that the deliberations incorporated a parliamentary perspective. For that purpose, the IPU would continue to encourage parliaments to be more inclusive both in terms of their composition and of their working modalities, and would convene a parliamentary meeting in the Plurinational State of Bolivia in April 2014 to enable them to share their experiences. It was convinced that those developments could inspire other countries that had yet to take steps to ensure that the views of indigenous peoples were taken into account when developing public policies.

Similarly, protecting and promoting the rights of persons with disabilities warranted the particular attention of parliamentarians around the world. According to the World Health Organization-World Bank 2011 World Report on Disability, there were about 1 billion persons with disabilities worldwide. Their rights were enshrined in the UN Convention on the Rights of Persons with Disabilities, which had been ratified by over 130 States and took a human rights-based approach to disability. Article 29 guaranteed the right to participate in political and public life of all persons with disabilities.

In order to promote and protect the rights of persons with disabilities, the IPU had developed a handbook for parliamentarians in 2007, recommending the Convention's ratification and its translation into national laws and policies. In keeping with its fundamental principle of "full democratic and political participation", in 2008 the IPU had adopted the Policy to ensure the participation of persons with disabilities in the work of the Inter-Parliamentary Union.

During the discussion, participating legislators exchanged views with the representatives of several UN agencies and non-governmental organizations (the International Disability Alliance and the World Future Council) and further explored the role of parliamentarians and parliaments to promote the rights of persons with disabilities, in particular the right to political participation. The participants shared their experiences, spoke of initiatives being taken in their countries, and highlighted good practices, such as:

- rendering information about election processes, candidates and their political platforms accessible in plain language (so that persons with intellectual disabilities could make informed voting choices);
- reserving seats in parliament for disabled candidates;
- providing the right to vote in secret with assistance from someone chosen by the disabled person;
- securing budget allocations for the political participation of persons with disabilities;
- establishing parliamentary committees on the rights of persons with disabilities and ensuring disabled persons had access to elections, both as voters and as candidates.

The Committee also formulated a number of recommendations:

- The universal ratification of the Convention of the Rights of Persons with Disabilities and its Optional Protocol;
- The abrogation of constitutional and legal provisions denying persons with disabilities the right to vote and to stand for election;
- The systematic consultation of disabled persons and their representative organizations in all legislative processes;
- The allocation of budgets to pursue programmes for the promotion of disability rights, including through the provision of reasonable accommodation;
- Parliamentary oversight of the Convention's implementation and of disability right programmes;
- The adoption of measures that would allow persons with disabilities to stand for election and participate in the decision-making process ("nothing about us without us").

The Committee also endorsed the Call to Act (see [Annex](#)) submitted by a group of parliamentarians, which identified a series of measures that could and should be adopted by the IPU and by its Member Parliaments in order to ensure that persons with disabilities were better able to fulfil their potential in political and public life. This, in turn, would go a long way towards establishing truly accessible and inclusive parliaments.

At the conclusion of its deliberations, the Committee requested that its Report be circulated widely among all national parliaments and within the United Nations system.

* * *

CALL TO ACT

ENSURING THE PARTICIPATION OF PERSONS WITH DISABILITIES IN POLITICAL AND PUBLIC LIFE

The first ever World Report on Disability, produced jointly by the World Health Organization and the World Bank in 2011, suggests that more than one billion people in the world today are living with a disability. Their rights are enshrined in the UN Convention on the Rights of Persons with Disabilities, which has been ratified by over 130 States to date and takes a human rights-based approach to disability. Article 29 of the Convention guarantees the right to participation in political and public life of all persons with disabilities.

With a view to promoting and protecting the rights of persons with disabilities, the IPU published a handbook for parliamentarians in 2007 in which it recommended the ratification of the Convention and its translation into national laws and policies. On the basis of its fundamental principle of "full democratic and political participation", in 2008 the IPU adopted the Policy to ensure the participation of persons with disabilities in the work of the Inter-Parliamentary Union¹, according to which the IPU will:

1. Implement practical measures to create inclusive, barrier-free environments to enable the participation of persons with disabilities in its work;
2. Encourage Member Parliaments to take action so that persons with disabilities can achieve the transition from exclusion to equality; and
3. Seek a representative Secretariat that is open to persons with disabilities, where opportunities in work are based on merit and all employees feel included and valued.

With the present statement, we renew the IPU's commitment to the participation of persons with disabilities in political and public life and to make sure that this principle does not remain a dead letter but is translated into action. Like women and indigenous peoples, people with disabilities should speak with their own voice and take their place in parliament: Nothing about us without us!

We therefore encourage the IPU to:

1. Designate one or more contact points in the IPU Secretariat who can act as reference persons for all parliamentarians concerning the rights of persons with disabilities;
2. Recommend to all Member Parliaments and Associate Members that they harmonize their legislation in accordance with the Convention on the Rights of Persons with Disabilities, in particular Article 29, and ratify the Convention and with its Optional Protocol (should they not yet have done so);
3. Draw up a questionnaire with the aim of collecting information on the participation of persons with disabilities in politics and the legislative, physical, communication, informational, technological or other barriers they face, to be answered by all Member Parliaments and Associate Members;
4. Publish the data collected in a section of the IPU website dedicated to parliamentary action on the rights of persons with disabilities, which is to be conceived and programmed in such a way that it serves as a virtual meeting place and as a space where IPU's disability work, initiatives and documentation about good practices and experiences can be consulted and downloaded;
5. Undertake all necessary steps to establish and institutionalize a working group that is composed of parliamentarians engaged in the rights of persons with disabilities and includes parliamentarians with disabilities, that meets at least once a year and that has its own resources;
6. Amend the IPU Statutes to ensure that parliamentary delegations include parliamentarians with disabilities;
7. Pledge to include the rights of persons with disabilities as an item on the IPU's yearly agenda; and
8. Report annually about progress on the aforementioned points to all Members.

¹ The Policy was approved by the Governing Council on 14 October 2008 and is available at: <http://www.ipu.org/cnl-e/183-disability.htm>.

We encourage the IPU's Member Parliaments to:

1. Ratify the Convention on the Rights of Persons with Disabilities and its Optional Protocol (should they not yet have done so);
2. Make sure that parliamentary bodies, processes and programmes have internalized parliament's oversight role with regard to the Convention's implementation across all committee work, constituency work, etc.;
3. Establish parliamentary disability rights committees or ensure that disability rights as an issue are integrated into parliamentary human rights committees;
4. Ensure that all new legislation is coherent with the Convention on the Rights of Persons with Disabilities and that legislation that is not in line with the Convention is duly amended or repealed;
5. Adopt disability-friendly budgeting;
6. Adopt positive concrete measures to become disability-inclusive parliaments, including by rendering their environment, information, communications and technologies accessible and providing reasonable accommodation so that persons with disabilities can inter alia participate in the work of parliaments, take part in inclusive and accessible elections as both voters and candidates, be consulted, follow parliamentary debates and hearings, and be employed on an equal basis with others;
7. Enhance cooperation between parliaments, government coordination mechanisms and focal points on disability, national human rights institutions, independent monitoring frameworks and civil society organizations, in particular organizations representing persons with disabilities, as set out in Articles 4(3) and 33 of the Convention on the Rights of Persons with Disabilities;
8. Strengthen the involvement of parliaments in the work of the UN human rights monitoring mechanisms, including the Committee on the Rights of Persons with Disabilities and other treaty bodies, the Human Rights Council and the Universal Periodic Review reporting procedure;
9. Forward the present recommendations to their members' respective political parties, to ensure that they enable persons with disabilities to participate in and be supported by the party, including by making available campaign resources and placing them higher on electoral lists, that they include disability-specific activities in their plans for and reports on constituency work, that they add disability issues to their oversight list and that they have disability-specific indicators when they plan individual or collective oversight visits;
10. Report annually on progress on the aforementioned points to the IPU.

Giving effect to the human rights of persons with disabilities means enabling them to participate on an equal basis with others, at all levels.

REPORT OF THE COMMITTEE ON MIDDLE EAST QUESTIONS

**Adopted² by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013)**

The Committee held its first meeting since its March 2013 session on 5 and 7 October. It unanimously elected Ms. M. Green (Sweden) as its Vice-President.

In line with a recommendation in its report in Quito for meetings to take place in the Middle East region itself, the President of the Committee, with the agreement of the Committee, had travelled to the region in June 2013, where he met with the Speaker and Deputy Speaker of the Knesset and with President Mahmoud Abbas. In frank discussions, both the Israelis and Palestinians reiterated their belief that the IPU and the Committee on Middle East Questions had an important role to play and could create more space around negotiations and bring constructive, indirect pressure to bear, enabling the negotiators to act more urgently.

² The delegations of Palestine and Indonesia expressed reservations on the report, which they stated did not accurately reflect the fact that 90 per cent of the dialogue with the Committee had dealt with issues of human rights and the situation of detained members of the Palestinian Parliament. They also stressed that future dialogue sessions should focus on the latter issue.

The outcome of these meetings facilitated a joint meeting in Geneva during which the Committee were able to hear the views of the Israeli and Palestinian delegations on areas of bilateral concern, such as water, the situation of young people and the role of women and gender equality in the respective societies. The Committee and the delegations agreed that women's issues must be a key part of the launch pad for joint projects. The Committee decided that it was now essential for the IPU to establish a programme of round tables which would include both parliamentarians and representatives from civil society.

The first such round table should be on women's issues. The next theme should be mutually decided and agreed by the Committee and parliamentarians from both Palestine and Israel. Possible topics could include youth issues, climate change and water. The Committee called upon the Secretariat, in consultation with the President and Vice-President of the Committee, to organize this programme as rapidly as possible. The Committee resolved that it would review progress at its next meeting, which should preferably not coincide with the IPU Assembly, as competing meetings led to conflicting pressures and distractions, limiting constructive and committed peacemaking.

The Committee expressed a strong desire that, in keeping with the understanding given to its President by President Abbas and the Speaker of the Knesset, delegates should be fully representative of the respective parliaments and should include young parliamentarians and women. It welcomed the first steps that had been taken in that direction.

The President and Vice-President of the Committee, in consultation with the Secretariat, would prepare proposals to be circulated to Committee members on suitable timing.

The report on the visit by Lord Judd, President of the Committee, to the region in June 2013 is annexed to this report.

* * *

REPORT ON THE VISIT BY LORD JUDD, PRESIDENT OF THE COMMITTEE ON MIDDLE EAST QUESTIONS, TO THE REGION

(27 and 28 June 2013)

Introduction

Following the meeting of the Committee on Middle East Questions held in Quito during the 128th IPU Assembly and its report to the Governing Council, the IPU sought to organize a mission so that the Committee could pursue the dialogue with Israeli and Palestinian members of parliament in the region.

While the Committee's report had been well received by both sides, a number of complex factors made it very difficult to organize the mission at the time originally envisaged. As a result, it was decided to defer the mission to a later date and to hold a meeting of the Committee on the eve of the 129th IPU Assembly in Geneva in October. Meanwhile, it was agreed that the Committee President, Lord Judd, would travel to the region for further exploratory talks.

Lord Judd, accompanied by IPU Senior Adviser on Arab Affairs, Mr. Mokhtar Omar, visited Jerusalem on 27 June. They held separate meetings with the Speaker of the Knesset, Mr. Yuli-Yoel Edelstein (Likud), and with the Deputy Speaker, Mr. Meer K. Sheetrit (Hatnua – The Movement). Ambassador O. Ben-Hur, Senior Diplomatic Adviser to the Knesset, attended some of the talks.

The IPU delegation then travelled to Amman, Jordan, where it met with President Mahmoud Abbas, President of the Palestinian National Authority. The IPU Secretary General joined the meeting, which was also attended by Mr. Saeb Erekat, Chief Palestinian Negotiator, and Mr. Ibrahim Khreishi, Secretary General of the Palestinian Legislative Council.

Regional context

At the time of the mission, the conflict in Syria was escalating. The number of casualties had reached 100,000. Well over 4 million Syrians were displaced by the fighting within the country and a further 1.5 million had sought refuge in neighbouring countries.

External actors were fuelling the conflict and arms were being provided to the parties to the conflict. The effects were increasingly felt in the neighbouring countries and had the potential to destabilize them. This was evident for example in Lebanon, where a high number of casualties had occurred in the northern part of the country during the week preceding the mission. There were also heightened military tensions on the border with Israel.

In Egypt, the ruling party, the Muslim Brotherhood, was facing widespread demonstrations demanding early presidential elections, prompting fears that Egypt, under the current ruling party, could descend into outright civil conflict. This situation is a cause for concern for both Palestinian and Israeli politicians.

Peace process

The US Secretary of State, John Kerry, visited Israel and Jordan at the time of the IPU delegation's travels in the region. He sought to relaunch peace talks between the Palestinians and Israelis. Mr. Kerry was seeking assurances that both parties were serious about peace and that talks would not swiftly collapse because of an unwillingness to take the tough decisions that would be required to secure peace. He hoped to persuade the Palestinian leader to abandon any pre-conditions for talks, such as Israel putting a stop to further settlement construction. Recent statements from both parties seemed to indicate a willingness to move towards direct peace talks.

Visit to the Knesset on 27 June 2013

Since the IPU delegation's visit to the region in March 2013, a coalition government was formed and the Knesset elected its main office-holders. Mr. Yuli-Yoel Edelstein was elected Speaker of the Knesset on 22 March 2013 while Mr. Meir Sheetrit was elected Deputy Speaker.

1. Priorities of the Knesset

The Knesset was focusing on several internal issues at the time: most importantly, the budget. The Speaker stressed that the matter of the budget was of primary importance to the Knesset. It was monopolizing everybody's time and effort. That being said, Speaker Edelstein did not expect that the budget would ultimately be a cause for major disagreement between Israeli parties or the current coalition government.

Speaker Edelstein pointed out that the preoccupation with the budget did not imply a desire to undermine the peace process or to minimize the role of the Knesset in promoting peace. The Speaker reiterated his belief in peace for the sake of future generations and his hope that John Kerry's latest visit would help to restart political negotiations. The Speaker gave assurances of his support for peace, which he believed was vital for the future of Israel. He emphasized that the majority of the Knesset members shared his view.

2. The role of the IPU in the peace process

Responding to the Committee President, Mr. Sheetrit stated that he did not see a role for the IPU in the peace negotiations. In his view, the IPU was not a field agency and its role was largely limited to parliamentary affairs; governments handled real political negotiations.

In a similar vein, the Speaker explained that Israel had suffered in the wake of interventions from too many international organizations which had wanted to play a part in what he described as "the business of peace", believing that peace could be achieved "during a three-day visit!".

Nevertheless, the Speaker saw an important role for the IPU in paving the way and helping to set a background context for peace negotiations through interaction between Israeli and Palestinian parliamentarians. By bringing together members of parliament from both sides and giving them an opportunity to get to know each other as individual people with similar desires and aspirations, the IPU could provide the negotiators from both sides with a context of wider and deeper understanding of the issues, from all perspectives. This could create a wider space for new thinking on the process.

More than 40 per cent of the Knesset is made up of new members, most of whom are unfamiliar with the work of the IPU and with the dynamics of the peace process. The Speaker believed that the IPU could provide these new members with a space for understanding their Palestinian counterparts and vice versa. He agreed that it was important for new and younger Israeli parliamentarians to participate in the work of forthcoming IPU meetings.

Both the Speaker and his Deputy shared the views of the Committee President on what the IPU could realistically achieve and how it could best make a modest but meaningful contribution. They concurred that the neutrality and objectivity of the IPU would help create an atmosphere that was more conducive to regular and inclusive parliamentary dialogue, thereby helping to provide more space around the negotiations.

The Speaker underscored his belief in the importance of a gradual and tempered approach by parliamentarians to support – and perhaps thereby influence – the work of the negotiators.

Meeting with the Palestinian President, Mahmoud Abbas, on 28 June 2013

1. The peace process

The Palestinian President, Mr. Abbas, met with the US Secretary of State, John Kerry, during the latter's fifth visit to the Middle East in the past three months, at which he met both Israeli and Palestinian leaders in an effort to restart negotiations. The IPU delegation's meeting with President Abbas came on the heels of the President's meeting with Secretary Kerry.

The Palestinian President confirmed his commitment to peace, stressing that Palestine was asking for a minimum requirement to resume negotiations. President Abbas said the Palestinians had already made all the concessions it could and he was waiting to see what the Israelis would concede to Secretary Kerry. The President explained that the current position of his Israeli counterpart was undermining him domestically, as well as in his efforts for peace.

President Abbas stated that as the basis for talks he had been pressing for the freedom of the longest-serving Palestinian prisoners, for the removal of roadblocks and for an agreement that was based on the 1967 borders. Mr. Erekat pointed out that the fundamental gap between the Palestinian and Israeli positions lay in the difficulty of resuming negotiations against the backdrop of settlement expansion.

2. The regional situation

President Abbas expressed deep concern over the situation in the region, particularly in Egypt, and the expectations of the 30 June demonstrations. He explained the vital role Egypt plays in Palestinian reconciliation. Discussions also extended to the current situation in Lebanon and Syria and the humanitarian situation of the Syrian refugees.

3. The role of the IPU in the peace process

Lord Judd explained the role of the IPU Committee on Middle East Questions and the importance of Palestinian participation in its work. He sought the views of the Palestinian President on the value of active parliamentary dialogue. He asked whether it could aid political leaders on both sides in their negotiations if it were able to help create an atmosphere of mutual understanding between the new parliamentarians of the Knesset and their Palestinian counterparts.

President Abbas welcomed the role of the IPU, both in paving the way for dialogue between both sides, and for the technical support it provided to the Palestinian Legislative Council. He fully agreed to the participation of Palestinian legislators in the meetings of the Committee on Middle East Questions. He concurred with Lord Judd that these positive aspects were not meant to be an alternative to or a diversion from the peace efforts. Instead, they were meant to provide support to the negotiators by offering them with an atmosphere and space that were more conducive to effective negotiation.

Conclusions

The Speaker and Deputy Speaker of the Knesset welcomed an active role for the IPU in the peace efforts and appreciated its realistic approach to the peace process. The Palestinian President and his Chief Negotiator similarly expressed strong support for active IPU involvement.

The Speaker of the Knesset agreed to establish a new, representative Israeli delegation to participate in the forthcoming meetings in Geneva who could also take part in the meetings of the Committee on Middle East Questions alongside their Palestinian counterparts. He and his Deputy expressed support for a delegation that included women and young MPs as well as new members.

The Palestinian interlocutors promised to provide support for a representative Palestinian delegation to the next IPU Assembly to take part in the meeting of the Committee on Middle East Questions with the Israeli delegation. Once again they underscored the importance of diversity and the need to include women and younger members of parliament in the dialogue.

The Speaker of the Knesset believed that one possible way of restarting the parliamentary dialogue was to concentrate on issues of bilateral concern, such as water and electricity, rather than on political issues that could provoke confrontational attitudes and waste time in mutual recriminations.

Recommendations

The Committee should seize the opportunity that is now being offered for it to facilitate dialogue between a broad spectrum of Palestinian and Israeli legislators. It should use the next meeting of the Committee to initiate this dialogue.

The Committee may wish to invite participants from Israel and Palestine to exchange views on three types of issues:

- a. The situation in the region and its implications for the peace process;
- b. One or more thematic issues; and
- c. A schedule of activities that will allow for a gradual strengthening of the process.

The IPU delegation proposes the following thematic issues for consideration:

- a. Water issues;
- b. The situation of young people; and
- c. The role of women and gender equality in Israeli and Palestinian societies.

IMPLEMENTATION OF THE IPU STRATEGY FOR 2012-2017

STRATEGIC OBJECTIVE 9: IMPROVE OPERATIONAL MANAGEMENT, GOVERNANCE AND INTERNAL OVERSIGHT

GENDER MAINSTREAMING AT IPU

**Document adopted by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013)**

The current document aims to outline the IPU's general position on and commitment to gender-mainstreaming and identify avenues for achieving set objectives. It sets out what the IPU wants to achieve and how it intends to do so on a strategic level. The document will guide the Organization in consolidating, coordinating and developing its action to achieve gender equality. It may also serve to support Member Parliaments' efforts to mainstream gender into their own work.

This document is to be supplemented by a more detailed plan of action, which will identify clear roles, targets and activities.

The IPU's longstanding commitment to gender equality

1. The Inter-Parliamentary Union (IPU) recognizes gender equality³ as a key component of democracy. In its 1997 Universal Declaration on Democracy, the IPU highlights the direct link between democracy and the balanced participation of men and women in politics, and in particular in parliament. The IPU has consistently championed the need for democracy to include half of the world's population and respond to the needs of both men and women.⁴ Only then can democracy be considered truly representative and sustainable.

³ See Annex 1 for glossary of terms.

⁴ See Annex 2 for IPU documents and resolutions on gender equality.

2. The advancement of gender equality is one of the key objectives set out in the IPU Strategy for 2012-2017, adopted in 2011. Through this Strategy, the Organization demonstrates its commitment to achieving the equal participation of men and women in politics and upholding respect for women's rights and gender equality. In particular, the IPU aims to:
 - (i) increase in the number of women in parliament worldwide;
 - (ii) support and enhance women parliamentarians' contribution to the work of parliament; and
 - (iii) strengthen parliament's capacity to mainstream gender equality into its work and defend women's rights issues.
3. The IPU recognizes that the achievement of gender equality requires dual action: (1) addressing discrimination against women and supporting women's empowerment, which the IPU achieves this through its Gender Partnership Programme; and (2) ensuring that the objective of gender equality is taken into account throughout the Organization and its work. The IPU therefore works specifically for women's political empowerment and rights, and mainstreams gender equality into its work.

Gender mainstreaming: Definition and overall goal

4. Complementing the work of the Gender Partnership Programme and recognizing gender equality as a cross-cutting issue, the IPU works to promote gender mainstreaming across all areas of its work. The IPU Strategy provides a mandate for gender mainstreaming at the IPU, not only as a means through which to achieve gender equality, but also to strengthen the work of the IPU as a more effective instrument of parliamentary cooperation.
5. The IPU recognizes that gender mainstreaming is a process of assessing and taking into account the implications for women and men of any planned action – including legislation, policies or programmes – at all levels and in all spheres. The concept is understood to encompass strategies that put gender issues at the centre of broad policy and programme decisions, institutional structures and resource allocation.
6. The overall goal of mainstreaming gender at the IPU is to transform the Organization into a model for gender equality. That means:
 - An organization that achieves gender equality in participation, within its structures, bodies and Secretariat at all levels;
 - An organization that contributes to gender equality in all of its outputs;
 - An organization that has gender-sensitive policies; and
 - An organization that has a gender-sensitive membership and Secretariat.

Strategy to mainstream gender

7. To achieve this overall goal, the IPU will pursue the following objectives:

Objective 1: Framework: Institutionalize gender equality at the IPU

- Monitor and review the Statutes and Rules, as well as other institutional documents, including the budget, to ensure that gender equality is adequately included and that gender mainstreaming is facilitated.
- Create a gender-sensitive work environment.
- Monitor and review human resource practices and policies to align them with the gender needs and interests of both men and women.

Objective 2: Actors: Promote equality in representation and participation, and build capacity

- Monitor and review the representation and participation of IPU Members and Secretariat staff from a gender perspective.
- Adopt measures to achieve gender equality in representation and participation at all levels.
- Improve the knowledge and competencies of Members and Secretariat staff, including management, on gender equality, gender-sensitive parliaments and gender mainstreaming.

Objective 3: Methods and procedures: Develop mechanisms for gender mainstreaming

- Develop processes to mainstream gender equality, including on-going consultations with women and men to include their perspectives in the design and implementation of IPU programmes and projects.
- Develop tools to facilitate gender mainstreaming.
- Set annual gender equality targets and objectives in all sectors of the IPU's work and develop gender indicators
- Develop effective monitoring and reporting mechanisms for the IPU's work and programmes to determine its contribution to greater gender equality.

8. The building blocks for mainstreaming gender will include:

- Gender analysis: The IPU will carry out gender assessments prior to the development and implementation of projects and activities. It will also adopt a systematic approach to examining the different impacts of policies, programmes and legislation on women and men.
- Gender planning: The IPU will develop a plan for incorporating the knowledge gained through gender analysis into all aspects, including its bodies, structures and policies, its Secretariat, and its programmes.
- Gender-specific action: The IPU will take action to redress gender-based inequalities and discrimination identified through gender analysis.
- Gender-sensitive monitoring and evaluation: The IPU will develop a process for reviewing the extent to which its bodies, structures and policies, its Secretariat and its programs are meeting gender equality targets.
- Capacity-building: The IPU will promote the understanding of gender mainstreaming and gender concepts among staff and management, and develop specialized knowledge on gender-related topics among key staff.
- Knowledge-sharing: The IPU will collect and organize data and subsequently share this knowledge with a wider audience and its partners.

Implementation, monitoring and evaluation

9. This document will apply to all sectors and aspects of the IPU's work, including Assembly-related work, programme work, international outreach and relations work, communications and administration.
10. The IPU will develop a plan of action with specific targets, timeframes and budgets to implement gender mainstreaming at the IPU. The plan of action will be presented at the 130th IPU Assembly and will be regularly reviewed and updated. The IPU will also collect relevant baseline data to set appropriate targets and indicators and to monitor progress.
11. The Secretary General will be responsible for the implementation of gender mainstreaming at the IPU, as set out in this document and the plan of action, and will report annually on the status of implementation to the Executive Committee and Member Parliaments. The Secretary General will benefit from the support of senior management and the Gender Partnership Programme.
12. The Gender Partnership Group will be tasked with monitoring and evaluating progress in consultation with the Coordinating Committee of Women Parliamentarians.

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Annex 1

Glossary of terms*

- **Gender:** the social attributes associated with being male and female and the relationships between women, men, girls and boys. These attributes and relationships are socially constructed. The concept of gender also includes expectations about the characteristics, aptitudes and likely behaviours of both women and men, and when applied to social analysis, reveals socially constructed roles. Sex and gender do not mean the same thing. While sex refers to biological differences, gender refers to social differences, which can be modified since gender identity, roles and relations are determined by society.
- **Equality between women and men or gender equality:** the equal rights, responsibilities and opportunities of women and men and girls and boys. Equality does not mean that women and men will become the same but that women's and men's rights, responsibilities and opportunities will not depend on whether they are born male or female. Gender equality implies that the interests, needs and priorities of both women and men are taken into consideration, recognizing the diversity of different groups of women and men.
- **Gender mainstreaming:** the process of assessing and taking into account the implications for women and men of any planned action – including legislation, policies or programmes – at all levels and in all spheres. The concept is understood as strategies that put gender issues at the centre of broad policy and programme decisions, institutional structures and resource allocation. Mainstreaming gender equality into the work of parliament should contribute to effective implementation and oversight of policies that address the needs and interests of both men and women.
- **Gender analysis:** a systematic way of looking at the different impacts of development, policies, programs and legislation on women and men that entails, first and foremost, collecting sex-disaggregated data and gender-sensitive information about the population concerned. Gender analysis can also include the examination of the multiple ways in which women and men, as social actors, engage in strategies to transform existing roles, relationships, and processes in their own interest and in the interest of others.
- **Gender-sensitive parliament:** a parliament that responds to the needs and interests of both men and women in its structures, operations, methods and in its work. Gender-sensitive parliaments remove the barriers to women's full participation and offer a positive example or model to society at large.
- **Gender-sensitive budgeting:** an approach that aims to mainstream gender in economic policy-making and seeks to transform the entire budgetary process. Gender budgeting refers not only to expenditures earmarked for women, but also to an analysis of the entire budget from a gender perspective, including security, health, education, public works, etc. to ensure that the allocations and resulting impacts respond to the needs of both women and men.

Annex 2

The IPU's commitment to achieving gender equality: Documents and resolutions

The IPU has reiterated its commitment to the achievement of gender equality in the following documents:

- Plan of Action for Gender-sensitive Parliaments (adopted unanimously by the 127th IPU Assembly (Quebec City, October 2012)
- Declaration adopted by the 3rd World Conference of Speakers of Parliament (Geneva, July 2010)
- IPU Strategy for 2012 -2017
- Plan of Action to correct present imbalances in the participation of men and women in political life (Paris, March 1994).

* Definitions taken from UN/OSAGI, UNDP and UNESCO as quoted in UNDP, Quick Entry Points to Women's Empowerment and Gender Equality in Democratic Governance Clusters, New York, 2007; UN INSTRAW, Glossary of gender-related terms and concepts; IPU, Equality in Politics: A Survey of Women and Men in Parliaments, Geneva, 2008; and IPU, Gender-sensitive Parliaments: A Global Review of Good Practice, Geneva, 2011.

and resolutions:

- "How parliaments can and must promote effective ways of combating violence against women in all fields" (Nairobi, May 2006)
- "Beijing + 10: An evaluation from a parliamentary perspective" (Geneva, October 2004)
- "Education and culture as essential factors in promoting the participation of men and women in political life and as prerequisites for the development of peoples" (Havana, April 2001)
- "Promoting greater respect and protection of human rights in general and in particular for women and children" (Beijing, September 1996)
- "Parliamentary action for women's access to and participation in decision-making structures aimed at achieving true equality for women" (Madrid, April 1995).

REPORT OF THE MISSION OF THE COMMITTEE TO PROMOTE RESPECT FOR INTERNATIONAL HUMANITARIAN LAW TO ASSESS THE SYRIAN REFUGEE CRISIS IN JORDAN

Noted by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013)

I. INTRODUCTION

Since the beginning of the conflict in the Syrian Arab Republic, successive IPU Assemblies have called for an immediate halt to the bloodshed and human rights violations and stressed the need to ensure access to humanitarian aid for all persons. They have also called on parliaments to pressure their respective governments to discharge their international and humanitarian responsibility towards Syrian refugees and to support the neighbouring countries receiving them.

At its session during the 128th IPU Assembly (Quito, March 2013), the Committee to Promote Respect for International Humanitarian Law (hereafter IHL Committee) was briefed by a representative of the Office of the United Nations High Commissioner for Refugees (UNHCR) on the Syrian refugee situation. It subsequently proposed that a mission be sent to the region to gather first-hand information on the refugee situation in countries neighbouring Syria. The proposal was submitted to the IPU's Governing Council and approved.

The mission's principal objectives were to:

- raise awareness in the parliamentary community of the plight of Syrian refugees and the needs of host countries;
- mobilize the parliamentary community to take specific action in that regard;
- raise awareness in the parliamentary community of refugee protection in general;
- follow up the resolution adopted by the 128th IPU Assembly (Quito, March 2013), 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;
- Provide input for the debate in the Third Standing Committee on 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.

The mission took place from 25 to 28 June 2013. It was led by Mr. Andi Anzhar Cakra Wijaya, (Indonesia), President of the IHL Committee, and composed of Ms. Gabriela Cuevas Barron (Mexico), Mr. Emmanuel Dombo (Uganda), Ms. Marwa Osman Gaknoun (Sudan) and Ms. Ulrika Karlsson (Sweden). It was accompanied by the IPU Secretary General.

The mission's members agreed that their report should make recommendations enabling parliaments to take the most effective action possible to bring pressure to bear on their respective governments to provide sufficient humanitarian aid and work for a political solution. The report starts by providing background information on the Syrian crisis and refugees in neighbouring countries. It then describes the mission's work and findings and ends with the mission's conclusions and recommendations.

II. BACKGROUND

Two years of war have left thousands of Syrians dead, forced millions to flee within the country or across the border, and left the whole of the Syrian population scarred for generations to come.

This section paints a picture in numbers of the current situation in the Syrian Arab Republic, the region and Jordan. It must be remembered, however, that behind every number is a person, a man, woman or child, who has lost a home, a livelihood, his or her dignity, and – worse yet – usually family members. Many of the urban refugees the mission met saw little hope for the future.

The situation in the Syrian Arab Republic

Since the outbreak of the Syrian civil war in early 2011, its inherent complexity, its shifting dynamics and growing intensity, its regional spillover and international disagreement on a course of action have all posed daunting challenges in the search for a solution.

While attention has centred on the dire plight of refugees fleeing to neighbouring countries, the vast majority of Syrians – **4.25 million**, according to recent figures – forced to leave their homes are internally displaced and living in camps or elsewhere within the Republic. Human rights organizations⁵ report that human rights violations and war crimes are being committed by both the opposition and the regime. According to UN figures nearly, 70,000 Syrians have died since protests began in February 2011.

Refugees in neighbouring countries: the essential facts

As at 2 October 2013, some 2.1⁶ million Syrians had fled to neighbouring countries, with more than one million arriving since January 2013. **Over three quarters of the refugee population are women and children.** Lebanon, Jordan, Turkey, Iraq and Egypt have all provided a safe haven for Syrian refugees.

In October 2013 over 775,000 Syrian urban refugees were living in 1,200 towns and villages in **Lebanon**. The Lebanese authorities have given the refugees access to health and education services.

In **Turkey**, the number of refugees now totals 494,000, with less than half living in 20 refugee camps and the remainder settling in urban areas.

Another 194,000 refugees have arrived in **Iraq**, more than 126,000 in **Egypt**, and almost 15,000 in North Africa (Morocco, Algeria and Libya).

The situation in Jordan

Since March 2011, over 530,000 Syrian refugees have arrived in Jordan, more than half of them since January 2013. Two thirds are accommodated in urban areas, while Zaatari camp, the largest camp in Jordan, houses over 120,000 refugees. There are also two smaller camps, and a new camp, Azraq, which will be able to hold 130,000 more refugees, is nearing completion.

Zaatari camp was opened in late July 2012. Sixty per cent of the camp population are children. Many households are headed by women and the majority are from rural areas of the Syrian Arab Republic.

The Jordanian authorities have maintained an open-border policy, allowing Syrians to find refuge and providing them with protection. They receive, assist and shelter arriving refugees at the border. Like their Lebanese counterparts, the Jordanian authorities have allowed refugees access to health and education services in Jordan.

⁵ Amnesty International, Human Rights Watch.

⁶ UNHCR figures at October 2013.

III. THE MISSION FINDINGS

The mission aim was to assess the humanitarian impact of the refugee crisis, in particular as concerned refugees in Jordan and their impact on the host community.

The mission visited Zaatari camp and urban areas of Mafrak, where it met with refugee families. The mission also met with Jordanian authorities, including the Prime Minister, the Minister of the Interior, the Minister for Media Affairs, the Speaker of the National Assembly, the President of the Senate, and members of parliament from both houses.

The mission began with a briefing at UNHCR Amman, which provided an overview of the challenges faced by both the refugees and humanitarian organizations. The Syrian refugee crisis constitutes one of the greatest humanitarian crises ever. The scale and pace of displacement are unprecedented. Neighbouring countries and the international, regional and national humanitarian organizations providing assistance have been overwhelmed by the magnitude of the needs. The response has been fast and effective, but sustainability is becoming a major issue, as the flood of refugees does not seem to be slowing down. This was confirmed at a meeting with the UNHCR regional office, which stressed that resources were limited and that additional international solidarity and support were needed.

At Zaatari camp, the mission witnessed first-hand the results of joint efforts by humanitarian agencies and national authorities. Zaatari camp is 15 kilometres from the Syrian border. It was built in a year, and its population of over 120,000 makes it Jordan's fourth largest city and the second largest refugee camp in the world.

Initially housed in tents, the refugees are increasingly lodged in pre-fabricated units, many of which have been donated by the Gulf States, the Republic of Korea and private and government donors. On arrival in Zaatari, the refugees are provided with blankets, a sleeping mat and a welcome meal. UN and NGO teams are present 24 hours a day, with registration teams working during the night. Upon registration, the head of household receives a ration card and is provided with essential non-food items. The family is then directed to a tent.

Refugees receive regular dry food rations from the World Food Programme (WFP), which provides 500,000 loaves of flat bread every day. The site has 760 operational communal kitchens.

Health care is provided on the site by numerous organizations and institutions, including UNHCR, the United Nations Population Fund (UNFPA), the Jordan Health Aid Society, the Jordanian Ministry of Health and three military hospitals. The number of female doctors and midwives and access to contraceptives are both reported to be inadequate. The birth rate is high (300 births per month). Since the establishment of the camp, 17 babies have died at birth. No maternal deaths have been reported so far, a true achievement considering the high birth rate.

The camp has three functioning schools, and UNICEF and its partners, including non-governmental organizations, maintain child-friendly spaces that are open to children seven days a week. The mission was nevertheless concerned to observe that only a small percentage of children in the camp actually attended school: according to UNHCR, 5,000 of Zaatari's 40,000 school-age children attend school. The reasons given for not attending school were that the children were reluctant to start a new curriculum, they believed they would be going home soon, they were afraid of appearing "ignorant" (most of them have missed two years of school) or they had to work to provide for their family. The mission was furthermore concerned by the general lack of accurate statistics related to children. Authorities and organizations met mentioned the existence of cases of unaccompanied minors but were not able to provide exact numbers or clear information on guidelines on how to deal with unaccompanied children.

UNICEF and its partners provide water and sanitary facilities. Over 3.8 million litres of water are transported to Zaatari every day. This puts an immense strain on the country's water resources.

The mission was impressed by the quality of the humanitarian response, which nevertheless continued to face a number of challenges.

- The camp's administration and physical organization are major issues. The shelters are concentrated around sectors of the camp closest to services and market streets, posing management, safety and hygiene problems. Vandalism and theft have been reported.
- The camp is allegedly also used to organize criminal activities (trafficking, prostitution, etc.), and this has sparked tension between criminal groups and Jordanian security officers inside the camp.
- The insecure living environment, in which vulnerable groups may face serious protection risks, was another challenge. The existence of rent-seeking behaviour and sexual abuse and exploitation, with no possibility of recourse to the Jordanian justice system, fostered an overall atmosphere of impunity. What is more, there were only 100 policemen in the camp, and they had no specific expertise in dealing with gender-based violence.
- Maintaining the civilian character of the camp has been one of the key operational and protection priorities for UNHCR and the Government of Jordan. Challenges include addressing the emergence of organized crime rings, which often smuggle and exploit refugees, and recruit children.

In response to these challenges, a governance plan for Zaatari was developed and implemented to reassert proper governance and security. The objective is to gradually shift from a purely humanitarian to a more sustainable approach. The plan is to restructure the camp into 12 neighbourhoods with a more decentralized administration, to develop refugee neighbourhood-watch mechanisms under the oversight of the Jordanian police, to set up mechanisms for referring criminal cases to the Jordanian judicial system, and to engage with the community and support the empowerment of its leaders and their participation in governance and security mechanisms.

Since July 2013, reports on the situation in Zaatari refer to improvements in governance and security thanks to closer cooperation between the community and the camp administrators.

Refugees in camps account for less than a third of the refugee population in Jordan. Most refugees are living in urban areas and accommodated in host communities across Jordan. They receive cash assistance (through an innovative biometric banking system), and can call help desks in urban areas and info lines in Amman. UNHCR maintains registration offices, issues asylum-seekers with certificates guaranteeing temporary protection and access to basic services, provides legal counselling and monitors conditions of detention, runs community and child protection services, and provides support and referrals to victims of sexual and gender-based violence.

In terms of cash assistance, the amount provided to Syrian refugee families depends on their degree of vulnerability and ranges from 50 to 120 Jordanian dinars. By June 2013, over 918 million Jordanian dinars had been paid out to Syrian refugees in the form of cash assistance.

The mission met with several refugee families living in urban areas. One was a family of six with four children aged 4 to 10. The family had fled to Jordan on foot after their house was destroyed. It was registered at Zaatari camp and then decided to move to an urban area. The mission was struck by the family's welcome and hospitality, its resilience and humility in the face of its plight. It was genuinely and sincerely grateful to Jordan. Opportunities to mix with Jordanian families were limited, but the family thought this was probably preferable. The schools had adopted a system whereby Syrian refugee children attended separate classes. The family lived off the support it received from the humanitarian community and thanks to the generosity of its Jordanian neighbours. The father had tried to find work but his status barred him from working legally.

The family next door had five children aged 2 to 13. The father was disabled as a result of a bullet wound received in the Syrian Arab Republic and was unable to work. To feed the family and pay the rent, the oldest boy worked a few days each week at the supermarket next door, earning one or two dinars a day. He tried to do his homework at night. The youngest boy had a behaviour disorder with violent streaks as a consequence of the war in the Syrian Arab Republic. The father has lost his entire family in the war and his face remained expressionless until his children were asked what they wanted to do when they grew up: one wanted to be a teacher, another an artist and the third a "doctor to heal my father". The family was kept together thanks to the strength and vitality of its smiling and upbeat mother. The Jordanian neighbours had been very supportive and one even came to visit and talk with the mission.

These are just a few examples of the human story behind the figures and reports.

That being said, the refugee presence in urban areas places significant pressure on water and power resources and on the health, education and waste management infrastructure. The Jordanian authorities have been generous beyond their means. In meetings they have consistently stressed the need to slow the national effort, as it is now having a significant impact on the Jordanian population. In meetings with the mission, the authorities repeatedly said that the country was committed to keeping the border open and offering safe haven for refugees, but that a tipping point was being reached, with the refugee crisis increasingly affecting the availability of resources, jobs, health and education for Jordanian nationals. Growing resentment and competition between nationals and refugees could lead to social unrest and result in the stigmatization of refugees.

The mission was particularly attentive to the situation of women and the issue of gender-based violence. Refugees faced a high risk of gender-based violence, both when fleeing within the Syrian Arab Republic and in host countries. Domestic violence was reported as the main type of violence risked by Syrian refugee women and girls in Jordan, who also faced an increased risk of exposure to early (forced) marriage and transactional and survival sex. Early marriage was commonplace in the refugee population, with many girls married at 13 and having their first child at 14. Women's vulnerability to gender-based violence was heightened by a number of factors: their separation from families and male providers during flight and in Jordan; the establishment of prostitution rings by organized crime groups in the refugee camps; restrictions on the mobility of women and girls, limiting their access to work and aid supplies; in urban areas, limited assets and access to livelihoods for refugee women, who might consequently be forced into transactional and survival sex. Furthermore, as survivors of sexual and gender-based violence, refugee women faced serious social stigma and even honour killings. Very few were aware that services existed for survivors of violence.

To address these challenges, the humanitarian agencies and the authorities were paying particularly close attention to refugee women and ensuring that they received adequate and effectively targeted assistance. They were conducting assessments to obtain a better understanding of the causes of certain situations, and endeavouring to ensure that survivors of sexual and gender-based violence had better access to specialized and comprehensive services in camps and urban areas.

Initiatives had been developed to sensitize men, especially young men, to reproductive health issues and to the problem of violence against women. In Zaatari camp, for example, UNFPA was carrying out an awareness-raising campaign that built on the leadership of young men to inform and change mentalities. It was organizing training workshops on risk identification, available services and referral pathways.

IV. MISSION CONCLUSIONS AND RECOMMENDATIONS

1. The mission was stunned at the magnitude of the human tragedy that is taking place and impressed by the response provided.

- The mission's members were moved by the stories of refugees who had lost their homes, livelihoods and sometimes family members. They were impressed by the resilience of families and their humility and strength in such a difficult situation.
- The mission's members were equally impressed by the Jordanian response and the scale of Jordan's generosity – a longstanding and firm tradition. Indeed, even before its formal establishment as a State, Jordan had afforded shelter to successive waves of refugees. The mission therefore pays tribute to the fact that Jordan has chosen to uphold this tradition against all odds. The Kingdom has taken the righteous but more difficult path: agreeing to host more than half a million Syrian refugees because it is the right thing to do. The mission's members nevertheless wish to emphasize that the generosity of neighbouring countries and the kindness and humanity of their citizens hosting refugees in urban areas cannot be overstated.
- The mission was impressed by the humanitarian assistance provided. In Zaatari camp, for example, more than 120,000 refugees were being fed and cared for, and had access to health and education. Noteworthy and innovative initiatives had been developed, such as the biometric cash assistance initiative.

Ü The mission recommends that IPU's Member Parliaments raise awareness in the political and parliamentary communities of the humanitarian crisis being played out in the Middle East. As members of parliament, they should speak for the people affected and ensure that their concerns are voiced, heard and acted upon.

2. The mission is concerned about the impact on the Jordanian population and other host communities.

· Jordan and Lebanon in particular are bearing the brunt of the crisis. Jordan's population has increased by 6 per cent as a result of the refugee influx, and Lebanon's by more than 10 per cent. Both were already struggling with economic instability, inflation, unemployment, and the effects of previous periods of instability and refugee waves. Syrian urban refugees are often being hosted by communities that are themselves poor yet continue to provide much needed and generous support.

· The crisis has had a huge impact on Jordan and the services it provides for its own citizens. Problems include access to water, health and education services, inflation and falling earnings. The country faces a growing risk of social tension and internal instability, linked to the more limited availability of goods and services, and may see the emergence of parallel systems, including organized crime.

· Both Lebanon and Jordan face serious economic and political challenges as a result of the crisis, and both need and deserve extensive support from the international community.

Ü The mission pays tribute to the solidarity and generosity of the neighbouring countries and invites the IPU to continue to recognize this in its resolutions and any other official statements.

Ü The mission recommends that IPU's Member Parliaments ensure, through their power of oversight, that any discussion or initiative related to the Syrian refugee crisis covers measures to support host communities and mitigate the impact of the crisis on host populations.

3. The mission is concerned by the question of sustainability and stresses the need for international solidarity and burden-sharing.

· Both the refugees and the host countries have huge needs. Can the current level of support be maintained and the huge needs met?

· The mission acknowledges the need for stronger mobilization and commitment on the part of the international community and for more innovative ways of providing support.

· The mission acknowledges the importance of funding Syria Regional Response Plan 5 (RRP5), which was developed by the international community in coordination with national governments of the region. The RRP5 includes specific plans for support to the governments of Jordan and Lebanon. As at 2 October, the RRP5 had a funding gap of US\$ 461 million.

· The mission invites the international community to contribute in-kind and direct support to governments of the region, and to consider alleviating the financial burden they bear.

Ü The mission recommends that IPU's Member Parliaments discuss support for refugees and host countries in their respective legislatures.

Ü The mission recommends that IPU's Member Parliaments bring pressure to bear on their respective governments to take action; in particular, it recommends that they mobilize funds and ensure that allocations are made out of national budgets to support both refugees and host communities and countries. It also recommends considering direct support to enable host governments to build infrastructure, provide services, etc., and thereby share the burden.

Ü The mission further recommends that IPU's Member Parliaments encourage the provision of support in kind, in coordination with the States concerned.

- ü The mission invites IPU Member Parliaments in countries neighbouring on the Syrian Arab Republic to review their legislation, where relevant, so as to facilitate the provision of in-kind support from foreign countries (for instance, to facilitate the presence of foreign medical workers among refugees and thereby ease the pressure on national health services).
- ü The mission invites the IPU's Member Parliaments to raise awareness at the international level of the need to alleviate the financial burden on host countries and invites them to take account of assessments by host countries and international financial organizations of the impact of the refugees on the host country economy, society, services, infrastructure, environment and security.
- ü The mission invites the broader international community to play its part and offer resettlement opportunities in third countries.

4. The mission is particularly concerned by the specific vulnerability and plight of women and children.

Women and children constitute more than three quarters of the refugee population. Uprooted, with no male relatives and only limited access to assets and livelihood opportunities, refugee women and children are perfect targets for exploitation and abuse. It is particularly important to conduct targeted analyses of women's situation, to provide women with support and to empower them.

It is equally important to look to the future and the Republic's reconstruction. This involves investing in and empowering the Syrian population and the next generation. It is crucial for child refugees to receive an all-round education. Learning about the rights and duties of citizenship and about gender equality is also critical to the future of a peaceful and democratic Syria.

Ultimately, the stronger the refugees are, the easier it will be for them to eventually go back home and contribute to their county's reconstruction.

- ü The mission recommends that the IPU's Member Parliaments pay particularly close attention to the plight of women and children and encourage funding and support for specific programmes tailored to their needs.
- ü The mission recommends that host countries and humanitarian organizations redouble their efforts to ensure that all refugee children go to school. It encourages the development of a curriculum that includes an introduction to civic education and gender equality.
- ü The mission recommends that the IPU's Member Parliaments pay particularly close attention to, raise awareness of and provide support for programmes aimed at empowering women, informing them of their rights and mechanisms of redress, and addressing gender-based violence. They also recommend the development of programmes aimed at raising the awareness of women and children to trafficking in human beings.
- ü The mission recommends the development of clear guidelines to ensure that children, especially unaccompanied children, and their rights are taken into account.

5. The mission reaffirms that a humanitarian solution is neither sufficient nor sustainable – a political solution needs to be found.

Time is of the essence in finding a negotiated political solution. The humanitarian response to the crisis is insufficient and unsustainable.

- ü The mission recommends that the IPU and its Member Parliaments continue to mobilize for a political resolution of the conflict based on dialogue.

6. Follow-up

The mission requests the IPU's Member Parliaments to adopt this report and its conclusions. It thanks the Jordanian authorities and UNHCR for the support they provided. It requests the IHL Committee to continue monitoring the situation and to keep Member Parliaments informed and mobilized.

RULES OF THE COMMITTEE TO PROMOTE RESPECT FOR INTERNATIONAL HUMANITARIAN LAW

**Adopted by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013)**

ROLE OF THE COMMITTEE

RULE 1

1. The Committee works to promote respect for international humanitarian law and refugee protection. It monitors ratification of relevant international instruments and their implementation at the national level and raises awareness in parliament on issues requiring parliamentary action.
2. The Committee shall undertake missions, as required, to gain an understanding of the situation on the ground of certain humanitarian crises and promote an effective parliamentary response to those.
3. The Committee shall serve as liaison between the IPU and the ICRC and UNHCR, its traditional partners since the Committee's establishment, and other organizations working in the field of international humanitarian law.
4. The Committee shall submit a written report on its work on issues related to international humanitarian law and refugee protection to the Governing Council.

COMPOSITION

RULE 2

1. The Committee shall be composed of twelve members (two from each of the geopolitical groups active within the IPU). Members shall be elected by the Governing Council for a term of four years. The members shall be elected on the basis of their interest and expertise in the subject matter and of their availability to attend all sessions.
2. Each geopolitical group will be represented by one man and one woman.
3. If a member of the Committee dies, resigns or ceases to be a parliamentarian, an election to replace that person shall be held at the next session of the Governing Council. A retiring member shall not be eligible for re-election for two years.
4. If a member of the Committee fails to attend more than two consecutive sessions, he or she shall be replaced through an election by the Governing Council.

SESSIONS

RULE 3

1. The Committee shall meet in ordinary session at each Assembly of the Inter-Parliamentary Union. The Secretary General shall fix the place and date of its ordinary sessions. It will hold in camera sessions at each Assembly and one open session at one Assembly per year.

PRESIDENCY

RULE 4

1. The President of the Committee shall be elected by the Committee members for a one-year term renewable once or till the end of his or her mandate.
2. The President shall open, adjourn and close the meetings, direct the work of the Committee, ensure respect for the Rules, call upon members to speak, put matters to the vote, announce the results of the voting and declare sessions closed. The President's decisions on these matters shall be final and shall be accepted without debate.

3. The President may entrust Committee members with preparing reports for submission to the ordinary Committee sessions at the following IPU Assembly.
4. The President may also propose that the Committee hold hearings with experts.
5. In the absence of the President, the Committee shall elect a provisional chair for its meeting.

AGENDA

RULE 5

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

DELIBERATIONS - QUORUM - VOTE

RULE 6

1. The members of the Committee shall deliberate in camera.
2. The Committee may hold valid deliberations and take valid decisions only if six members are present.
3. The members of the Committee shall have one vote each.
4. The Committee shall normally vote by show of hands. However, if the President deems it necessary or if one member of the Committee so requests, a secret ballot shall be held.
5. The Committee shall take all its decisions by a majority of the votes cast.
6. In calculating the number of votes cast, only positive and negative votes shall be taken into consideration.
7. In the interval between sessions, the President, acting through the Secretary General, shall, if necessary, consult the Committee by correspondence.
8. For the results of this consultation to constitute a valid decision, the Secretariat must have received replies from at least six members of the Committee within 10 days of the date of despatch of the communication by which they were consulted.

SECRETARIAT

RULE 7

1. The Secretariat of the IPU shall receive or prepare all documents necessary to the deliberations of the Committee and shall distribute them to its members in English and French. It shall ensure the simultaneous interpretation of the debates in these two languages, as well as in Arabic and Spanish.
2. It shall prepare reports of its regular sessions, in consultation with the President, for submission to the Governing Council.

Future meetings and other activities

Approved by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013)

Joint IPU-ASGP Conference	GENEVA 10 October 2013
Information Seminar on CEDAW and its Optional Protocol	GENEVA 10 October 2013
Round-table discussion: parliamentarians, a critical force in promoting the abolition of the death penalty	GENEVA 10 October 2013
Meeting of organizations providing technical assistance to parliaments	GENEVA 10-12 October 2013
Workshop on social media, ICT planning and budgeting jointly organized by the Inter-Parliamentary Union and the Global Centre for ICT in Parliament and hosted by the Parliament of Uruguay	MONTEVIDEO (Uruguay) 22-25 October 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) 28-30 October 2013
Regional seminar on accountability mechanisms for maternal, newborn and child health	ABUJA (Nigeria) October 2013
Regional seminar for Asia on preventing early marriage	DHAKA (Bangladesh) October/November 2013 (TBC)
Conference for Pacific Island Parliaments organized in cooperation with the Australian Parliament	Tonga 7-8 November 2013
8 th Meeting of Women Speakers of Parliament	NEW YORK 12-13 November 2013
Annual Parliamentary Hearing at the United Nations	NEW YORK 14-15 November 2013
Bali session of the Parliamentary Conference on the WTO and related meetings, held in connection with the 9 th WTO Ministerial Conference	BALI (Indonesia) 2,4 and 5 December 2013
Regional seminar on gender-sensitive parliaments (Twelve Plus Group)	Venue and date to be determined
143 rd Session of the Committee on the Human Rights of Parliamentarians	GENEVA (IPU Headquarters) 13-17 January 2014
Regional follow-up seminar on The role of parliamentarians in the implementation of Universal Periodic Review recommendations	BUCHAREST (Romania) February 2014
Briefing on governance as an element of the post-2015 development agenda	NEW YORK February 2014
First Meeting of the Preparatory Committee of the Fourth World Conference of Speakers of Parliament	GENEVA (IPU Headquarters) February 2014
Parliamentary meeting on the occasion of the 58 th session of the Commission on the Status of Women	NEW YORK Week of 10 March 2014

130 th IPU Assembly and related meetings	GENEVA 17-20 March 2014
31 st session of the Steering Committee of the Parliamentary Conference on the WTO	Venue to be determined March-April 2014
Regional seminar on the contribution of social health insurance to accelerating improvements in women's and children's health	Venue to be determined First quarter of 2014
Parliamentary meeting on the occasion of the High-level Meeting of the Global Partnership for Effective Development Cooperation	MEXICO CITY 14 April 2014
Meeting to prepare a parliamentary contribution to the 2014 World Conference on Indigenous Peoples	Bolivia April 2014
World e-Parliament Conference	SEOUL (Republic of Korea) May 2014
Information seminar on the structure and functioning of the Inter-Parliamentary Union for French-speaking participants	GENEVA (IPU Headquarters) June 2014
Pacific Conference on strategic planning in parliaments organized in cooperation with UNDP	Pacific region Second quarter of 2014
9 th Meeting of Women Speakers of Parliament	Ecuador First half of 2014
Parliamentary Meeting at the XX International AIDS Conference	MELBOURNE (Australia) 20–25 July 2014
Eleventh Workshop of Parliamentary Scholars and Parliamentarians organized by the Centre for Legislative Studies and sponsored by the IPU	Wroxton College, OXFORDSHIRE (United Kingdom) 26 and 27 July 2014
Parliamentary Meeting at the World Conference on Indigenous Peoples	NEW YORK September 2014
32 nd session of the Steering Committee of the Parliamentary Conference on the WTO	GENEVA (IPU Headquarters) September-October 2014
131 st IPU Assembly and related meetings	GENEVA 12-15 October 2014
Annual 2014 session of the Parliamentary Conference on the WTO	GENEVA (WTO premises) November-December 2014
Regional seminar on violence against women	Venue to be determined Second half of 2014
Regional follow-up seminar on The role of parliamentarians in the implementation of Universal Periodic Review recommendations	QUITO (Ecuador) Date to be determined
Regional seminar on birth registration, child labour and trafficking and/or malnutrition	Africa or Asia (venue and date to be determined)
Regional follow-up seminar on The role of parliamentarians in the implementation of Universal Periodic Review recommendations	Morocco (venue and date to be determined)
132 nd IPU Assembly and related meetings	HANOI (Viet Nam) 29 March-1 April 2015

AGENDA OF THE 130th ASSEMBLY

(Geneva, 17-20 March 2014)

**Approved by the 129th IPU Assembly
(Geneva, 9 October 2013)**

1. Election of the President and Vice-Presidents of the 130th Assembly
2. Consideration of requests for the inclusion of an emergency item in the Assembly agenda
3. General debate on the political, economic and social situation in the world
4. Towards a nuclear-weapon-free world: The contribution of parliaments
(Standing Committee on Peace and International Security)
5. Towards risk-resilient development: Taking into consideration demographic trends
and natural constraints
(Standing Committee on Sustainable Development, Finance and Trade)
6. 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)
7. Approval of the subject items for the 131st Assembly and appointment of the Rapporteurs

LIST OF OBSERVERS TO THE 130th ASSEMBLY

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, Shoora 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)
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 Economic Cooperation Organization (PAECO)
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 Organisation of Islamic Cooperation Member States (PUOIC)
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)

Organizations invited to follow the work of the 130th Assembly in the light of its agenda:

- Item 4: Towards a nuclear-weapon free world: The contribution of parliaments
- Parliamentarians for Nuclear Non-proliferation and Disarmament (PNND)
 - World Future Council (WFC)
- Item 6: 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
- Association for the Prevention of Torture (APT)

Resolutions Concerning the Human Rights of Parliamentarians

BURUNDI

CASE No. BDI/01 - SYLVESTRE MFAYOKURERA
CASE No. BDI/02 - NORBERT NDIHOKUBWAYO
CASE No. BDI/05 - INNOCENT NDIKUMANA
CASE No. BDI/06 - GERARD GAHUNGU

CASE No. BDI/07 - LILIANE NTAMUTUMBA
CASE No. BDI/29 - PAUL SIRAHENDA
CASE No. BDI/35 - GABRIEL GISABWAMANA
CASE No. BDI/60 - JEAN BOSCO RUTAGENGWA

CASE No. BDI/26 - NEPHTALI NDIKUMANA
CASE No. BDI/36 - MATHIAS BASABOSE
CASE No. BDI/37 - LÉONARD NYANGOMA
CASE No. BDI/40 - FRÉDÉRIQUE GAHIGI

CASE No. BDI/42 - PASTEUR MPAWENAYO
CASE No. BDI/43 - JEAN MARIE NDUWABIKE
CASE No. BDI/45 - ALICE NZOMUKUNDA
CASE No. BDI/46 - ZAITUNI RADJABU

CASE No. BDI/42 - PASTEUR MPAWENAYO
CASE No. BDI/44 - HUSSEIN RADJABU
CASE No. BDI/57 - GÉRARD NKURUNZIZA
CASE No. BDI/59 - DEO NSHIRIMANA

**Resolution adopted unanimously by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013)**

The Governing Council of the Inter-Parliamentary Union,

Referring to its examination of the cases of the above-mentioned members of the Parliament of Burundi and to the resolution it adopted at its 190th session (April 2012),

Considering the report (CL/193/11(b)-R.1) on the visit conducted by the President of the Committee on the Human Rights of Parliamentarians to Burundi from 17 to 20 June 2013,

Recalling that the cases, which the Committee has been examining for many years, concern:

- The assassinations of six members of the National Assembly between 1994 and 2000, namely Mr. Sylvestre Mfayokurera (September 1994), Mr. Innocent Ndikumana (January 1996), Ms. Liliane Ntamutumba and Mr. Gérard Gahungu (July 1996), Mr. Paul Sirahenda (September 1997), Mr. Gabriel Gisabwamana (January 2000), the assassination in 2002 of Mr. Jean Bosco Rutagengwa and two assassination attempts on Mr. Norbert Ndiwokubwayo (September 1994 and December 1995), all of which remain unpunished to date;
- The grenade attacks of 19 August 2007 and 6 March 2008 on eight members of the previous legislature (Mr. Nephtali Ndikumana, Mr. Pasteur Mpawenayo, Mr. Jean-Marie Nduwabike, Ms. Frédérique Gahigi, Mr. Mathias Basabose, Mr. Léonard Nyangoma, Ms. Zaituni Radjabu and Ms. Alice Nzomukunda) belonging to a dissident wing of the National Council for the Defence of Democracy - Forces for the Defence of Democracy (CNDD-FDD), which caused material damage but did not injure anyone and which have likewise gone unpunished;
- Criminal proceedings brought against Mr. Hussein Radjabu, Mr. Pasteur Mpawenayo, Mr. Gérard Nkurunziza and Mr. Déo Nshirimana, all of whom belonged to the dissident wing of the CNDD-FDD led by Mr. Radjabu (who was ousted on 7 February 2007 from the CNDD-FDD party leadership), all of whom lost their seats in parliament following the Constitutional Court ruling of 5 June 2007 declaring them to be sitting unconstitutionally, and whose judicial situation is currently as follows:
 - Mr. Radjabu is serving a 13-year prison term for conspiracy against State security;

- Mr. Mpawenayo was arrested in July 2008 and initially accused of being Mr. Radjabu's accomplice and of having co-chaired the meeting at which the acts of which he and Mr. Radjabu were accused are alleged to have occurred; he was acquitted by the Supreme Court judicial chamber at the end of May 2012 and subsequently released;
- Mr. Nshirimana, who was arrested in October 2010 by agents of the National Intelligence Service (SNR), was charged, reportedly on the basis of hearsay, of plotting against the State; according to his lawyer, Mr. Nshirimana is also accused of not having allowed two players from the football team of his region to play against the President's team, which was qualified as incitement to disobedience; the Supreme Court acquitted Mr. Nshirimana on 26 November 2012, and Mr. Nshirimana was released after having been detained in remand for almost the length of the maximum potential sentence;
- Mr. Nkurunziza was arrested in July 2008 and accused of having distributed weapons in his province, Kirundo, for a rebellion against the authority of the State; according to his lawyers, the investigation was based solely on hearsay and no weapons were seized; in five years of judicial proceedings, no Burundian court ever examined either Mr. Nkurunziza's detention or the charges against him until May 2012, when the Supreme Court at last heard the case and adjourned to deliberate; instead of ruling on the case, the Supreme Court decided to re-open it over one year later, even though it had still not considered the lawfulness of Mr. Nkurunziza's continued detention,

Bearing in mind that, according to the sources, the Supreme Court sat on Mr. Nkurunziza's case on 30 September 2013 and decided to re-open it without specifying why, that it had refused to examine the lawfulness of Mr. Nkurunziza's detention for five years or to consider the case on the merits, and that it has not set a date for fresh hearings,

Considering furthermore that the visit report was sent to the Burundi authorities by letter dated 8 August 2013, inviting them to forward any observations in writing by 15 September 2013; that, such observations not having been received, a reminder was sent on 24 September; that, by the time the Permanent Mission of the Republic of Burundi to the United Nations had contacted the secretariat of the Committee and requested a hearing, it was no longer possible to accommodate such a hearing in the Committee's schedule, so the secretariat asked the delegation to submit its observations in writing; that no such observations were ever received from the authorities of Burundi, but a formal application for a hearing was received on 7 October 2013, when the Committee had finished its deliberations, whereupon the Committee selected two of its members to meet with the delegation for an informal exchange; and that, following that exchange, the Committee members having been briefed about the concerns of the delegation, they repeated their request for those concerns to be made available in written form, so that the Committee could examine them properly at its next scheduled session,

1. Thanks the Speaker of the National Assembly for his cooperation, which enabled the President of the Committee to fulfil his terms of reference during the visit; sincerely regrets that no written observations have been received on the mission report to date, and expresses the hope that they will be provided soon;
2. Thanks the President of the Committee for his work and endorses his general conclusions;
3. Is alarmed to learn the Mr. Nkurunziza continues to be held in custody, more than five years after his arrest, and that the Supreme Court has re-opened the case; is deeply disappointed to observe that the authorities have not upheld the pledge they made during the visit of the Committee President to wind up the case before September 2013; once again recalls that justice delayed is justice denied and considers that these fresh delays are inexcusable and should prompt the authorities to release Mr. Nkurunziza immediately; once again deplores the fact that, in this case, the judicial authorities continue to act with flagrant disregard for international and national fair-trial standards;
4. Notes with interest that Mr. Mpawenayo and Mr. Nshirimana have been acquitted but observes that they each spent several years in detention, a situation that could have been avoided had the authorities decided to speed up the proceedings or release them on bail; sincerely hopes

that, once the current appeal has been heard, the acquittals will be confirmed without delay and the Committee will be able to consider these cases as definitively resolved and close them; expresses concern about and requests additional information on the threats and intimidation that Mr. Mpawenayo and Mr. Nshirimana allege they have been victim of since their release;

5. Deeply regrets the authorities' refusal to furnish a copy of the court decisions in the above cases to the Committee and considers that, until the Committee has been able to make its own analysis of the judgement in Mr. Mpawenayo's case, it cannot rule out that his acquittal should have prompted the authorities to re-examine the evidence on which Mr. Radjabu was convicted; encourages Mr. Radjabu and the competent authorities to explore all possible legal remedies, namely release on parole, a re-trial and a presidential pardon; wishes to be kept informed of progress in that regard and renews its request for a copy of the court decisions;
6. Welcomes the decision by the National Assembly's parliamentary working group to travel to the country's interior to collect detailed information on the circumstances of the above-mentioned assassinations, notably by meeting with the victims' families; expresses satisfaction that, after many delays, draft legislation on the Truth and Reconciliation Commission was at last tabled in the National Assembly in early 2013; calls upon the National Assembly to take due account of the concerns expressed about some of the draft legislation's provisions and to ensure that the draft legislation meets the aspirations expressed by the Burundian people during the consultations organized by the tripartite committee; sincerely hopes that an independent, legitimate and credible Truth and Reconciliation Commission will finally be established;
7. Encourages the National Assembly's parliamentary working group to continue following up the cases under consideration, notably by meeting regularly with all the competent authorities and with the former parliamentarians concerned, and by observing any ongoing judicial proceedings; trusts that the parliamentary working group will in future forward its periodic activity reports to the IPU's Committee so as to enable the latter to be regularly and fully informed of the progress it is making;
8. Requests the Secretary General to forward this resolution to the parliamentary authorities and to the sources;
9. Requests the Committee to continue examining the cases.

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

**Resolution adopted unanimously by the IPU Governing Council at its 193rd session
(Geneva, 9 October 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 192nd session (March 2013),

Taking into account the letter from the Secretary General of the National Assembly of Cameroon dated 4 October 2013,

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 7 August 2009 the Bureau, meeting in extraordinary session, lifted Mr. Ambassa Zang's parliamentary immunity to permit an investigation into allegations of misappropriation of the public funds managed by Mr. Ambassa Zang when he was Minister of Public Works; although Mr. Ambassa Zang had 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 charges laid against Mr. Ambassa Zang stem from an audit prompted by a complaint by the French Development Agency (AFD), the funding source for the rehabilitation 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); 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 conducted 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;
- According to the source, Mr. Ambassa Zang has replied with defence memoranda to each of the charges, 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; according to the source, the final audit report was not forwarded to Mr. Ambassa Zang; moreover, it is clear that at least one new charge was apparently introduced into the file submitted to the judicial authorities that had not been mentioned in the request for information originally addressed to him; 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; the source has therefore affirmed from the outset that the charges should not lead to criminal proceedings but should have been referred to the Budgetary and Financial Discipline Council (CDBF), particularly since it offers Mr. Ambassa Zang an opportunity to be represented by a lawyer;
- 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,

Recalling 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 at present free, 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 charges laid 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 the Kreditanstalt für Wiederaufbau (KfW, or Reconstruction Credit Institute),

Considering that upon the orders of the President of the Republic of Cameroon, the Minister Delegate to the Office of the President in charge of CONSUPE signed, on 12 October 2012, a decision bringing Mr. Ambassa Zang before the CDBF, that the said decision was reportedly notified to his counsel, Mr. Eba'a Manga, in early May 2013, or nearly seven months after its signing, and that no explanation was apparently given for this state of affairs,

Considering that on 20 August 2013 Mr. Ambassa Zang received a "partial request for information" from the Rapporteur in the case before the CDBF, giving him 45 days in which to respond; considering that, according to the source, Mr. Ambassa Zang's lawyer was recently accused of having enjoyed liberalities amounting to some 8.5 million CFA francs during the period in which Mr. Ambassa Zang was Minister of Public Works, and that the accusation had never before been notified to the person concerned,

Considering that on 13 July 2010 the International Chamber of Commerce (ICC) handed down an arbitral award in the UDECTO v. State of Cameroon case, a dispute concerning the execution of the Wouri bridge rehabilitation works; since Cameroon essentially won in respect of its claims as UDECTO was

sentenced to paying it substantial sums, the source affirms that, on the strength of the legal principle of "non bis in idem", the charges brought against Mr. Ambassa Zang regarding a prejudice he allegedly caused Cameroon become no longer applicable,

Considering that, according to some Cameroonian press articles, an arrest warrant was issued in June 2013 for Mr. Ambassa Zang in a new case concerning the execution of government contracts for the maintenance of rural roads in Mefou-et-Afamba department; according to the source, Mr. Ambassa Zang cannot be implicated in this case because the Minister of Public Works is not among the parties involved in the local management of government contracts using allotted credits and, contrary to the insinuations made, although the manager of the enterprise awarded the contract is very close to him, he never secured her a single government contract or took the slightest step to see that she won the contract in question; recalling also that, according to an article published on 16 September 2011 in the Cameroonian daily *Le Jour* and in a number of other media, an investigation was opened into Mr. Ambassa Zang concerning the manner in which contracts were awarded for asphaltting the pontoon bridge over the Moungo river in 2004 (the first bridge over that river bordering the Coastal and South-West Regions having collapsed), and that Mr. Ambassa Zang exercised his right of reply; emphasizing *inter alia* that the urgent measures needed to find a swift solution to the problem of the collapsed bridge were decided on by an inter-ministerial committee chaired by the Prime Minister on the orders of the President of the Republic and that the contract for maintenance of the bypasses 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 government works,

Recalling 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 Deputy Speaker 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,

Considering that elections to the National Assembly were held on 30 September 2013; considering the letter from the Secretary General of the National Assembly of Cameroon dated 4 October 2013, in which he responds to one of the IPU Committee's requests for information by saying that "the only means of information available to the National Assembly under the Constitution lies in questions to the members of the Government. These can only be put to them during the parliamentary sessions, which themselves take place in accordance with an agenda consisting, first and foremost, of items included by the Government",

1. Thanks the Secretary General of the National Assembly for his communication;
2. Is pleased that the Cameroonian authorities have decided to refer the accusations against Mr. Ambassa Zang which triggered the lifting of his parliamentary immunity to the Budgetary and Financial Discipline Council; is nevertheless concerned about the alleged delay in informing Mr. Ambassa Zang's lawyer of that decision and the allegation that the latter is suddenly obliged to defend his client against charges at a critical time for the lawyer himself; wishes to receive the official views on both points;
3. Supposes that, as a result of bringing the case before the CDBF, the Cameroonian authorities have officially dropped the criminal proceedings against Mr. Ambassa Zang with regard to the same matter; looks forward to receiving confirmation of this;

4. Trusts that the CDBF will ensure that Mr. Ambassa Zang's right to defence is fully respected, including by allowing him access to all the reports which form the basis of the charges against him, will examine his case as a matter of urgency given that 10 years have elapsed since the alleged events of which he is accused, and will take due account of the arguments presented in his defence, including the arbitral award of the International Chamber of Commerce in the UDECTO v. State of Cameroon case; wishes to ascertain whether a timetable exists for completion of the proceedings and to be kept informed of their progress;
5. Is concerned at unofficial reports that Mr. Ambassa Zang may be subject to yet another criminal investigation; is eager to receive official information on this matter and, should an investigation and arrest warrant indeed exist, to know the precise charges against him and the facts on which they are based, in particular in the light of the defence that he presents; still earnestly wishes, for the same reasons, to know whether Mr. Ambassa Zang is being officially investigated with regard to the awarding of contracts for the work done on the bridge over the Moungo river in 2004;
6. Requests the Secretary General to convey this resolution to the competent authorities, including the newly elected National Assembly, in the hope that it will exercise its constitutional powers to the fullest to monitor the case closely and obtain the necessary clarifications on the aforesaid points; requests him also to convey the present resolution to the French Development Agency;
7. Requests the Committee to continue examining this case.

CASE N° CHD/06 - SALEH KEBZABO) CHAD
CASE N° CHD/07 - MAHAMAT SALEH MAKKI)
CASE N° CHD/08 - MAHAMAT MALLOUM KADRE)
CASE N° CHD/09 - ROUTOUANG YOMA GOLOM)
CASE N° CHD/10 - GALI NGO THE GATTA)

**Resolution adopted unanimously by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013)**

The Governing Council of the Inter-Parliamentary Union,

Having before it the case of Mr. Saleh Kebzabo, Mr. Mahamat Saleh Makki, Mr. Mahamat Malloum Kadre, Mr. Routouang Yoma Gola and Mr. Gali Ngothé Gatta, members of the National Assembly of Chad, which has been under examination by the Committee on the Human Rights of Parliamentarians since its 142nd session (5-8 October 2013) in accordance with the Procedure for the treatment by the Inter-Parliamentary Union of communications concerning violations of the human rights of members of parliament,

Taking into account the information provided by the delegation of Chad, led by the First Deputy Speaker of the National Assembly, to the Committee during the 129th IPU Assembly, and of the communication of the Speaker of the National Assembly dated 1 October 2013,

Considering the following information on file as confirmed by the National Assembly and the sources:

- On 1 May 2013, an attempted coup d'état was denounced on the national radio; late in the evening the members Mr. Saleh Makki and Mr. Malloum Kadre were arrested at their homes by the police under the flagrante delicto procedure;
- On 2 May 2013, the Government informed the National Assembly of their arrest and subsequently, on 7 May, requested its permission to hear four other members under the investigation into the attempted coup d'état; the Bureau of the National Assembly gave its consent but demanded respect for parliamentary immunity and for the procedure stipulated in the Constitution and sought additional information on the procedure followed, in particular the elements justifying recourse to flagrante delicto proceedings;

- On 8 May 2013, following their hearings, the members Mr. Gali Ngothé Gatta and Mr. Routouang Yoma Golom were in turn arrested; Mr. Saleh Kebzabo could not be heard or arrested since he was on an official mission outside Chad;
- The four members, two of whom are from the majority and two from the opposition, were charged with plotting and infringing the constitutional order; they are accused of having supported the preparation of a coup d'état by former rebels because among the documents found at the homes of those former rebels, and seized by the judiciary, was a call to stage a general uprising together with lists that included the names of the members;
- The members were placed in pretrial detention on the premises of the general intelligence services; until 20 May 2013 they were denied any contact with their lawyers, families and doctors;
- Mr. Routouang Yoma Golom and Mr. Gali Ngothé Gatta were released on parole by the examining magistrate on 22 May 2013, Mr. Malloum Kadre on 1 July and Mr. Saleh Maki on 25 September 2013; all remain indicted and the investigation of the case is ongoing; once the investigation has been completed, the examining magistrate will transmit the findings to the Attorney General of the Republic, who will decide on the follow-up action to be taken in the proceedings;
- The National Assembly has observed that the parliamentary immunity of the members, Article 111 of the Constitution of Chad and Articles 205 and 206 of the Code of Criminal Procedure relating to flagrante delicto procedure were not respected, denouncing those serious breaches of the procedural rules in the absence of any request to lift the immunity of the four members; despite its repeated demands, the National Assembly was unable to obtain any evidence of the existence of flagrante delicto in this case, whereas only duly established flagrante delicto could have dispensed the authorities from requesting the lifting of parliamentary immunity;
- The National Assembly, including all parliamentary groups, rallied to ensure that the members arrested were given the benefit of release on parole, in view of the procedural flaws, and this was recently achieved; the National Assembly continues to work to conclude this case with due regard for the principle of separation of powers;
- In the case of Mr. Saleh Kebzabo, on his return to Chad in late May 2013 he was neither arrested nor charged by the judicial authorities in the regime destabilization case; on 23 July 2013, the Government sought the lifting of his parliamentary immunity for contempt of court, impairment of the authority of the judiciary and slander after he had given an interview criticizing the judicial proceedings brought against journalists; the National Assembly put in place in early August a parliamentary commission which heard both parties and filed its report on 25 August 2013; on 2 September 2013, the National Assembly adopted the recommendations of the parliamentary commission and rejected the request to lift immunity by a vote of 176 against, one in favour and two abstentions,

Recalling that in March 2012, Assembly member Mr. Gali Ngothé Gatta was arrested following misuse of the flagrante delicto procedure; the Committee, referring to the case, expressed its concerns in that respect; the Moundou Court of Appeal and subsequently the Supreme Court of Chad confirmed that the immediacy characterizing flagrante delicto did not exist in the case in point and that the member's parliamentary immunity had not been respected,

1. Sincerely thanks the Speaker of the National Assembly and the delegation of Chad for their cooperation and for the information supplied;
2. Notes with deep satisfaction that the National Assembly reacted vigorously to the violation of the fundamental rights of the parliamentarians concerned and is maintaining its active involvement to ensure respect for their parliamentary immunity and the procedure prescribed by the Constitution of Chad; is heartened to learn that the four members have been given the benefit of release on parole and that parliamentary procedure was fully respected concerning the request to lift the parliamentary immunity of Mr. Saleh Kebzabo;

3. Deeply regrets the conditions in which the arrests and charging of the members of the National Assembly of Chad took place, in gross violation of the Constitution and of Chadian legislation;
4. Is extremely concerned at the seemingly new misuse of the flagrante delicto procedure to overstep the constitutional procedure; considers that the National Assembly must be able wholly to appreciate the legality of recourse to the flagrante delicto procedure to ensure full respect for parliamentary immunity, and is therefore deeply worried that, in the case at hand, the executive and judicial authorities have not provided it with the background data sought; profoundly regrets that the Executive has hampered the work of the National Assembly in breach of the Constitution, thereby prejudicing exercise of the parliamentary mandate by the four members arrested;
5. Expresses the firm hope that the competent authorities will promptly take the necessary steps to remedy the present situation with due regard for both the independence of the Judiciary and fair trial standards; requests the National Assembly to keep it informed of developments in the case;
6. Requests the Secretary General to convey this resolution to the competent authorities and to the sources;
7. Requests the Committee to continue examining this case.

DEMOCRATIC REPUBLIC OF THE CONGO

CASE No. DRC/32 - PIERRE JACQUES CHALUPA

CASE No. DRC/49 - ALBERT BIALUFU NGANDU

CASE No. DRC/50 - ANDRÉ NDALA NGANDU

CASE No. DRC/51 - JUSTIN KILUBA LONGO

CASE No. DRC/52 - SHADRACK MULUNDA NUMBI KABANGE

CASE No. DRC/53 - HÉRITIER KATANDULA KAWINISHA

CASE No. DRC/54 - MUAMUS MWAMBA MUSHIKONKE

CASE No. DRC/55 - JEAN OSCAR KIZIAMINA KIBILA

CASE No. DRC/56 - BONNY-SERGE WELO OMANYUNDU

CASE No. DRC/57 - JEAN MAKAMBO SIMOL'IMASA

CASE No. DRC/58 - ALEXIS LUWUNDJI OKITASUMBO

CASE No. DRC/59 - CHARLES MBUTA MUNTU LWANGA

CASE No. DRC/60 - ALBERT IFEFO BOMBI

CASE No. DRC/61 - JACQUES DOME MOLOLIA

CASE No. DRC/62 - RENÉ BOFAYA BOTAKA

CASE No. DRC/63 - JEAN DE DIEU MOLEKA LIAMBI

CASE No. DRC/64 - EDOUARD KIAKU MBUTA KIVUILA

CASE No. DRC/65 - ODETTE MWAMBA BANZA (Ms.)

CASE No. DRC/66 - GEORGES KOMBO NTONGA BOOKE

CASE No. DRC/67 - MAMUYA RAMAZANI MASUDI KILELE

CASE No. DRC/68 - CÉLESTIN BOLILI MOLA

CASE No. DRC/69 - JÉRÔME KAMATE

CASE No. DRC/70 - COLETTE TSHOMBA (Ms.)

CASE No. DRC/73 - BOBO BARAMOTO MACULO

CASE No. DRC/74 - ANZULUNI BEMBE ISILONYONYI

CASE No. DRC/75 - ISIDORE KABWE MWEHU LONGO

CASE No. DRC/76 - MICHEL KABEYA BIAYE

CASE No. DRC/77 - JEAN JACQUES MUTUALE

CASE No. DRC/78 - EMMANUEL NGOY MULUNDA

CASE No. DRC/79 - ELIANE KABARE NSIMIRE (Ms.)

CASE No. DRC/71 - EUGÈNE DIOMI NDONGALA

CASE No. DRC/72 - DIEUDONNE BAKUNGU MYTHONDEKE

CASE No. DRC/80 - ROGER LUMBALA TSHITENGE

CASE No. DRC/81 - MUHINDO NZANGI

**Resolution adopted by consensus by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013) ¹**

The Governing Council of the Inter-Parliamentary Union,

Referring to the cases of the former members of the National Assembly Mr. Pierre-Jacques Chalupa, Mr. Eugène Diomi Ndongala, Mr. Dieudonné Bakungu Mythondeke, and those of the 29 disqualified members of the National Assembly, and to the resolutions adopted at its 191st and 192nd sessions (October 2012 and March 2013),

Having before it the cases of Mr. Roger Lumbala and Mr. Muhindo Nzangi, which were examined by the Committee on the Human Rights of Parliamentarians in accordance with the Procedure for the treatment by the Inter-Parliamentary Union of communications concerning violations of the human rights of members of parliament,

Considering that, in the case of Mr. Muhindo Nzangi, whose case has recently come before the Committee, the source indicates that on 13 August 2013 this Assembly member from the majority party was sentenced by the Supreme Court at first and last instance to three years in prison for offences against State security; that this sentence represents, according to the source, a grave violation of parliamentarians' freedom of expression, because Mr. Nzangi was put on trial for expressing his point of view on the war in the east of the country on the radio on 11 August 2013, criticizing the policy of the government; and that the trial was not fair, according to the source, because Mr. Nzangi's lawyer had not had the necessary time to prepare the defence, given the accelerated procedure used against him, and in the absence of any avenue of appeal against the conviction,

Considering the report (CL/193/11(b)-R.2) of the mission conducted by the Committee on the Human Rights of Parliamentarians to the Democratic Republic of the Congo from 10 to 14 June 2013,

Taking into account the 30 September 2013 communication from the Speaker of the National Assembly, setting out his observations on the mission report, and the information provided by sources from July to September 2013,

Considering the following information communicated by the sources in the time since the mission:

- On 7 September 2013, in his speech marking the opening of national consultations, the Head of State promised to obtain the release on parole or the pardon of certain prisoners, in advance of a parliamentary vote on an amnesty law. The report produced from the national consultation exercise recommends that political prisoners be released;
- In the matter of Mr. Pierre-Jacques Chalupa, the authorities have still not responded to his application for release on parole, which was filed in January 2013, although over one thousand prisoners have been so released from the prison of Kinshasa since 31 August 2013;
- In the matter of Mr. Diomi Ndongala:

¹ The delegation of the Democratic Republic of the Congo expressed its reservation regarding the resolution.

- During the legislature's closing session on 15 June 2013, Mr. Ndongala had his parliamentary mandate revoked on the grounds of prolonged, unsubstantiated absence without prior notice;
 - Mr. Ndongala remains in pre-trial custody, and the Supreme Court's orders to move him to house arrest are not being carried out;
 - Mr. Ndongala's health has deteriorated sharply since the end of July 2013, and yet the authorities have refused to transfer him to a hospital, despite repeated applications from the penitentiary administration to do so, and Mr. Ndongala thus remains without the necessary medical care;
 - The majority of the hearings scheduled in the proceedings against Mr. Ndongala had to be adjourned, given procedural faults and violations of the right to a defence, which Mr. Ndongala's lawyers have denounced, and given his poor state of health;
- In the matter of the 29 former members of the National Assembly disqualified by the Supreme Court's decisions on 25 April 2012, the Speaker of the National Assembly has refused to see the disqualified members, despite his promise to do so, following the Committee's mission; in the time since the mission, no progress has been made whatsoever, and the situation of the disqualified members is becoming ever more difficult; they are now prepared to settle for compensation in the form of a payment equal to twenty months of their parliamentary pay, in addition to their regular entitlements; they are increasingly apprehensive about their safety, because of the resolute stand they have taken towards the authorities responsible, and are concerned by the refusal of the authorities to engage in discussions with a view to finding a solution,

Considering the comment made by the Speaker of the National Assembly in his observations, to the effect that the mission report contains certain "excessive allegations and untruths that cannot but reflect on its integrity", on which he registered his reservations, in particular the following:

- The application for Mr. Chalupa's release on parole filed by his attorneys is currently being examined by the competent authorities;
- Mr. Ndongala remains in pre-trial custody for the purposes of the investigation of the offences of which he has been accused by the justice system; he was brought before the judge at public hearings on 17 and 22 July and 16 September 2013; the investigation is proceeding normally, and the presumption of innocence continues to apply to him;
- Mr. Roger Lumbala abandoned his parliamentary functions and joined the M23 insurgency, whose activities have been condemned by the United Nations Security Council; the National Assembly stripped him of his mandate due to unsubstantiated and unauthorized absences, in accordance with the Constitution and with the Standing Orders of the Assembly;
- The National Assembly continues to respect the principle of the separation of powers in the case of the Assembly members disqualified by the plenary of the Assembly pursuant to the decisions of the Supreme Court; the Bureau of the National Assembly has received claims from the former members for payment of the installation allowance, back pay and the removal allowance; conscious of the need to restore political calm, the Bureau partially acceded to the demands, and accepted the principle that the following payments should be made: an installation allowance equal to six months' salary, full payment of the salary due up to the date on which the plenary of the Assembly disqualified them, and reimbursement of the expenses they incur in returning to their constituencies, along with spouses and dependent children duly declared to the registry of the National Assembly; the Bureau has commenced with a part payment of these benefits; however, drawing a lesson from the challenges that were raised against the process by which the electoral disputes of 2006 and 2011 were managed and the concerns voiced at that time, the parliament intends to amend the electoral law with a view to not only strengthening the eligibility conditions and improving the mechanisms for resolving electoral disputes, but also, and above all, ensuring that electoral disputes are dealt with before the electoral mandates are confirmed, for both chambers of the parliament,

1. Thanks the authorities for having hosted and cooperated with the mission delegation; takes note with interest of the comments by the Speaker of the National Assembly and welcomes the announcement of the parliament's plan to amend the legal provisions relating to electoral disputes and the confirmation of the electoral mandates; wishes to be kept informed of progress with the announced changes and to receive a copy of the draft legislation prepared to this effect;
2. Further thanks the mission delegation for the work done, and endorses its overall conclusions;
3. Reiterates its serious concerns about the cases under investigation and notes with alarm that the 34 former members concerned were all expelled from the National Assembly, and certain members were taken into custody and prosecuted, after they had expressed political opinions deviating from those of the presidential majority and the Head of State, and points out that depriving a member of parliament of the mandate because of a political opinion he or she expressed is a violation of Article 19 of the International Covenant on Civil and Political Rights, to which the DRC is a signatory;
4. Laments the lack of significant progress since the Committee's mission and reiterates its call for the authorities to work towards a settlement of the cases with all available means, including, wherever appropriate, release on parole, pardons and amnesties, as promised by the Head of State and recommended in the report that emerged from the national consultations; urges the National Assembly, too, to fulfil as soon as possible the commitments it undertook towards the 29 disqualified members in the matter of their entitlements, and to reinstate and pursue the dialogue with them so as to arrive at an agreement on the compensation to be paid;
5. Deplores the worrying deterioration in Mr. Ndongala's situation; notes with consternation that he is being denied access to medical care, and urges the competent authorities to transfer him rapidly to an appropriate medical care facility; notes that, according to the sources, the start of his trial was marred by faults, and requests that the Committee continue to follow the judicial proceedings closely and investigate the possibility of sending an observer to the hearings;
6. Further notes with concern that, in all of the cases investigated, serious doubts have been cast on the independence of the judiciary and respect of international fair-trial standards; urges the competent authorities to take all necessary steps to ensure that the independence of the judiciary is protected, in particular by setting up rapidly the high courts for which the Constitution makes provision, to replace the Supreme Court; emphasizes that the possibility of appeal is one of the most important guarantees of a fair trial, and once again invites the parliament of the Democratic Republic of the Congo to create a separate avenue of redress in the judicial process that applies to parliamentarians so as to give them full protection of their rights of defence in any judicial proceedings against them, as for any citizen of the DRC;
7. Points out that parliamentarians have their mandate from the people, and the revocation of a mandate in the middle of a legislature should be an exceptional occurrence, limited strictly to cases determined by the Constitution and following a procedure that protects the rights of defence; wonders, accordingly, about the large number of parliamentary mandates recently revoked on grounds of prolonged absences; cautions the competent authorities against the misuse of this practice, and if the intention is to reduce absenteeism in the parliament, to apply it in an impartial and not a selective manner, with due regard to the rights of defence;
8. Requests the Secretary General to convey this resolution to the Speaker of the National Assembly and to all competent authorities, including the Head of State, the Justice Minister and the Prosecutor General;
9. Requests the Committee to continue examining this case.

ERITREA

CASE No. ERI/01 - OGBE ABRAHA

CASE No. ERI/02 - ASTER FISSEHATSION

CASE No. ERI/03 - BERHANE GEBREGZIABEHER

CASE No. ERI/04 - BERAKI GEBRESELISSIE

CASE No. ERI/05 - HAMAD HAMID HAMAD

CASE No. ERI/06 - SALEH KEKIYA

CASE No. ERI/07 - GERMANO NATI

CASE No. ERI/08 - ESTIFANOS SEYOUM

CASE No. ERI/09 - MAHMOUD AHMED SHERIFFO

CASE No. ERI/10 - PETROS SOLOMON

CASE No. ERI/11 - HAILE WOLDETENSAE

Resolution adopted unanimously by the IPU Governing Council at its 193rd session (Geneva, 9 October 2013)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of the above-mentioned parliamentarians, former members of Eritrea's National Assembly, and to the resolution adopted at its 190th session (April 2012),

Taking into account the information provided by a family member of two of the parliamentarians concerned to the Committee during the 129th Assembly (Geneva, October 2013),

Recalling the following:

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

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

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

Considering resolution 23/21 of the Human Rights Council on the situation of human rights in Eritrea, which calls upon the Government of Eritrea, without delay, to account for and release all political prisoners, including members of the G11, that resolution being adopted by the Council on 25 June 2013 upon presentation of the first report of the United Nations Special Rapporteur on the situation of human rights in Eritrea, wherein the Special Rapporteur highlights the gravity of the human rights situation in Eritrea, refers to the 11 members of parliament arrested in 2001 as being among the most prominent cases of enforced disappearances and incommunicado detentions, states that the Government has refused to provide any information on their fate and points out that "The basic tenets of the rule of law are not respected in Eritrea owing to a centralized system of Government where decision-making powers are concentrated in the hands of the President and his close collaborators", that "The separation of powers among the various arms of the State is inexistent", "Legislative functions accorded to the National Assembly by the unimplemented Constitution have been assumed entirely by the Government", "The National Assembly has not been convened since 2002" and "the court system is weak and prone to interference",

Taking into account that the lives of relatives of the G11 prisoners have been deeply affected by this situation, that their children have all fled Eritrea and grown up without their parents and that families continue to demand to know the truth about the fate of their loved ones,

1. Deplores the Eritrean authorities' continued contempt for the most basic human rights of 11 former parliamentarians by keeping them incommunicado for the last 12 years because they exercised their right to freedom of expression by calling for democratic reform;
2. Is appalled by the persistent silence of the authorities and considers that the absence of all information about the fate of the former parliamentarians is an affront not only to the former parliamentarians' human dignity but also to their relatives' right to know what befell them;
3. Remains deeply concerned about the allegation that only two of the 11 former parliamentarians may still be alive, and believes that this allegation must be taken seriously in the light of the very critical reports on the human rights situation in Eritrea, in particular the recent report of the United Nations Special Rapporteur on the human rights situation in Eritrea;
4. Once more urges the Eritrean authorities to provide information on the fate of the G11 prisoners and to release them forthwith;
5. Considers that the international community, including the global parliamentary community, cannot remain silent in the face of these violations, invites all IPU members to exert insistent pressure on Eritrean authorities for the release of the persons concerned, including by making representations to the diplomatic missions of Eritrea in their countries and raising the case publicly, and appeals to the African Union, the Pan-African Parliament and the European Union to do everything in their power to achieve this objective;
6. Requests the Secretary General to convey this resolution to the parliamentary authorities and to the sources for their observations, and to continue making every effort to draw international attention to this case;
7. Requests the Committee to continue examining this case.

MADAGASCAR

CASE No. MAG/05 - LANTONIAINA RABENATOANDRO
CASE No. MAG/06 - HENRI RANDRIANJATOVO
CASE No. MAG/07 - MAMISOA RAKOTOMANDIMBINDRAIBE
CASE No. MAG/08 - RAYMOND RAKOTOZANDRY
CASE No. MAG/09 - RANDRIANATOANDRO RAHARINAIVO
CASE No. MAG/10 - ELIANE NAÏKA
CASE No. MAG/11 - MAMY RAKOTOARIVELO
CASE No. MAG/12 - JACQUES ARINOSY RAZAFIMBELO
CASE No. MAG/13 - YVES AIMÉ RAKOTOARISON
CASE No. MAG/14 - FIDISON MANANJARA
CASE No. MAG/15 - STANISLAS ZAFILAHY
CASE No. MAG/16 - RAKOTONIRINA HARIJAONA LOVANANTENAINA

**Resolution adopted unanimously by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013)**

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of the above-mentioned persons, all members of the Parliament of Madagascar that was suspended in March 2009, and to the resolution it adopted at its 189th session (October 2011),

Bearing in mind the letter of 26 March 2013 from the Speaker of the Transitional Congress and that of 23 September 2013 from the President of the Court of Appeals and the special commission within the Supreme Court,

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

Recalling that the persons concerned all belonged to the movement of the deposed President, Mr. Ravalomanana; noting that two of them (Mr. Rakotoarison and Mr. Mananjara) have reportedly since left that movement,

Recalling furthermore that Mr. Mamy Rakotoarivelo, currently the Speaker of the Transitional Congress, confirmed in a letter dated 27 December 2012 that all the persons concerned were members of the Transitional Congress or the Higher Transitional Council at that time, except Mr. Randrianatoandro Raharinaivo, former Speaker of the Transitional Congress, who is no longer a member of parliament,

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

- Mr. Lantoniaina Rabenatoandro, Mr. Henri Randrianjatovo, Mr. Mamihoa Rakotomandimbandraibe and Mr. Raymond Rakotozandry were arrested on 23 April 2009 and accused of distribution of weapons and money, incitement to civil war and civil unrest, and destruction of public property; they were released on 18 August 2009 after being sentenced the same day to a suspended 12-month prison term; an appeal against the sentence was pending at the end of 2011; no information has been received about the appeal, and it is therefore not clear whether in fact it took place and led to a final decision;
- Ms. Eliane Naïka was arrested on 12 September 2009 by military personnel who beat her up and took her away, without an arrest warrant, to a gendarmerie post; she was charged with concerted use of force, with jeopardizing internal State security, and with insults and abuse; on 18 September 2009 she was released on parole and left the country; on her return to Madagascar, the authorities and the sources differed as to whether the proceedings against her had been dropped; Ms. Naïka was granted de jure amnesty on 15 February 2013;
- Mr. Randrianatoandro Raharinaivo was arrested on 15 September 2009 and charged with concerted action to commit violence, unauthorized gatherings, and insults and abuse; he was released on parole on 19 November 2009; no information has been received about any progress in the proceedings or about a final judicial decision on his case; he was elected to the post of Speaker of the Transitional Congress in October 2010 and is apparently no longer a member of parliament;
- Mr. Mamy Rakotoarivelo, Mr. Jacques Arinosy Razafimbelo, Mr. Yves Aimé Rakotoarison and Mr. Fidison Mananjara were the subject of judicial proceedings on the charge of undermining public order; according to information supplied by the authorities in October 2010 and also by the President of the Court of Appeals, the Public Prosecutor has decided to dismiss the case; Mr. Rakotoarivelo was also arrested on 15 March 2011 and charged with instigating the bomb attack on Mr. Rajoelina's vehicle on 3 March 2011; he was subsequently released; no information has been received about the current status of the judicial proceedings;

- Mr. Stanislas Zafilahy, head of the parliamentary group of the Ravalomanana movement and presently Deputy Speaker of the Transitional Congress, was arrested on 11 November 2010 and accused of taking part in an unauthorized gathering, refusing to obey a dispersal order and destroying private property; according to the sources, the gathering in question was an authorized demonstration against the constitutional referendum of November 2010; according to the authorities, Mr. Zafilahy was charged with criminal conspiracy and undermining public security and was given a suspended 10-month prison sentence on 9 February 2011; an appeal was pending at the end of 2011; according to the information provided by the Ministry of Justice in April 2011, other criminal proceedings had been launched against Mr. Zafilahy and 27 other people accused of criminal conspiracy and undermining public order, with hearings scheduled to start on 19 May 2011; no information has been received since 2011 about progress in these proceedings;
- Mr. Rakotonirina Lovanantenaina was arrested with four other persons on 22 February 2011; he was reportedly accused of an offence against State security by encouraging a group of amateur journalists to set up and run an illegal radio station called "Radio-n'ny Gasy"; the source affirms that this radio station was established in response to the closure by the authorities of some 90 private radio stations in 2010 and the detention of all journalists critical of the authorities; Mr. Lovanantenaina requested parole, which was initially refused but finally granted on 29 September 2011; the judicial proceedings continue, however, and Mr. Lovanantenaina is regularly summoned to appear for hearings; in September 2013 the source indicated that Mr. Lovanantenaina's judicial file did not show any conviction,

Considering that, following the postponement of the elections, the new timetable provides for the presidential election to be held on 25 October 2013 and the legislative elections on 20 December 2013 (along with the second round of the presidential election, if one is required),

Recalling that a law granting amnesty in the interests of national reconciliation was promulgated in May 2012; Article 2 of the amnesty law provides that a broad, ipso jure amnesty applies to the members of State institutions, political figures, the leaders of political parties and entities and civilians for offences related to the political events that occurred between 2002 and 2009; amnesty may also be granted on request to individuals being prosecuted but not eligible for ipso jure amnesty; and a special Supreme Court commission and a Malagasy Reconciliation Council (CRM) has been set up to investigate and rule on amnesty applications,

Considering that the president of the special commission has confirmed that Ms. Naïka was granted amnesty by a decision of 15 February 2013, but also indicated that no other parliamentarian had submitted an amnesty application to the competent authorities to date, and in the case of Mr. Zafilahy and Mr. Lovanantenaina, as the events in question took place in 2010-2011, their amnesty applications should be addressed to the CRM,

Taking into consideration furthermore that, according to the source, the competent authorities are applying the amnesty adjudication procedure in a selective and politicized manner, with amnesties being granted only in exchange for political concessions; that this is one reason why the parliamentarians with pending charges have not submitted applications, along with the fact that they consider the charges to be unfounded, and prefer to defend themselves before an independent justice system so that they can be exonerated of what they consider to be trumped-up accusations; that the persons concerned are not informed about the status of the proceedings in their cases; that most of the judicial proceedings are reportedly suspended but none formally closed, so that they could be resumed at any time; and that this judicial uncertainty, like the amnesty adjudication, constitutes a way of putting pressure on the parliamentarians,

Considering that the laws on the presidential and legislative elections stipulate that parliamentarians subject to judicial proceedings who have not been convicted at final instance are free to take part in the political process and in the forthcoming elections as voters and candidates; and that several had indeed registered as candidates for the legislative elections, according to the source,

1. Sincerely thanks the authorities for their cooperation and for the information conveyed;
 2. Notes with interest that Ms. Naïka has been granted amnesty, and that some of the persons concerned have been able to register for the legislative elections;
 3. Points out that the legal situation of the various parliamentarians remains uncertain, and expresses its desire to obtain detailed information on all of the legal cases, including the status of any appeals;
 4. Notes with concern that, according to the source, the persons concerned are themselves without clear information about the status of the legal proceedings being conducted against them, and the resulting judicial uncertainty, which exposes them to pressure from the authorities; takes note furthermore of the source's allegation that the competent authorities are applying the amnesty adjudication procedure in a selective and politicized manner, with amnesties being granted only in exchange for political concessions;
 5. Requests the Secretary General to convey this resolution to the parliamentary authorities and to the sources, inviting them to make any observations and provide the information requested;
 6. Requests the Committee to continue examining this case.
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CASE No. CO/142 - ÁLVARO ARAÚJO CASTRO - COLOMBIA

**Resolution adopted unanimously by the IPU Governing Council at its 193rd session
(Geneva, 9 October 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 at its 192nd session (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;
- Given that members of Congress 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 had 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 the IPU Secretary General, at the invitation of the outgoing President of the Colombian Congress, was invited to address the Colombian Senate on 4 June 2013 to discuss ways to strengthen Congress's work, including ensuring adequate legal protection for its members,

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. 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;
2. Remains deeply concerned, therefore, that the Supreme Court invoked this conviction to order 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;
3. 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;
4. 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; encourages the IPU and the current Colombian parliamentary authorities to continue to work closely together for this purpose;
5. 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;
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.

CASE No. CO/155 - PIEDAD DEL SOCORRO ZUCCARDI DE GARCIA - COLOMBIA

**Resolution adopted unanimously by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013)**

The Governing Council of the Inter-Parliamentary Union,

Having before it the case of Ms. Piedad del Socorro Zuccardi de García, a member of the Colombian Senate, 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 the following sequence of judicial steps against Senator Zuccardi, who, like any Colombian member of Congress, is investigated and judged in single-instance proceedings by the Supreme Court in criminal matters:

- On 28 June 2010, a preliminary investigation was opened on the instructions of the Supreme Court on the basis of suspicions that Senator Zuccardi de García, of Colombian and Italian nationality, had cooperated during the 2000-2003 period with paramilitary groups; the investigations were launched following statements made in 2009 by a paramilitary member who had been demobilized and was seeking to benefit under the Justice and Peace Act;
- On 12 June 2012, the Office of the Procuraduría (Procurator-General) sought the closure of the investigation and the dropping of charges, one of the two grounds being that there was no reasonable evidence or information to indicate that the Senator might have been involved in any kind of alliance with paramilitary groups, particularly for the purpose of securing electoral backing for herself or anyone else;
- On 11 February 2013, the Supreme Court issued an arrest warrant which was acted upon on 23 February, despite the protests of the defence; on 5 March 2013, the Supreme Court decided to charge the Senator with aggravated criminal association and place her in provisional detention;
- The Supreme Court decided in early August 2013 to close the investigation phase of the case, opening a legal time limit of 20 days for the defence to file its motion to dismiss; the reopening of the investigation was sought by the defence following the inclusion of a strongly contested statement, which was nevertheless rejected by the Court scheduling the filing of the defence motion for 20 September 2013; the decision of the Supreme Court on any committal for trial is expected in October 2013,

Considering that the source states that Senator Zuccardi was arrested on 23 February 2013 and imprisoned without a court review until 5 March 2013, namely over a week later, the court that examined the question of her detention was the same as that which ordered her arrest, the Supreme Court, and the Senator was unable to appeal that decision or have the legality of her detention examined by a competent jurisdiction, as unambiguously provided for in the Inter-American Convention,

Considering also that the preliminary investigation reportedly exceeded the time limit prescribed in Article 325 of Law No. 600 of 2000, namely six months, and that Article 239 of Law No. 600, authorizing the transfer of evidence, the validity of the technical investigations, the right to a public trial and the guarantee of adversarial procedure, was violated,

Considering also that the source states with regard to the evidence-taking and the impartiality of the Supreme Court, that:

- Several witnesses have cast doubt on the impartiality and methods of the investigators; those witnesses reported pressure and intimidation to the Supreme Court, but that Court did not initiate any investigation;

- The auxiliary magistrate of the Supreme Court handling the case transfers testimony out of context and denies the defence a full reading of the proceedings of previous hearings; for example, the source emphasizes that the auxiliary magistrate systematically distorts the form of witness statements to modify such terms as "You have said that..." instead of "I have heard that..." (witness Alias Diego VECINO);
- The Supreme Court authorizes and conducts the transfer of evidence and testimony from other proceedings to include them in the present proceedings, without allowing the defence access to a full reading of all the external records, or while the transfer of evidence is only partial;
- Although the Supreme Court decided in early August 2013 to close the investigation phase of the case, it decided subsequently to add further material to the file, notably the statement of a former mayor, Mr. Torres Serra, incriminating the Senator; but Mr. Torres Serra was sentenced in October 2012 to 35 months' imprisonment for malicious accusation of the Senator because of those same statements;
- Those in charge of the investigations were incriminated in particular by a witness (alias NEVER) for having exerted pressures and extracted a false testimony for the prosecution against Senator Zuccardi de García; that witness reportedly filed a complaint to this effect with the public prosecutor's office (Fiscalía), but the Supreme Court refused to include either the complaint or the records of investigations conducted in this regard as evidence;
- The Court uses police reports as prosecution evidence without ever checking the information in them,

Considering also the assertion of the source, who cites the total absence of direct witnesses or eyewitnesses against her, that there is no evidence to incriminate Ms. Zuccardi; that, as to the accusations levelled against her, the Senator had not attended or taken part in any meeting with members of AUC (Autodefensas Unidas de Colombia) in the years 2000 to 2003, and that in electoral terms, as an analysis of the voting could show, she had absolutely no need to seek support for her election and re-election; that, while Ms. Zuccardi did indeed take part in three meetings in 2000, only once was it in the presence of the paramilitary leader Mr. Carlos Castaño, and on that occasions she did so in the company of a large number of elected officials and representatives and under the auspices of the High Commissioner for Peace, and in an absolutely official and public manner; far from being clandestine, therefore, the meetings had an institutional character and dealt with the security difficulties confronting the population in the south of Bolívar department; with that one exception, therefore, no paramilitary witness had ever met with Senator Zuccardi de García; finally, the source points out that the Supreme Court does not mention a specific date, merely giving 2000-2003 as the time period for the accusations against the Senator,

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 the IPU Secretary General, at the invitation of the outgoing President of the Colombian Congress, was invited to address the Colombian Senate on 4 June 2013 to discuss ways of strengthening the work of the Colombian Congress, inter alia in order to ensure adequate legal protection for its members,

Bearing in mind that Colombia is a party to the American Convention on Human Rights and the International Covenant on Civil and Political Rights, and is therefore legally bound to ensure full respect for the right to a fair trial,

1. Recalls its concerns regarding respect for fair-trial guarantees in criminal proceedings against members of the Congress of Colombia, the credibility of testimonies of demobilized paramilitaries and the manner in which they are obtained and used in criminal cases against members of parliament;
2. Considers, in the light of these concerns, which include the lack of any possibility of appeal, that it is all the more important that the proceedings in the case of Senator Zuccardi strictly comply with due process;
3. Is therefore deeply concerned that the general concerns about fair trial in criminal proceedings against Colombian parliamentarians are aggravated in the case at hand by allegations of further extensive and serious irregularities, including the inclusion of testimony, after the closure of the investigation, from someone who was sentenced to a prison term for perjury on account of his false statements implicating Senator Zuccardi;
4. Trusts that the Supreme Court will take due account of all the material presented by the defence in deciding whether or not to commit the case for trial; eagerly awaits therefore the ruling of the Supreme Court in this regard;
5. Considers it crucial, in the light of the aforesaid concerns about due process, to send a trial observer to follow the proceedings should the Supreme Court decide to commit the case for trial; requests the Secretary General to make the necessary arrangements to this end;
6. 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; encourages the IPU and the current Colombian parliamentary authorities to continue to work closely together for this purpose;
7. Requests the Secretary General to convey this decision to the competent authorities and to the source;
8. Decides to continue examining this case.

CASE No. BAH/03 - MATAR EBRAHIM MATAR) BAHRAIN
CASE No. BAH/04 - JAWAD FAIROOZ GHULOOM)

**Resolution adopted by consensus by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013) ²**

The Governing Council of the Inter-Parliamentary Union,

Referring to the outline of the case concerning Mr. Matar Ebrahim Matar and Mr. Jawad Fairouz Ghuloom, and to the resolution adopted at its 191st session (October 2012),

Having considered the letters from the Speaker of the Council of Representatives dated 25 September 2013, 18 March and 9 January 2013 and the extensive information provided by the Bahraini delegation, led by Mr. Jamal Fakhro, First Deputy Speaker of the Shura Council, at hearings held in January 2013 and during the 128th IPU Assembly (Quito, March 2013) and the 129th IPU Assembly (Geneva, October 2013),

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

Recalling that Mr. Matar and Mr. Fairouz, who both belong to the Al-Wefaq party, were elected in 2010 and supported the call for political and social reform in Bahrain, that they and the other 16 Al-Wefaq parliamentarians tendered their resignations on 27 February 2011 in protest at the government's response to the demonstrations that started in the capital on 14 February 2011, and that their resignations were accepted by the Council of Representatives on 29 March 2011,

Noting with deep concern the outline of events provided by the source, to wit: that both men were arbitrarily arrested on 2 May 2011 by security forces and taken to different detention centres, where they were ill-treated and denied access to family and legal counsel; that Mr. Fairouz was allowed only a five-minute telephone call to his family on 29 May 2011, but forbidden to divulge his location; that their families only found out what had happened to them when trial proceedings started against them on 12 June 2011 before the National Safety Court, which was also the first time that they had access to a lawyer; that the accused were informed at the court hearing that they were being charged with spreading false information, instigating hatred against the authorities, organizing and participating in gatherings without having properly notified the authorities in advance, and using the gatherings to prepare or facilitate crimes, or to undermine public security; that both men denied the charges, and were released from detention on 7 August 2011; that Mr. Matar was acquitted on 20 February 2012, while Mr. Fairouz was tried on the last two counts; that on 7 November 2012 Mr. Fairouz was sentenced to a 15-month prison sentence, with payment of a fine of 300 Bahraini dinars as an alternative; that Mr. Fairouz appealed the sentence, and that the High Court on 15 January 2013 confirmed the sentence in accelerated procedure,

Aware that the Speaker of the Council of Representatives in his letter of 18 March 2013 disputes the arbitrary nature of the arrests, and asserts that Mr. Matar and Mr. Fairouz were receiving regular family visits, which were documented in the official records of the detention centre,

Recalling further that the Bahrain Independent Commission of Inquiry, an independent body set up by the King of Bahrain to investigate alleged human rights abuses during and following the 2011 protests in the country, presented its official report on 23 November 2011 with the following findings:

- The text and application of Articles 165, 168, 169, 179 and 180 of the Bahrain Penal Code "raises questions about their conformity with international human rights law and the Constitution of Bahrain"; the Government of Bahrain "used these articles to punish those in the opposition and to deter political opposition";
- "[In] a substantial number of the arrests carried out by law enforcement agencies arrest warrants were not presented to arrested individuals and arrested individuals were not informed of the reasons for their arrest";
- "In many cases, government security forces resorted to the use of unnecessary and excessive force, and in a manner that sought to terrorise individuals"; "many detainees were subjected to torture and other forms of physical and psychological abuse while in custody, which indicated patterns of behaviour by certain government agencies"; "[the] extent of this physical and psychological mistreatment is evidence of a deliberate practice"; the techniques used to mistreat detainees "fall within the meaning of torture as defined in the Convention Against Torture... to which Bahrain is a State Party"; "the lack of accountability of officials within the security system in Bahrain has led to a culture of impunity, whereby security officials have few incentives to avoid mistreatment of prisoners or to take action to prevent mistreatment by other officials",

Having examined copies of the letters dated 27 September 2011, along with a detailed five-page complaint outlining their allegations of arbitrary arrest, detention and ill-treatment, which Mr. Matar and Mr. Fairouz sent to the King of Bahrain, the President of the Supreme Judicial Council, the Supreme Commander of the Bahrain Defence Force, the Minister of Social Development and Human Rights, the Minister of the Interior, the Minister of Justice, the Public Prosecutor, the Head of Military Justice, the Chairman and members of the Bahrain Independent Commission of Inquiry, and the National Foundation for Human Rights,

Noting the indications provided by the Speaker in his 18 March 2013 letter, according to which: the complaints were acted on by a military prosecutor, given that the alleged perpetrators were associated with the defence force; on 23 October 2011 the prosecution heard Mr. Fairouz and observed that he was unable to recognize any of the alleged perpetrators; Mr. Fairouz's wife, whom he had cited as a

witness, testified under oath that her husband had been arrested in a respectful manner, although she did not know on what authority the arrest had been carried out; the military prosecutor likewise heard Mr. Matar on the same day; testifying at his request, Mr. Matar's wife stated under oath that her husband had been arrested by a group of civilians, but that he had escaped briefly, before being caught and arrested again; she testified that she had received a telephone call from him, and when asked by the military prosecutor whether she had seen anyone beating her husband or insulting him, she said that she had not; with respect to both Mr. Fairouz and Mr. Matar, the military prosecutor questioned the security personnel individually, and all of them denied all involvement in ill-treatment,

Noting also the further statements by the Speaker of the Council of Representatives in the same 18 March 2013 letter, according to which: the military prosecution decided not to take legal action on the allegations because of the conclusive evidence that the alleged violations had not in fact taken place, including the statements of the wives of the former parliamentarians and the dearth of evidence in support of the accusations, the complainants having failed to present any evidence whatsoever in support of their claims; neither Mr. Fairouz nor Mr. Matar had appealed the decision by the military prosecutor to close the investigation; the possibility of re-opening the investigation remained, if new evidence were to come to light, in accordance with Article 163 of the Criminal Procedure Law,

Bearing in mind in this connection Mr. Fairouz's declaration that he was never officially informed of the military prosecutor's decision to close the investigation, nor did he receive any information about its results,

Considering that the evidence cited in the judgment against Mr. Fairouz seems to consist essentially of his own admission that he had been involved in organizing peaceful protests and had spoken at rallies (recorded speeches) and given interviews to representatives of the international media, the United Nations and the European Parliament, along with the fact that some other participants at the gatherings had advocated the overthrow of the current regime and committed violent acts; although Mr. Fairouz himself addressed those gathered at the Pearl Roundabout on two occasions, he was neither violent nor advocated the use of violence or the overthrow of the regime; although at one point, he took the stage to address the gathering against the backdrop of a poster advocating the overthrow of the regime, for which he was criticized by the military prosecutor during the interrogation, the suggestion being that Mr. Fairouz should have refused to speak unless the poster was taken down,

Bearing in mind also that the United Nations Special Rapporteur on the right to freedom of peaceful assembly and of association, and the Special Rapporteur on the right to freedom of opinion and expression, have made it clear that organizers should not be criminalized for not requesting an authorization and that assembly organizers should not be held liable for violent behaviour committed by others,

Having duly noted the assurances provided by the Speaker of the Council of Representatives and the Bahraini delegation regarding the significant legislative and institutional reforms carried out by the authorities in reaction to the report of the Bahrain Independent Commission of Inquiry, including amending the Penal Code with a view to strengthening freedom of expression, creating the position of Ombudsman within the Ministry of the Interior and a Special Investigations Unit within the Public Prosecutor's Office, and setting up a foundation to provide compensation for victims of abuse; taking note also of the Speaker's 9 January 2013 letter, wherein he indicates that 3 police and security officers have thus far been sentenced to seven-year prison terms for ill-treating demonstrators, with another 12 cases against law enforcement officers pending before the courts,

Considering the following information on file: on 6 November 2012, Mr. Fairouz, who was visiting the United Kingdom that day, was stripped of his nationality by an administrative decision, along with 30 others, under the Citizenship Law, which permits the revocation of nationality when a holder of Bahraini citizenship undermines State security; Mr. Fairouz, who states that he has always been committed to the peaceful expression of views, the rejection of violence and the promotion of political reform to create a genuine constitutional monarchy, is now stateless as a result; of the 31 persons affected by this decision, 9 decided to challenge it, but only one actually brought a case to court, in June 2013,

Emphasizing that the Universal Declaration of Human Rights stipulates that no one is to be arbitrarily deprived of nationality, that the 1961 Convention on the Reduction of Statelessness, to which Bahrain is not a party, enshrines the basic principle that no one should be deprived of nationality if such

deprivation results in statelessness, and that exceptions to this principle under the Convention require that a State wishing to deprive an individual of his or her nationality do so in accordance with the law and with full procedural guarantees, including the right to a fair hearing,

Aware that on 28 July 2013 the Council of Representatives reportedly adopted recommendations giving the authorities the power to revoke the citizenship of anyone recognized as guilty of committing an act of terrorism or incitement thereto and to ban all protests in the capital, Manama, and that the King of Bahrain has reportedly ordered the swift implementation of these measures,

Bearing in mind further that the United Nations High Commissioner for Human Rights, in her opening address on 9 September 2013 before the 24th session of the United Nations Human Rights Council, stated that "the human rights situation in Bahrain remains an issue of serious concern: the deep polarization of society and the harsh clampdown on human rights defenders and peaceful protesters continue to make a durable solution more difficult to secure. I reiterate my call on Bahrain to fully comply with its international human rights commitments, including respect for the rights to freedoms of expression, peaceful assembly and association. The cancellation of the scheduled visit of the Special Rapporteur on Torture is regrettable, and important recommendations made by the Bahrain Independent Commission of Inquiry have still not been implemented. I also wish to express my disappointment that the cooperation with the Government of Bahrain, which started fruitfully with the deployment of an OHCHR team in December 2012, has not developed further and an OHCHR follow-up mission has been stalled since then",

Drawing attention to the 24 April 2013 report of the United Nations Special Rapporteur on the right to freedom of assembly (A/HRC/23/39), which qualifies the specific situation of Bahrain with the words, "peaceful assemblies have been prohibited or repressed because the [messages] conveyed do not please the authorities". The report also states: "[The Special Rapporteur] is particularly troubled by the imposition of blanket bans in many States, such as... Bahrain, typically in the interests of national security, public safety or public order. He firmly believes that such blanket bans are intrinsically disproportionate and discriminatory measures as they impact on all citizens willing to exercise their right to freedom of peaceful assembly",

Noting further the statement by the Bahraini delegation at the hearing held during the 129th IPU Assembly (October 2013) asserting that the country is steadily advancing, including with respect to the full implementation of the BICI recommendations and offering to make available the quarterly reports detailing the steps taken in this regard by the authorities,

Noting with regret that the Speaker of the Council of Representatives, in his letter of 25 September 2013, responded to the proposal for an on-site visit to Bahrain by stating that there was nothing further to add given that the parliamentary authorities had already provided all the necessary information to the Committee, while the Bahraini delegation, at the aforesaid hearing, declared that the authorities remained committed to responding to any further queries,

1. Thanks the Speaker of the Council of Representatives and the members of the Bahraini delegation for their cooperation and the information they have provided;
2. Appreciates their continued readiness to provide further information on any outstanding questions there may be in this case;
3. Remains concerned, however, at the absence of evidence of an effective official investigation into the detailed allegations of ill-treatment inflicted on Mr. Fairouz and Mr. Matar in custody, particularly as the Bahrain Independent Commission of Inquiry has reported that it received numerous other complaints alleging very similar treatment at the hands of law enforcement officials, and has reached unequivocal conclusions regarding the use of torture and other forms of physical and psychological abuse of detainees during and after the protests and the lack of accountability of law enforcement officials;
4. Emphasizes its profound concern that the alleged victims have apparently not been kept informed of steps taken in the investigation into their alleged ill-treatment, including the decision to close it, and urgently requests to be provided with a copy of that decision, the communications by which Mr. Fairouz and Mr. Matar were informed of the closure, the investigation report detailing the concrete steps that the authorities have taken to shed light on the allegations and, in the light of the contradictory information on file, a copy of the record of the detainees' visitors, particularly for the first month of the detention;

5. Expresses its perplexity, following examination of the translated texts of the first-instance and appeal judgment against Mr. Fairouz, as to the legal justification of the depiction of his actions as criminal, in the light of the relevant international human rights norms and the observations that the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association has made about the situation in Bahrain, and accepts therefore the offer made by the Bahraini delegation to provide clarification in the matter;
6. Notes with deep concern that, close to one year after Mr. Fairouz was stripped of his nationality, he still does not know why this decision was taken; emphasizes that, under international law, the revocation of nationality is an extremely serious measure, all the more so if it leads to statelessness, and should only be taken with full respect for due process, which should include hearing the individual concerned; expresses its appreciation for the official assurances that Mr. Fairouz can challenge the revocation in the courts of Bahrain, but considers that this should not be understood as exempting the competent authorities from the requirement to inform him in advance of the grounds for such a decision, so as to allow him, apart from anything else, to prepare a defence;
7. Reaffirms the value that an on-site mission would have in giving a better understanding of this case and moving towards a solution, given the important and complex issues involved, and therefore urges the Speaker of the Council of Representatives to give further consideration to the mission proposal;
8. Requests the Secretary General to convey this resolution to the parliamentary authorities and to the source;
9. Requests the Committee to continue examining this case.

CASE No. CMBD/01 - SAM RAINSY - CAMBODIA

**Resolution adopted unanimously by the IPU Governing Council at its 193rd session
(Geneva, 9 October 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 192st session (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;

- On 5 November 2012 the National Election Committee removed Mr. Sam Rainsy from the list of eligible voters for the parliamentary elections of 28 July 2013,

Recalling that no one disputes the fact that the border between Viet Nam and Cambodia is at present 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",

Considering that on 12 July 2013 the King of Cambodia pardoned Mr. Sam Rainsy, following a request by the Prime Minister; Mr. Sam Rainsy returned to Cambodia on 19 July but was not allowed to stand as a candidate in the elections which took place on 28 July,

Considering that according to official election results the ruling Cambodian People's Party won 68 seats - a greatly reduced majority - while the opposition, Cambodia National Rescue Party, garnered 55 seats; the opposition has contested these results, claiming widespread rigging, demanded an independent inquiry and, in the absence of one, decided to boycott the work of the National Assembly,

1. Welcomes, in the light of its long-standing concerns in the case, the fact that the authorities have allowed Mr. Sam Rainsy to return to Cambodia as a free man;
2. Deeply regrets, however, that no allowances were made for Mr. Sam Rainsy, as the country's principal opposition leader, to stand in the recent parliamentary elections;

3. Calls on the majority and opposition parties to do their utmost to resolve the current political stalemate so as to ensure that the National Assembly can soon effectively start its work in due representation of the Cambodian people;
4. Reaffirms in this regard that it is essential to have healthy working relationships within parliament, inter alia 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; requests the Secretary General to raise this matter with the parliamentary authorities;
5. Decides to close further examination of the case.

MALDIVES

CASE No. MLD/16 - MARIYA DIDI
CASE No. MLD/28 - AHMED EASA
CASE No. MLD/29 - EVA ABDULLA
CASE No. MLD/30 - MOOSA MANIK
CASE No. MLD/31 - IBRAHIM RASHEED
CASE No. MLD/32 - MOHAMED SHIFAZ
CASE No. MLD/33 - IMTHIYAZ FAHMY
CASE No. MLD/34 - MOHAMED GASAM
CASE No. MLD/35 - AHMED RASHEED
CASE No. MLD/36 - MOHAMED RASHEED
CASE No. MLD/37 - ALI RIZA

CASE No. MLD/38 - HAMID ABDUL GHAFOOR
CASE No. MLD/39 - ILYAS LABEEB
CASE No. MLD/40 - RUGIYYA MOHAMED
CASE No. MLD/41 - MOHAMED THORIQ
CASE No. MLD/42 - MOHAMED ASLAM
CASE No. MLD/43 - MOHAMMED RASHEED
CASE No. MLD/44 - ALI WAHEED
CASE No. MLD/45 - AHMED SAMEER
CASE No. MLD/46 - ABDULLA JABIR
CASE No. MLD/47 - AFRASHEEM ALI

Case No. MLD/48 - ALI AZIM
Case No. MLD/49 - ALHAN FAHMY
Case No. MLD/50 - ABDULLA SHAHID

Resolution adopted unanimously by the IPU Governing Council at its 193rd session (Geneva, 9 October 2013)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of the first group of 21 parliamentarians above, all members of the People's Majlis of the Maldives and all, except Mr. Abdulla Jabir and Dr. Afrasheem Ali, members of the opposition Maldivian Democracy Party (MDP), and to the resolution it adopted at its 192nd session (March 2013),

Recalling the report of the mission by the Committee on the Human Rights of Parliamentarians to the Maldives from 19 to 21 November 2012,

Having before it the cases of Mr. Abdulla Shadid, Mr. Alhan Fahmy and Mr. Ali Azim, and also having before it fresh allegations regarding Mr. Hamid Abdul Ghafoor, Ms. Eva Abdulla and Mr. Ali Waheed,

Bearing in mind the following information provided by the source in this regard, including at a hearing with the Committee during the 129th IPU Assembly (Geneva, October 2013):

- The first round of the presidential election was held in the Maldives on 7 September 2013; voter turnout was 88 per cent and the results were as follows: MDP - 45.45 per cent; Progressive Party of Maldives (PPM) - 25.35 per cent; Jumhooree Party (JP) - 24.07 per cent; incumbent President Mohamed Waheed - 5.1 per cent;

- Article 111 of the Constitution stipulates that the Election Commission is to organize elections within 21 days of the first round if no candidate obtains an absolute majority;
- The first round was deemed free, fair and transparent by all independent observers, including those from the Commonwealth, the European Union and the United Nations; one candidate, Mr. Gasim Abraham (JP), nevertheless petitioned the Supreme Court to annul the first round, and the PPM petitioned it to delay the second round;
- The Supreme Court asserted jurisdiction over the cases, in contravention of Article 172 of the Constitution, and four of the seven Justices, with the Chief Justice dissenting, ordered that the second round be delayed until it had ruled on the case;
- The Election Commission, however, citing the Constitution and the Maldives Elections Act, which also stipulates that the second round must be held within 21 days, decided to carry on with the election arrangements;
- On 23 September, the People's Majlis, meeting in special session, adopted a resolution calling on all State institutions to ensure that the second round of the presidential election was held as scheduled by the Election Commission; the Speaker, Mr. Abdulla Shahid, who had been threatened by government members of parliament and was therefore surrounded by security agents, called for a vote by show of hands; supporters aligned with the PPM and the JP surrounded the Majlis and chanted "hang Abdulla Shahid"; the Speaker reported the matter to the Ministry of National Defense, which is in charge of protecting the Speaker and other parliamentarians; the Chief of Staff assured the Speaker that the police would guarantee his security; however, the Speaker's brother's car, parked inside the Speaker's garage, was destroyed in a night-time arson attack that the Speaker described "as a terrorist attack", given that it occurred hours after political opponents called for him to be hung; the Deputy Chair of the MDP Parliamentary Group, Mr. Ali Waheed, also received death threats and his car was burnt in another arson attack; thus far, none of these cases has been investigated;
- On 26 September, the Supreme Court ordered the security forces to forcibly prevent the Election Commission from conducting the second round of the presidential election; the Maldives Police Service executed that order and the Election Commission was forced to call off the elections; in so doing, the Election Commissioner cited "intimidation of elections officials, government ministries including Finance refusing to provide finances, Home Minister refusing to provide security and other ministries refusing the logistical back up required";
- Thousands of protestors took to the streets on 27 September 2013, demanding that the second round of the presidential election be held on 28 September, as stipulated in the Constitution and demanded by parliament and the international community; photographs show police officers attacking peaceful protesters, including Mr. Mohamed Nasheed and Mr. Abdulla Shahid, with pepper spray;
- Following the Election Commission's decision to call off the elections, the Police Service initially surrounded the Election Commission building, prevented media from entering the premises, obstructed the movements of Election Commission staff and refused access to the Election Commissioner by anyone, including the British High Commissioner;
- The Election Commission issued a statement stating that the Commissioners and staff were being continuously intimidated by those opposed to holding the election and had received death threats;
- On 7 October, the Supreme Court annulled the results of the first round of voting in the presidential elections, and called for fresh elections by 20 October,

Considering that the PPM and the JP have reportedly renewed their calls for the arrest and expedited trial of MDP presidential contender and former President, Mr. Mohamed Nasheed,

Bearing in mind the following information provided by the source: since the Supreme Court's unconstitutional order, measures were taken against five MDP members of parliament: Mr. Ali Azim was violently arrested by riot police around midnight on 29 September at the peaceful demonstration calling for an election date; on the morning of 30 September, the MDP's international spokesperson, Mr. Hamid Abdul Ghafoor, was arrested by the police and ordered to appear in court in the ongoing criminal proceedings

against him on suspicion of possessing drugs and alcohol; Mr. Alhan Fahmy was summoned by the police on 30 September, on allegations that he had threatened judges; Ms. Eva Abdulla was arrested during a protest on 1 October and released in a few hours later; considering that the Department of Immigration of the Maldives withheld the passport of MDP member of parliament Zahir Adam for two days when he attempted to leave the country for medical treatment,

Considering that, according to the information provided by the source at the hearing with the Committee, several MDP parliamentarians have received death threats and are not receiving adequate protection,

Considering also that the source affirms that the PPM has said it will petition the Supreme Court to remove members from the People's Majlis for speaking out against judicial corruption and for challenging the Supreme Court's order to delay the second round of the presidential election,

1. Is extremely concerned about the latest reports of alleged arbitrary arrests, attacks and harassment of MDP members of parliament; is keen to receive, as a matter of urgency, official information on the grounds and factual basis for the arrests of Ms. Eva Abdulla and Mr. Ali Azim and to know if the latter is still in detention;
2. Is shocked at the alleged death threats against the Speaker of the People's Majlis, the alleged violence committed at his residence and the reported attack at close range with pepper spray that he suffered in the course of a demonstration; calls on the authorities to take these matters, along with the alleged death threats made against other parliamentarians, such as Mr. Ali Waheed, very seriously and to investigate them speedily and effectively; also calls on the authorities to put in place, as a matter of urgency and in agreement with the parliamentarians concerned, the security measures their situations warrant;
3. Is alarmed at the climate of confrontation spawned by the first round in the presidential election; notes in this regard that none of the international observers have cast doubt on the results of that first round; is deeply concerned that parliament's authority is apparently once again being challenged in the current political crisis; is alarmed in this regard that members of parliament may be facing legal action because of opinions they expressed and positions they adopted in parliament; would like to receive the authorities' views on this matter;
4. Calls on the competent authorities, in particular the law enforcement agencies, to show restraint and abide fully by international and national human rights standards when handling protests; recalls in this regard that the Committee mission's report underscored that several opposition parliamentarians had been subject to arbitrary police action following the transfer of power in February 2012, and that accountability for that action has yet to be established;
5. Considers that the urgency and seriousness of the current situation warrants an urgent on-site mission by the Committee, so that it can gather first-hand information on the allegations and ascertain the prospects for their examination and clarification in the current political situation in the Maldives;
6. Requests the Secretary General to convey this resolution to the competent authorities and to seek their approval for the urgent dispatch of the mission; requests him also to convey a copy to the source;
7. Requests the Committee to continue examining this case.

CASE No. MON/01 - ZORIG SANJASUUREN - MONGOLIA

**Resolution adopted unanimously by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013)**

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Zorig Sanjasuuren, a member of the State Great Hural of Mongolia who was murdered on 2 October 1998, and to the resolution adopted at its 190th session (April 2012),

Considering the letter from the Vice-Chairman of the State Great Hural dated 17 October 2012 and the information provided by the source,

Recalling the following:

- Zorig Sanjasuuren, a leader of the democracy movement in Mongolia in the 1990s, was assassinated in October 1998; the investigation carried out by the police and the Central Intelligence Agency has been to no avail so far; this failure has been attributed largely to police inexperience in investigating contract killings such as this, the failure to secure the crime scene and the decision to allow 40 to 50 people to pollute it, together with a certain lack of political will on the part of the authorities in place at the time;
- Technical assistance in forensic matters was provided to the investigators but, owing to the confidentiality of the investigation, no information has been made available as to whether or not the results of the tests carried out shed more light on the murder and helped move the investigation forward;
- The State Great Hural set up a working group on this case which functioned from 1998 to 2000; a new working group established in 2006 continues to function, its terms of reference being to monitor the investigation and to ensure that it receives the necessary assistance and support; however, no information has ever been provided on any results it may have achieved;
- In 2010, members of parliament put a query to the Minister of Justice regarding this case in the hope of initiating a parliamentary debate, which, however, failed to materialize, the Minister invoking the confidentiality of the investigation;
- In September 2011, a meeting of the National Security Council (comprising the President, the Prime Minister and the Speaker of the State Great Hural) was convened to discuss the investigation with the Prosecutor General,

Considering that the State Great Hural indicated in 2012 that the investigation was now being monitored by its special oversight subcommittee and that the National Security Council had renewed the mandate of the working group, which continued to work on the case and was made up of intelligence and police officers and officials from the special investigation unit in the Prosecutor General's Office,

Taking into account that the State Great Hural has asked the IPU for help in identifying countries willing to assist the investigation by running unidentified fingerprints found on the crime scene in their identification systems,

Considering that unconfirmed media reports of February 2013 indicate that two suspects of Mongolian nationality may have been arrested in the United States for the murder,

Further considering the following information provided by Oyun Sanjasuuren, the victim's sister, who is a member of parliament and a minister in the current government: she has not been able to obtain information from the working group for confidentiality reasons; she nevertheless confirms that the investigation continues and expects that the National Security Council will meet again in October 2013 to discuss the status of the investigation, further to a request she made to the Speaker; she believes that there is still hope that the case will be cleared up as some of the officers in the working group are genuinely trying to solve it,

1. Thanks the Vice-Chairman of the State Great Hural for the information provided;
2. Recalls that Zorig Sanjasuuren was brutally murdered in his home 15 years ago and is very disappointed that the culprits have not been identified despite uninterrupted investigations since his death; continues to believe, as examples from around the world show, that cases such as this one can be resolved even after so many years have elapsed, provided the competent authorities show the requisite determination and are given the necessary support;
3. Is concerned that, after all these years, the investigation remains shrouded in secrecy and is particularly troubled that the special oversight subcommittee of the State Great Hural and Zorig Sanjasuuren's sister are not being provided with any regular updates on the investigation; invites the National Security Council to authorize the working group on the investigation to disclose

- appropriate information on a regular basis on the status of the investigation, the steps taken and their outcome, while fully acknowledging that certain details of the investigation may need to remain confidential;
4. Considers that, without such information, the State Great Hural cannot properly exercise its oversight function and ensure that the competent authorities are indeed doing their utmost to shed light on Zorig Sanjasuuren's murder, and once again encourages the State Great Hural, in particular the special oversight subcommittee, to conduct a parliamentary debate on the case and its non-confidential aspects;
 5. Reiterates its commitment to assisting the State Great Hural; wishes to obtain information on the progress made in the investigation since 2011 and to ascertain whether suspects have indeed recently been arrested; further wishes to know whether the foreign forensic assistance provided in the past has helped shed light on the murder and move the investigation forward, and how, before providing a response to the State Great Hural's latest request for assistance;
 6. Requests the Secretary General to convey this resolution to the President of Mongolia, the Speaker of the State Great Hural and the Prosecutor General;
 7. Requests the Committee to continue examining this case.

CASE No. PAK/22 - SYED HAMID SAEED KAZMI - PAKISTAN

**Resolution adopted unanimously by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013)**

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Syed Hamid Saeed Kazmi, a member of the National Assembly of Pakistan and of the Pakistan People's Party (PPP) and a former Minister for Religious Affairs, and to the resolution it adopted at its 191st session (October 2012),

Taking into account the information provided by the member of the delegation of Pakistan who appeared before the Committee on the Human Rights of Parliamentarians during the 129th IPU Assembly (Geneva, October 2013), and the information transmitted by the source,

Considering the following:

- Mr. Kazmi was detained between March 2011 and 27 August 2012, when he was granted bail at Adiyala Central Prison in Islamabad on allegations of financial corruption in the course of the 2010 Hajj pilgrimage;
- The source alleges that, despite the extensive investigations conducted by the Federal Investigation Agency since Mr. Kazmi's arrest, no evidence has been found to incriminate him;
- According to the source, in 2009 Mr. Kazmi was seriously injured in an assassination attempt, following his efforts, as Minister for Religious Affairs, to weaken the influence of "militant groups in the Muslim community"; these groups initiated a concerted media campaign against Mr. Kazmi in 2010; unsubstantiated media reports relating to the Hajj pilgrimage corruption scandal were reportedly used as evidence by the Supreme Court of Pakistan to order the arrest of Mr. Kazmi and initiate a criminal inquiry; the allegations brought against Mr. Kazmi are politically motivated and not supported by any evidence;
- According to the source, since his release Mr. Kazmi has consistently expressed concern about the fairness of the proceedings against him,

Recalling that during the 127th IPU Assembly (Quebec, October 2012) a member of the delegation of Pakistan confirmed that the National Assembly had been fully informed of Mr. Kazmi's situation, that the Speaker had taken all appropriate action to allow him to continue attending parliament while in pre-trial detention, and that the case was in the hands of the Supreme Court, whose exclusive authority the National Assembly was bound to respect by virtue of the principle of separation of powers,

Considering that, according to the source, a total of 49 witnesses, including former MPs of rival political parties, have appeared at Mr. Kazmi's trial so far, without, however, providing any evidence against Mr. Kazmi; and that no other evidence, whether direct or circumstantial, has been presented to support the charges brought against him, casting further doubt on the fairness of the procedure,

Taking into account the statements that the member of the delegation of Pakistan made before the Committee at the 129th Assembly, confirming that the trial against Mr. Kazmi was ongoing before a Central Special Court but noting that the Pakistani Parliament has no formal mechanism in place to monitor judicial proceedings against members of Parliament, and additionally reporting that, with Mr. Kazmi no longer a member of Parliament, following his defeat in the May 2013 general elections, attention has shifted even further away from his case,

Further considering that the report of the investigating judge in the case of Mr. Kazmi, a copy of which was provided by the member of the delegation, provides the following information on the procedure brought against him:

- Mr. Kazmi and two other persons are accused of having misused their official positions to acquire buildings in Saudi Arabia and rent them to Hajj pilgrims at exorbitant rates for their personal gain, and of having received kick-backs and bribes for granting Hajj permits and accommodation;
 - Mr. Kazmi himself has been charged for his role in the Hajj pilgrimage corruption scheme as Minister of Religious affairs on the grounds that: (i) he gave directions for the appointment of Mr. Ahmed Faiz as Hajj building supervisor (Mr. Faiz is accused of having been the front-man in the corruption scheme); (ii) he wrote a letter requesting the issuance of an official passport for Mr. Faiz, to which he was not entitled; (iii) his direct connection with Mr. Faiz has been proved beyond a doubt, as they remained in touch by telephone and with personal visits to Saudi Arabia for the purpose of inspecting rented buildings; (iv) he abused his authority by depriving thousands of persons of their chance to do the Hajj pilgrimage even though they had paid their dues to the Ministry, and granted permission to many others through a kick-back scheme, and (v) the investigating judge reports that Mr. Kazmi was not able to account for amounts shown in his bank records, and failed to explain a striking increase in his personal wealth during 2009-2010, out of all proportion to his legitimate sources of income,
1. Thanks the member of the delegation of Pakistan for the information provided;
 2. Notes with interest that the trial of Mr. Kazmi is now ongoing and takes note both of the information contained in the report of the investigating judge and of the concerns expressed by the source about the lack of due process in the proceedings against Mr. Kazmi;
 3. Trusts that all appropriate measures are being taken by the competent authorities to ensure a fair trial for Mr. Kazmi and wishes to be kept informed of developments in the ongoing proceedings; requests the Committee to continue monitoring the proceedings closely, paying particular attention to due process and the rights of the defence, including by exploring the possibility of sending a trial observer;
 4. Recalls that the Parliament has a duty to ensure that due process and fair trial guarantees are fully respected in proceedings launched against parliamentarians and expects the Parliament of Pakistan to take appropriate action in that respect even though Mr. Kazmi is no longer a member of Parliament;
 5. Notes that no formal mechanism is currently in place to enable the Pakistani Parliament to monitor judicial proceedings against its members so as to help to ensure that their fundamental right to a fair trial is fully respected; invites the Parliament therefore to consider establishing such a mechanism as part of its oversight function;
 6. Requests the Secretary General to forward this resolution to the parliamentary authorities and to the source;
 7. Requests the Committee to continue examining this case.

CASE No. PAK/23 - RIAZ FATYANA - PAKISTAN

**Resolution adopted unanimously by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013)**

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Riaz Fatyana, a member of the National Assembly of Pakistan affiliated with the Pakistan Muslim League Q and a substitute member of the IPU Standing Committee on Democracy and Human Rights, and to the resolution it adopted at its 191st session (October 2012),

Taking into account the information provided by a member of the delegation of Pakistan who appeared before the Committee on the Human Rights of Parliamentarians during the 129th IPU Assembly (Geneva, October 2013), and the information transmitted by the sources,

Recalling that Mr. Fatyana was the Chairman of the Parliamentary Standing Committee on Human Rights and has been a vocal critic of Pakistan's police system, repeatedly denouncing police heavy-handedness and brutality in parliamentary debates, and that he has been outspoken on other violations of human rights, such as missing persons, targeted and extrajudicial killings, abuse of authority and acts of torture carried out by law enforcement agencies,

Recalling the following information provided by the sources:

- On 19 June 2012, Mr. Fatyana's residence was attacked by a group of activists from the ruling political party in Punjab province, the Pakistan Muslim League-N (PML-N);
- The police, when they arrived at the scene, allegedly allowed the attackers free access to his house and arbitrarily arrested and kept Mr. Fatyana in detention until 21 June 2012; 13 of Mr. Fatyana's employees were arrested at the same time and were reportedly charged, together with Mr. Fatyana, with killing one of the attackers, an allegation which the sources claim is false;
- During Mr. Fatyana's detention, the police brought charges against him for being involved in the attack against his own residence, including through arson (FIR No. 205/12); the sources allege that these charges were fabricated and are not supported by any evidence; after a long investigation the case against Mr. Fatyana was dismissed; however, the 13 employees arrested with Mr. Fatyana were kept in detention in Toba Tek Singh district of Punjab province;
- The police refused to register Mr. Fatyana's complaint about the attack for three days, but eventually did so on 22 June 2012, following the intervention of the Provincial Police Office (FIR No. 206/12); no serious investigation was undertaken by the police, and none of the attackers were arrested; it appears that the report of the Commissioner and the District Coordinator Officer on the incident exposed a personal vendetta of the local police against Mr. Fatyana and confirmed the names of the accused; however, instead of arresting these suspects, the police arrested a member of Mr. Fatyana's personal staff;
- Mr. Fatyana was threatened by the police both during and after his detention, and has been forced to flee, together with his entire family; while in detention, he was told by police officials that he should not run in the forthcoming National Assembly elections, otherwise he and his family would face reprisals;
- The sources believe that Mr. Fatyana has been framed by the Punjab police, at the instigation of PML-N leaders in Punjab and of Mr. Chourdry Asad ur Rehman Ramdey, his long-standing main political opponent in the constituency, in order to sideline him in the run-up to the general elections in May 2013; the sources indicated that the local police, the lower ranks of the judiciary and the local administration of Punjab are completely controlled by these officials,

Considering the following new information provided by the sources: Mr. Fatyana and his 13 employees were all acquitted of murder charges in March 2013; the police has not investigated the complaint lodged by Mr. Fatyana and none of the attackers have been arrested to date; the case therefore currently remains pending before the trial court of Kamalia more than 18 months after the attack; the attackers have threatened Mr. Fatyana with reprisals if he pursues the case against them; no sanction has

been taken against the police officers responsible for Mr. Fatyana's arbitrary arrest and for bringing trumped-up charges against him; Mr. Fatyana was not able to run his electoral campaign properly as the police did not provide him with the security he required to move around and campaign freely in his constituency; Mr. Fatyana is no longer a member of Parliament as he was not re-elected during the May 2013 elections; the source claims that the elections in Mr. Fatyana's constituency were rigged in favour of his political opponent and indicated that a complaint has been lodged with the election tribunal on these grounds,

Recalling that a member of the delegation of Pakistan to the 127th Assembly (Quebec, October 2012) confirmed that the National Assembly was fully informed of the situation and that the Speaker had strongly condemned the attack against Mr. Fatyana,

Taking into account that, during the 129th Assembly, the member of the delegation of Pakistan who met with the Committee confirmed the acquittal of Mr. Fatyana and his employees and the fact that the case against his attackers remained pending before the trial court of Kamalia; however, contrary to the source, he indicated that the attackers had been arrested; he further stated that the Parliament had not been able to formally monitor Mr. Fatyana's situation and the judicial proceedings as no formal mechanism exists within the Parliament of Pakistan enabling it to do so; he observed that attention has shifted from his case now that Mr. Fatyana is no longer a member of Parliament following the May 2013 general elections,

1. Thanks the member of the delegation of Pakistan for the information provided;
2. Notes with interest that Mr. Fatyana has been acquitted of murder charges but remains deeply disturbed that, 18 months after the attack against Mr. Fatyana's residence, the case has not yet been resolved although the identities of the attackers are known to the competent authorities; observes that it has received contradictory information regarding the arrests of the alleged attackers and wishes to receive official information on this matter; further wishes to ascertain whether complicit police officers have been sanctioned;
3. Requests the Committee to continue monitoring closely the proceedings, particularly in the case pending before the trial court of Kamalia against Mr. Fatyana's attackers, paying particular attention to due process, and wishes to be kept informed of any developments in that respect;
4. Is alarmed that Mr. Fatyana and his family have continued receiving serious threats; observes that this situation greatly affected Mr. Fatyana's ability to reach out to his constituents and therefore to carry out his parliamentary mandate and notes with concern that the source claims in this regard that Mr. Fatyana was prevented from campaigning freely for re-election due to police refusal to provide him with appropriate protection;
5. Recalls that each Parliament has a special interest to ensure that crimes against its members do not remain unpunished and trusts the Pakistani Parliament will take appropriate action in that respect even though Mr. Fatyana is no longer a member;
6. Notes that no formal mechanism is currently in place to enable the Pakistani Parliament to monitor the situation of parliamentarians whose rights are allegedly being violated, including by following judicial proceedings, and therefore invites the Parliament to consider establishing such a mechanism as part of its oversight function;
7. Requests the Secretary General to convey this resolution to the Speaker of the National Assembly;
8. Requests the Committee to continue examining this case.

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

**Resolution adopted unanimously by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013)**

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Marwan Barghouti, an incumbent member of the Palestinian Legislative Council, and to the resolution it adopted at its 191st session (October 2012),

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

Taking into account the letter of 6 January 2013 from the Diplomatic Advisor to the Knesset,

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

Considering that, according to his letter of 6 January 2013, the Diplomatic Advisor to the Knesset stated that: "Mr. Barghouti was detained in 'Hadarim' prison. He was held in a regular cell with other inmates, without any separation or isolation. Mr. Barghouti is entitled to and in fact receives regular visits from his family, the last of which was on 4 December 2012,"

Recalling that, under the terms of the Israel/Hamas-brokered prisoner exchange, Israel released 477 Palestinian prisoners on 18 October 2011 and another 550 Palestinian prisoners during December 2011, and that those released included prisoners convicted of plotting suicide bombings inside buses and restaurants, such as Ms. Ahlam Tamimi, who had been sentenced to 16 life sentences, but not Mr. Barghouti; recalling also that several members of the Knesset have in the past called for Mr. Barghouti's release, including Mr. Amir Peretz in March 2008 and later Mr. Gideon Ezra, member of Kadima, and that, following Mr. Barghouti's election in August 2009 to Fatah's Central Committee, the then Israeli Minister for Minority Affairs, Mr. Avishai Braverman, expressed support for his release,

Considering that on 13 August 2013, Israel released 26 long-serving Palestinian prisoners as part of a United States-brokered deal allowing the resumption of Israeli-Palestinian peace talks; the 26 individuals form the first of four groups of Palestinian prisoners detained before 1993, totalling 104 individuals, who should be released, as approved by the Israeli Cabinet, at staged intervals within nine months, assuming that progress is made in the negotiations,

1. Thanks the Diplomatic Advisor for his letter; takes note with interest of the information contained therein regarding Mr. Barghouti's family visiting rights; would appreciate receiving further details in this regard along with information on the extent to which he has access to medical care;
2. Deeply regrets that Mr. Barghouti has spent over 11 years in detention as a result of a trial which, in the light of the compelling legal arguments put forward in Mr. Foreman's report (on which the Israeli authorities have never provided their observations), did not meet the fair-trial standards which Israel, as a party to the International Covenant on Civil and Political Rights, is bound to respect, and therefore did not establish Mr. Barghouti's guilt;

3. Reiterates, therefore, its call for his immediate release and sincerely hopes that the Israeli authorities will extend the list of Palestinian prisoners to be released by including Mr. Barghouti; is eager to receive the official views on such a prospect;
 4. Requests the Secretary General to forward this resolution to the Speaker of the Knesset and to the competent governmental authorities, and to seek from them the requested information;
 5. Requests the Committee to continue examining this case.
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CASE No. PAL/05 - AHMAD SA'ADAT - PALESTINE / ISRAEL

**Resolution adopted unanimously by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013)**

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Ahmad Sa'adat, elected in January 2006 to the Palestinian Legislative Council, and to the resolution it adopted at its 191st session (October 2012),

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

Taking into account the letter of 6 January 2013 from the Diplomatic Advisor to the Knesset,

Recalling the following:

- On 14 March 2006, Mr. Sa'adat, whom the Israeli authorities had accused of involvement in the October 2001 murder of Mr. R. Zeevi, the Israeli Minister of Tourism, was abducted by the Israeli Defence Forces from Jericho Jail and transferred to Hadarim Prison in Israel together with four other prisoners suspected of involvement in the murder; the Israeli authorities concluded one month later that Mr. Sa'adat had not been involved in the killing but charged the other four suspects; 19 other charges were subsequently brought against Mr. Sa'adat, all arising from his leadership of the Popular Front for the Liberation of Palestine (PFLP), which Israel considers a terrorist organization, and none of which allege direct involvement in crimes of violence; on 25 December 2008, Mr. Sa'adat was sentenced to 30 years in prison;
- Mr. Sa'adat suffers from cervical neck pain, high blood pressure and asthma, and has reportedly not been examined by a doctor and is not receiving the medical treatment he needs; when he was first detained, the Israeli authorities refused to let his wife visit him; for the first seven months, Mr. Sa'adat received no family visits; his children, who have Palestinian identity cards, were not allowed to visit their father, for reasons unknown; in March and June 2009, Mr. Sa'adat was placed in solitary confinement, prompting him to go on a nine-day hunger strike in June 2009;
- On 21 October 2010, Mr. Sa'adat's isolation order, due to expire on 21 April 2011, was confirmed a fourth time for a further six months; it was apparently again extended in October 2011, bringing Mr. Sa'adat's time in isolation to three years; his isolation ended in May 2012 as part of the agreement ending the April-May 2012 hunger strike by some 2,000 Palestinian detainees in Israel; one of the sources affirmed in September 2012 that, while Mr. Sa'adat's wife and oldest son had been able to visit him, his other three children continued to be denied permits,

Considering that, according to his letter of 6 January 2013, the Diplomatic Advisor to the Knesset stated that: "Mr. Sa'adat was detained in 'Hadarim' prison. He was held in a regular cell with other inmates, without any separation or isolation. Mr. Sa'adat is entitled to and in fact receives regular visits from his family, the last of which was on 4 December 2012,"

Considering that on 13 August 2013 Israel released 26 long-serving Palestinian prisoners as part of a United States-brokered deal allowing the resumption of Israeli-Palestinian peace talks; the 26 individuals form the first group of four groups of Palestinian prisoners who were detained before 1993, totalling 104 individuals, who should be released, as approved by the Israeli Cabinet, at staged intervals within nine months, assuming that progress is made in the negotiations,

1. Thanks the Diplomatic Advisor for his letter; takes note with interest of the information contained therein regarding Mr. Sa'adat's family visiting rights; would appreciate receiving further details in this regard, in particular whether all his children have been allowed to see him, along with information on the extent to which he has access to medical care;
2. Reaffirms its long-standing position that Mr. Sa'adat's abduction and transfer to Israel were related not to the murder charge but rather to his political activities as PFLP General Secretary, and that the proceedings against him were therefore politically motivated; reiterates, therefore, its call for his immediate release; and sincerely hopes that the Israeli authorities will extend the list of Palestinian prisoners to be released by including Mr. Sa'adat; is eager to receive the official views on such a prospect;
3. Requests the Secretary General to forward this resolution to the Speaker of the Knesset and to the competent Israeli governmental authorities, and to seek from them the information requested;
4. Requests the Committee to continue examining this case.

CASE No. PAL/17 - NAYEF AL-ROJOUN) 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/35 - MOHAMED ISMAIL AL-TAL)
CASE No. PAL/47 - HATEM QFEISHEH)
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 193rd session
(Geneva, 9 October 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 192nd session (March 2013),

Recalling that 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, that they were prosecuted and found guilty of membership in a terrorist organization (Hamas), holding a seat in parliament on behalf of that organization, providing services to it by sitting on parliamentary committees, and supporting an illegal organization, and that they were sentenced to prison terms of up to 40 months,

Noting that, while most of the parliamentarians concerned were released upon having served their sentences, many were subsequently rearrested, sometimes several times, and placed in administrative detention,

Further recalling that the Diplomatic Advisor to the Knesset, in his letter of 6 January 2013, stated that the following five members of the Palestinian Legislative Council were in administrative detention and provided the following details in this regard:

- Mr. Basim Al-Zarrer was arrested on 22 November 2012; the Military Commander issued an order for him to be placed in administrative detention for six months, until 22 May 2013; the administrative order was presented for judicial review on 28 November and 5 December 2012; on the latter occasion Mr. Al-Zarrer's attorney, Mr. Fadi Kawasme, asked the Court to postpone the review as he intended to propose an alternative to arrest to the relevant authorities;
- Mr. Fathi Qarawi was arrested on 23 November 2012; the Military Commander issued an order for him to be placed in administrative detention for 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 entire 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 for six months of detention, expiring 27 May 2013, on the basis of newly received information indicating that Mr. Al-Rojoub, who is a senior Hamas member, continues from his cell to organize and order the execution of terrorist activities endangering public security; the administrative order was presented for judicial review on 4 December 2012, and the reviewing judge decided to shorten the detention, with expiry on 27 March 2013;
- Mr. Mahmoud Al-Ramahi was arrested on 22 November 2012; the Military Commander issued an order for him to be placed in administrative detention for 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 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 entire period;
- Mr. Yaser Mansour was arrested on 24 November 2012; the Military Commander issued an order for him to be placed in administrative detention for six months, from 26 November 2012 until 24 May 2013; the Israeli authorities claim that Mr. Mansour is a senior Hamas member currently involved in Hamas activities and thus represents a danger to public and regional security; the administrative order was presented for judicial review on 29 November 2012 and approved for the whole period,

Aware of reports that the administrative detention of Mr. Basim Al-Zarrer, Mr. Mahmoud Al-Ramahi and Mr. Yaser Mansour was extended in May 2013 by six months and that Mr. Fathi Qarawi and Mr. Nayef Al-Rojoub were released on 23 May and 27 March 2013 respectively,

Aware furthermore that Mr. Ahmad Attoun, Mr. Mohamed Ismail Al-Tal and Mr. Hatem Qafisheh are also said to be in administrative detention, following their re-arrest by Israeli forces at the beginning of February 2013,

Noting the letter from the Diplomatic Advisor to the Knesset, indicating that criminal indictments have been issued against three members of the Palestinian Legislative Council under the following circumstances:

- Mr. Hasan Yousef was arrested in July 2012 and 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 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 ordered him to be placed in administrative detention for a period of six months, from 26 November 2012 to 22 May 2013; Mr. Nofal is said to be a senior and active Hamas member and a member of the outlawed Atsleh WaTa'ir party, which is part of Hamas; the administrative order was presented for judicial review on 3 December 2012; however, it was then decided to file criminal charges against Mr. Nofal, based on the appearance of unclassified information that made this possible; on 6 December 2012, Mr. Nofal was charged with participating in the assembly of an unlawful association in that he participated in an illegal Hamas parade in the Qalqilia area in 2011; he has been remanded in custody until the end of the criminal proceedings;

Noting further that, with regard to the use of administrative detention:

- The Supreme Court of Israel 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; according to the Israeli authorities 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; this approach is said to have reduced the number of administrative detention orders;
- Human rights organizations in and outside Israel have repeatedly stressed that administrative detention is usually justified by reference to a "security threat", without however specifying the scope and nature of the threat or disclosing the evidence; accordingly, although administrative detainees are entitled to appeal, this right is ineffective, given that 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 in March 2013 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,

Recalling also the following information on file with regard to the revocation of the residence permits of three PLC members: in May 2006, the Israeli Minister of the Interior revoked the East 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 PLC; 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 filed with 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 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,³ 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,

1. Expresses its deep concern at reports that six PLC members remain in administrative detention and requests official information on this point and on the reported release from such detention of two other PLC members, namely Mr. Fathi Qarawi and Mr. Nayef Al-Rojoub;
2. Regrets the fact that, as recent reports show, even when PLC members are released, they remain subject to renewed arrest and can be placed in administrative detention again at any time, a practice which lends weight to claims that the use of such detention is arbitrary;
3. Draws attention to the need for further clarification as to how, given that administrative detention often relies on classified evidence, those so detained can fully benefit from due process in practice, and to what extent they can effectively challenge their deprivation of liberty, as the authorities affirm; expresses its appreciation, therefore, of the invitation to attend judicial reviews of PLC members in administrative detention and requests the Secretary General to make the necessary arrangements for a Committee member to attend at least one such hearing;
4. Renews its request for a copy of the indictments in the cases of the three PLC members who, according to the Israeli authorities, are facing criminal charges, in order to better understand the facts underpinning the charges and verify whether the latter indeed relate primarily 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 convicted not on specific criminal charges but rather on account of their political affiliation;
5. Requests confirmation in the matter of reports received from sources indicating that Mr. Totah is also being prosecuted and an indication of the grounds, if that is the case;
6. Reiterates its concerns about the decision to revoke the residence permits of three PLC members and the manner of its implementation; considers that the revocation is at odds with the Hague Convention (IV) of October 1907 on the rules of customary international law, Article 45 of which stipulates that the inhabitants of an occupied territory, of which East Jerusalem may be considered an example, are not to be compelled to swear allegiance to the occupying power; trusts that the Supreme Court of Israel will rule on the petition expeditiously, with due regard to Israel's international obligations, and requests to be kept informed in this regard;
7. Requests the Secretary General to convey this resolution to the Israeli parliamentary authorities and the sources, inviting them to provide the requested information;
8. Requests the Committee to continue examining this case.

³ CCPR/C/ISR/CO/3.

SRI LANKA

CASE No. SRI/12 - JAYALATH JAYAWARDENA
CASE No. SRI/49 - JOSEPH PARARAJASINGHAM
CASE No. SRI/53 - NADARAJAH RAVIRAJ
CASE No. SRI/61 - THIYAGARAJAH MAHESWARAN
CASE No. SRI/63 - D.M. DASSANAYAKE
CASE No. SRI/68 - SARATH FONSEKA
CASE No. SRI/69 - SIVAGANAM SHRITHARAN

**Resolution adopted by consensus by the IPU Governing Council at its 193rd session
(Geneva, 9 October 2013) ⁴**

The Governing Council of the Inter-Parliamentary Union,

Referring to the cases of the above-mentioned parliamentarians: Mr. Joseph Pararajasingham, assassinated on 24 December 2005; Mr. Nadarajah Raviraj, assassinated on 10 November 2006; Mr. Thiyagarajah Maheswaran, assassinated on 1 January 2008; Mr. D.M. Dassanayake, Minister of Nation-Building, assassinated on 8 January 2008; Mr. Sarath Fonseka, who has been the subject of several legal proceedings; and to the resolutions adopted at its 190th session (April 2012),

Having before it the case of Mr. Sivaganam Shritharan, who was the victim of an attempt on his life on 7 March 2011 and alleged harassment in the exercise of his parliamentary mandate, 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 the report (CL/193/11(b)-R.3) of the Committee's mission to Sri Lanka from 9 to 11 July 2013 and the authorities' observations on the report, dated 30 September 2013,

Taking into account the information provided by Minister Mahinda Samarasinghe, Special Envoy of the President of Sri Lanka for Human Rights, to the Committee at the hearing held during the 129th IPU Assembly (Geneva, October 2013),

1. Thanks the Sri Lankan authorities for the information and observations provided and for their cooperation;
2. Also thanks the mission for its work and endorses its overall conclusions;
3. Welcomes the authorities' continued stated commitment to help ensure that full light is shed on and accountability established for the murders of the four parliamentarians; fully appreciates in this regard that the authorities have been able to find and sentence the culprit in the case of Mr. Maheswaran, that one of those responsible for the killing of Mr. Dassanayake has been held to account and that indictments have been brought against two other suspects; sincerely hopes that, taking into account the observations made in the mission report, it can soon close its examination of both cases;
4. Is deeply concerned, however, that, in contrast to those cases, no progress has been made in the murder cases of Mr. Pararajasingham and Mr. Raviraj, in which the sources have, from the outset, pointed to the possible involvement of paramilitary forces; considers that this regrettable state of affairs, eight and seven years respectively after those crimes were committed, should induce the authorities to do everything possible to look for fresh evidence and to re-examine carefully the existing leads and information;

⁴ The delegation of Sri Lanka expressed its reservation regarding the resolution.

5. Remains convinced that an effective witness protection bill can help facilitate such efforts and is eager therefore to receive a copy of the witness protection bill once it becomes available;
 6. Takes note of the steps taken by the authorities to investigate the attempt on Mr. Shritharan's life, but regrets that they have not led to any concrete progress towards identifying the culprits; remains concerned about allegations that Mr. Shritharan is being harassed on account of his parliamentary work; considers therefore that it is crucial to follow carefully his situation, including with regard to any possible legal action that may be taken against him;
 7. Is saddened by Dr. Jayawardena's death following a history of heart disease; decides to close further examination of his case, while underscoring all the while that it has brought to the fore the need for adequate protection for opposition members of parliament in their work both in and outside parliament;
 8. Requests the Secretary General to convey this resolution to the authorities, the sources and to other parties concerned;
 9. Requests the Committee to continue examining this case.
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CASE No. BLS/05 - VICTOR GONCHAR - BELARUS

Resolution adopted unanimously by the IPU Governing Council at its 193rd session (Geneva, 9 October 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 192nd session (March 2013),

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

- The investigation into the disappearances of Mr. Gonchar and Mr. Krasovsky after their abduction 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; 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. Krasovsky;
- According to the results of the initial investigation by the Belarusian authorities, Mr. Gonchar and Mr. Krasovsky were abducted by an organized armed group and driven to an undisclosed location; the traces of blood discovered at the scene proved to belong to Mr. Gonchar; witnesses were found to the abduction; in November 2000, after the media reported the alleged implication of senior State officials, the Prosecutor General, the KGB Chairman and his deputy, and the officials involved in the investigation were removed from duty and Mr. Sheyman, the main suspect at the time in the case, was appointed Prosecutor General⁵; according to the sources, it was at that time that the investigation started to drag and two volumes disappeared from the investigation file;

⁵ 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.

- 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. Krasovsky "were murders for business reasons; they had to buy or sell something and failed to stick to their promises, so they were killed, as is usual in 'half-bandit' circles; traces of a murderer have recently been found in Germany"; the German authorities however denied this, and Mrs. Krasovsky 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 the following: 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. Krasovsky 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. Krasovsky and her daughter regarding the disappearance of Mr. Krasovsky,

Considering that the Human Rights Committee concluded that Belarus had violated its obligation to investigate properly and take appropriate remedial action regarding Mr. Krasovsky's disappearance and requested Belarus to provide the victims 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,

1. Regrets that the authorities have not replied to the request by the Committee on the Human Rights of Parliamentarians to conduct a visit to Belarus;
2. Reiterates that a visit to Belarus by a Committee delegation 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 and expresses the firm hope that the Committee will be able to conduct a visit before its next session;
3. Recalls 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; wishes to be informed of the measures taken to comply with the decision and to ascertain if the authorities have likewise 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;

4. Firmly believes that the grave conclusions reached by the United Nations 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. Engages the authorities to 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, and is therefore keen to know how the investigation plan has been addressing these leads and concerns;
 6. Requests the Secretary General to convey this resolution to the parliamentary authorities and to continue seeking the authorities' agreement for the visit;
 7. Requests the Committee to continue examining this case.
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CASE No. IS/01 - BIRGITTA JÓNSDÓTTIR - ICELAND

Resolution adopted unanimously by the IPU Governing Council at its 193rd session (Geneva, 9 October 2013)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Ms. Birgitta Jónsdóttir, a member of the Icelandic Parliament, and to the resolution it adopted at its 189th session (October 2011),

Recalling the following information on file:

- Birgitta Jónsdóttir has been a member of the Icelandic Parliament since July 2009. She was the co-producer of a video, released by WikiLeaks, showing United States soldiers shooting civilians in Baghdad from a helicopter;
- On 7 January 2011, she was informed by Twitter that it had received an Order from the United States District Court for the Eastern Division of Virginia to turn over to the United States the records and other information concerning her account. Twitter was given until 26 January to pass on the information to the United States Government;
- The information sought by the United States Government with respect to Ms. Jónsdóttir concerned extensive subscriber account information;
- The first court order, dated 14 December 2010, was originally kept secret and was only revealed to Ms. Jónsdóttir and two other persons concerned by the same order, after Twitter took steps to ensure that it could notify the individual concerned;
- The order of 14 December 2010 was challenged by the three individuals, with the Electronic Frontier Foundation, the American Civil Liberties Union and the American Civil Liberties Union Foundation representing Ms. Jónsdóttir in the proceedings; on 26 January 2011, the defence counsel of the three individuals submitted a joint sealed motion to the United States District Court for the Eastern District of Virginia, requesting it to unseal the still secret court record of the United States Government's efforts to collect private records from Twitter and other companies which might have received such demands; a second joint motion, filed that same day, requested the Court to reconsider and overturn the 14 October 2010 Order;
- At the request of Ms. Jónsdóttir's legal counsel in the United States, on 14 February 2011, the IPU submitted a Memorandum to the Court concerning Ms. Jónsdóttir; the Memorandum was accepted by the judge and has become part of the court records; it sets out concerns regarding the potential impact of the Twitter order on: (i) Ms. Jónsdóttir's freedom of expression and her ability fully to exercise her parliamentary mandate; (ii) parliamentary immunity as the Twitter order renders the immunity guaranteed to her under Article 49 of the Constitution of Iceland

null and void; (iii) her right to privacy; and (iv) her right to defend herself insofar as the United States authorities may be seeking disclosure of information from other service providers; the Memorandum, therefore, supported the defence motion to vacate the Twitter order and to unseal all other similar disclosure orders regarding Ms. Jónsdóttir;

- On 11 March 2011, the Court denied the motion to vacate, granted the motion to unseal only in part and took the request for public docketing of certain material under consideration; the defence counsel has filed objections against the ruling, which were dismissed on 10 November 2011; Ms. Jónsdóttir decided not to challenge the latter decision, while pursuing her legal efforts, through her lawyers, to establish whether other US-based service providers had been ordered to provide information on her,

Considering moreover that:

- Members of parliament enjoy fundamental freedoms, including the rights to freedom of expression and privacy as well as specific measures of protection to allow them to carry out their work unimpeded;
- Parliamentary immunity ensures that members of parliament cannot be held to account for the opinions they express and the votes they cast, and countries, as is the case with Iceland, have generally put special mechanisms in place to ensure that they can carry out their mandate without undue restrictions and with full respect for their freedom of expression;
- In all countries, freedom of expression is essential to democracy. It is critical to members of parliament and is recognized as such by courts the world over; without the ability to express their opinions freely, members of parliament cannot represent the people who have elected them. They are unable to perform these duties if they cannot receive and exchange information freely without fear of intimidation;
- Citizens cannot exercise their right to vote or take part in public decision-making if they lack free access to information and ideas and are unable to express their views freely; citizens will not communicate sometimes sensitive information to their representative without the assurance that their identity will be protected. Moreover, citizens may be communicating sensitive information to their representative on the, sometimes erroneous, understanding that the information will only reach the intended recipient,

Considering also that social media have created new opportunities for legislatures and members of parliament by providing new ways to communicate and engage with the public, consult on legislation, deliver educational resources and promote transparency; considering also in this regard the advice on how to do this effectively that is contained in the publication IPU Social Media Guidelines for Parliaments (2013),

Considers furthermore that while modern communication technology has radically increased individuals' access to information and facilitated their active participation in society, it has also contributed to a blurring of the lines between the public and private spheres and permitted unprecedented levels of interference with the right to privacy, primarily by States and businesses; considering also in this regard that the United Nations Guiding Principles on Business and Human Rights, endorsed by the Human Rights Council in 2011, set out a global standard for preventing and addressing adverse impacts on human rights linked to business activity,

1. Reaffirms that freedom of expression lies at the heart of democracy and is essential to members of parliament; without the ability to express their opinions freely, members of parliament cannot represent the people who have elected them; if they cannot receive and exchange information freely without fear of interference, they cannot legislate and hold the government to account;
2. Recalls that Article 19 of the Universal Declaration of Human Rights upholds the right of everyone to freedom of opinion and expression; it stipulates that this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers;

3. Notes that, under standard human rights conventions and their jurisprudence, restrictions on the freedom of expression are subject to a threefold test: they should be prescribed by law, they must be necessary in a democratic society, and they must be proportionate to these necessary purposes;
4. Fails to see how the restrictions on freedom of expression that would result from compliance with the Twitter court order can be justified on such grounds, and holds that, on the contrary, such compliance would jeopardize a member of parliament's right to freedom of expression and hence his/her ability to seek, receive and impart information freely, which is absolutely necessary in a democratic society;
5. Is concerned that the national and international legal framework concerning the use of electronic media, including social media, does not appear to provide sufficient guarantees to ensure respect for freedom of expression, access to information and the right to privacy; the guarantees protecting freedom of expression and privacy in the "offline world" seem not to operate in the "online world";
6. Notes also with concern that the parliamentary immunity Ms. Jónsdóttir would have enjoyed under Icelandic law is not operational in this case; considers that, since the use of social networks by parliamentarians with their constituents and others is today commonplace in many countries, disclosure orders such as that in question would undermine and even render void the ability of States to protect their members of parliament from unwarranted interference with their mandates;
7. Expresses deep concern, therefore, at the efforts made by a State to obtain information about the communications of a member of parliament of another State and the likely consequences of this for members of parliament the world over on their ability to discharge their popular mandate freely;
8. Is further concerned that Ms. Jónsdóttir may have been subject, without her knowledge, to court orders addressed to United States-based service providers other than Twitter with the instruction to give information they possess on her; notes in this regard that, unlike Twitter, other companies do not necessarily inform their users of judicial requests for information concerning them directly; considers that such a situation would be a grave breach of Ms. Jónsdóttir's fundamental right to defend herself;
9. Requests the Secretary General to communicate the Governing Council's concerns in this case to the parliamentary authorities in Iceland and in the United States of America, and to seek their views; also requests him to bring the matter to the attention of Twitter, Google, Facebook and Microsoft;
10. Considers that the wider ramifications of the case at hand, which concern fundamental challenges to protecting human rights in the face of fast-moving technological developments, warrants further attention and action; requests therefore the Secretary General to explore ways of promoting a discussion of these challenges, their impact on parliamentary life, and the opportunities for parliamentary action among members of parliaments, human rights experts and representatives of the information technology industry;
11. Requests the Committee to continue examining this case.

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 193rd session (Geneva, 9 October 2013)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of the above-mentioned Turkish parliamentarians, who were elected in the June 2011 parliamentary elections, and to the resolution it adopted at its 192nd session (March 2013),

Taking into account the letter of 15 May 2013 from the President of the Turkish IPU Group and the information provided by the Turkish delegation to the 129th IPU Assembly (Geneva, October 2013) at a hearing with the Committee on the Human Rights of Parliamentarians,

Recalling that Mr. Balbay and Mr. Haberal were elected on the Republican People's Party list, Mr. Alan on the National Action Party list and the six others as members of the pro-Kurdish Peace and Democracy Party, that all nine were certified by the Supreme Election Board (YSK) while in prison as eligible to stand in 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,

Noting the following information on file on their individual situations:

· **Mr. Balbay**

Mr. Balbay was arrested on 6 March 2009 and prosecuted on charges of being a member of a terrorist organization, Ergenekon, and 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 Turkish daily, that he was a well-known critic of the government, and that he had been briefly detained in July 2008. The source affirms that, although he stopped working at the newspaper, Mr. Balbay 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 merely journalistic notes that Mr. Balbay had already published in his books.

· **Mr. Haberal**

Mr. Haberal was arrested on 17 April 2009 and prosecuted for being a member and leader of the terrorist organization Ergenekon. According to the source, Mr. Haberal, a physician who is well-known for his social work, was accused by the prosecutor of using his meetings to discuss plans to overthrow the government. According to the source, these meetings were merely brain-storming exercises attended by politicians, including two members of parliament from the governing party, and civil servants.

· **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.

- **Ms. Yildirim, Mr. Ayhan, Mr. Aktas, Ms. Irmak and Mr. Sariyildiz**

The five parliamentarians are all being prosecuted for crimes against the constitutional order, specifically for being members of the terrorist organization Kurdish Communities Union (KCK), said to be the urban wing of the Kurdistan Workers Party (PKK). They were arrested between April 2009 and October 2010.

- **Mr. Dicle**

Mr. Dicle has been in custody since December 2009 on charges of membership in the KCK. 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 subsequent reports of 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 Supreme Election Board (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 for his election to be 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 the serious concerns raised by the sources with respect to all nine cases about the length of the proceedings, the length of pre-trial detention, the lack of evidence to support the judicial decisions to keep elected members of parliament in pre-trial detention, serious violations of the rights of the defence and other procedural flaws; further recalling the sources' affirmation that some of the evidence against the accused had been fabricated by the investigators, that most of the accused had been detained on the basis of unsigned anonymous letters and their computers tampered with, that the prosecution had relied largely on the testimony of secret witnesses during the trial, 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, which was in charge of the judicial system, and that there had been direct political interference in the cases,

Noting the extensive background information on the Sledgehammer, Ergenekon and KCK trials 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 a 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/have been indicted in extremely complex criminal cases concerning multiple suspects;
- The parliamentary human rights committee has visited the parliamentarians in prison, 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 Grand National Assembly of Turkey recently amended the criminal code of procedure with a view to expediting legal proceedings and facilitating the release of those 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,

Considering that the Turkish delegation to the 129th IPU Assembly (October 2013) provided the following new information on the cases:

- In the Sledgehammer trial, the Court of Cassation is expected to deliver its ruling on the appeal in the coming days;
- In the Ergenekon trial, the decisions handed down on 5 August 2013 included a sentence of 34 years and 8 months for Mr. Balbay and 12 years and six months for Mr. Haberal; Mr. Haberal was released for time served and was subsequently sworn in as a member of parliament on 2 September 2013; the judicial decision is still in the process of being drafted;
- The KCK proceedings continue; a hearing took place on 16 September in the case of Ms. Irmak and hearings are scheduled on 8 October 2013 for Ms. Yildirim, 12 November 2013 for Mr. Sariyildiz and 14 November 2013 for Mr. Ayhan,

Considering that the Turkish delegation further stated that all the proceedings were extremely complex and involved a large number of defendants and events that took place over a significant period of time, that the judiciary did its utmost to respect all standards of due process and conducted the proceedings in a transparent manner, but that the proceedings may have been marred by a number of minor procedural flaws owing to the complexity of the cases,

Recalling that, in the resolution it adopted during the 127th IPU Assembly (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,

Noting in this respect that the Committee made three attempts in 2013 to conduct the agreed visit to Turkey but that the dates were not accepted by the Turkish authorities for reasons pertaining to the workload of the Grand National Assembly of Turkey and concerns that a visit might influence the ongoing judicial processes,

Considering that the Committee has written to the President of the Turkish IPU Group, stating that it finds the justification for the repeated postponements difficult to understand, especially since other international delegations have been permitted to travel to Turkey for very similar purposes during this time, reminding the authorities that the members of the Committee are aware that this is a delicate period for Turkey and that the mission covers sensitive issues, and assuring them that the delegation in no way intends to interfere with the ongoing legal proceedings but has only one purpose, and that is to obtain a better understanding of the criminal proceedings,

Taking into account that, at the hearing, the President of the Turkish IPU Group reaffirmed that the Grand National Assembly of Turkey was in favour of the mission and said that, while the previous parliamentary session had been extremely busy, the Assembly now expects to be able to arrange the mission,

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;
2. Expresses its deep disappointment that the Committee has not yet been able to conduct the on-site mission to Turkey and trusts that the Turkish authorities will do their utmost to ensure that the mission can take place as soon as the Committee delegation is available;
3. Notes the sentences delivered against Mr. Haberal and Mr. Balbay in the Ergenekon trial on 5 August 2013; notes with interest that Mr. Haberal was released for time served in pre-trial detention and was sworn in as a member of parliament on 2 October 2013; wishes to receive the relevant excerpts of the judicial decision so as to obtain a full understanding of the reasons for the conviction;

4. Remains deeply concerned about the sources' allegations that some of the evidence against Mr. Haberal and Mr. Balbay was fabricated and that the rights of the accused were not fully respected during the trial; reiterates its concern regarding the continued proceedings against six other members of parliament who remain in custody and continue to be prevented from exercising the mandate entrusted to them by their constituents; wishes to receive detailed information on the current status of these proceedings;
5. Observes that all nine members of parliament are being prosecuted on charges of being members of terrorist organizations; wishes to receive detailed information on the facts adduced to substantiate these charges in relation to each individual member, the evidence supporting the charges and the applicable legal provisions;
6. Requests the Secretary General to convey this resolution to the parliamentary authorities and the sources and to make new arrangements for an on-site visit to Turkey by a Committee delegation;
7. Requests the Committee to continue examining these cases.

