



Inter-Parliamentary Union
For democracy. For everyone.

TABLE OF CONTENTS

[Page\(s\)](#)

Meetings and other activities

137th Assembly

1. Inaugural Ceremony	4
2. Election of the President	5
3. Participation	5
4. Choice of an emergency item	6
5. Debates and decisions of the Assembly and its Standing Committees	7
6. Concluding sitting	11

201st session of the Governing Council

1. Election of the IPU President	12
2. Membership of the IPU	12
3. Financial situation of the IPU	13
4. Draft programme and budget for 2018	13
5. Cooperation with the United Nations system	13
6. Implementation of the IPU Strategy for 2017-2021	14
7. Recent specialized meetings	14
8. Activities of Committees and other bodies	14
9. Future inter-parliamentary meetings	14
10. Elections to the Executive Committee	14

276th session of the Executive Committee

1. Proceedings and decisions	14
2. Sub-Committee on Finance	16
3. Working Group on Syria	16

Forum of Women Parliamentarians	16
---------------------------------------	----

Subsidiary bodies of the Governing Council

1. Committee on the Human Rights of Parliamentarians	17
2. Committee on Middle East Questions	17
3. Group of Facilitators for Cyprus	18
4. Committee to Promote Respect for International Humanitarian Law (IHL)	18
5. Advisory Group on Health	19
6. Forum of Young Parliamentarians of the IPU	19

Other events

1. Joint Meeting of the Chairpersons of the Geopolitical Groups and Presidents of the Standing Committees	20
2. Open session of the Committee to Promote International Humanitarian Law: <i>Forty years since the adoption of the Additional Protocols to the Geneva Conventions: How does the law still protect in contemporary war?</i>	21
3. Parity debate on <i>Holding the purse strings: Exercising oversight for the common good</i>	21
4. Interactive session on the Second Global Parliamentary Report	22
5. Interactive session on <i>Ending AIDS through improved sexual and reproductive health: The need for urgent parliamentary action</i>	22
6. e-Parliament interactive session: <i>The digital tools parliamentarians use to do their work</i>	23

Elections, appointments and membership of the Inter-Parliamentary Union**Elections and appointments**

1. IPU President	24
2. Vice-President of the Executive Committee	24
3. Executive Committee	24
4. Sub-Committee on Finance	24
5. Working Group on Syria	24
6. High-Level Advisory Group on Countering Terrorism and Violent Extremism	24
7. Bureau of Women Parliamentarians	25
8. Committee on the Human Rights of Parliamentarians	25
9. Committee on Middle East Questions	25
10. Committee to Promote Respect for International Humanitarian Law (IHL)	25
11. Board of the Forum of Young Parliamentarians of the IPU	25
12. Bureaux of the Standing Committees	25
13. Rapporteurs to the 139 th Assembly	26

Media and communications	26
---------------------------------------	-----------

Membership of the Inter-Parliamentary Union	27
--	-----------

Agenda, resolutions and other texts of the 137th Assembly of the Inter-Parliamentary Union

Agenda	28
---------------------	-----------

<i>St. Petersburg Declaration on Promoting cultural pluralism and peace through inter-faith and inter-ethnic dialogue</i>	29
---	-----------

Subject items

- Resolution: *Sharing our diversity: The 20th anniversary of the Universal Declaration on Democracy*

31

Emergency item

- Results of the roll-call vote on the requests for the inclusion of an emergency item in the agenda of the Assembly
- Resolution: *Ending the grave human crisis, persecution and violent attacks on the Rohingya as a threat to international peace and security and ensuring their unconditional and safe return to their homeland in Myanmar*

34-36

37

Reports of the Standing Committees

- Report of the Standing Committee on Peace and International Security
- Report of the Standing Committee on Sustainable Development, Finance and Trade
- Report of the Standing Committee on United Nations Affairs

40

42

45

Reports, decisions and other texts of the Governing Council and the Executive Committee

Presidential Statement on the state of democracy in the world today	49
Reports, decisions and other texts	
• IPU Budget for 2018	51
• Scale of contributions for 2018	52
• Cooperation with the United Nations system: List of activities undertaken by the IPU between 15 March and 15 September 2017	56
• Report of the Committee on Middle East Questions	59
Future meetings	
• Calendar of future meetings and other activities	60
• Agenda of the 138 th Assembly	63
Executive Summary of the Inter-Parliamentary Union Assembly	
Carbon Footprint Report 2017	64
Decisions concerning the Human Rights of Parliamentarians	
• Mr. Dieudonné Ambassa Zang, of Cameroon	67
• Mr. Eugène Diomi Ndongala, of the Democratic Republic of the Congo	69
• Mr. Franck Diongo, of the Democratic Republic of the Congo	71
• Fifty-three parliamentarians of Venezuela	75
• Fifteen parliamentarians of Cambodia	81
• Forty-two parliamentarians of Maldives	86
• Mr. Zorig Sanjasuuren, of Mongolia	91
• Ms. Leila de Lima, of the Philippines	95
• Mr. Joseph Pararajasingham, Mr. Nadarajah Raviraj, Mr. Thiyagarajah Maheswaran and Mr. D.M. Dassanayake, of Sri Lanka	98
• Ms. Galina Starovoitova, of the Russian Federation	102
• Fifty-six parliamentarians of Turkey	106
• Mr. Marwan Barghouti, of Palestine	112
• Mr. Ahmad Sa'adat, of Palestine	114
• Twenty-two parliamentarians of Palestine	116
• Ms. Najat Abu Bakr, of Palestine	118

137th Assembly

1. Inaugural ceremony

The inaugural ceremony took place at the ExpoForum, St. Petersburg, on Saturday, 14 October 2017 at 7.30 p.m., with H.E. Vladimir Putin, the President of the Russian Federation, in attendance.

H.E. Vladimir Putin, President of the Russian Federation, welcomed all participants and said that his country was honoured to host the 137th IPU Assembly. He stressed the significance of holding the Assembly in St. Petersburg, the city in which the first Russian Parliament – the State Duma – had been founded, and where Russian parliamentary traditions, law-making practices and parliamentary culture had been formed.

It was vital that parliamentarians address the contemporary challenges facing the world. There had been an increasing number of attempts to limit direct contact and communication among lawmakers through the imposition of discriminatory sanctions, which represented an attack on the sovereign right of each State to express its point of view. The IPU must take steps to prevent the erosion of the system of international law and strengthen the culture of inter-State dialogue.

There was no single model of development in the modern world: each State had an inalienable right to shape its own destiny as stipulated in the Charter of the United Nations. Attempts to interfere in the affairs of sovereign States, without taking into account their national and cultural specificities, had resulted in the destabilization of the situation in the Middle East and North Africa and the growth of the terrorist threat. It was therefore in the shared interest of parliamentarians to promote peace and cooperation with the aim of reducing conflict, preventing the emergence of schisms along ethnic and religious lines and moving towards a more robust and inclusive architecture of international relations.

Mr. Saber Hossain Chowdhury, President of the Inter-Parliamentary Union, welcomed all participants and thanked everyone involved in the planning and running of the Assembly. The 137th Assembly would be the largest in the IPU's history: the level and extent of participation was unprecedented and served as a testimony to the heightened importance of the Organization's work. The Russian Federation had issued visas without restrictions to all persons wishing to attend the Assembly, which represented a victory for parliamentary diplomacy and set a shining example for potential hosts of future IPU Assemblies.

While globalization had brought many advantages, it had also led to growing inequality. The world faced a number of stark challenges, including the increased threat of terrorism, new theatres of conflict and climate change. The latest human tragedy unfolding in Myanmar, where in the space of a few weeks over half a million Rohingya people experiencing persecution, discrimination and violent repression in their homeland had crossed the border into Bangladesh, represented the world's fastest developing refugee emergency and had the potential to put regional stability at risk.

Challenging times therefore lay ahead for parliaments and for democracy. Member Parliaments must guard and protect their respective institutions and engage in inter-faith and inter-ethnic dialogue to promote cultural pluralism. As an Organization, there was no limit to the progress that could be made if Member Parliaments worked together towards one shared vision.

On a personal note, the 137th Assembly would mark the end of his three-year tenure as IPU President. He had devoted himself fully to the Organization's growth and vitality and he expressed the hope that his successor would continue to make great strides towards the promotion of peace among peoples and the strengthening of parliamentary democracy.

Ms. Valentina Matvienko, Chairperson of the Council of the Federation, Federal Assembly of the Russian Federation, welcomed all those present and thanked everyone involved in the organization of the 137th IPU Assembly. She recalled that the Russian Federation had upheld its belief in the inadmissibility of the imposition of any type of sanctions against parliamentarians and had guaranteed the unhindered entry into the country of all parliamentarians who wished to attend the Assembly, without exception.

It was important in such complex times for parliamentarians to strive to maintain peace and seek consensus, particularly when traditional diplomatic mechanisms fell short and where the threat of conflict loomed large. The marriage of universal democratic principles with each country's unique traditions would pave the way for genuine, productive international cooperation.

In recent times, disagreements between States had escalated, leading to violations of the fundamental principles of international law and interference in the affairs of sovereign States. In that context, the decision to discuss during the 137th Assembly the ways in which the Organization could promote cultural pluralism and peace through interfaith and inter-ethnic dialogue was particularly pertinent and would serve to strengthen parliamentary democracy. The inclusion of gender equality issues as part of the agenda of the Assembly would also play a key role.

Mr. Vyacheslav Volodin, Chairperson of the State Duma, said that his country was honoured to host the 137th IPU Assembly. It would serve as the ideal platform for parliamentarians representing a variety of democratic institutions and traditions to come together and find solutions to the range of challenges currently facing the world. He therefore welcomed the Assembly's focus on promoting cultural pluralism and peace through interfaith and inter-ethnic dialogue and urged every State to make its voices heard.

Mr. Yury Fedotov, Director General of the United Nations Office at Vienna, read out a message from the United Nations Secretary-General, Mr. A. Guterres. As a former parliamentarian, he understood the challenges faced by parliamentarians and the enormous responsibilities with which they were entrusted. In a world where inequalities were rising, conflict was spreading and climate change was rampant, it was vital that political, religious and community leaders had a voice and embraced interfaith and inter-ethnic dialogue.

Parliamentarians should seek to support efforts towards inclusive dialogue in their respective countries and around the world, including by building alliances with national and local governments, religious groups and grassroots organizations. He encouraged the IPU to maintain its strong cooperation with the United Nations to promote respect, safety and dignity for all.

H.E. Vladimir Putin declared the 137th IPU Assembly open.

The speeches were followed by a performance of traditional Russian dances and songs.

2. Election of the President

The first plenary sitting of the 137th IPU Assembly opened at the Tavrishesky Palace in St. Petersburg, Russian Federation, in the morning of Sunday, 15 October, with the election of Ms. V. Matvienko, Chairperson of the Council of the Federation, Federal Assembly of the Russian Federation, as President of the Assembly.

3. Participation

Delegations from 155 Member Parliaments took part in the work of the Assembly¹:

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

In addition, the Parliaments of the Marshall Islands, Saint Lucia and Vanuatu were affiliated as new IPU Members, with their membership rights taking effect as of 1 January 2018.

¹ For the complete list of IPU Members, see page 27

The following six Associate Members also took part in the Assembly: the Andean Parliament, the Arab Parliament, the European Parliament, the Interparliamentary Assembly of Member Nations of the Commonwealth of Independent States (IPA CIS), the Latin American and Caribbean Parliament (PARLATINO) and the Parliamentary Assembly of the Black Sea Economic Cooperation (PABSEC).

Other observers comprised representatives of: (i) the United Nations system: the United Nations, Food and Agriculture Organization of the United Nations (FAO), the Partnership for Maternal, Newborn and Child Health (PMNCH), Joint United Nations Programme on HIV/AIDS (UNAIDS), the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP), UN Women, the World Health Organization (WHO), the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA); the United Nations Office on Drugs and Crime (UNODC); (ii) the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO), the World Bank; (iii) the League of Arab States; (iv) the ACP-EU Joint Parliamentary Assembly (JPA), the African Parliamentary Union (APU), the Arab Inter-Parliamentary Union (AIPU), the Asian Parliamentary Assembly (APA), the Assemblée parlementaire de la Francophonie, the Association of Senate, Shoora and Equivalent Councils in Africa and the Arab World (ASSECAA), the Forum of Parliaments of the International Conference on the Great Lakes Region (FP-ICGLR), the Interparliamentary Assembly on Orthodoxy (IAO), the Maghreb Consultative Council, the Pan-African Parliament, ParlAmericas, Parliamentarians for Nuclear Non-proliferation and Disarmament (PNND), the Parliamentary Assembly of the Mediterranean (PAM), the Parliamentary Assembly of the Organization for Security and Co-operation in Europe (OSCE), the Parliamentary Assembly of Turkic-speaking countries (TURKPA), the Parliamentary Assembly of the Union of Belarus and Russia, the Parliamentary Union of the Organization of Islamic Cooperation Member States (PUIC); (v) the Global Fund to fight AIDS, tuberculosis and malaria; the World Federation of UN Associations (WFUNA); Liberal International, Socialist International; (vi) the Geneva Centre for the Democratic Control of Armed Forces (DCAF), the International Committee of the Red Cross (ICRC), the International Institute for Democracy and Electoral Assistance (International IDEA), and the International Federation of Red Cross and Red Crescent Societies (IFRC).

Of the 1,885 delegates who attended the Assembly, 833 were members of parliament. Those parliamentarians included 87 Presiding Officers, 66 Deputy Presiding Officers and 249 women (30%).

As at 17 October 2017, 30 per cent of the MPs participating in the Assembly were women. That percentage corresponded to the average recorded in recent years. Of the 144 delegations composed of more than one MP, 18 were exclusively single-sex (12.5%). They included 17 all-male delegations and one all-female delegation. In addition, 11 single-member delegations were in attendance at the Assembly: 10 male and one female.

Among the 29 single-sex delegations, 10 were sanctioned for being represented only by men or women three or more times consecutively. Nine of them were all-male, namely: Bosnia and Herzegovina, Democratic People's Republic of Korea, Haiti, Luxembourg, Malta, Micronesia (Federated States of), Qatar, Samoa and Somalia. One of the delegations sanctioned - from Nicaragua - was all-female.

4. Choice of an emergency item

On 15 October 2017, the President informed the Assembly that eight requests for the inclusion of an emergency item had been confirmed out of a total of 18 that had been initially submitted. Many of those original proposals had been merged with others or subsequently withdrawn.

Before the vote, the delegations of Morocco, Indonesia, United Arab Emirates, Bangladesh, Kuwait, Iran (Islamic Republic of), Sudan and Turkey had taken the decision to merge their individual proposals regarding the situation of the Rohingya people in Myanmar into one item, as listed below. The delegations of Mexico and Japan also decided to merge their individual items on the nuclear tests conducted by the Democratic People's Republic of Korea into one item.

The eight proposals were the following:

- *The involvement and active commitment of parliaments in maintaining international security and peace through support for a political solution (Djibouti);*
- *The role of the Inter-Parliamentary Union in addressing the breakdown of the constitutional order and the disregard for the National Assembly in Venezuela (Bolivarian Republic of Venezuela);*
- *Promoting spaces for the establishment of a global compact for safe, orderly and regular migration (Plurinational State of Bolivia);*

- *The role of parliaments in countering the growing threat of terrorism* (India);
- *Threats to peace and international security arising from nuclear tests conducted by the Democratic People's Republic of Korea (DPRK)* (Mexico and Japan);
- *Ending the grave human crisis, persecution and violent attacks on the Rohingya as a threat to international peace and security and ensuring their unconditional and safe return to their homeland in Myanmar* [Morocco, Indonesia, United Arab Emirates, Bangladesh, Kuwait, Iran (Islamic Republic of), Sudan and Turkey];
- *The Inter-Parliamentary Union supports the Parliament of the Bolivarian Republic of Venezuela, threatened in its functions, powers and existence* (Chile);
- *Humanitarian situation in Rakhine State* (Myanmar).

The delegations of Bolivia (Plurinational State of), Venezuela (Bolivarian Republic of), Chile, Djibouti and India withdrew their proposals. Djibouti stated it would submit its proposal to the Standing Committee on Peace and International Security, while Bolivia stated it would submit its proposal to the Standing Committee on Democracy and Human Rights.

The Assembly proceeded with a roll-call vote on the remaining three items (see pages 34 to 36) listed below:

- *Threats to peace and international security arising from nuclear tests conducted by the Democratic People's Republic of Korea (DPRK)* (Mexico and Japan);
- *Ending the grave human crisis, persecution and violent attacks on the Rohingya as a threat to international peace and security and ensuring their unconditional and safe return to their homeland in Myanmar* [Morocco, Indonesia, United Arab Emirates, Bangladesh, Kuwait, Iran (Islamic Republic of), Sudan and Turkey];
- *Humanitarian situation in Rakhine State* (Myanmar).

The merged proposal regarding the situation of the Rohingya people and one on the Democratic People's Republic of Korea's nuclear testing received the required two-thirds majority. The merged proposal on the Rohingya received a higher number of votes, and was therefore adopted and added to the agenda as Item 7.

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

(a) General Debate on Promoting cultural pluralism and peace through interfaith and inter-ethnic dialogue (Item 3)

Ms. V. Matvienko (Russian Federation), in her capacity as President of the 137th Assembly, introduced the theme of the General Debate, *Promoting cultural pluralism and peace through inter-faith and inter-ethnic dialogue*. She underscored that the combination of universal democratic principles with each culture's unique traditions could lay the foundations for genuine and productive international cooperation. She added that interfaith and inter-ethnic dialogue was crucial today, when international relations were seeing a distinct decline into confrontation.

Ms. N. Al Kharoosi (Oman), Second Vice-President of the Bureau of Women Parliamentarians, standing in for the President of the Bureau, Ms. M. Mensah-Williams (Namibia), provided a gender perspective on the overall theme of the General Debate. She underlined that for any dialogue to be genuine, it must be inclusive and that the agenda for interfaith and inter-ethnic dialogue must be one for gender equality. All representatives of ethnic or religious groups must uphold the principle of equality. She encouraged delegates to place gender equality at the heart of peace efforts, and affirmed that women's rights and the inclusion of women must be preconditions to any form of dialogue.

Ms. M. Osofu (Uganda), President of the Board of the Forum of Young Parliamentarians, underscored that dialogue, tolerance, empathy, knowledge and equality were essential tools to advance inter-ethnic and interfaith harmony. Young people were particularly exposed, through online platforms, to propaganda from extremist ideologies and were vulnerable to becoming alienated and radicalized. She called upon parliamentarians to pay special attention to that risk and make sure that young people were not left behind.

Ms. R. Izsák-Ndiaye, former UN Special Rapporteur on minority issues and member of the United Nations Committee on the Elimination of Racial Discrimination, addressed the Assembly as a keynote speaker. She highlighted that the barriers to establishing true and functioning inclusive societies and cultural pluralism were not legal or intellectual but personal and political. She challenged all parliamentarians to depoliticize the issue of tolerance and inclusion and to guarantee equality and

dignity, together with the right to identity, for every member of society. She also recalled that 2017 marked the 25th anniversary of the UN Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities, which provided a unique and timely opportunity to reflect on past achievements and to look forward to identifying ways to further strengthen international standards on minority rights protection.

His Holiness the Patriarch Kirill of Moscow and All Russia, Chair of the Commonwealth of Independent States Inter-Religious Council, underscored the need to find a moral compass in today's world and to build justice on the basis of ethical values. The moral compass of humanity could only be established through shared values that could not be misused for ideological or political purposes. It was through inter-religious dialogue that representatives of different traditions could overcome mistrust and counter radicalism. He encouraged parliamentarians to pursue further their law-making task keeping in mind that its ultimate goal was the triumph of the ideals of good, justice and love in society.

Mr. A. Othman Altwajri, Director General of the Islamic Educational, Scientific and Cultural Organization, recognized the importance of intercultural dialogue in fostering understanding and establishing peace among peoples and ethnicities. He also stressed the need for a new world order based on respect for cultural and religious diversity, justice and equality to thrive in the current global context characterized by the prevalence of conflicts, extremism, violation of peoples' rights and denigration of their religious and cultural values.

A total of 124 legislators from 118 national parliaments, including 59 Presiding Officers, as well as representatives of seven observer organizations, contributed to the General Debate. The key messages and policy recommendations from the General Debate were reflected in the outcome document, the St. Petersburg Declaration (see page 29).

(b) Standing Committee on Peace and International Security

The Standing Committee on Peace and International Security held two sittings on 17 and 18 October 2017 with its President, Ms. L. Rojas (Mexico), in the chair.

On 17 October, the Committee examined two items through back to back panels on *The role of parliament in monitoring the action of national armed forces participating in UN peacekeeping operations*, and on *The implementation of a previous resolution on cyber warfare*.

On 18 October, the Committee held an expert hearing on *Sustaining peace as a vehicle for achieving sustainable development*, the topic of a resolution that was expected to be adopted by the 138th IPU Assembly in Geneva (Switzerland). The hearing opened with the statements of three experts from the United Nations Peacebuilding Support Office (UNPBSO), the Organization for Security and Co-operation in Europe (OSCE) and the Geneva Centre for the Democratic Control of Armed Forces (DCAF). Further to the experts' interventions, a total of 12 speakers, including one observer organization, took the floor.

The Bureau of the Standing Committee on Peace and International Security met on 17 October 2017. Fourteen out of 18 members were present. They discussed internal arrangements, the main ongoing topics of the peace and security agenda and the Committee's work programme for the 138th IPU Assembly.

The President of the Committee informed the Bureau members of the discussions held during the Meeting of Chairpersons of the Geopolitical Groups and Presidents of the Standing Committees, including the rotation of presidencies between geopolitical groups and the large number of vacancies expected in March 2018.

The Asia-Pacific Group proposed Mr. H.B. Kambhampati (India) to complete the mandate of Mr. R.K. Singh, a Bureau member from the same country. The Twelve Plus Group proposed Ms. L.I. Ceritoğlu Kurt (Turkey) as a new Bureau member to replace Ms. J. Durrieu (France). Both proposals were approved by the Committee on 17 October 2017.

The Committee report on the panel and hearing (see page 40) was presented to the Assembly at its last sitting on 18 October by the President of the Standing Committee, Ms. L. Rojas (Mexico).

The Committee also teamed up with the Standing Committee on United Nations Affairs to organize a joint interactive session on the UN process for the prohibition of nuclear weapons in the afternoon of 16 October 2017 (see pages 47-48).

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

The Standing Committee on Sustainable Development, Finance and Trade held its sittings on 16 and 17 October with its Vice-President, Mr. A. Cissé (Mali), in the chair.

The Committee discussed the draft outcome document of the Parliamentary Meeting at the UN Climate Change Conference in Bonn, due to take place on 12 November 2017. The Parliamentary Meeting was being organized by the IPU in cooperation with the Parliaments of Fiji and Germany. A co-Rapporteur of the Parliamentary Meeting, Ms. B. Höhn (Germany) introduced the document and Mr. J. Usamate (Fiji) spoke about how the draft outcome document related to Fiji. The Committee's feedback would be incorporated and presented to the Parliamentary Meeting. During the same segment Ms. A. Averchenkova of the London School of Economics presented the study entitled *Global trends in climate change legislation and litigation*.

The Committee also debated the subject item of the next resolution, *Engaging the private sector in implementing the SDGs, especially on renewable energy*. The theme was introduced by the co-Rapporteurs, Mr. A. Gryffroy (Belgium) and Mr. Q.A. Duong (Viet Nam), as well as Mr. A. Whiteman of the International Renewable Energy Agency (IRENA). At the end of the debate, the co-Rapporteurs provided an initial insight about how they would incorporate the Committee's input into the draft resolution.

The Committee also held a panel discussion entitled *Using science and research to achieve the highest health standards*. A panel of renowned experts introduced the theme and triggered a discussion around the place of scientific evidence in the political arena.

The Committee elected Mr. M. Djellab (Algeria) for the African Group and Ms. D. Solíz (Ecuador) for the Group of Latin America and the Caribbean to fill the existing vacancies on the Committee Bureau.

The Committee approved the proposal of the Bureau to dedicate the Committee's sessions at the 138th IPU Assembly to drafting the resolution.

The Committee report (see page 40) was presented to the Assembly at its last sitting on 18 October by the Committee Vice-President, Mr. A. Cissé (Mali).

(d) Standing Committee on Democracy and Human Rights

The Committee held sittings on 15, 16 and 17 October 2017, with the Committee President, Ms. B. Tshireletso (Botswana), in the Chair.

The Committee considered the draft resolution, *Sharing our diversity: The 20th anniversary of the Universal Declaration on Democracy*. The co-Rapporteurs, Ms. S. Dev (India), Mr. N. Schrijver (Netherlands) and Mr. I. Umakhanov (Russian Federation), presented the draft resolution.

When examining the draft resolution, the Committee considered 90 amendments submitted by 15 parliaments (Armenia, Bahrain, Bolivia [Plurinational State of], Canada, China, France, Germany, Indonesia, Iran [Islamic Republic of], Italy, South Africa, Sweden, Switzerland, United Arab Emirates and Viet Nam). Three amendments were proposed by the Forum of Women Parliamentarians.

The revised draft resolution, as further amended orally on the recommendation of the co-Rapporteurs, was adopted unanimously at the final sitting by the Committee.

The draft resolution was submitted by Mr. I. Umakhanov (Russian Federation) to the Assembly at its plenary sitting in the afternoon of 18 October and was adopted unanimously (see page 31).

The Committee Bureau met on 16 October. It considered proposals for the future work programme of the Committee. Regarding the subject of the Committee's next resolution, one proposal had been submitted before the deadline (by Morocco) and two afterwards (one by the Syrian Arab Republic and the other by the Plurinational State of Bolivia).

The Bureau decided to put two proposals forward for the Committee's consideration, namely those of Morocco and of Syria. After a vote, the Committee endorsed the subject item proposed by Morocco, *Strengthening inter-parliamentary cooperation on migration and migration governance in view of the adoption of the Global Compact for Safe, Orderly and Regular Migration*. A preparatory debate on the next resolution would take place at the 138th Assembly in March 2018. The resolution would be finalized at the 139th Assembly in October 2018.

The Assembly subsequently approved the subject item for the next resolution. It decided that one of the rapporteurs of the resolution would be appointed by the Moroccan Parliament. It requested the IPU President to consult with the geopolitical groups to identify a second rapporteur.

The Committee also considered a proposal by Belgium to hold a panel discussion at the 138th Assembly entitled *The role of parliaments in ending discrimination based on sexual orientation and gender identity, and ensuring respect for the human rights of LGBTI*, which would not lead to a resolution. Although in the Bureau some members had opposed the idea, a majority of Bureau members decided to submit the proposal to the Committee, which approved it unanimously at its sitting on 17 October.

On the recommendation of the Bureau, the Committee also endorsed a document submitted by the IPU Advisory Group on Health, entitled *Review and follow-up action on the 2012 IPU resolution on Access to health as a basic right: The role of parliaments in addressing key challenges to securing the health of women and children*.

The Committee elected Ms. S. Isayan (Armenia) to represent the Eurasia Group on the Bureau.

The President of the Standing Committee presented these decisions to the Assembly at its last sitting on 18 October, and the Assembly took note of the Committee's report. Several delegations (Algeria, Benin, Iran [Islamic Republic of], Jordan, Somalia and Sudan) expressed reservations and objections on the proposed subject for a panel discussion. The delegation of Morocco, on behalf of the Arab Group, and the delegation of Uganda on behalf of the African Group, also forcefully rejected the proposal. In the light of the opposing views on the matter, the President of the Assembly referred the proposal back to the Committee for further consideration.

The IPU President drew the attention of all delegates to the Assembly to the fact that, as parliamentarians and representatives of the people, they were called upon to examine and discuss all important matters, irrespective of how difficult or complex they were. He underscored once again that all discussions should be carried out in an atmosphere of understanding and mutual respect, in the service of the dignity of all human beings, and that hate speech was not to be tolerated under any circumstances.

(e) Standing Committee on United Nations Affairs

The Committee held its main sitting on 15 October 2017. It consisted of two interactive debates moderated by the President of the Committee, Mr. A. Avsan (Sweden).

The first debate took stock of the relationship between the IPU and the United Nations over the past 20 years and assessed the extent to which the original vision of a "parliamentary dimension" to the work of the United Nations had been realized. Among other things, it drew attention to a new resolution the UN General Assembly would debate and adopt in May 2018 on interaction between the United Nations, national parliaments and the IPU. The panel featured Amb. A. Filip, Director of External Relations (IPU), as main presenter, and Mr. D. Dawson (Canada), as discussant.

The second debate focused on the question of the relevance of the UN General Assembly in today's system of international governance. The sense of the debate was that recent reforms to strengthen the UN General Assembly were moving in the right direction but still had a long way to go to make this body more effective as the pivot of the current multilateral system. The panel featured Amb. T. Christensen (Denmark), former Chief of Staff to two Presidents of the UN General Assembly, as main presenter, and Ms. M. Bartos (Hungary), as discussant. Eight interventions were made from the floor.

The Committee adopted the recommendation of the Bureau to suspend two members under Rule 10.2, Ms. G. Ortiz González (Mexico) and Ms. A. Bimendina (Kazakhstan). The Committee elected Ms. A.D. Dagban-Zonvide (Togo) to the Bureau.

The Bureau of the Committee on United Nations Affairs also met on 15 October. Members reviewed recent activities of the IPU at the United Nations or in cooperation with the United Nations and its various entities. The Bureau decided to dedicate the Committee session at the 138th Assembly in March 2018 to preparations for the UN High-Level Political Forum on Sustainable Development (HLPF).

The Committee report (see page 45) was presented to the Assembly at its last sitting on 18 October by the Committee President, Mr. A. Avsan (Sweden).

(f) Debate on the emergency item

Ending the grave human crisis, persecution and violent attacks on the Rohingya as a threat to international peace and security and ensuring their unconditional and safe return to their homeland in Myanmar (Item 7)

The debate on the emergency item took place in the morning of Monday, 16 October 2017 with Ms. M. Lohela, Speaker of the Parliament of Finland, as the chair. Twelve speakers took the floor, namely from Bangladesh, Canada, India, Indonesia, Iran (Islamic Republic of), Malaysia, Morocco, Sudan, Turkey, Uganda, United Kingdom and Uzbekistan.

Participants heard accounts of the alarming situation involving hundreds of thousands of Rohingya people who had fled to Bangladesh since August 2017, as well as the tens of thousands of Rohingya who remained internally displaced inside Myanmar without access to vital humanitarian aid.

Many delegates strongly condemned the violence and called on the Government of Myanmar to protect human rights and grant humanitarian organizations access to the affected areas. Other delegates added their condemnation of the ethnic cleansing taking place in the Myanmar and expressed grave concern for the Rohingya people, many of whom had been left stateless and thereby deprived of their fundamental rights and access to basic services. Participants in the debate reiterated the urgent need for the international community to take swift action to alleviate the suffering of the Rohingya people. Many participants underscored the necessity to facilitate the safe return of the Rohingya refugees to their homeland and raise further international awareness on this matter.

One delegate recalled that the IPU Committee on the Human Rights of Parliamentarians had advocated strongly for the release of political prisoners in Myanmar for many years. She deplored the silence of the de facto leader of the country and urged her to speak up on the issue. Another parliamentarian called on parliaments to speak with one voice in order to stop the suffering of the Rohingya people. One delegate stressed the importance of dialogue, noting that 2017 was the Year of Dialogue with the People in Uzbekistan, and urged Member Parliaments to promote inter-faith and inter-ethnic dialogue.

The Assembly then referred the emergency item to a drafting committee made up of representatives from Australia, Bangladesh, Benin, Canada, Iran (Islamic Republic of), Mexico, Morocco, Slovenia, Sudan and Venezuela (Bolivarian Republic of).

(g) Adoption of the resolution on the emergency item

In the afternoon of 17 October 2017, the plenary sitting of the Assembly adopted the resolution by consensus (see page 37). Following its adoption, the delegation of Myanmar rejected the entire resolution while the delegation of China expressed a reservation to parts of the resolution.

6. Concluding sitting

On the afternoon of 18 October 2017, the Assembly met for its concluding sitting. The Assembly President referred to the rich and very substantive General Debate that had been conducted over the previous days on the overall theme of *Promoting cultural pluralism and peace through interfaith and inter-ethnic dialogue*. The deliberations had been enriched by contributions from the former UN Special Rapporteur on minority issues, His Holiness Patriarch Kirill of Moscow and All Russia, and the Director General of the Islamic Educational, Scientific and Cultural Organization (ISESCO).

Mr. D. McGuinty (Canada) provided an overview of the outcome of the General Debate, the St. Petersburg Declaration, which captured the key messages and identified concrete avenues for parliamentary action to enhance and promote inter-ethnic and interfaith dialogue. They included measures to strengthen normative processes and legal frameworks, ensure that parliaments were more representative and effective institutions, prevent human rights violations relating to culture and religion, promote social dialogue for multicultural and inclusive societies, strengthen civic education and improve interpersonal skills, and promote international cooperation. He underscored the commitment that parliaments were undertaking to implement those recommendations and to monitor the implementation of the St. Petersburg Declaration.

The IPU Secretary General paid tribute to the extraordinary service of the outgoing IPU President, Mr. Saber Chowdhury. The President's wisdom, dedication and tireless energy had generated great respect and visibility for the IPU and, as noted in the countless interventions during the Assembly; he would be sorely missed by one and all. On behalf of the IPU, its Member Parliaments and the Secretariat, he conferred upon Mr. Chowdhury the title of IPU Honorary President, and expressed the

conviction that Mr. Chowdhury would continue to be actively involved in the work of the Organization. A publication *In His Words* had also been prepared and circulated to all Members, capturing the most memorable thoughts and statements expressed by the IPU President during his term in office. The Secretary General also handed over a gavel to the outgoing President as a symbol of his leadership during his three-year term.

The IPU President thanked the Secretary General and all the IPU Members for their good wishes and kind words of appreciation. It had been an honour for him to serve as the President of the world organization of national parliaments and he was now ready to pass on the baton for the new President to continue the good work that had been carried out. The achievements of the past years had been made possible by the partnership and trust between the President, the IPU Secretariat, and the Member Parliaments. Such efforts had enabled the IPU membership to increase substantially, parliamentary diplomacy to play a greater role in the service of peace and democracy, and important new initiatives to be undertaken in areas such as youth participation, sustainable development and climate change (including the organization of the first green IPU Assembly), the abolition of nuclear weapons, counter-terrorism and combating violent extremism. The President underscored the fact that diversity was the strength of the IPU, as well as the "togetherness" that had allowed Members to bridge political divides and practice what the IPU preached. He had great confidence in the potential and future of the IPU, and wished to thank all Member Parliaments and the IPU Secretariat for their confidence and support.

The representatives of the geopolitical groups welcomed the substantive outcomes of the Assembly, as well as the warm hospitality and excellent organization provided by the Russian Federation as host. Ms. R. Kadaga (Uganda) on behalf of the African Group, Mr. A. Omari (Morocco) on behalf of the Arab Group, Ms. A. Anggraini (Indonesia) on behalf of the Asia-Pacific Group, Mr. C. Lloret (Ecuador) on behalf of the Group of Latin American and the Caribbean, Mr. D. Pacheco (Portugal) on behalf of the Twelve Plus Group, and Ms. K. Atshemyan (Armenia) on behalf of the Eurasia Group, all offered warm words of appreciation and congratulations for a highly successful IPU Assembly.

In her concluding remarks, Ms. V. Matvienko, President of the Assembly and Chairperson of the Council of the Federation, Federal Assembly of the Russian Federation, provided an overview of what had undoubtedly been a very successful and substantive IPU Assembly. She expressed her appreciation for the active engagement of so many national parliaments and called upon delegates to actively follow-up on the decisions and resolutions they had jointly adopted. She thanked the IPU Secretariat, the support staff and the many volunteers for their hard work and support. The St. Petersburg Assembly would certainly go down as a glowing chapter in IPU's long and impressive history. Looking forward to the parliamentary dialogue and cooperation ahead, she declared the 137th IPU Assembly closed.

201st session of the Governing Council

1. Election of the IPU President

At its sitting on 18 October, following one round of voting by secret ballot, the Governing Council elected Ms. Gabriela Cuevas Barron (Mexico) as its President for a three-year term ending in October 2020.

2. Membership of the IPU

At its sitting on 15 October, the Governing Council approved the requests for affiliation from the Parliaments of Turkmenistan, Uzbekistan and Vanuatu, with the membership rights of Vanuatu taking effect from 1 January 2018. At its sitting on 18 October, it also granted approval for the requests for affiliation received from the Parliaments of the Marshall Islands and Saint Lucia on the understanding that their membership rights would enter into force as of 1 January 2018. The overall membership of the IPU was thus raised to 178 national parliaments. The Council also approved the request for Associate Member status from the Parliamentary Assembly of the Black Sea Economic Cooperation (PABSEC).

The Council was apprised of the situation of certain parliaments and endorsed relevant recommendations formulated by the Executive Committee with regard to each of them. It also approved the proposal to establish a High-Level Panel on Parliamentary Diplomacy and entrusted the Secretariat with finalizing its working modalities, including its composition and terms of reference, for further consideration by the Executive Committee at the next session.

The Council endorsed the recommendation of the Executive Committee to pursue a new approach to the annual reporting exercise by IPU Members whereby a number of parliaments from each geopolitical group would be selected on a rotational basis to share their experience. It also requested the Secretary General to review modalities for retaining the membership of defaulting Members experiencing financial hardship, political turmoil, natural disasters or other extenuating circumstances on a case-by-case basis. The Secretary General would present detailed proposals at the next session of the Council.

3. Financial situation of the IPU

The Governing Council received a report on the financial situation of the IPU as at 31 July 2017 and an updated list of unpaid contributions. As at 13 October 2017, one Member (Yemen) had arrears of two full years and was subject to voting sanctions. Two Members (the Gambia and Honduras) were subject to suspension due to arrears of three or more years. The Executive Committee did not recommend the suspension of those two Members, as efforts were underway to collect the arrears due and retain their membership. The Council endorsed that recommendation and urged the geopolitical groups to encourage their members to pay up their contributions in a timely manner so as to avoid the regrettable situation of arrears.

The Council took note that the income and expenditure of the IPU were close to target for the first half of the year and were projected to remain within overall budget until the end of the year.

4. Draft programme and budget for 2018

The Council received the consolidated budget proposal for 2018. Reporting on behalf of the Executive Committee, the Chairperson of the Sub-Committee on Finance, Mr. R. del Picchia (France), observed that the proposed budget accurately reflected the IPU Strategy in financial terms. He explained that the budget proposal had been prepared under the supervision of the Sub-Committee on Finance and according to the highest standards of transparency. He highlighted that following several years of decrease in Members' assessed contributions from 2012 to 2016, the proposed budget introduced an increase of 2 per cent in contributions to respond to some increases in regular costs. He underlined that the budget was balanced and did not require any recourse to the reserves of the Working Capital Fund. However, in order to balance the budget, it had been necessary to make savings by holding both Assemblies in Geneva during 2018. At the same time, the IPU's full range of activities would be maintained.

The Chair of the Sub-Committee on Finance thanked the UK Parliament for its generous donation to the Parliamentary Solidarity Fund, which had allowed a member of the Parliament of Vanuatu to attend the 137th Assembly. He also explained that future increases in the budget would be difficult to achieve as contributions should remain stable during the two future budget exercises. The Secretary General noted that the next World Conference of Speakers of Parliament was due to take place in 2020 and that additional funds would be required for the Conference and its preparations in 2019.

The Secretary General informed the Council of the efforts to mobilize voluntary funds from external sources. Several long-term funding agreements were soon to be up for renewal. Voluntary funds were important in contributing to the costs of supporting IPU programmes.

The Governing Council approved the 2018 budget of CHF 15,871,200. The approved budget and scale of contributions for 2018 are presented on pages 51 and 52.

5. Cooperation with the United Nations system

The Council took note of the checklist of activities conducted in cooperation with the United Nations since the previous Assembly held in April 2017 in Dhaka (see complete list on page 56). It approved the establishment of a High-Level Advisory Group on Countering Terrorism and Violent Extremism and entrusted its members with finalizing its working modalities. The IPU President, in consultation with the Secretary General, would strive to ensure gender and geopolitical balance in its composition.

The IPU President and Secretary General launched the Second Global Parliamentary Report, a joint IPU-UNDP flagship publication, in the Governing Council on 18 October. The Report focuses on parliamentary oversight and parliament's power to hold the government to account.

6. Implementation of the IPU Strategy for 2017-2021

The Council took note of a report on recent activities aimed at implementing the Strategy and endorsed the proposed modalities for enhancing youth participation at IPU Assemblies, which would be translated into concrete amendments to the IPU Statutes and Rules and presented at the next Assembly.

7. Recent specialized meetings

The Governing Council took note of the results of the Regional Seminar for Young Parliamentarians for the Asia-Pacific region (<http://archive.ipu.org/splz-e/colombo17.htm>); the Regional Seminar for the Asia-Pacific region on the SDGs (<http://archive.ipu.org/splz-e/HoChiMinh17.htm>); the Parliamentary Meeting at the 70th World Health Assembly (<http://archive.ipu.org/splz-e/wha17.htm>); the Regional Conference on violence against women and girls for Central and Eastern Europe (<http://archive.ipu.org/splz-e/Bucharest17.htm>); the Regional Seminar on Promoting child nutrition in Western and Central Africa (<http://archive.ipu.org/splz-e/Ouagadougou17.htm>); the Second Roundtable on Water (<http://archive.ipu.org/splz-e/water17.htm>); the Parliamentary Meeting at the UN High-Level Political Forum on Sustainable Development (<http://archive.ipu.org/splz-e/summary.pdf>); the Second Interregional Seminar on parliamentary capacity-building and the further implementation of the SDGs (<http://archive.ipu.org/splz-e/beijing17.htm>); and the Regional Conference of Young Parliamentarians for Africa (<http://archive.ipu.org/splz-e/abuja17.htm>).

8. Activities of committees and other bodies

At its sitting on 18 October, the Governing Council took note of the reports on the activities of the Forum of Women Parliamentarians (see page 16); the Committee on Middle East Questions (see page 17); the Group of Facilitators for Cyprus (see page 18); the Committee to Promote Respect for International Humanitarian Law (see page 18); the Advisory Group on Health (see page 19); and the Forum of Young Parliamentarians of the IPU (see page 19).

The Council also heard the report of the Committee on the Human Rights of Parliamentarians and approved 15 decisions submitted by the latter (see pages 67 to 118), noting the reservations expressed by the delegations of Cambodia, Israel and an MP from the ruling party in Venezuela.

9. Future inter-parliamentary meetings

The Council granted provisional approval to hold the 140th Assembly in Buenos Aires in April 2019 pending the provision of visa guarantees for all participants by the Argentinian authorities.

10. Elections to the Executive Committee

At its sitting on 18 October, the Governing Council elected the following four members: Mr. D. McGuinty (Canada) and Ms. M. Kiener-Nellen (Switzerland) to serve a four-year term ending in October 2021 and Mr. K.M. Lusaka (Kenya) to complete the term of his predecessor and Ms. H. Haukeland Liadal (Norway) to complete the term of her predecessor, both ending in October 2019.

276th session of the Executive Committee

1. Proceedings and decisions

The Executive Committee held its 276th session in St. Petersburg on 12, 13 and 17 October 2017. The President of the IPU chaired the meetings. The following members took part in the session: Ms. F. Benbadis (Algeria); Ms. M.I. Valente (Angola); Mr. A. Lins (Brazil); Ms. Y. Ferrer Gómez (Cuba); Mr. A. Abdel Aal (Egypt); Mr. R. del Picchia (France); Mr. K. Jalali [Iran (Islamic Republic of)]; Mr. S. Sonoda (Japan), replacing Mr. S. Suzuki on 17 October; Ms. M. Mensah-Williams (Namibia) in her capacity as President of the Forum of Women Parliamentarians on 12 and 13 October; Ms. A. Habibou (Niger); Ms. H. Haukeland Liadal replacing Ms. G. Eldegard (Norway), who is no longer a member of parliament; Mr. K. Kosachev (Russian Federation); Ms. M. Osuro (Uganda), in her capacity as President of the Forum of Young Parliamentarians; Mr. I. Liddell-Grainger (United Kingdom) and Mr. Vu Hai-Ha replacing Mr. N. Van Giau (Viet Nam).

The Executive Committee heard the report of the IPU President on his activities since the previous Assembly and the interim report of the Secretary General. It examined the situation of certain parliaments, and made specific recommendations to the Governing Council on the parliaments of Burundi, Cambodia, Democratic Republic of the Congo, Eritrea, the Gambia, Guinea-Bissau, Libya, Maldives, Philippines, South Sudan, Syrian Arab Republic, Thailand, Turkey, Venezuela (Bolivarian Republic of) and Yemen. Noting the worrying situation in many of these parliaments, the Committee endorsed the principle of establishing a High-Level Panel on Parliamentary Diplomacy composed primarily of illustrious former parliamentarians and IPU Presidents.

It examined requests for affiliation from the Parliaments of Turkmenistan and Uzbekistan and recommended that the Governing Council grant them. The Executive Committee recommended that the requests for affiliation submitted by Vanuatu, the Marshall Islands and Saint Lucia be granted by the Governing Council on the understanding that the membership would take effect as of 1 January 2018. It recommended that the decision to suspend the Parliaments of the Gambia and Honduras be deferred pending the outcome of the discussion on the retention of membership in exceptional cases. It also recommended that the Council approve a request for Associate Member status from the Parliamentary Assembly of the Black Sea Economic Cooperation (PABSEC).

The Executive Committee heard a report on the annual reporting exercise by Members and recommended that the Governing Council endorse the new approach that had been taken whereby certain parliaments from each geopolitical group would be identified on a rotational basis to share their best practices of follow-up on IPU decisions and resolutions.

In a bid to achieve universal membership, the Executive Committee endorsed a proposal on the retention of membership in the case of parliaments experiencing financial hardship, political turmoil, natural disasters or other extenuating circumstances whereby the rights of the defaulting Member would be suspended rather than the actual membership.

In addition, the Executive Committee heard the report of the Sub-Committee on Finance, which recommended that the Executive Committee approve the draft programme and budget for 2018.

In connection with the implementation of the IPU Strategy for 2017-2021, the Executive Committee endorsed a number of proposals to boost youth participation in the IPU. It recommended that the Governing Council entrust the Secretariat with formulating amendments to the relevant provisions of the IPU Statutes and Rules.

The Executive Committee examined the composition, mandate and terms of reference of the proposed High-Level Advisory Group on Countering Terrorism and Violent Extremism. It entrusted the Group with fine-tuning its working modalities and recommended that the IPU President and Secretary General carry out further consultations with a view to ensuring that its composition was more geopolitically and gender balanced.

The Executive Committee examined a proposed amendment to the Rules and Practices of the Committee on the Human Rights of Parliamentarians aimed at lowering its quorum. It recommended that the Committee identify alternative ways of overcoming the hurdle of absenteeism, which impeded the Committee's work.

The Executive Committee also examined the report of the on-site mission that had been conducted to Buenos Aires in June 2017 in view of Argentina hosting the 140th Assembly in April 2019. It recommended that the Council grant provisional approval for Argentina to host that Assembly pending the provision of visa guarantees from the Argentinian authorities for all participants. It also heard an update on the archives and agreed to make a provision in the budget for the digitalization phase of the archives project.

The Executive Committee endorsed the Outcome Document of the General Debate and the Presidential Statement on the state of democracy in the world today.

It also endorsed the Carbon Footprint Report for the Dhaka Assembly. Once the necessary measures were taken locally to offset the Assembly carbon footprint, primarily through the distribution of improved cooking stoves, the Dhaka Assembly could be considered as being "green". Efforts would be made to continue that good practice in the context of future IPU Assemblies and events.

The Executive Committee elected Mr. K. Kosachev (Russian Federation) as its Vice-President.

2. Sub-Committee on Finance

The Sub-Committee on Finance met on 11 October 2017 to prepare and facilitate the Committee's consideration of the financial situation of the IPU, the draft programme and budget for 2018, the situation of voluntary funding and an update on the Parliamentary Solidarity Fund. The Sub-Committee advised the Executive Committee to recommend the 2018 budget to the Governing Council, having been closely involved in overseeing its preparation throughout the year.

It informed the Executive Committee that due to time constraints, it had had to authorize the use of the Parliamentary Solidarity Fund to facilitate the participation of the Parliament of Vanuatu at the 137th Assembly, at which its application for membership of the IPU was to be examined. It was now requesting that the Executive Committee endorse that decision, which it did. The Executive Committee urged the geopolitical groups to encourage their members to pay up their contributions.

The term of Mr. K. Kosachev (Russian Federation) was renewed for a further two years. The Sub-Committee noted the resignation of Mr. S. Suzuki (Japan) and decided to nominate Mr. Nguyen Van Giau (Viet Nam) to represent the Asia-Pacific Group.

3. Working Group on Syria

The Working Group on Syria reported to the Executive Committee on its activities since its establishment at the previous session in Dhaka. The Executive Committee endorsed the Group's report, terms of reference and plan of action. The Group proposed to hold bilateral meetings with the delegations of certain parliaments present at the 137th Assembly to inform them of its work and gain their support. The Group elected Mr. K. Kosachev (Russian Federation) as its President and Mr. R. del Picchia (France) and Ms. M. Mensah-Williams (Namibia) as its Vice-Presidents.

Forum and Bureau of Women Parliamentarians

The 26th session of the Forum of Women Parliamentarians took place on 14 October 2017. It brought together 114 delegates from 74 countries and representatives of various international organizations. The Second Vice-President of the Bureau of Women Parliamentarians, Ms. N. Al Kharoosi (Oman), opened the session. Ms. G. Karelova, MP and Vice-Chairperson of the Council of the Federation (Russian Federation), was elected Chair of the 26th session of the Forum. The President of the Inter-Parliamentary Union, Mr. S. Chowdhury, and the Chairperson of the Council of the Federation, Ms. V. Matvienko, welcomed the participants.

Ms. W.A. Khan (Bangladesh) gave a brief overview of the work of the 39th session of the Bureau that had been held in Dhaka in April 2017 and of the 40th session held that morning in St. Petersburg.

As a contribution to the Assembly, the participants examined, from the point of view of gender parity, the draft resolution entitled *Sharing our diversity: The 20th anniversary of the Universal Declaration on Democracy* (Standing Committee on Democracy and Human Rights). Two groups were set up, each to address one aspect of the resolution. Ms. L. Gumerova (Russian Federation) and Ms. W.A. Khan (Bangladesh) were appointed chairs, while Ms. S. Sirivejchapun (Thailand) and Ms. H. Alhelaissi (Saudi Arabia) were appointed rapporteurs.

The two groups agreed that education, gender equality and gender parity in access to Internet and new technologies were fundamental to strengthening democracy. They stressed the need to design school curricula that would contribute to gender equality. They also endorsed the inclusion of gender equality in the new information and communication technologies (ICTs), an increase in the number of women in science and technology as well as online training, e-commerce and e-business platforms for women in cities and in rural areas. They recommended that parliaments establish partnerships with enterprises in the technology sector and legislate to prevent and eliminate all forms of online hate speech, harassment, intimidation and violence, in particular against women and girls.

Following discussions, the Forum made proposals to amend the draft resolution of the Standing Committee on Democracy and Human Rights. The Committee subsequently included all the amendments in its draft resolution.

Panel discussion: *Marking the fifth anniversary of the Plan of Action for Gender-sensitive Parliaments*

Participants shared their experiences on measures taken by their parliaments to implement the Plan of Action for Gender-Sensitive Parliaments. The exchange, moderated by Mr. S. Spengemann (Canada), began with contributions by Ms. M. Espinales, First Deputy Speaker of the National Assembly of Nicaragua and Ms. J. Luveni, Speaker of the Parliament of Fiji.

Numerous examples of gender-sensitive reforms were discussed, including affirmative measures to increase the number of women and their access to decision-making roles in parliament; the design of tools to mainstream gender in legislation, budget oversight and government actions; the establishment and strengthening of parliamentary committees and forums on gender issues; the adoption of measures to combat sexual harassment in parliament; the setting up or improvement where they exist of childcare facilities in parliaments, and better coordination of parliamentary work with school holidays.

Subsidiary bodies of the Governing Council

1. Committee on the Human Rights of Parliamentarians

Mr. B. Fabritius (Germany), Vice-President, Mr. F. Pinedo (Argentina), Mr. A. Alaradi (Bahrain), Mr. A.B.M.F.K. Chowdhury (Bangladesh), Mr. B. Mbuku Laka (Democratic Republic of the Congo), Ms. D. Solórzano (Venezuela [Bolivarian Republic of]), Ms. B. Jonsdóttir (Iceland), and Ms. L. Dumont (France) took part in the Committee's 154th session, which was held from 13 to 17 October 2017. Ms. F. Koofi (Afghanistan), the Committee President, was unable to attend.

During the session, the Committee held eight hearings with delegations and complainants to strengthen its understanding of the cases before it and convey its concerns. At the session, the Committee had on its agenda 34 cases concerning the situation of 214 members of parliament in 11 countries. Of the cases examined, 30 per cent were from Asia; 30 per cent from the Americas; 27 per cent from Europe; 12 per cent from the Middle East and North Africa region and 1 per cent from Africa. Some 23 per cent of the cases concerned women members of parliament and 85 per cent of the cases concerned opposition members.

The Committee submitted 15 decisions to the Governing Council for adoption concerning the following countries: Cambodia, Cameroon, Democratic Republic of the Congo, Maldives, Mongolia, Palestine, Philippines, Russian Federation, Sri Lanka, Turkey and Venezuela (Bolivarian Republic of).

2. Committee on Middle East Questions

The Committee held two sittings, on 14 and 16 October 2017. The Committee's President, Ms. D. Pascal Allende (Chile), Mr. A.N.M. Al Ahmad (Palestine), Ms. R.A. Elwani (Egypt), Mr. F. Müri (Switzerland), Mr. M. Tašner Vatovec (Slovenia) and Mr. G. Farina (Italy) attended both of the sessions. Mr. M. Al Mehrzi (United Arab Emirates) attended the sitting on 14 October. Mr. N. Shai (Israel) and Mr. R. Munawar (Indonesia) attended the sitting on 16 October.

The Committee examined the current situation in the Middle East, and in that context, expressed its commitment to the ongoing work of the IPU. The Committee held hearings with both factions of the Yemeni Parliament and was pleased that both had voiced a commitment to cooperate in order to address the humanitarian crisis in the country. Following a briefing from members of the Working Group on Syria, the Committee noted its satisfaction with the collaborative approach of the Group.

In accordance with the recommendations of the Second Roundtable on Water, which had taken place earlier in 2017, the Committee recommended the establishment of the first "Science for Peace" school in collaboration with the European Organization for Nuclear Research (CERN). The members also committed to using that initiative as a starting point to launch a parliamentary network on water, which aimed to share parliamentary experiences and gather experts in water management together. The Committee was unanimous in its agreement to implement the initiative.

The Committee postponed the election of a new President until its next session in 2018.

3. Group of Facilitators for Cyprus

The Group of Facilitators for Cyprus met on 14 October 2017. The meeting was attended by two Facilitators, Mr. P. Van Den Driessche (Belgium) and Mr. J. De Matos Rosa (Portugal), four members of the House of Representatives of the Republic of Cyprus and four representatives of the Turkish-Cypriot political parties.

The parties appreciated the opportunity to engage in continued dialogue and expressed resolute support for a solution that would benefit all Cypriots, in particular the next generation. They expressed the wish for the negotiations under the auspices of the United Nations to find a peaceful solution for the unification of Cyprus based on a bizonal, bicommunal federation and political equality, in accordance with the relevant United Nations resolutions and the values and principles of the European Union.

4. Committee to Promote Respect for International Humanitarian Law

The Committee met on Monday, 16 October 2017. Representatives of the ICRC and the Office of the UN High Commissioner for Refugees (UNHCR) also took part. It re-elected Ms. N. Ali Assegaf (Indonesia) as its chair for a one year mandate.

The Committee heard a presentation on the overall situation of refugees worldwide. There are more than 65.5 million forcibly displaced persons in the world (22.5 million refugees and 10 million stateless persons).

The Committee discussed the situation of the Rohingya in Myanmar and the Rohingya refugees and noted that the total number of Rohingya refugees in Bangladesh was close to 800,000. It also noted the important efforts made by Bangladesh, the host country, and heard a report from the ICRC on humanitarian assistance provided in Rakhine state.

The Committee condemned the violence and the reported violations of human rights in Rakhine state. It pressed the Government of Myanmar to end the military operations, to ensure protection of all civilians and restore peace and stability. It stressed the importance of broadening humanitarian access to the populations concerned and called on the international community to provide financial support assistance to the Rohingya refugees and the Bangladesh host populations.

In view of its mandate, the Committee and its members undertook to monitor the implementation of the resolution on the emergency item on *Ending the grave human crisis, persecution and violent attacks on the Rohingya as a threat to international peace and security and ensuring their unconditional and safe return to their homeland in Myanmar*. It furthermore asked to meet at its next session with UN agencies and other international organizations monitoring the crisis in Myanmar. It invited the Myanmar Parliament to meet with the Committee at the 138th Assembly to brief it more on the situation, the actions taken and discuss what could be done by the national authorities and the parliament, and the parliamentary community.

The Committee was also informed of the New York Declaration for Refugees and Migrants. It was important for the IPU to follow the process and facilitate parliamentary involvement in the design and implementation of the Global Compact on Refugees, due for 2018.

With regard to statelessness, the Committee recalled that the IPU had called on its Members to support the UNHCR *#IBelong* campaign and the Global Plan of Action to end Statelessness, launched in 2014. Their aim was to end statelessness in 10 years. This was ambitious and required strong political will and action. The Committee urged parliaments and their members to continue to raise awareness in their parliaments on this important issue and to take action where relevant.

The Committee discussed follow-up to the joint ICRC-IPU publication *International Humanitarian Law: Handbook for Parliamentarians No. 25* (2016). It encouraged parliaments and members to generate interest for the IHL Handbook within Parliament through a specifically-designed event (possibly in partnership with the ICRC). It also looked forward to discussing at its next session a more comprehensive workplan of cooperation with the ICRC.

The Committee discussed follow-up to the emergency item resolution on *Urgent international action to save millions of people from famine and drought in parts of Africa and Yemen* that had been adopted in Dhaka (136th IPU Assembly). It recalled that the IPU President and the Secretary General had sent a follow-up letter to all IPU Members urging them to take action and report back on what was done to implement the resolution. Only three responses had been received. The Committee called on Members to recommit to following up on the resolution that, unfortunately, still remains relevant today, and to report back to the IPU on measures taken.

5. Advisory Group on Health

Field visit

On 16 October 2017, members of the IPU Advisory Group on Health participated in a field visit to the St. Petersburg AIDS Centre and held meetings with NGO and international organization representatives, members of parliament, and officials from the local authorities of St. Petersburg.

UNAIDS and WHO representatives briefed members of the Advisory Group on the HIV epidemic in the Russian Federation. Members learned that, while the country had experienced a significant surge in the number of new HIV diagnoses since 2011, the figures for the St. Petersburg area had remained fairly constant owing to the introduction of inclusive HIV prevention programmes.

At the St. Petersburg AIDS Centre, members of the Advisory Group spoke directly with four patients who shared their experiences of living with the virus. They also met with managers and staff to discuss the types of treatment and support that patients received. The members learned that the Centre had established anonymous HIV testing and offered regular information sessions to patients so that they could understand more about the disease and were able to counter the stigma and discrimination they faced in society. The Centre also organized peer-to-peer support sessions and worked in partnership with local NGOs in an effort to provide HIV testing to the most marginalized groups of society. In addition, a dedicated department provided treatment to some 364 children living with HIV.

A working lunch was arranged between the members of the Group and representatives of three NGOs, namely Humanitarian Action, E.V.A. Network and the International Treatment Preparedness Coalition (ITPC). Members also met with three members of the St. Petersburg authorities at Smolny to discuss the approach taken to AIDS treatment in the region.

Advisory Group Meeting

The Advisory Group on Health met on 17 October; three out of nine members were present. Representatives of the World Health Organization (WHO), the Joint United Nations Programme on HIV/AIDS (UNAIDS) and the Global Fund to Fight AIDS, Malaria and Tuberculosis also attended.

The Advisory Group discussed the findings and recommendations of the field visit to the St. Petersburg AIDS Center on 16 October. The Group was impressed by the wide range of quality services, including treatment and support, which patients received. The Group called for continued involvement of different stakeholders, including NGOs and local government representatives, in the HIV response in the city and encouraged increased attention to the invaluable work undertaken at community level to reach those most in need of HIV testing and treatment. Lastly, the Group recommended that the response in the City of St. Petersburg be used as a model for other regions and provinces in the Russian Federation.

The Advisory Group also discussed recent progress, as well as future areas of engagement and strategic priorities and opportunities. The Group reaffirmed its vision for health, namely that no one should be left behind and that everyone everywhere should have access to quality services without fear of harm or discrimination. The Group was also briefed on the 2017 Independent Accountability Panel's report entitled *Transformative accountability for adolescents: Accountability for the health and human rights of women, children and adolescents in the 2030 Agenda*.

The Group elected its new President, Mr. H. Millat (Bangladesh), and Vice-President, Ms. P. Bayr (Austria).

6. Forum of Young Parliamentarians of the IPU

The Forum of Young Parliamentarians met on 15 October 2017. A total of 60 young parliamentarians attended, 36 per cent of whom were women. The meeting was chaired by Ms. M. Osuru (Uganda), the President of the Board of the Forum. She was replaced for part of the meeting by Ms. R.B. Itamari Choque (Plurinational State of Bolivia), the youngest member of the Board of the Forum present at the 137th Assembly.

Participants took stock of the recent progress achieved and the challenges encountered in their respective countries concerning youth participation. Several young MPs urged the IPU to promote not only the access of young people to elective positions but also to support young MPs in office by providing capacity-building training at the national level.

They welcomed the endorsement by the Executive Committee of the Forum's proposal for all delegations to IPU Assemblies to include at least one young female or male member under 45 years of age by 2020.

The Forum also welcomed the inclusion of their recommendations on youth participation in the draft resolution *Sharing our diversity: The 20th anniversary of the Universal Declaration on Democracy*. It also discussed future youth-related activities and noted, in particular, the IPU's Fourth Global Conference of Young Parliamentarians to be held in Ottawa, Canada, on 17 and 18 November 2017.

The Forum nominated Mr. P. Kalobo (Zambia) to submit to the co-Rapporteurs of the draft resolution *Sustaining peace as a vehicle for achieving sustainable development* a written youth-related contribution on behalf of the Forum and Ms. S. Haskel (Israel) to provide the co-Rapporteurs of the draft resolution *Engaging the private sector in implementing the SDGs, especially on renewable energy* with a similar report on behalf of the Forum.

The participants were informed of the 19th World Festival of Youth and Students, to be held in Sochi, Russian Federation.

The Board of the Forum of Young Parliamentarians also met on 15 October 2017 and agreed to further the IPU's efforts to identify an international target for youth participation in parliament by commissioning research into youth quotas, the findings of which would be part of the next IPU report on youth participation in national parliaments, to be published in 2018.

Other events

1. Joint Meeting of the Chairpersons of the Geopolitical Groups and Presidents of the Standing Committees

In the morning of 14 October, the IPU President and Secretary General met with the Chairpersons of the Geopolitical Groups and the Presidents of the Standing Committees to discuss the situation of certain parliaments, the implementation of the reform of the Standing Committees, and the reporting by Member Parliaments on follow-up to IPU resolutions and decisions.

The IPU President briefed the Chairpersons of the Groups on discussions in the Executive Committee on some of the country-specific situations where parliaments were under attack or experiencing particular difficulties. Those included the situation in Cambodia, Maldives, Syria, Venezuela (Bolivarian Republic of) and Yemen. The Chairs shared their perspectives on those specific situations, and expressed their commitment to continue to monitor carefully developments and play their unique role in terms of outreach and political dialogue.

The IPU President referred to the imminent election of the new IPU President, underscoring the fact that the membership had before it two excellent candidates and that he was delighted that the next President was certain to be a woman, reinforcing the IPU's commitment to gender equality. The Secretary of the Assembly referred to the elections that were expected to take place at the 138th IPU Assembly in Geneva in March 2018 for the new Presidents and Vice-Presidents of the Standing Committees. An overview of leadership assignments over the past 15 years was provided, and the Geopolitical Groups were encouraged to commence consultations with a view to identifying qualified candidates for the forthcoming elections, while observing the principle of rotation.

The Secretary of the Assembly presented the situation of reporting by the IPU Members on action taken in follow-up to IPU resolutions, Assemblies and other initiatives. In keeping with the decision taken at their previous meeting in Dhaka, the Geopolitical Groups had each designated a number of Members from their respective groups to engage in the annual reporting exercise. Several other Member Parliaments had responded on a voluntary basis to the IPU survey. In light of the relatively high response rate, the Executive Committee had recommended that such a positive experience should be pursued.

Members would henceforth be required to submit periodic reports (every four years, on average), and the selection of the Members concerned would be determined by rotation (in alphabetical order), so as to ensure predictability and better planning. The Geopolitical Groups and the Executive Committee would monitor the submission of reports and would ensure that the IPU Members met their reporting obligations. The new system would be in place and be applicable to all Members as of 2018. If successful, the new reporting modality would be reflected in the IPU Statutes and Rules.

The Secretary General briefed participants on the new edition of the Global Parliamentary Report, and on the IPU campaign in support of democracy. It was suggested that, in future, such major reports and publications be presented in depth as part of the agenda of the individual Geopolitical Groups.

The Presidents of the Standing Committees referred to their programme of work at the current Assembly and beyond. They underscored the importance of follow-up and implementation of IPU resolutions and other decisions. The President of the Standing Committee on Peace and International Security shared the practice of the Committee in reviewing implementation on a regular basis – that was the case, for example, at the current Assembly, where the Committee would examine implementation of the 2015 IPU resolution on cyber-warfare. She also underscored the need for the Committee Presidents to be more involved in relevant UN processes and regional activities. The new practice of joint sessions – such as the joint session of the Standing Committee on Peace and International Security and the Standing Committee on United Nations Affairs on the new United Nations Nuclear Weapons Ban Treaty – also provided a good business model which enhanced synergy and coordination, and which could be reverted to on a more regular basis.

The Chairpersons of the Geopolitical Groups and the Presidents of the Standing Committees expressed their deep appreciation and gratitude to the outgoing IPU President for his leadership and extraordinary service. Mr. Saber Chowdhury had done much to bring the IPU forward as an organization and enhance its international standing. In just a few short years, the IPU had become a greener, more dynamic and tech-savvy organization, with a growing membership and budget and a high level of transparency and accountability. That had been a team effort, and they all very much looked forward to his continued engagement in the work of the IPU.

2. Open session of the Committee to Promote International Humanitarian Law *Forty years since the adoption of the Additional Protocols to the Geneva Conventions: How does the law still protect in contemporary war?*

Forty years previously, States had adopted two Additional Protocols to the 1949 Geneva Conventions, and in doing so, had reaffirmed the basic principles of international humanitarian law and codified crucial principles and rules.

The Additional Protocols strengthened the protection of victims of international (Protocol I) and non-international (Protocol II) armed conflicts and placed limits on the way wars must be fought. Today, the Additional Protocols were among the most broadly ratified instruments in the world. Together with the Geneva Conventions of 1949, the Protocols formed the foundations of international humanitarian law and are the cornerstone for the protection and respect of human dignity in armed conflicts.

To celebrate the 40th anniversary of the Additional Protocols to the Geneva Conventions a special debate took place on the theme *How does the law still protect in contemporary war?* The panel was composed of Senator J.M. Corzo, Colombia, Ms. M. Green, MP, Sweden, Mr. B. Charlier, Legal Adviser, ICRC and Ms. M. Lequin Coutin, Head of Eurasia Region, Geneva Call.

The panel emphasized that international humanitarian law remained a critical tool and the necessary legal framework to protect human life and dignity when armed conflicts arose and that strengthening its respect was in fact the single most important way to improve the lives of people affected by armed conflict. New realities and challenges, such as the fight against terrorism, for instance, made it even more difficult to take action but it was important to say that even during times of war, rights had to be respected, and parliaments had a key role to play in that regard. The panel discussed initiatives to secure the implementation of international humanitarian law, including by non-State parties to conflicts. It also discussed efforts to build sustainable and peaceful societies, mentioning the example of Colombia. In that case, inclusive dialogue and political courage were at the heart of success. The panel concluded by calling on parliaments to make use of the IHL Handbook for Parliamentarians, jointly produced by the IPU and the ICRC.

3. Parity debate *Holding the purse strings: Exercising oversight for the common good*

The Forum of Women Parliamentarians organized a parity debate to promote parity representation and participation of men and women by inviting them to mainstream the gender dimension in their analyses. An equal number of men and women participated in the debate. The parity debate explored one of parliament's most powerful functions: scrutinizing the budget and overseeing public finances and spending. The debate addressed parliamentary oversight strategies that would ensure budgets that were inclusive, fair and responsive to the needs of all people. Mr. A. Richardson, Information Specialist,

IPU, and Mr. C. Chauvel, UNDP, presented the findings and recommendations of the 2017 Global Parliamentary Report. The debate was launched by the following parliamentarians: Ms. T. Modise, Chairperson of the National Council of Provinces (South Africa), Ms. G. Moser, Chair of the Court of Audit Committee (Austria), and Ms. K. Beteta Rubín, Chair of the Committee on Budget and General Accounts (Peru). Mr. N. Schrijver (Netherlands) moderated the debate.

Even though the role of parliaments in the budgetary process may vary from one country to the other, the debate highlighted not only the desire of parliaments to become more involved in that process but also to exert genuine oversight and render budgets more transparent, conducive to sustainable development, and responsive to the needs of all people. The participants underscored that, to carry out that task successfully, parliamentarians needed to have information on the items of the budget, as well as on the needs and priorities of all sectors of the population, a clear mandate and specialized structures to assist them in budgetary analysis. They also recommended that the gender dimension be integrated throughout the budgetary process and in all ministerial portfolios. For parliaments to exercise budgetary oversight in the interest of all, it was important to have gender parity in parliamentary budgetary commissions and their respective presidencies. It was also proposed to draw up indicators to assess the efficiency of such oversight. Participants called for countries in conflict to take better account of the needs of the displaced population in their budgets and provide for relief funds.

4. Interactive Session on the Second Global Parliamentary Report

The second Global Parliamentary Report (GPR) was launched at the 137th IPU Assembly. It focused on parliamentary oversight and parliament's power to hold government to account. Jointly prepared by the IPU and UNDP on the basis of contributions from more than 150 parliaments, the report offered a series of recommendations and a scenario for change with a view to strengthening oversight and accountability.

To raise awareness of the report's findings, an interactive special session was organized during the Assembly. It brought together a panel composed of Mr. D. Carter (New Zealand), Speaker, House of Representatives, Ms. P. Cayetano (Philippines), Deputy Speaker, House of Representatives, Ms. C. Roth (Germany), Vice-President of the Bundestag, and Ms. A. Jerkov (Serbia), MP.

The session began with a presentation by the IPU and UNDP of the main conclusions of the report, followed by a discussion on opportunities to increase parliamentary capacity for oversight. Special focus was placed on partnerships, in particular partnerships with stakeholders, such as civil society and audit institutions.

The session drew out real-life examples of good practices from MPs' personal experiences. Despite the diversity of situations and environments, interventions confirmed that common challenges to effective oversight existed. Participants highlighted the importance of clear mandates and strong structures to exercise oversight. The discrepancy of means between Parliament and Government constituted another important challenge, especially with regard to access to information. That was where partnerships with civil society made a real difference for many MPs.

Political space for oversight also had to be preserved. Oversight was the responsibility of both government and opposition MPs, requiring political courage irrespective of political party affiliation. Protecting MPs' freedom of expression and providing for a safe space for constructive challenge of government action were important if effective oversight was to become a reality. A political culture of oversight ought to be cultivated for the benefit of all.

Achieving effective oversight was a process which, if undertaken in earnest, could yield results in a relatively short period of time. The discussion concluded with a call to all IPU Members to disseminate and make use of the findings of the Global Parliamentary Report (<https://www.ipu.org/resources/publications/reports/2017-10/global-parliamentary-report-2017-parliamentary-oversight-parliaments-power-hold-government-account>) and to engage in reform and action to enhance parliamentary oversight.

5. Interactive session on *Ending AIDS through improving sexual and reproductive health: the need for urgent parliamentary action*

The event was co-moderated by Mr. V. Saldanha (UNAIDS) and Ms. M. Lusti-Narasimhan (WHO). Participants discussed the actions required by parliamentarians to eradicate AIDS through the promotion of sexual and reproductive health and the respect for the right to health of all segments of the population, especially disadvantaged and vulnerable groups.

Mr. V. Saldanha (UNAIDS) noted that ending AIDS remained a challenge not because of a lack of resources or political commitment, but because of discriminatory legislation that encouraged stigma and provoked violence against the most vulnerable groups of the population. Eradicating AIDS would not be possible unless the right to health of those groups was guaranteed.

Ms. M. Lusti-Narasimhan (WHO) stressed the importance of universal health coverage to the full enjoyment of the right to sexual and reproductive health, particularly for women and girls. Urgent action was therefore required to promote access to appropriate sexual and reproductive health services in order to end the spread of AIDS.

During the debate participants noted that harmonizing legislation with international standards, collecting data to target the most vulnerable persons and engaging with civil society would be crucial in the fight against AIDS. Parliamentarians must ensure that they clearly voiced the concerns of the most vulnerable segments of society so that their needs were adequately represented.

6. e-Parliament interactive session: *The digital tools that parliamentarians use to do their work*

The session opened with a presentation on the findings of the latest World e-Parliament Report and looked at the key trends, how they were changing the processes, roles and expectations of parliaments, legislators and the public.

France raised the issue of parliamentary support to internet voting – something France had developed for its nationals abroad. The Netherlands and the European Parliament noted the challenges that e-voting faced, including reliability, veracity and trust. Egypt noted that e-voting was both a convenient and a cost-effective measure. The new privacy regulations, particularly the EU General Data Protection Regulation, could, however, have some implications on e-voting.

Bahrain observed that parliaments and parliamentarians had to move into the digital arena since that was where the younger generations interacted and expected others to congregate. It noted that legislators had to communicate using the changing tools and language of their constituents. India noted that in large rural economies face-to-face contact remained critical, that local village networks were vital, and that the digital did not replace those contacts but supplemented them. Ecuador observed that digital tools helped legislators reach more people and hear more voices, that it was an effective space for gathering ideas but that it was also important to talk to people face-to-face. Digital was a bridge into the parliamentary process and enabled more equitable access but it did not, in and of itself, remove the need for physical engagement.

The participants remarked that the e-Parliament session would benefit from bringing in younger MPs who could lead the change through experience and example. A number of parliaments raised the issue of knowledge and skills – noting that training in the use of digital tools was required for members of parliament and parliamentary staff. They agreed that the paperless parliament was a good concept but that it was hard to achieve without proper training.

The Netherlands raised the issue of the influence that unregulated and often inaccurate (or biased) online media had and the demotion of mainstream media as a source of information in the digital age. That raised questions about information literacy and on how parliaments should ensure they informed, educated and engaged the public. The 2016 World e-Parliament Report had shown that parliaments were aware of the significance of their role in the matter. The discussion on e-voting raised a number of questions and concerns about the security of digital infrastructure and the dilemma it could create for parliaments trying to be more open and accessible.

Tunisia spoke about its digital project - the e-academy – that it was developing to support members with digital tools and training. That could be a matter for the Centre for Innovation in Parliaments as it was relevant in the context of sharing good practices and exchanging information and resources between parliaments. Iraq proposed that the IPU work on awareness-raising on the critical importance of digital tools for parliaments, that it call for further resolutions on that, and push to advance knowledge on, training in and support to e-parliaments. That too was something the new Centre could address.

Elections and appointments

1. IPU President

Two candidates ran for the post of IPU President: Ms. G. Cuevas Barron (Mexico) and Ms. I. Passada (Uruguay).

In the single round of voting, Ms. Cuevas Barron obtained 287 votes and Ms. Passada 70.

The Governing Council consequently elected Ms. Cuevas Barron (Mexico) as President of the Inter-Parliamentary Union for a three-year term ending in October 2020.

The outgoing President, Mr. S. Chowdhury (Bangladesh), was made an Honorary President of the Inter Parliamentary Union.

2. Vice-President of the Executive Committee

The Executive Committee elected one of its members, Mr. K. Kosachev (Russian Federation) as its Vice-President for a one-year term ending in October 2018.

3. Executive Committee

The Governing Council elected the following four members to the Executive Committee:

- African Group
Mr. K. M. Lusaka (Kenya) to complete the term of his predecessor until October 2019.
- Twelve Plus Group
Mr. D. McGuinty (Canada) and Ms. M. Kiener-Nellen (Switzerland) for a four-year term ending in October 2021 and Ms. H. Haukeland Liadal (Norway) to complete the term of her predecessor until October 2019.

4. Sub-Committee on Finance

The Executive Committee appointed:

- Mr. Nguyen Van Giau (Viet Nam) to represent the Asia-Pacific Group until October 2019.
- Mr. K. Kosachev (Russian Federation) was renewed until the end of his term on the Executive Committee (October 2019).

5. Working Group on Syria

The Executive Committee endorsed the appointment of the following members:

- Mr. K. Kosachev (Russian Federation), President
- Mr. R. del Picchia (France), Vice-President
- Ms. M. Mensah-Williams (Namibia), Vice-President
- Ms. M. I. Oliveira Valente (Angola)
- Ms. Y. Ferrer Gómez (Cuba)
- Mr. A. Abdel Aal (Egypt)
- Mr. K. Jalali [Iran (Islamic Republic of)]
- Mr. R. El Abdi (Morocco) representing the Arab Group
- Ms. S. Isayan (Armenia) representing the Eurasia Group
- Ms. C. Roth (Germany) representing the Twelve Plus Group.

6. High-Level Advisory Group on Countering Terrorism and Violent Extremism

The Executive Committee endorsed the appointment of the following members:

- Mr. S. Parry (Australia)
- Mr. A. Houngbédji (Benin)
- Mr. D. McGuinty (Canada)
- Mr. Wang Xiaochu (China)
- Mr. A. Abdel Aal (Egypt)
- Ms. M. Mensah-Williams (Namibia)
- Mr. K. Kosachev (Russian Federation)

- Mr. A. Avsan (Sweden)
- Ms. M. Kiener-Nellen (Switzerland)
- Ms. M. Osofu (Uganda)
- Ms. A. Al Qubaisi (United Arab Emirates)
- Mr. S. Chowdhury (Honorary President of the IPU)

7. Bureau of Women Parliamentarians

The Forum of Women Parliamentarians elected the following two regional representatives:

- Eurasia Group: Ms. A. Naumchik (Belarus) for a term ending in March 2018.
- Twelve Plus Group: Ms. S. Errante (France) for a term ending in March 2018

8. Committee on the Human Rights of Parliamentarians

The Governing Council elected the following four members for a five-year term ending in October 2022:

- African Group
 - Mr. N. Bako-Arifari (Benin)
 - Ms. J. Mukoda Zabwe (Uganda)
- Twelve Plus Group
 - Ms. A. Jerkov (Serbia)
 - Mr. A. Caroni (Switzerland)

9. Committee on Middle East Questions

The Governing Council elected the following two members to the Committee for a four-year term ending in October 2021:

- Ms. B. Grouwels (Belgium)
- Mr. H. Julien Laferrière (France)

10. Committee to Promote Respect for International Humanitarian Law

The Governing Council elected the following three members to the Committee for a four-year term ending in October 2021:

- African Group: Ms. A. Dafi Ouassagari (Benin)
- Eurasia Group: Ms. E. Vtorygina (Russian Federation)
- Twelve Plus Group: Mr. D. Chukolov (Bulgaria)

11. Board of the Forum of Young Parliamentarians of the IPU

The Forum elected one member to its Board for a two-year term ending in March 2019:

- Eurasia Group: Mr. B. Maken (Kazakhstan).

12. Bureaux of the Standing Committees

Following elections that took place in the Standing Committees, the following members were elected:

Standing Committee on Peace and International Security

- Mr. H.B. Kambhampati (India) for the Asia-Pacific Group to complete the term of his predecessor until March 2019
- Ms. L.C. Kurt (Turkey) for the Twelve Plus Group for a first term ending in October 2019.

Standing Committee on Sustainable Development, Finance and Trade

- Mr. M. Djellab (Algeria) for the African Group for a first term ending in October 2019
- Ms. D. Soliz (Ecuador) for the Group of Latin America and the Caribbean for a first term ending in October 2019.

Standing Committee on Democracy and Human Rights

- Ms. S. Isayan (Armenia) for the Eurasia Group to complete the first term of her predecessor ending in March 2018.

Standing Committee on United Nations Affairs

- Ms. A.D. Dagban-Zondive (Togo) for the African Group for a first term ending in October 2019.

13. Rapporteurs to the 139th Assembly

The Standing Committee on Democracy and Human Rights agreed that a representative of Morocco would be appointed as a co-Rapporteur for the subject item *Strengthening inter-parliamentary cooperation on migration and migration governance in view of the adoption of the Global Compact for Safe, Orderly and Regular Migration*. The IPU President would hold consultations with a view to appointing a second rapporteur.

14. Internal Auditors for the 2018 accounts

The Governing Council appointed Mr. V. Macedo (Portugal) as an Internal Auditor for the Organization's 2018 accounts

Media and communications

Five press releases were issued during the 137th Assembly. Four press conferences were held for the over 86 local media and 64 international media registered. Local and foreign media from Central Asian countries widely covered the debates and discussions of the 137th IPU Assembly.

The Assembly was broadcast on the national Russian broadcaster over the five days. The Assembly was also webcast to a global audience. According to the host Parliament, there were over 10,000 views of the different sessions streamed throughout the five days.

IPU Communications staff also conducted 10 video interviews with selected parliamentarians as material for the fifth anniversary of the Plan of Action for Gender-Sensitive Parliaments and the Forum of Young Parliamentarians.

Initial media monitoring on the Assembly showed that more than 3,000 online articles and blog posts mentioning the IPU, women MPs and the 137th Assembly were posted over the Assembly period from 14-18 October. The articles covered the various themes of the Assembly, as well as bilateral meetings between delegations.

A live Twitter feed using the #IPU137 hashtag was available.

From 14 to 18 October 2017, there were over 400,000 hits on the IPU Twitter account, which gained 300 additional followers during that period. In total, the IPU tweeted 262 times. The IPU Facebook page reached 30,000 users and gained 30 additional followers. A total of 51 posts were made to Facebook.

According to MailChimp monitoring, there were some 6,000 views of Assembly press releases between 14 and 18 October. Media monitoring indicated that press releases reached a potential audience of 500 million people.

Flickr was again used to distribute photos of the Assembly to the media and participants. There were 41 Flickr albums posted with over 3,500 views from 14 to 18 October.

All sessions that were webcast were also subsequently posted on the IPU's YouTube channel. At 1 November 2017, there had been over 2,500 views of the different videos.

During the Assembly, the 2017 Global Parliamentary Report was launched in the Governing Council. Each delegation received a copy. The Communications staff also produced a short video testimonial of a Cambodian MP for broadcast in the plenary of the Governing Council.

The IPU publications stand proved to be extremely popular and all publications were taken very quickly by delegates. There was considerable demand for copies of the Global Parliamentary Report and its executive summary, as well as the SDGs toolkit and the gender-sensitive parliaments toolkit.

Membership of the Inter-Parliamentary Union *

Members (178)

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, the Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, 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, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands**, 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, Saint Lucia**, 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, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu**, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia and Zimbabwe

Associate Members (12)

Andean Parliament, Arab Parliament, Central American Parliament (PARLACEN), East African Legislative Assembly (EALA), European Parliament, Interparliamentary Assembly of Member Nations of the Commonwealth of Independent States (IPA CIS), Inter-Parliamentary Committee of the West African Economic and Monetary Union (WAEMU), Latin American Parliament (PARLATINO), Parliament of the Economic Community of West African States (ECOWAS), Parliament of the Central African Economic and Monetary Community (CEMAC) and Parliamentary Assembly of the Black Sea Economic Cooperation (PABSEC), and Parliamentary Assembly of the Council of Europe (PACE).

* As at the close of the 137th Assembly.

** Membership rights become effective as of 1 January 2018.

Agenda, resolutions and other texts of the 137th Assembly

1. Election of the President and Vice-Presidents of the 137th Assembly
2. Consideration of requests for the inclusion of an emergency item in the Assembly agenda
3. General Debate on *Promoting cultural pluralism and peace through interfaith and inter-ethnic dialogue*
4. Sharing our diversity: The 20th anniversary of the Universal Declaration on Democracy (*Standing Committee on Democracy and Human Rights*)
5. Reports of the Standing Committees on Peace and International Security; Sustainable Development, Finance and Trade; and United Nations Affairs
6. Approval of the subject item for the Standing Committee on Democracy and Human Rights at the 139th IPU Assembly and appointment of the Rapporteurs
7. *Ending the grave human crisis, persecution and violent attacks on the Rohingya as a threat to international peace and security and ensuring their unconditional and safe return to their homeland in Myanmar*

St. Petersburg Declaration on *Promoting cultural pluralism and peace through interfaith and inter-ethnic dialogue*

*Endorsed by the 137th IPU Assembly
(St. Petersburg, 18 October 2017)*

We, Members of Parliament from 158 countries, meeting in St. Petersburg on the occasion of the 137th Assembly of the Inter-Parliamentary Union, recognize that interfaith and inter-ethnic dialogue is fundamental for peace and cultural pluralism.

In October 2012, the IPU adopted the Quebec City Declaration on *Citizenship, identity and linguistic and cultural diversity in a globalized world*. By so doing, we recognized the importance of balancing respect for diversity with social inclusiveness and cohesion as a means of building trust within and among societies and as a sine qua non for progress, prosperity and a high quality of life.

We underscored the fact that all individuals must be allowed the full enjoyment of their equal and inalienable rights recognized in the Universal Declaration of Human Rights and other international human rights and humanitarian law treaties and standards, and that they should not be subject to discrimination on any grounds including culture, race, colour, language, ethnicity, religion, gender identity, sexual orientation, or political affiliation. Five years down the line, the principles enshrined in the Quebec City Declaration remain as valid and relevant as ever.

As the past few decades have shown, cultural and religious diversity does not in and of itself guarantee peace and global acceptance of differences. National authorities and other key stakeholders must work together to build inclusive societies and combat the dissemination of divisive discourses which can give rise to feelings of insecurity among certain groups and can encourage the spread of nationalism, extremism and terrorism.

As representatives of the people, we should not only lead by example, but also by direct contact with people at the national and regional level. Transparency, accountability and respect for the rule of law and international human rights law should guide our relationships with cultural stakeholders and religious leaders. We have the obligation to pursue a global model of sustainable and peaceful diversity in order to effectively tackle intolerance, mistrust and violence.

As parliamentarians, we commit to working towards cultural pluralism and peace through interfaith and inter-ethnic dialogue by:

Strengthening normative processes and legal frameworks:

- Ensure that national legislation is fully in line with the core international human rights instruments, as well as with the United Nations Educational, Scientific and Cultural Organization's Universal Declaration on Cultural Diversity and the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;
- Adopt legislative measures to protect and promote the identity of national, cultural, linguistic, religious or ethnic groups and their rights to live in community with others;
- Strengthen mediation processes at the national and global level as well as interfaith and inter-ethnic dialogue to address ethnic, cultural and religious conflicts and foster trust between members of a multicultural society.

Making parliaments more representative and effective institutions:

- Introduce policies to ensure MPs are more representative of society in terms of gender, age, language, religion and ethnicity, including through the adoption of affirmative measures and provisions to guarantee that national minorities hold at least one seat in parliament and can participate in legislative bodies;
- Require governments to include an impact assessment on religious and ethnic minorities when submitting draft legislation and national budgets to parliament, in accordance with the objective of the 2030 Agenda for Sustainable Development to leave no one behind;
- Create sufficient opportunities for parliamentary discussions and debates through, for example, the establishment of parliamentary committees or inter-parliamentary commissions on cultural pluralism and religious diversity, in order to better understand and solve social conflicts through parliamentary action;

- Ensure that measures taken to prevent violent extremism are in full compliance with international human rights law and are not based on stereotypes or misconceptions;
- Support the creation of safe spaces for dialogue and the establishment of inclusive platforms in terms of gender, age, culture and religion, where key stakeholders can discuss local, regional and national actions related to religious diversity and cultural pluralism;
- Guarantee that MPs representing religious and ethnic minorities form part of national delegations attending international fora and deliberations, in particular IPU Assemblies and events.

Preventing human rights violations relating to culture and religion:

- Allocate sufficient resources to conduct awareness-raising activities on cultural and religious issues among law enforcement officers so as to strengthen their ability to identify and investigate hate crimes, in line with international standards and protocols;
- Build the capacity of outreach workers and mediators in order to create peaceful and trusting environments at the local and regional levels;
- Ensure that the legislative process is transparent, and that parliamentary records are made available and accessible so that religious and ethnic minorities can understand and follow the activity of MPs and hold them accountable for their actions;
- Design protection measures for all religious and ethnic minorities within the national territory, including non-citizens, migrants and newly arrived minorities.

Building social dialogue for multicultural and inclusive societies:

- Exercise effective budgetary oversight so as to prevent the funding of projects and organizations that promote hate and intolerance, openly combat hate speech in public discourse and online platforms, and support projects with a greater balance in terms of gender, culture and religion, particularly at local and regional levels, including through mixed housing areas, collective events and multicultural media;
- Collaborate with scientists on cultural and religious matters and work in partnership with local religious leaders to assess social challenges, such as the struggle against fundamentalism, and ensure that religious and cultural interpretations respect the human rights of all people, in particular women, young people and ethnic and religious minorities;
- Take concrete action to eliminate structural or systemic discrimination against ethnic and religious minorities, including by implementing processes for the collection and analysis of data disaggregated by gender, age, language, ethnicity, religion, and other minority status.

Focusing on civic education and improving interpersonal skills:

- Promote the teaching of soft skills and human rights education at all levels of education, including the importance of religious pluralism and cultural diversity;
- Establish a national network on diversity comprising academic and professional experts in order to share best practices and successful diversity experiences and independently monitor the implementation of public policies;
- Enhance the role of science, promote holistic approaches and comparative methods in order to better explain globalization processes and their impact, and support ongoing training on religious pluralism and cultural diversity for public officials, including local authority workers and police officers.

Promoting international cooperation:

- Support international programmes that encourage interfaith and inter-ethnic dialogue as well as projects to combat segregation and social fragmentation;
- Foster parliamentary diplomacy to address interfaith and inter-ethnic conflicts;
- Encourage interfaith initiatives aimed at building bridges and better understanding between communities;
- Consider holding a world conference on the interfaith and inter-ethnic dialogue, which could be organized together with the United Nations and with the participation of Heads of State, Speakers of Parliament and leaders of world religions.

We fully acknowledge that we have the means to make a difference. We therefore pledge to implement the recommendations listed above and call on the IPU to monitor the application of this Declaration.

Sharing our diversity: The 20th anniversary of the Universal Declaration on Democracy

*Resolution adopted unanimously by the 137th IPU Assembly
(St. Petersburg, 18 October 2017)*

The 137th Assembly of the Inter-Parliamentary Union,

Acknowledging the significance of the IPU's 1997 Universal Declaration on Democracy and *taking note of* the world parliamentary community's extensive use of the Declaration,

Reaffirming the IPU's Declaration on Criteria for Free and Fair Elections adopted in 1994 which confirms that in any State the authority of the government can derive only from the will of the people as expressed in genuine, free and fair elections,

Reiterating that democracy, human rights and the rule of law constitute universal, interdependent and mutually reinforcing ideals,

Taking into account the following United Nations instruments – the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966), the International Covenant on Economic, Social and Cultural Rights (1966), the Convention on the Elimination of All Forms of Discrimination against Women (1979), the Convention on the Rights of Persons with Disabilities (2006), the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992) and the Vienna Declaration and Programme of Action on Human Rights (1993),

Reaffirming the core elements set out in the Universal Declaration on Democracy, in particular the existence of representative institutions at all levels, and, notably, a parliament in which all components of society are represented and which has effective legislative and oversight powers, equal partnership between men and women in the conduct of the affairs of society, an independent judiciary, the holding of free and fair elections at regular intervals on the basis of universal, equal and secret suffrage, the right to organise political parties, the right to freedom of expression and assembly, including through electronic means of communication, active civil society, open and free media, and the protection of the rights of persons with disabilities, minorities and vulnerable or marginalized groups of people,

Referring to existing IPU resolutions, including those on human rights (2004), civil society (2005), universal democratic and electoral standards (2007); freedom of expression and the right to information (2009), youth participation in the democratic process (2010), citizen engagement in democracy (2013), democracy in the digital era (2015), women's political participation (2016), the threat posed by terrorism to democracy and human rights (2016), as well as the IPU's Plan of Action for Gender-sensitive Parliaments (2012),

Noting that democracy is both an ideal to be pursued and a mode of government, as stated in the Universal Declaration on Democracy, to be applied according to the modalities which reflect the diversity of experiences and cultural and political particularities, without derogating from internationally recognised principles, norms and standards,

Also noting the close relationship between democracy and sustainable development, and drawing attention to the importance of democratic governance for the achievement of the Sustainable Development Goals (SDGs) as enshrined in the outcome document of the United Nations Summit on the Post-2015 Development Agenda entitled *Transforming our world: The 2030 Agenda for Sustainable Development*,

Confirming the central role of parliaments in democracy, and the need for representative, transparent, accessible, accountable and effective institutions at all levels,

Wishing to foster active citizen engagement in the democratic process and in the activities of governments at all levels, including among young people, and committed to achieving gender equality in political decision-making,

Underscoring the vital importance of a strong, pluralistic and freely operating civil society in keeping governments accountable, as well as of access to independent, credible and reliable information, and *reiterating* that freedom of expression is a cornerstone of democracy that permits the free flow of ideas,

Noting the new opportunities for democratic participation offered by digital media, as well as the challenges they can present, and *underscoring* the need to safeguard and promote fundamental rights, such as the right to personal safety and integrity, the right to privacy and the right to determine the disclosure and use of one's own personal data,

Also noting that peace, security and development are major enablers of democracy, and *expressing deep concern* about violent extremism and terrorism in all its forms, which aim to eliminate democracy, human rights and basic freedoms and which constitute a threat to peace and security,

Recognizing the importance of democratic principles in international relations and the important role of international and regional organizations in upholding these principles,

Expressing support for the 2007 UN General Assembly resolution 62/7 to designate 15 September as the International Day of Democracy,

1. *Reaffirms* that democracy is a universal value that does not belong to any country or region and that, as a system of government, democracy contributes to the fulfillment of human potential, the eradication of poverty, the development of open and peaceful societies and the improvement of relations among nations;
2. *Reiterates* that building a democratic society requires respect for international law and for the principles of the rule of law, human rights, respect for diversity and the equitable inclusion of all citizens, gender equality, and the protection of persons with disabilities, migrant workers and members of their family, national or ethnic, religious and linguistic minorities as well as vulnerable or marginalized groups of peoples;
3. *Reaffirms* the role and the importance of the opposition as a key component of democracy, which criticizes and scrutinizes the government and the parliamentary majority, and represents political alternatives and the interests of the sections of the population in the political minority;
4. *Calls on* parliaments and all public institutions to take action and continually work to attain and uphold the principles and values established in the Universal Declaration on Democracy;
5. *Reaffirms* the importance of the separation of powers between the legislative, executive and judicial branches of government, *underscores* the importance of securing the independence of parliaments and the judiciary through the constitution and legislation, and *urges* parliaments to enhance their capacity to oversee the policies, administration and expenditure of the executive as part of a system of checks and balances;
6. *Calls on* parliaments to strengthen citizen engagement and public participation in the democratic process, and *encourages* parliaments to continue to improve their working methods to facilitate the participation of civil society and ordinary citizens in their deliberations;
7. *Urges* parliaments and governments to accelerate their efforts to achieve equality between men and women in decision-making processes at all levels of national, regional and international institutions, to ensure equality in all areas of life, including by introducing affirmative action in policies, legislation and gender-responsive budgeting, to provide for gender equality in the law and in practice, and to ensure gender-responsive democratic processes that duly include women's participation and perspectives;
8. *Calls on* parliaments and political parties to adopt measures to enhance active involvement and participation of youth in the electoral process and in parliament's business, as well as youth representation at all levels of national, regional and international institutions, including in parliament;

9. *Also calls on* parliaments to ensure that legislation is in place that fully guarantees and protects freedom of expression so that politicians, journalists, human rights defenders and other ordinary citizens can speak publicly on matters of concern without fear of reprisals, to denounce any such reprisals and to do everything in their power to ensure the protection of persons at risk and the punishment of those responsible for such acts;
10. *Urges* parliaments and governments to take legislative and institutional steps to ensure the progressive achievement and consolidation of democratic goals, including through the establishment of an independent and impartial mechanism for the management of elections;
11. *Calls on* parliaments to condemn and reject the removal of an elected government through unconstitutional means;
12. *Encourages* parliaments, governments, and political parties, journalists and civil society to denounce all forms of speech, including online, which degrades others, promotes hatred and encourages violence against any group; to promote respect for diversity and pluralism in public discourse; to build partnerships with technology companies and adopt all adequate legislative measures in order to prevent and eliminate hate speech, cyber harassment, bullying and violence, in particular against women and girls;
13. *Launches* an urgent appeal to parliaments to promote equal access for everyone to the Internet and new technologies, and the inclusion of civic education in the school curriculum, including education for democracy, human rights, inclusion and respect for diversity, gender equality, freedom of religion and sustainable development;
14. *Calls on* parliaments to enhance their contribution to achieving the SDGs, and to hold governments to account for progress in meeting development targets, in the spirit of leaving no-one behind;
15. *Urges* respect for democratic principles in inter-State relations as well as in international organizations, and *underlines* its conviction that principles of democracy must be applied to the international management of issues of common concern to humankind, in particular the human environment;
16. *Calls on* the IPU to continue to support efforts of parliaments to strengthen democracy and ensure good governance;
17. *Also calls on* IPU Member Parliaments to renew their efforts to implement the provisions of all IPU resolutions related to democracy, as well as the IPU Plan of Action for Gender-sensitive Parliaments and *requests* the IPU to monitor and regularly report on progress as part of its overall strategy to promote democracy;
18. *Invites* the United Nations to examine the possibility of designating 30 June as the International Day of Parliamentarism in commemoration of the creation of the IPU on 30 June 1889.

Threats to peace and international security arising from nuclear tests conducted by the Democratic People's Republic of Korea (DPRK)

Results of the roll-call vote on the request of the delegations of Mexico and Japan for the inclusion of an emergency item

Results

Affirmative votes	478	Total of affirmative and negative votes ...	686
Negative votes	208	Two-thirds majority	457
Abstentions	581		

Country	Yes	No	Abst.	Country	Yes	No	Abst.	Country	Yes	No	Abst.
Afghanistan		Absent		France			18	Pakistan			20
Albania		Absent		Gabon			11	Palestine		6	5
Algeria			15	Germany	19			Panama	Absent		
Andorra			10	Ghana	7		7	Paraguay	Absent		
Angola			14	Greece	8		5	Peru	Absent		
Argentina	16			Guatemala	Absent			Philippines	10		
Armenia	9		2	Guinea	Absent			Portugal	13		
Australia	14			Guinea-Bissau	Absent			Qatar		8	
Austria	6		6	Guyana			10	Rep. of Korea	17		
Azerbaijan	Absent			Haiti	Absent			Rep. of Moldova	Absent		
Bahrain		11		Hungary	13			Romania			14
Bangladesh		20		Iceland	10			Russian Federation	10		10
Belarus	Absent			India	23			Rwanda	Absent		
Belgium	13			Indonesia		22		Samoa	Absent		
Benin			12	Iran (Islamic Rep. of)		9	9	San Marino	5		5
Bhutan	Absent			Iraq		10		Saudi Arabia		14	
Bolivia (Plurinational State of)		12		Ireland	Absent			Serbia	Absent		
Bosnia and Herzegovina	Absent			Israel	12			Seychelles	Absent		
Botswana	Absent			Italy			17	Singapore	12		
Brazil	22			Japan	10			Slovakia	Absent		
Bulgaria	Absent			Jordan		12		Slovenia	Absent		
Burkina Faso	Absent			Kazakhstan	Absent			Somalia			11
Burundi	Absent			Kuwait			11	South Africa			17
Cabo Verde	10			Kyrgyzstan	Absent			Spain	Absent		
Cambodia	13			Lao People's Dem. Republic	8		4	Sri Lanka	Absent		
Cameroon	Absent			Latvia	11			Sudan		15	
Canada	15			Lebanon			11	Suriname			10
Central African Republic	Absent			Lesotho	Absent			Swaziland	Absent		
Chad	13			Liechtenstein			10	Sweden		13	
Chile	7		6	Luxembourg	Absent			Switzerland	6		6
China	4		19	Madagascar			10	Syrian Arab Rep.	Absent		
Colombia	10			Malawi	Absent			Tajikistan	Absent		
Comoros			10	Malaysia			14	Thailand	Absent		
Congo	Absent			Maldives	Absent			The FYR of Macedonia	Absent		
Costa Rica	10			Mali	Absent			Timor-Leste	Absent		
Côte d'Ivoire	10		3	Malta	Absent			Togo	Absent		
Croatia	Absent			Mauritania			10	Tunisia			13
Cuba		13		Mauritius			10	Turkey			18
Cyprus	Absent			Mexico	20			Turkmenistan	Absent		
Czech Republic	13			Micronesia (Fed. States of)	8			Tuvalu	Absent		
DPR of Korea		12		Monaco	Absent			Uganda			15
DR of the Congo			17	Mongolia	Absent			United Arab Emirates		11	
Denmark	10			Morocco		15		United Kingdom	18		
Djibouti			10	Mozambique	Absent			United Republic of Tanzania			15
Dominican Rep.	Absent			Myanmar	17			Uruguay			11
Ecuador			13	Namibia			10	Uzbekistan	Absent		
Egypt			19	Netherlands	Absent			Venezuela (Bolivarian Rep. of)	7	5	3
El Salvador			12	New Zealand	Absent			Viet Nam	19		
Equatorial Guinea			11	Nicaragua			8	Zambia	Absent		
Ethiopia			10	Niger	Absent			Zimbabwe			13
Fiji	Absent			Nigeria			20				
Finland	Absent			Norway	Absent						
				Oman			11				

Ending the grave human crisis, persecution and violent attacks on the Rohingya as a threat to international peace and security and ensuring their unconditional and safe return to their homeland in Myanmar

Results of the roll-call vote on the request of the delegations of Morocco, Indonesia, United Arab Emirates, Bangladesh, Kuwait, Islamic Republic of Iran, Sudan and Turkey for the inclusion of an emergency item

R e s u l t s

Affirmative votes..... 1,027 Total of affirmative and negative votes .. 1,062
 Negative votes 35 Two-thirds majority..... 708
 Abstentions 205

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

Humanitarian situation in Rakhine State

Results of the roll-call vote on the request of the delegation of Myanmar for the inclusion of an emergency item

Results

Affirmative votes	47	Total of affirmative and negative votes ...	674
Negative votes	627	Two-thirds majority	449
Abstentions	593		

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

Ending the grave human crisis, persecution and violent attacks on the Rohingya as a threat to international peace and security and ensuring their unconditional and safe return to their homeland in Myanmar

Resolution adopted by consensus by the 137th IPU Assembly
(St. Petersburg, 17 October 2017)*

The 137th Assembly of the Inter-Parliamentary Union,

Recalling the Resolution adopted unanimously by the 117th IPU Assembly (Geneva, 10 October 2007) on *The urgent need to immediately stop the widespread human rights violations and to restore the democratic rights of the people of Myanmar*, and also recalling the Resolution adopted unanimously by the 133rd IPU Assembly (Geneva, 21 October 2015) on *The role of the Inter-Parliamentary Union, parliaments, parliamentarians, and international and regional organizations in providing necessary protection and urgent support to those who have become refugees through war, internal conflict and social circumstances, according to the principles of international humanitarian law and international conventions*,

Reaffirming the relevant United Nations General Assembly resolutions, including resolutions 70/233, 68/242, 67/233 and 66/230 on the Situation of human rights in Myanmar,

Taking into account the Charter of the United Nations (1945), the Universal Declaration of Human Rights (1948), the United Nations Declaration on the Elimination of All Forms of Racial Discrimination (1963), the International Covenant on Civil and Political Rights (1966) and the First Optional Protocol (1966),

Recalling United Nations General Assembly resolution 64/238 which recognizes the Rohingya ethnic minority in the Northern Rakhine State of Myanmar and United Nations General Assembly resolution 69/248 which urges the Government of Myanmar to grant citizenship and equal rights to the Rohingya ethnic minority,

Profoundly distressed by the continuing violence, forced displacement and serious violations of human rights experienced by ethnic Rohingya in the Rakhine State of Myanmar,

Particularly shocked by the practice of ethnic cleansing in the Northern Rakhine State of Myanmar which is aimed at the displacement or destruction of ethnic or religious groups,

Expressing concern over the unprecedented exodus of the Rohingya to Bangladesh and the humanitarian and potential security consequences for Bangladesh and the region,

Taking note of the United Nations Secretary-General's comments and concerns regarding ethnic cleansing,

Welcoming the Government of Bangladesh's efforts to assist the forcibly displaced Rohingya by offering temporary refuge and *appreciating* the support provided by United Nations agencies and other countries and international partners,

Deeply concerned by the placing of anti-personnel mines in violation of international norms along the border to prevent the Rohingya from returning to Myanmar,

Welcoming the final report and recommendations of the Advisory Commission on Rakhine State led by Kofi Annan,

Expressing deep sorrow for the victims of the atrocities perpetrated by the Myanmar security forces and extremist ethnic Rakhine civilian vigilantes and *also expressing* profound sympathy to the Rohingya,

* The delegation of China expressed a reservation on parts of the resolution, while the delegation of Myanmar rejected the entire resolution.

1. *Strongly condemns* all gross violations of human rights in the Rakhine State of Myanmar, including the loss of many innocent lives, and, particularly, the abhorrent practice of ethnic cleansing, and *calls on* the Government of Myanmar to cease these violations with immediate effect and ensure full respect for the human rights and fundamental freedoms of all persons, without distinction of race or religion;
2. *Supports* the United Nations Human Rights Council's decision to send an independent, accountable multinational team to investigate the alleged human rights violations committed by the security forces in Rakhine State;
3. *Expresses grave concern* regarding the recent atrocities perpetrated by security forces and their extremist civilian accomplices against the Rohingya minority, which constitute serious and blatant violations of international laws;
4. *Calls upon* the authorities of Myanmar to take urgent and immediate action to end all violence and to confront all practices that are in violation of human rights, international law and the international covenants;
5. *Also calls upon* the United Nations Security Council, the United Nations Human Rights Council and all relevant international and regional organizations to urgently intervene without delay and halt the human tragedy affecting the Rohingya minority, and to address the crisis, which represents a threat to international security and peace;
6. *Appreciates* the efforts of the Government of Bangladesh to provide some one million distressed Rohingya with, inter alia, shelter, food, sanitation, water and medical attention;
7. *Also appreciates* the Government of Indonesia's support for the processes of military reform and democratization in Myanmar by respecting democratic values and ensuring the protection of minorities;
8. *Further appreciates* the solidarity expressed by other countries, as well as United Nations agencies and other international organizations to the forcibly displaced Rohingya, and the support and assistance that they have provided;
9. *Invites* all IPU Member Parliaments to join the efforts towards securing the basic rights of the Rohingya, extending humanitarian support to the Rohingya and supporting the action of Bangladesh and the international community aimed at the sustainable return of the Rohingya people to their homeland of Myanmar, and *also invites* them to contribute to the restoration of stability and security in Rakhine State;
10. *Regrets* that the Parliament of Myanmar has yet to take any measures to halt the violence and put an end to the tragic situation affecting the Rohingya in Rakhine State;
11. *Strongly stresses* that the Government of Myanmar must eliminate the root causes of the crisis, including the denial of citizenship to the Rohingya people based on the 1982 Citizenship Act which has led to their statelessness and deprivation of their rights, and to their continued dispossession;
12. *Firmly calls upon* the authorities of Myanmar to grant citizenship and all other rights to the Rohingya people, including freedom of movement and access to the labour market, education and health and social services;
13. *Calls on* the Government of Myanmar
 - (a) to cease the violence and practice of ethnic cleansing in Rakhine State immediately, unconditionally and forever,
 - (b) to ensure the sustainable return of all forcibly displaced Rohingya sheltered in Bangladesh to their homes in Myanmar within the shortest possible time,
 - (c) to implement the recommendations of Kofi Annan's Commission Report immediately, unconditionally and entirely;
14. *Urges* the international community, in particular the United Nations, to seriously consider further action to address the ongoing crisis in Myanmar and *calls on* the Government of Myanmar to urgently grant access to the United Nations Fact-Finding Mission to Myanmar so that it can conduct a thorough and independent investigation into all alleged atrocities and gross violations of human rights in Rakhine State;

15. *Recommends strongly* the creation, as required, of temporary safe zones inside Myanmar under United Nations supervision to protect all civilians irrespective of religion and ethnicity;
16. *Calls for* a sustainable solution to the human rights situation in Rakhine State through the formulation of a peace-building plan;
17. *Also calls for* inclusive integration programmes for Rohingya refugees in the receiving countries;
18. *Recommends* unfettered media and humanitarian access in the Northern Rakhine State;
19. *Strongly calls upon* the Government of Myanmar to take measures against the anti-Rohingya hate campaign in Myanmar as well as to stop civilian vigilantism and extremism;
20. *Urges* all parliaments to encourage their respective governments to intensify diplomatic pressure on Myanmar at all levels to put an end to the tragic situation in the Rakhine State of Myanmar which constitutes a grave threat to international peace and security;
21. *Calls on* the IPU through its Committee to Promote Respect for International Humanitarian Law to explore appropriate and practical measures to be undertaken by the global parliamentary community to address the situation of the Rohingya people and provide a peaceful and sustainable solution to the crisis and, in particular, to invite all IPU Member Parliaments to inform the IPU of all measures they have taken in that regard in order that the IPU may report on the implementation of this Resolution at the 138th IPU Assembly;
22. *Requests* the IPU Secretary General to convey the present resolution to the IPU Member Parliaments, the United Nations Secretary-General and the relevant international and regional organizations;
23. *Resolves* to remain vigilant regarding further developments in Myanmar.

Report of the Standing Committee on Peace and International Security

*Noted by the 137th IPU Assembly
(St. Petersburg, 18 October 2017)*

The Standing Committee on Peace and International Security held two sittings on 17 and 18 October 2017 with its President, Ms. L. Rojas (Mexico), in the Chair.

Panel discussion on *The role of parliament in monitoring the action of national armed forces participating in UN peacekeeping operations,*

During the first panel discussion on 17 October the Committee heard one keynote expert, Mr. H. Born, Assistant Director and Head of the Policy and Research Division, Geneva Centre for the Democratic Control of Armed Forces. He presented the topic, focusing on the perspective of parliaments of troop contributing countries (TCCs). He explained that the generic functions of parliament can be applied to peacekeeping operations (PKOs) and underscored that there was no "best" system but that good practices with regard to parliamentary oversight of PKOs could be applied once adapted to local context.

Parliamentary oversight of PKOs required particular institutional arrangements especially at the committee level. Those arrangements included the passing of special legislation on deployments abroad (e.g. Sweden) or oversight at the early stages of international decision-making on missions abroad (e.g. Finland). Parliaments could also issue prior approval of deployments, whether for civilian, police/civilian and/or military operations.

A total of 18 speakers took the floor during the discussion that followed. Several of them from TCCs explained their monitoring practices and asked to be fully involved in PKOs from the outset and at all stages, in particular when the United Nations was planning the deployment of financial and human resources. Impunity was also the subject of much discussion and speakers exchanged experiences on how to combat abuses. Most of the participants expressed their parliament's views on the challenges they faced in exercising their oversight function of troops involved in PKOs and said that world leaders should realise that the time had come for parliaments to be involved in conflict prevention and management at the highest level.

Panel discussion, on *The implementation of a previous resolution on cyber warfare,*

The Standing Committee heard two panellists: Ambassador D. Stauffacher, President of the ICT4Peace Foundation and Mr. K. Geier, Head of International Cyber Policy Coordination Staff at the Germany's Federal Foreign Office. They discussed the challenges to the implementation of the 2015 IPU resolution and briefed the Standing Committee on the wider topic of cyber-security, with a view to enabling parliamentarians are able to tackle the real dimensions of the issue and to examine current and new threats to peace and global security. In the early 2000's the United Nations had begun reflecting on how ICT could contribute to peace. The tremendous development of the Internet over recent years meant that it had billions of users; such global connectivity had positive and negative aspects. The inexpensive development of tools and new means of interaction between people and governments made ICTs useful for peacebuilding and peacekeeping. That said, a peaceful, open and free cyberspace must not be taken for granted; cyber security was being challenged not only by criminals, hackers and terrorists but also for strategic purposes. ICTs, including social media, were used for terrorist purposes, the prevention of which should be key to new policies. A global security agenda was being devised and should be implemented to eliminate the problem. Confidence-building measures must also be implemented; confidence could be created through joint efforts by countries to tackle common challenges together. By working together to build confidence, security would be enhanced.

Although the potential damage that could be caused by ICTs had sometimes been compared to that of nuclear weapons, nuclear weapons had been used on two occasions, at a time when their effects were not fully understood. ICTs were already being used frequently in international conflicts. Even if they were not being used for cyberwarfare as such, they were becoming an element of conflict in conventional disputes or conflicts below threshold of real armed conflict. In other words, ICTs were already affecting international security.

A total of 17 speakers took the floor during the subsequent discussion. The majority of the interventions referred to good governance and the fact that sovereignty should be respected in cyberspace. They also underlined that malicious cyber activities by terrorists undermined economic development and threatened security, including endangering information, spreading computer viruses, instigating

sabotage and promulgating fake data. While very few parliaments had actually taken steps to implement the 2015 resolution on cyber warfare, the representative of Pakistan explained that the Parliament of Pakistan had passed legislation on the prevention of electronic crime in 2016. The adoption of such legislation constituted a step towards preventing cybercrime and cyber warfare in general, and set out sanctions for offences in that regard.

Expert hearing on *Sustaining peace as a vehicle for achieving sustainable development*

On 18 October, the Standing Committee held an expert hearing on the topic of a resolution expected to be adopted by the 138th IPU Assembly in Geneva (Switzerland). The hearing opened with the statements by three experts: Mr. H.-J. Brinkman, Chief, Policy Planning and Application Branch/UN Peacebuilding Support Office, Ambassador G. Bächler, Special Representative of the Organization for Security and Co-operation in Europe for the South Caucasus and Mr. H. Born, Assistant Director and Head of the Policy and Research Division, Geneva Centre for the Democratic Control of Armed Forces.

They recalled that over the past two years, despite some US\$ 71 billion having been spent on peacekeeping around the world, very severe outbreaks/relapses of violence had continued in places like South Sudan and Yemen. They also highlighted that comprehensive approaches, inclusiveness, national ownership and partnerships were the key to development, and underscored the importance of peacebuilding both before and after conflicts, not just as a post-conflict effort that occurred after peace keeping, as had traditionally been the case. Such traditional approaches were less relevant given the changing nature of conflict. Early warning systems, which were urgently needed, were not yet well developed. Members of parliament had a responsibility to make early warning and prevention more robust and more accessible for political leaders to assist them in decision-making.

The speakers also drew attention to several studies on climate change and conflict in the 1990s, which had shown a link between scarcity of resources, pollution and conflict. In addition, the number of internal conflicts (domestic conflicts, civil wars) was increasing, and those conflicts tended to become internationalized. Mediation in such conflicts was partially successful and should be taken into account as a crucial means of reducing violence. If the international community did not care, conflicts would resume.

After hearing the experts' interventions, a total of 12 speakers, including one observer organization, took the floor. During the discussion participants agreed that there could be no peace without development and vice versa, and neither peace nor development without respect for human rights. Vibrant democracy was a vital tool for preventing conflict and obtaining sustainable peace.

They also recalled the resolution adopted during the 136th Assembly on *The role of parliament in respecting the principle of non-intervention in the internal affairs of States*. Based on that resolution, all countries had a right to formulate their own sustainable development programmes development and control their own resources without supervision by other powers or parties, and should all enjoy just and fair exchange with partners.

One speaker summarized the discussions by saying that the draft resolution should include three main elements: the consolidation of democracy as the path to realizing peace and stability; the prevention of foreign interference in the affairs of States; and the importance of the interconnected nature of sustainable development and peace.

The two co-rapporteurs took the floor after the discussions to conclude and explain their preliminary views on the topics. They also gave information on the key moments in the timeframe for work between the 137th and the 138th Assemblies.

The report of the work of the Standing Committee was presented to the Assembly at its last sitting on 18 October by the President of the Standing Committee, Ms. L. Rojas (Mexico).

The Bureau of the Standing Committee met on 17 October 2016, with 14 out of 18 Bureau members present.

The President of the Committee began by informing the Bureau members about the discussions held during the Joint Meeting of Chairpersons of the Geopolitical Groups and Presidents of the Standing Committees, and the outcomes of the Meeting.

The Bureau established the Committee's work programme for the 138th IPU Assembly. It decided that the entire time allocated to the Committee should be devoted to discussion of its draft resolution. It also proposed that a side event on implementation of the ATT should be organized. These proposals were subsequently approved by the Standing Committee at the end of its last plenary sitting on 18 October.

Report of the Standing Committee on Sustainable Development, Finance and Trade

*Noted by the 137th IPU Assembly
(St. Petersburg, 18 October 2017)*

The Standing Committee on Sustainable Development, Finance and Trade met on 16 and 17 October 2017 with its Vice-President, Mr. A. Cissé (Mali), in the Chair.

Parliamentary contribution to the 2017 United Nations Climate Change Conference

During this segment, the Standing Committee discussed the draft outcome document of the Parliamentary Meeting at the United Nations Climate Change Conference that would take place on 12 November in Bonn.

The session started with a presentation of the study entitled "Global trends in climate change legislation and litigation", another important milestone in the cooperation between the IPU and the Grantham Research Institute on Climate Change and the Environment at the London School of Economics and Political Science. The study and the associated database provided information about national climate change legislation and policies in 164 countries, as well as climate litigation cases from 25 countries. Ms. A. Averchenkova, Principal Research Fellow at the Grantham Institute, stressed that the database and the study constituted a tool that facilitated law-making as a first critical step in ensuring that the Paris Agreement translated into national action on climate change.

Ms. B. Höhn, member of the German Parliament and a co-rapporteur to the Parliamentary Meeting in Bonn, introduced the draft outcome document to the Committee. She stressed that the Parliamentary Meeting in Bonn could be fundamental to help understand how the policies and provisions set out in the Paris Agreement would be implemented at the national level. The draft document paid particular attention to the specific situation of the small island developing States (SIDS) and the urgent need to tackle the impact of climate change there.

Mr. J. Usamate (Fiji), a panellist, stressed that climate change was not a computer model but an imminent threat to the existence of many SIDS. Parliaments had an important role in countering climate change and must make use of opportunities to act and save entire nations. Action in the SIDS today would save lives in other countries tomorrow.

A total of 16 delegates took the floor and commented on the draft outcome document. They largely expressed agreement with the text and highlighted that the implementation of the Paris Agreement was a prime opportunity for all countries to transition from non-renewable to renewable energy sources. The particular vulnerability of the SIDS was underscored, as was the high cost of technology transfers. Participants were encouraged to submit all comments on the draft in writing. The SIDS parliaments presented the outcome document of the meeting they had held on 14 October and asked that it be made available to the participants of the Parliamentary Meeting in Bonn.

Debate on *Engaging the private sector in implementing the SDGs, especially on renewable energy*

This debate was organized on the theme of the Standing Committee's forthcoming resolution, which was expected to be adopted at the 138th Assembly in Geneva, Switzerland. The purpose of the debate was to provide the Committee with an opportunity to exchange views about opportunities and challenges in transferring from fossil fuels to renewable energy and engaging the private sector in the process. The debate also provided the co-rapporteurs with initial information about IPU Member Parliaments' approaches to the issue.

The theme was introduced by the co-rapporteurs, Mr. A. Gryffroy (Belgium) and Mr. Duong Quoc Anh (Viet Nam). They gave the perspectives of developed and developing countries. They stressed the need for stronger private sector engagement in the transfer to renewable energy, particularly in ensuring easier and more affordable access to technology.

Parliaments could do much to ensure this engagement and promote greater access to renewable energy. While there was generally sufficient political will to do this for large projects, such as solar energy fields, efforts were still needed to create the same momentum for small- and medium-sized projects. Particular attention should be paid to creating conditions that would make private sector investments more secure.

After the co-rapporteurs had spoken, the floor was given to Mr. A. Whiteman of the International Renewable Energy Agency (IRENA). He emphasized the easiness of access to renewable energy, which in most places in the world could be produced locally. The challenge was to ensure the transfer of technologies and the right legislative and policy framework to guarantee scale up.

Mr. Whiteman emphasized the important role of parliaments in that regard, while also underscoring that many parliamentarians faced the challenge of dealing with the vested interests of the traditional energy industry. Countering those challenges and working for the interests of the people should be a main concern for parliamentarians.

Evidence showed that in many countries people had decided to solve the problem for themselves and install solar panels on their houses. While the amount of electricity produced per household may not be big, the result was that cumulatively a lot of off-grid use of renewable energy went unrecorded. Parliaments needed to make sure that adequate legislative and policy frameworks were in place to regulate and support that positive popular movement.

A total of 25 delegates took part in the debate that followed. Most of them shared the good practices that their countries had put in place for transfers to renewable energy and several representatives provided specific examples of laws and policies that their parliaments had developed in that regard. The importance of ensuring accountability and transparency of contracts was also mentioned. Parliaments were encouraged to take urgent action as technology was developing fast.

To conclude the debate, the co-rapporteurs reflected on the input received and how they would like to include it in the draft resolution. They invited participants to send them written comments.

Panel discussion on *Using science and research to achieve the highest health standards*

The panel discussion was moderated by Ms. F. Bustreo, Assistant Director-General of the World Health Organization (WHO). It benefitted from the expert contribution of Ms. N. Luo (Zambia); Ms. P. Locatelli (Italy); Mr. A. Rios, Associate Professor, University of Texas; Mr. P. Kakkatil, Director of Programme Partnerships, Innovations and Fundraising, UNAIDS; and Ms. E. Baybarina, Ministry of Health, Russian Federation.

Ms. Bustreo set the scene, highlighting the key role that parliamentarians could play in linking science with legislation and policy.

Ms. Luo explained that the Zambian Parliament had taken the advice of scientists to respond to the a recent HIV epidemic among young adolescents. Scientists had made a vital contribution to Parliament's understanding of the causes of the epidemic, thus enabling it to put in place effective legal and policy responses. It had emerged that the surge in HIV cases had been caused by an increased incidence of child marriage. As a result, a national strategy had been adopted to fight that practice.

Ms. Locatelli admitted that the Italian Parliament had found itself unprepared to respond to a rampant surge in inaccurate information about the effects of vaccines on children. Although the media had played a key role in conveying distorted messages, parliamentarians should continue to collaborate with the media to disseminate evidence-based messages and encourage parents to rely on accurate information.

Ms. E. Baybarina said that turning scientific evidence on sexual and reproductive health into policymaking was one of her Department's priorities and, to that end, constant interaction between scientists and politicians would be needed to bridge the gap between how scientists thought and how policymakers worked.

Mr. A. Rios also stressed the importance of bridging the gap between scientists and politicians. He called for an international agreement on principles to guide the interactions between politicians and scientists to do no harm. Altruism and common good should be the leading principles.

Mr. P. Kakkatil said that the AIDS movement provided plenty of information about how the positive effects of scientific advances ultimately reached and served the interests of all populations, regardless of their economic and social status. He also emphasized the need to include communities and their representatives in the health response at all levels in order to collect community-based data and better reach the most in need.

In the ensuing debate, 15 representatives took the floor. They highlighted the need for parliamentarians to work closely with scientists to develop informed legislation, on health specifically, and also more broadly.

They underscored the key role of scientific advances in the development of national economies and life standards, with a focus on health research and innovation that helped to produce new drugs, establish innovative medical facilities and services and ultimately reach unserved portions of population. Updated scientific evidence should be made available through parliamentary libraries. The role of parliaments in passing budget bills that included investments in scientific research was also highlighted. In some countries, scientific evidence had been used to strengthen legislation on child marriage and harmonize it with international standards, especially in humanitarian settings.

Elections to the Bureau

The Committee elected Mr. M. Djellab (Algeria) from the African Group and Ms. D. Soliz (Ecuador) from GRULAC to fill the existing vacancies on the Committee Bureau.

The Committee approved the proposal from the Bureau to dedicate time allocated to the Committee at the 138th IPU Assembly to the drafting of the resolution.

Report of the Standing Committee on United Nations Affairs

*Noted by the 137th IPU Assembly
(St. Petersburg, 18 October 2017)*

The President, Mr. Anti Avsan, opened the meeting.

The appointment of a new member to the committee's bureau, Ms. A. D. Dagban-Zonvide (Togo), was confirmed. The committee adopted the bureau's recommendation to suspend two members under Rule 10.2, Ms. G. Ortiz (Mexico) and Ms. A. Bimendina (Kazakhstan).

The record of the previous session was adopted without objection.

Mr. Avsan then proceeded to open the plenary debate, which consisted of two sessions.

Panel discussion on *The parliamentary dimension to the United Nations – 20 years in the making*

This panel discussion featured Ms. A. Filip, Director of External Relations (IPU), as main presenter, and Senator D. Dawson (Canada) as discussant. Fourteen interventions were made from the floor.

The debate took stock of the relationship between IPU and the UN over the past twenty years and assessed the extent to which the original vision of a "parliamentary dimension" to the work of the UN has been realized. As an intergovernmental organization, the UN cannot claim to fully represent "the peoples" of the world, as stated in its Charter, because most governments are elected with less than fifty per cent of the popular vote. At the same time, globalization has left many people clamoring for greater representation in international organizations, such as the UN.

As the world organization of national parliaments, the IPU is best positioned to link the elected representatives of the people to the UN and, in the process, help fill the "democracy gap in international relations". The UN itself has taken steps to welcome the contribution of parliaments to its decision-making processes, most notably by granting observer status to IPU. A number of UN resolutions and declarations over the years attest to the UN's openness to work closely with parliaments and with IPU to advance the international agenda in all domains, from peace and security to human rights, sustainable development and democracy. The UN General Assembly is expected to adopt a new resolution on interaction between the UN, national parliaments and IPU in the spring of 2018.

While the relationship between the two organizations has grown dramatically over the years, many challenges undoubtedly remain. The relationship is fundamentally asymmetric in that the UN is much larger than IPU and, as an inter-governmental organization, is keen to maintain its own political independence from the legislative branch. Despite IPU's success in contributing a parliamentary perspective to many UN processes, the UN is not obliged to take on board all of the political input it receives from parliaments or IPU. It does, however, need IPU's support to facilitate the implementation of UN agreements by national parliaments.

At the operational level, the UN and IPU work together under two cooperation agreements and through regular senior management meetings on an increasing number of projects and activities planned at their global headquarters. The relationship is somewhat more tenuous in the field, where UN Country Teams and national parliaments have yet to develop a structured approach to joint work.

Strengthened rapidly over several years, the relationship between IPU and the UN has more recently plateaued. This is partly because IPU lacks the resources to follow all relevant UN processes and to exploit all available opportunities for interaction, at both political and operational levels. At the same time, many parliaments are not equipped to process the outcome of UN processes directly or to hold their governments to account for their positions at the UN. Parliamentarians attending UN meetings all too often fail to report back to their colleagues. Ultimately, if IPU's relationship with the UN is to continue growing in strength and impact, national parliaments must themselves grow stronger vis-à-vis their respective governments.

Going forward, and in anticipation of next year's General Assembly resolution, the following recommendations emerged from the debate:

- Parliaments need to demand more regular reports on the UN from their governments, including by directly convening hearings with ambassadors and UN officials;
- MPs attending UN debates either as IPU delegates or as members of national delegations need to share information more systematically with their colleagues, so as to empower parliament as a whole and prompt debate on global issues;
- Parliaments need to allocate more financial and human resources to support their engagement in global affairs;
- In its dealings with the UN, IPU needs to advocate greater interaction between UN Country Teams and national parliaments;
- IPU's membership (176 parliaments) needs to more closely mirror the larger UN membership (193 countries);
- IPU needs to partner more closely with parliamentary networks, regional parliaments and other parliamentary organizations to better represent the entire global parliamentary community at the UN.

Panel discussion on *The role of the UN General Assembly in international governance: What path forward?*

This panel discussion featured Ambassador T. Christensen (Denmark), former Chief of Staff to two Presidents of the General Assembly, as main presenter, and Ms. M. Bartos, MP (Hungary) as discussant. Eight interventions were made from the floor.

The debate focused on the question of the relevance of the UN General Assembly (GA) in today's system of international governance. The GA, with a nearly universal membership of 193 sovereign states, is the chief deliberative body of the United Nations. While its resolutions are not legally binding, the GA plays a critical role as a convener of Member States to debate global issues and recommend action to address them. And yet, compared with the smaller and less representative Security Council, the GA has struggled over the years to assert its authority and heighten its prominence among parliamentarians and the public at large.

To help raise the GA's profile and improve its working methods, the UN set up an ad-hoc committee several years ago to develop recommendations for reform. Chief among them was a recommendation to strengthen the role of the President of the General Assembly (PGA), which for most of the GA's history has performed a ceremonial role. As a result, the PGA's mandate has been expanded and his/her office better equipped to play a stronger convening role, steer political negotiations, and help set the agenda. In particular, the PGA is now entrusted with a greater role in managing the process for the selection of the UN Secretary-General. This includes convening hearings of the GA with candidates to the post and keeping Member States informed at all stages of the selection process.

However, it is not clear that the stronger leadership role the PGA plays today will suffice to empower the GA in ways that would render it more relevant. Part of the problem is that information about the work of the GA is poorly communicated to capitals around the world. Another problem is that the GA's consensus-based decision-making process, which nurtures a spirit of compromise, can lead to weak political outcomes.

Two other challenges to the authority of the GA have emerged in recent years: one is the Security Council's tendency to encroach on issues normally within the GA's purview; another is the emergence of the G20, and possibly other such informal groups, whose limited membership and focused agendas tend to command more attention. Although the UN was not constituted originally to help manage the global economy, which is what allows the G20 to step into the breach, the UN will need to play a stronger role in this domain if it is to help countries implement the comprehensive 2030 Agenda for Sustainable Development and attendant SDGs.

The following recommendations emerged from the debate:

- To the extent that a stronger role of the General Assembly in world affairs depends on its relationship with the Security Council, reforms of both bodies need to progress hand in hand. The Security Council in particular needs to be enlarged to better represent the GA's membership;
- IPU needs to provide direct input to the Ad Hoc Committee for the Reform of the General Assembly;
- IPU needs to work closely with the GA and the UN to help share GA resolutions and other outcomes with parliaments around the world.

In closing the session, the Committee President encouraged participants to hold debates on the relationship between their parliaments and the UN, the role they see for IPU in supporting that relationship, and the ways in which IPU and the UN can strengthen their cooperation. This will help prepare parliaments provide input for the upcoming GA resolution on interaction between the UN, national parliaments and IPU as soon as negotiations get underway in early 2018.

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The UN process for the prohibition of nuclear weapons: What hope for nuclear disarmament?

In the afternoon of 16 October 2017, an interactive session was convened by the IPU Standing Committee on United Nations Affairs and the Standing Committee on Peace and International Security, in cooperation with Parliamentarians for Nuclear Non-proliferation and Disarmament (PNND).

Moderated by Mr. A. Avsan, President of the IPU Standing Committee on United Nations Affairs, this special joint session featured the following speakers: H.E. Ambassador E. Whyte-Gómez, Permanent Representative of Costa Rica to the United Nations Office in Geneva and President of the United Nations Conference to Negotiate a Legally Binding Instrument to Prohibit Nuclear Weapons, Leading Towards their Total Elimination; Mr. B. Blair, President and Founder of Global Zero; Mr. A. Ware, Global Coordinator, Parliamentarians for Nuclear Non-proliferation and Disarmament (PNND); and Mr. J.-M. Collin, Associate Researcher at the Group for Research and Information on Peace and Security (GRIP) and member of ICAN (International Campaign to Abolish Nuclear Weapons). The IPU President, Mr. S. Chowdhury, spoke briefly at the opening to highlight the importance of the issue and the need for MP engagement.

Discussion centred on the ground-breaking Treaty on the Prohibition of Nuclear Weapons, adopted by the United Nations on 7 July 2017. Once it enters into force, this treaty will effectively render the possession, acquisition or transaction of nuclear weapons and related materials illegal under international law. However, as per other such treaties, the nuclear prohibition treaty (as it is commonly known) will apply exclusively to its signatories. Given that only 122 non-nuclear States (albeit a majority of UN membership) voted in favour of the treaty, and that only 53 of those have signed it so far, the question today is how to engage the nine known nuclear States and their allies so that they will eventually join the treaty or take other steps of their own steps toward nuclear disarmament.

Much more powerful today than 70 years ago, nuclear weapons pose a real and present danger to both people and the environment. While global stockpiles have gone down considerably since the end of the Cold War, to a total of about 15,000 warheads, the risk of a nuclear holocaust killing millions of people and laying waste to entire countries, either by accident or miscalculation, has never been so high.

The nuclear prohibition treaty is consistent with the landmark Nuclear Non-Proliferation Treaty (NPT) of 1970, whose implicit grand bargain was for the nuclear States to give up their weapons in exchange for the non-nuclear States committing themselves to never develop or otherwise acquire such weapons. In essence, countries joining the nuclear prohibition treaty carry forward the NPT's vision of a nuclear weapons-free world. The nuclear prohibition treaty complements other treaties banning weapons of mass destruction – chemical and biological – that have proven their effectiveness. Together, these treaties demonstrate that the security of all nations requires the force of international law. Like its predecessors, the nuclear prohibition treaty changes the discourse about nuclear weapons from one that tolerates their possession or acquisition, as a fact of *realpolitik*, to one that stigmatizes such weapons as a matter of principle and out of a deep concern for human well-being.

The nuclear prohibition treaty has a number of provisions to allow all countries, including the nuclear States, to join. That is likely to happen, however, only if the comprehensive solution outlined in the treaty is supported by incremental steps to bring the nuclear States and their allies into the fold. First and foremost, the international community needs to promote confidence-building measures to set the stage for further disarmament negotiations. These measures include: a declaration by nuclear States that a nuclear war can never be won and should never be fought; a pledge by nuclear States that they will never launch a nuclear attack on non-nuclear States; a declaration by the nuclear States against "first use" of nuclear weapons; and concrete steps by nuclear States to take their nuclear arsenals down from high alert and submit them to an internationally agreed verification system.

Given the impasse within the UN Disarmament Conference, a new opening toward a comprehensive solution on nuclear weapons may come with the United Nations High-Level Conference on Nuclear Disarmament, to be held in May 2018 in New York.

For the first time in an instrument of international law, the nuclear prohibition treaty explicitly calls on parliamentarians and other stakeholders to help strengthen the "public conscience" regarding the need for the total elimination of nuclear weapons, out of overarching moral considerations. Indeed, parliamentarians can take a number of steps toward nuclear disarmament, such as:

- Reach out to and engage with parliamentarians in countries that have yet to join the treaty (i.e., sign and ratify it), stressing that "inaction is no longer an option";
- Actively work to sensitize constituents and the public at large to the great danger of nuclear weapons, helping promote the sense of public outrage needed to pressure governments into action;
- Follow closely the process leading up to the 2018 High-Level Conference and require regular briefings from the government.

For its part, IPU must continue to engage with parliaments to build awareness of the nuclear prohibition treaty and all other initiatives for nuclear disarmament.

Presidential statement on the state of democracy in the world today

*Endorsed by the IPU Governing Council at its 201st session
(St. Petersburg, 18 October 2017)*

We are witnessing a worrying trend around the world: parliaments as institutions are coming under assault and Members of Parliaments are finding themselves increasingly under threat. As your President, I have spoken out against such events, which I consider to be attacks on democracy itself.

In many of these situations, the causes or symptoms of the crisis are similar: freedom of expression is under attack, making it very difficult for parliamentarians, the press and civil society to speak out against abuses; the powers of parliaments are undermined by the other branches of government: the executive and the judiciary; national election commissions are not functioning properly and are seen as instruments of the government to ensure their stay in power, and rampant corruption undermines basic notions of equality before the law and of accountable and well-managed public finances.

In this respect, I wish to denounce in the strongest terms the assassination of Ms. Daphne Caruana Galizia, a well-known journalist and researcher from Malta who led the Panama Papers investigations. We must speak out in defence of investigative journalism and in defence of the brave men and women journalists around the world who risk life and limb to bring us the facts. We express our sympathy and solidarity with the family of Ms. Galizia, who paid the ultimate price for denouncing corruption.

At a time when dialogue is most needed to resolve crises, we are seeing delegations coming to our Assemblies that do not represent the full spectrum of political views in the parliament. Members of Parliament are being targeted through threats, reprisals and other forms of intimidation, and political space is shrinking in many countries. I call for the release of Mr. Kem Sokha and all political prisoners, the safe return of all Cambodian MPs in exile, and an end to attacks on civil society and independent media. The report of the IPU Committee on the Human Rights of Parliamentarians is illustrative of this worrisome trend.

I am deeply concerned by the political situation in Cambodia, where criminal proceedings are allegedly being used to silence the opposition and prevent it from playing a meaningful role in the lead-up to the elections in 2018. Equally disturbing is the situation in the Maldives, where diminishing freedoms and a schism between the ruling party and the opposition are taking on troubling dimensions and are disrupting the functioning of the parliament.

In the Bolivarian Republic of Venezuela, the parliament's powers are being usurped and the principle of the separation of powers of the State is being undermined. Members of Parliament complain of harassment and intimidation by the authorities for merely discharging their duties. Violence has broken out due to seemingly irreconcilable differences between the ruling party and the opposition-led parliament and the economy is on a downward spiral, causing great suffering for the people of Venezuela. We stand in unequivocal solidarity with the institution of parliament and the National Assembly of Venezuela. The situation in Yemen has become a woeful humanitarian catastrophe, claiming thousands of innocent lives. The rift between opposing factions has led to a divided institution of parliament, a war-torn country and untold suffering for the Yemeni people. We are, however, heartened by the commitment expressed by the MPs of both factions of parliament to facilitate access to humanitarian assistance.

The IPU brings together the global community of parliaments. As members of this community, we are bound together by shared values and principles. Many of these are enshrined in the Universal Declaration on Democracy (<http://www.ipu.org/cnl-e/161-dem.htm>) whose 20th anniversary we celebrated last month. We must stand up in defence of the fundamental values and principles articulated in this Declaration; we must practise what we preach, upholding the spirit and the letter of democracy and its ideals. We must continue to be the torchbearers of tolerance, political dialogue and peaceful solutions. We must never forget that before all else we have been elected to serve the interests of our people and their aspirations for a life of dignity and opportunity, in peace and safety.

We have a tried and tested tool at our disposal – parliamentary diplomacy. We have used it on many occasions in the past: during the Cold War, in the years leading up to the Helsinki process on security and cooperation in Europe, and then later through the establishment of the Conference on Security and Cooperation in the Mediterranean. We are employing it today in the context of the Israeli-Palestinian conflict, with the IPU promoting projects of peace for the region. The meetings facilitated at our

Assemblies between Greek-Cypriot and Turkish-Cypriot political parties are yet another concrete example of the constructive and preventive nature of parliamentary diplomacy, and its ability to defuse or avert tensions through peaceful means.

Parliaments and parliamentarians of the world, I call on you to fly the flag high through your words, but more importantly, through your deeds. I appeal to you to speak out every time the institution you embody and your parliamentary peers come under attack in one form or another. The IPU's Committee on the Human Rights of Parliamentarians has been doing this for decades. It is at times like these that we must stand together in a display of parliamentary solidarity. History will judge us harshly if we fail to do so. I entreat each and every one of us, therefore, to sign up to the IPU campaign in defence of democracy.

I would like to express our heartfelt sympathy and solidarity with the islands in the Caribbean which have felt the full onslaught of recent hurricanes and natural disasters. In a similar show of parliamentary solidarity, I appeal to parliaments to provide assistance or cause assistance to be provided to these small island developing States as they recover and try to rebuild.

Lastly, I would like to restate the IPU's strong commitment to a nuclear-weapon-free world. The IPU was founded on the fundamental principle of resolving differences through peaceful means and political dialogue. The Organization has always advocated for nuclear non-proliferation and disarmament yet there are still countries in the world that do not respect United Nations Security Council resolutions prohibiting nuclear testing. Given the devastating impacts, including humanitarian, of a nuclear event, whether by accident, miscalculation or design that cannot be limited in time and space, the global parliamentary community must stand firm and work together towards the achievement of a world free of nuclear weapons.

IPU Budget for 2018

*Approved by the IPU Governing Council at its 201st session
(St. Petersburg, 18 October 2017)*

	2017 Approved Budget	2018 Approved Budget		
		Regular Budget	Other Sources	All Funds
REVENUES				
Assessed contributions	10,227,000	10,467,100		10,467,100
Working Capital Fund	337,000	237,000		237,000
Staff assessment	1,023,000	1,048,500		1,048,500
Interest	100,000	100,000		100,000
Programme support costs	0	296,500	(296,500)	0
Other revenue	16,000	16,000		16,000
Voluntary contributions	4,224,300		4,002,600	4,002,600
TOTAL REVENUES	15,927,300	12,165,100	3,706,100	15,871,200
EXPENDITURES				
Strategic Objectives				
1. Build strong, democratic parliaments	2,428,700	1,430,600	891,300	2,321,900
2. Advance gender equality and respect for women's rights	1,555,900	532,200	1,166,800	1,699,000
3. Protect and promote human rights	1,538,400	1,039,000	430,500	1,469,500
4. Contribute to peacebuilding, conflict prevention and security	502,300	151,200	354,000	505,200
5. Promote inter-parliamentary dialogue and cooperation	3,182,000	3,159,400		3,159,400
6. Promote youth empowerment	329,600	79,700	337,500	417,200
7. Mobilize parliaments around the global development agenda	1,083,700	150,200	822,500	972,700
8. Bridge the democracy gap in international relations	893,000	923,000		923,000
Subtotal	11,513,600	7,465,300	4,002,600	11,467,900
Enablers				
Effective internal governance and oversight	854,700	867,900		867,900
Visibility, advocacy and communications	1,086,900	1,026,200		1,026,200
Gender mainstreaming and a rights-based approach	10,000	10,000		10,000
A properly resourced and efficient Secretariat	2,668,900	2,681,700		2,681,700
Subtotal	4,620,500	4,585,800		4,585,800
Other charges	106,000	114,000		114,000
Eliminations	(312,800)		(296,500)	(296,500)
TOTAL EXPENDITURES	15,927,300	12,165,100	3,706,100	15,871,200

Approved 2018 capital budget

Item	2018
1. Replacement of computers	35,000
2. Furniture	15,000
3. Replacement of windows	400,000
4. Website development	100,000
Total capital expenditures	550,000

Approved programme and budget for 2018

Scale of contributions for 2018 based on the UN scale of assessment

*Approved by the IPU Governing Council at its 201st session
(St. Petersburg, 18 October 2017)*

Country Name	UN 2016-2018	Proposed 2018 scale	
	Per cent	Per cent	CHF
Afghanistan	0.006%	0.110%	11'500
Albania	0.008%	0.110%	11'500
Algeria	0.161%	0.310%	32'300
Andorra	0.006%	0.110%	11'500
Angola	0.010%	0.110%	11'500
Argentina	0.892%	1.120%	116'800
Armenia	0.006%	0.110%	11'500
Australia	2.337%	2.550%	265'900
Austria	0.720%	0.940%	98'000
Azerbaijan	0.060%	0.180%	18'800
Bahrain	0.044%	0.160%	16'700
Bangladesh	0.010%	0.110%	11'500
Belarus	0.056%	0.180%	18'800
Belgium	0.885%	1.110%	115'700
Benin	0.003%	0.100%	10'400
Bhutan	0.001%	0.100%	10'400
Bolivia (Plurinational State of)	0.012%	0.120%	12'500
Bosnia and Herzegovina	0.013%	0.120%	12'500
Botswana	0.014%	0.120%	12'500
Brazil	3.823%	3.960%	412'900
Bulgaria	0.045%	0.160%	16'700
Burkina Faso	0.004%	0.110%	11'500
Burundi	0.001%	0.100%	10'400
Cabo Verde	0.001%	0.100%	10'400
Cambodia	0.004%	0.110%	11'500
Cameroon	0.010%	0.110%	11'500
Canada	2.921%	3.110%	324'300
Central African Republic	0.001%	0.100%	10'400
Chad	0.005%	0.110%	11'500
Chile	0.399%	0.590%	61'500
China	7.921%	7.890%	822'800
Colombia	0.322%	0.500%	52'100
Comoros	0.001%	0.100%	10'400
Congo	0.006%	0.110%	11'500
Costa Rica	0.047%	0.170%	17'700
Côte d'Ivoire	0.009%	0.110%	11'500
Croatia	0.099%	0.230%	24'000
Cuba	0.065%	0.190%	19'800
Cyprus	0.043%	0.160%	16'700
Czech Republic	0.344%	0.520%	54'200
Democratic People's Republic of Korea	0.005%	0.110%	11'500
Democratic Republic of the Congo	0.008%	0.110%	11'500
Denmark	0.584%	0.790%	82'400
Djibouti	0.001%	0.100%	10'400
Dominican Republic	0.046%	0.170%	17'700
Ecuador	0.067%	0.190%	19'800
Egypt	0.152%	0.300%	31'300

Country Name	UN 2016-2018	Proposed 2018 scale	
	Per Cent	Per Cent	CHF
El Salvador	0.014%	0.120%	12'500
Equatorial Guinea	0.010%	0.110%	11'500
Estonia	0.038%	0.150%	15'600
Ethiopia	0.010%	0.110%	11'500
Fiji	0.003%	0.100%	10'400
Finland	0.456%	0.650%	67'800
France	4.859%	4.930%	514'000
Gabon	0.017%	0.120%	12'500
Gambia	0.001%	0.100%	10'400
Georgia	0.008%	0.110%	11'500
Germany	6.389%	6.390%	666'300
Ghana	0.016%	0.120%	12'500
Greece	0.471%	0.670%	69'900
Guatemala	0.028%	0.140%	14'600
Guinea	0.002%	0.100%	10'400
Guinea-Bissau	0.001%	0.100%	10'400
Guyana	0.002%	0.100%	10'400
Haiti	0.003%	0.100%	10'400
Honduras	0.008%	0.110%	11'500
Hungary	0.161%	0.310%	32'300
Iceland	0.023%	0.130%	13'600
India	0.737%	0.950%	99'100
Indonesia	0.504%	0.700%	73'000
Iran (Islamic Republic of)	0.471%	0.670%	69'900
Iraq	0.129%	0.270%	28'200
Ireland	0.335%	0.510%	53'200
Israel	0.430%	0.620%	64'700
Italy	3.748%	3.890%	405'600
Japan	9.680%	9.680%	1'009'400
Jordan	0.020%	0.130%	13'600
Kazakhstan	0.191%	0.350%	36'500
Kenya	0.018%	0.130%	13'600
Kuwait	0.285%	0.460%	48'000
Kyrgyzstan	0.002%	0.100%	10'400
Lao People's Democratic Republic	0.003%	0.100%	10'400
Latvia	0.050%	0.170%	17'700
Lebanon	0.046%	0.170%	17'700
Lesotho	0.001%	0.100%	10'400
Libya	0.125%	0.270%	28'200
Liechtenstein	0.007%	0.110%	11'500
Lithuania	0.072%	0.200%	20'900
Luxembourg	0.064%	0.190%	19'800
Madagascar	0.003%	0.100%	10'400
Malawi	0.002%	0.100%	10'400
Malaysia	0.322%	0.500%	52'100
Maldives	0.002%	0.100%	10'400
Mali	0.003%	0.100%	10'400
Malta	0.016%	0.120%	12'500
Marshall Islands	0.001%	0.100%	10'400
Mauritania	0.002%	0.100%	10'400
Mauritius	0.012%	0.120%	12'500
Mexico	1.435%	1.670%	174'100
Micronesia (Federated States of)	0.001%	0.100%	10'400
Monaco	0.010%	0.110%	11'500

Mongolia	0.005%	0.110%	11'500
Montenegro	0.004%	0.110%	11'500
Morocco	0.054%	0.180%	18'800

Country Name	UN 2016-2018	Proposed 2018 scale	
	Per Cent	Per Cent	CHF
Mozambique	0.004%	0.110%	11'500
Myanmar	0.010%	0.110%	11'500
Namibia	0.010%	0.110%	11'500
Nepal	0.006%	0.110%	11'500
Netherlands	1.482%	1.720%	179'400
New Zealand	0.268%	0.440%	45'900
Nicaragua	0.004%	0.110%	11'500
Niger	0.002%	0.100%	10'400
Nigeria	0.209%	0.370%	38'600
Norway	0.849%	1.070%	111'600
Oman	0.113%	0.250%	26'100
Pakistan	0.093%	0.230%	24'000
Palau	0.001%	0.100%	10'400
Palestine		0.100%	10'400
Panama	0.034%	0.150%	15'600
Papua New Guinea	0.004%	0.110%	11'500
Paraguay	0.014%	0.120%	12'500
Peru	0.136%	0.280%	29'200
Philippines	0.165%	0.320%	33'400
Poland	0.841%	1.060%	110'500
Portugal	0.392%	0.580%	60'500
Qatar	0.269%	0.440%	45'900
Republic of Korea	2.039%	2.260%	235'700
Republic of Moldova	0.004%	0.110%	11'500
Romania	0.184%	0.340%	35'500
Russian Federation	3.088%	3.270%	341'000
Rwanda	0.002%	0.100%	10'400
Saint Lucia	0.001%	0.100%	10'400
Samoa	0.001%	0.100%	10'400
San Marino	0.003%	0.100%	10'400
Sao Tome and Principe	0.001%	0.100%	10'400
Saudi Arabia	1.146%	1.380%	143'900
Senegal	0.005%	0.110%	11'500
Serbia	0.032%	0.150%	15'600
Seychelles	0.001%	0.100%	10'400
Sierra Leone	0.001%	0.100%	10'400
Singapore	0.447%	0.640%	66'700
Slovakia	0.160%	0.310%	32'300
Slovenia	0.084%	0.210%	21'900
Somalia	0.001%	0.100%	10'400
South Africa	0.364%	0.550%	57'400
South Sudan	0.003%	0.100%	10'400
Spain	2.443%	2.650%	276'300
Sri Lanka	0.031%	0.140%	14'600
Sudan	0.010%	0.110%	11'500
Suriname	0.006%	0.110%	11'500
Swaziland	0.002%	0.100%	10'400
Sweden	0.956%	1.180%	123'000
Switzerland	1.140%	1.370%	142'900
Syrian Arab Republic	0.024%	0.130%	13'600
Tajikistan	0.004%	0.110%	11'500
Thailand	0.291%	0.460%	48'000
The former Yugoslav Republic of Macedonia	0.007%	0.110%	11'500

Timor-Leste	0.003%	0.100%	10'400
Togo	0.001%	0.100%	10'400
Tonga	0.001%	0.100%	10'400

Country Name	UN 2016-2018	Proposed 2018 scale	
	Per Cent	Per Cent	CHF
Trinidad and Tobago	0.034%	0.150%	15'600
Tunisia	0.028%	0.140%	14'600
Turkey	1.018%	1.250%	130'300
Turkmenistan	0.026%	0.130%	13'600
Tuvalu	0.001%	0.100%	10'400
Uganda	0.009%	0.110%	11'500
Ukraine	0.103%	0.240%	25'000
United Arab Emirates	0.604%	0.810%	84'500
United Kingdom	4.463%	4.560%	475'500
United Republic of Tanzania	0.010%	0.110%	11'500
Uruguay	0.079%	0.210%	21'900
Uzbekistan	0.023%	0.130%	13'600
Vanuatu	0.001%	0.100%	10'400
Venezuela (Bolivarian Republic of)	0.571%	0.780%	81'300
Viet Nam	0.058%	0.180%	18'800
Yemen	0.010%	0.110%	11'500
Zambia	0.007%	0.110%	11'500
Zimbabwe	0.004%	0.110%	11'500

Associate Member	UN 2016-2018	Proposed 2018 scale	
	Per Cent	Per Cent	CHF
Andean Parliament		0.020%	2'100
Arab Parliament		0.010%	1'000
Central American Parliament		0.010%	1'000
East African Legislative Assembly		0.010%	1'000
European Parliament		0.060%	6'300
Interparliamentary Assembly of Member Nations of the Commonwealth of Independent States		0.030%	3'100
Inter-Parliamentary Committee of the West African Economic and Monetary Union		0.010%	1'000
Latin American and Caribbean Parliament		0.030%	3'100
Parliament of the CEMAC		0.010%	1'000
Parliament of the ECOWAS		0.010%	1'000
Parliamentary Assembly of the Black Sea Economic Cooperation		0.030%	3'100
Parliamentary Assembly of the Council of Europe		0.050%	5'200
Total		100%	10'515'200

Cooperation with the United Nations system

List of activities undertaken by the IPU between 15 March and 15 September 2017

*Noted by the IPU Governing Council at its 201st session
(St. Petersburg, 18 October 2017)*

Democracy and human rights

On 20 April, the IPU participated in the UN University event *The Rise of Nationalist Politics and Policy Implications for Migration* held at UN Headquarters in New York. Over the summer, the IPU and the Office of the President of the General Assembly began consultations for the 2018 UN-IPU Parliamentary Hearing, which will provide a major contribution to the inter-governmental negotiations of the Global Compact on Migration.

The IPU participated in the 35th session of the United Nations Human Rights Council (UNHRC) held from 6 to 23 June 2017. The IPU was involved in the organization of two side events and made two official statements at this session.

The first side event was a high-level public dialogue on 12 June on the linkages between the work of parliaments and the independence of the judiciary. The event was organized jointly with the International Development Law Organization (IDLO) and the Albert Hirschman Centre on Democracy at the Graduate Institute of Geneva, with the support of the Permanent Missions of Italy, Japan, Mexico and the United Kingdom.

The second event took place on 20 June and was organized by the Universal Rights Group and the Permanent Mission of Georgia in collaboration with the IPU. It focused on the role of parliaments in ensuring effective national implementation of the recommendations of the UN human rights mechanisms, including UNHRC and its Universal Periodic Review. Participants underscored the need for stronger parliamentary capacity-building on human rights, systematic collection of good parliamentary practice, and enhanced engagement between the UN human rights mechanisms and parliaments.

On 23 June, UNHRC adopted a resolution encouraging closer involvement of parliaments in its work. The resolution requested the Office of the UN High Commissioner for Human Rights (OHCHR) to prepare a study in cooperation with the IPU on how to promote and enhance synergies between parliaments and the work of UNHRC and its Universal Periodic Review.

On 29 June, the IPU participated in a multi-stakeholder consultation organized jointly by UNESCO and OHCHR on strengthening the implementation of the UN plan of action on the safety of journalists and the issue of impunity. This issue has recently gained prominence within the framework of SDG 16, which highlights the protection of fundamental freedoms and public access to information.

The IPU attended the 106th Session of the International Labour Conference held from 5 to 16 June 2017, including the event organized in Geneva on 12 June to mark the World Day Against Child Labour, held under the theme *In conflicts and disasters, protect children from child labour*.

The role of parliaments was highlighted in the UN General Assembly (UNGA) modalities resolution for a new Global Compact for safe, orderly and regular migration. On 18 April, the IPU participated in a panel during the IOM International Dialogue on Migration on *Strengthening international cooperation on and governance of migration in 2018*. The IPU also facilitated the participation of 20 MPs in the UNGA thematic session on the economic aspects of migration held in New York on 24 and 25 July, and in a multi-stakeholder hearing on 26 July.

On 15 September, the IPU organized events in Geneva and in New York in cooperation with the United Nations to mark the 10th anniversary of the International Day of Democracy and the 20th anniversary of the Universal Declaration on Democracy.

Preparations for the second IPU-UNDP Global Parliamentary Report proceeded on schedule with a view to its launch at the 137th IPU Assembly. The focus of this edition is the oversight function of parliaments.

The IPU took part in an expert meeting held in Norway in May 2017 and contributed to discussions led by the UNDP Oslo Governance Centre on SDG 16 indicators.

UNDP and the IPU continued their joint project of assistance to the Parliament of Myanmar and began collaboration in support of the Parliament of Georgia.

Gender equality and youth empowerment

The IPU Secretary General and the UN Women Executive Director launched a new edition of the IPU-UN Women *Map of Women in Politics* on 15 March at the 61st session of the Commission of the Status of Women held New York. The IPU organized three side events with its partners: on 14 March with the Permanent Mission of Canada, and on 16 March – one with UNICEF and one with UNDP. On 17 March, the IPU and UN Women held the usual full-day Parliamentary Meeting on the economic empowerment of women. It was attended by 200 MPs.

In the context of the June UNHRC session, the IPU together with the National Democratic Institute and the Permanent Missions of Sweden and Sierra Leone, organized a side event on violence against women in politics. The side event served as a platform for interaction with the UN Special Rapporteur on violence against women on the causes and consequences of such violence. The IPU also contributed with an oral intervention to the UN Working Group on discrimination against women in law and in practice during the interactive dialogue held at the Human Rights Council session.

The IPU has continued to engage with the UN Committee on the Elimination of Discrimination against Women (CEDAW). On 3 July, the IPU briefed the Committee on the state of women's participation in politics in the countries under review, and on the level of parliamentary engagement in the CEDAW reporting process in the concerned countries.

The IPU and UN Women have continued their support to the Grand National Assembly of Turkey in the area of gender equality.

On 25 and 26 April, the IPU partnered with UNDP and the Parliament of Sri Lanka to jointly convene in Colombo (Sri Lanka) a Regional Meeting of Young Parliamentarians from the Asia-Pacific region on *The role of young parliamentarians in advancing inclusive and peaceful societies and preventing violent extremism*. Fifty young MPs from 11 countries, as well as dozens of civil society youth leaders, attended. They discussed region-specific issues pertaining to violent extremism and identified actions for its prevention. The discussions also highlighted the importance of SDG 16 and the enhancement of political institutions as a powerful way to address the drivers of violent extremism.

On 12 July, the IPU submitted a research paper entitled *Youth participation in parliaments and peace and security* for the UN Secretary-General's Progress Study on Security Council Resolution 2250 (Youth, Peace and Security). The paper built on the IPU's 2016 report *Youth participation in national parliaments* and its worldwide data and highlighted the linkages between youth participation in parliament with peace and security activities in four case studies. With a view to providing a more in-depth analysis, an extensive review of literature and semi-structured interviews with 40 respondents, including young parliamentarians and other stakeholders, was also undertaken. The paper resulted in a series of recommendations to further harness the contribution of young people to strengthening peace and security.

On 10 and 11 August, the IPU participated in the 2017 Youth Assembly at UN Headquarters in New York, a platform for youth from around the world to learn and share practical knowledge and skills with UN diplomats and other professionals. The IPU was part of a panel on empowering youth in the cultural, economic, scientific and political spheres.

International peace and security

The IPU worked with the UN Office at Geneva, the Geneva Peacebuilding Platform and other partners, to begin preparations for three joint events to take place during Geneva Peace Week (6-10 November 2017).

On 12 June, the IPU attended a briefing on the process for the negotiation of a nuclear ban treaty. The IPU Secretary General wrote on 19 June to all Member Parliaments urging them to engage in the process. The Treaty, which was adopted on 7 July, explicitly acknowledges the role of parliamentarians in helping create a nuclear-free world.

On 20 June, a representative of the Office of the Permanent Observer of the IPU to the UN in New York moderated a workshop on international judicial cooperation as part of the special forum of the UN Counter-Terrorism Committee.

On 29 June, the IPU participated in the Forum to Mark 50 years of Occupation organized in Geneva by the UN Committee on the Exercise of the Inalienable Rights of the Palestinian People.

Sustainable development

The IPU attended the High-Level SDG Financing Lab on 18, 23 and 24 April. The Organization participated in the Steering Committee meeting of the Global Partnership for Effective Development Co-operation (GPEDC), which includes UNDP, and took part in subsequent working group meetings on multi-stakeholder partnerships and country-level implementation of the SDGs. Initial work toward an IPU-UNDP Guidance Note for MPs on development cooperation got underway during the summer.

On 26 April, the IPU participated in a working session on Budgeting for the SDGs, organized by the International Budget Partnership and UNDP. In addition to UNDP, UNDESA and UN Women, participants included representatives from the governments of Brazil, India and Mexico.

On 1 May, the IPU made an intervention at the World Bank's launch in New York of its report entitled *Governance and the Law*.

The IPU delivered a statement at the World Oceans Conference held from 3 to 9 June at UN Headquarters in New York. The statement reflected the outcome of IPU's Annual Parliamentary Hearing held in February, which focused on oceans.

The IPU attended the 5 July launch of the UN Secretary-General's Report on repositioning the UN Development System, a major overhaul which should begin in early 2018. The UN Deputy Secretary-General confirmed the organization's intention to consult broadly with other partners, including the IPU, as this report is being finalized.

On 7 July, the IPU attended the informal discussion on a General Assembly resolution on global economic governance and lobbied for inclusion of the role of parliaments.

The spring session of the IPU Committee on UN Affairs (Dhaka, 4 April), was devoted entirely to preparations for the 2017 UN High-Level Political Forum (HLPF) on sustainable development, taking stock of parliamentary action and a debate on the main theme of the HLPF. The session featured UN representatives from ESCAP, UNDP and UN Women.

Subsequently, the IPU participated in the HLPF in New York (10-19 July), where 44 nations submitted their voluntary reviews on implementation of the SDGs. On July 17, 80 MPs from 36 countries participated in an official HLPF side event organized by the IPU. The IPU President, Secretary General and Ms. Petra Bayr, an Austrian MP, held a news conference on 19 July outlining MPs involvement in the HLPF and in ensuring the implementation of the 2030 Agenda for Sustainable Development. On 18 July, the IPU partnered with the Permanent Mission of Peru, IDLO and International IDEA in a side event on democratic accountability for gender equality in service delivery and poverty eradication. The IPU Secretary General addressed the plenary of the HLPF on 20 July.

The IPU facilitated the participation of a group of MPs in the UN Development Cooperation Forum held in Buenos Aires, Argentina, from 6 to 9 September, and provided feedback for the meeting.

On 24 May, the IPU Secretary General delivered a speech at the General Debate of the 70th World Health Assembly. On 29 May, under the sponsorship of Austria, Bangladesh and Cameroon, the IPU and the WHO co-organized, for the second year in a row, a parliamentary meeting on the role of parliamentarians in bridging the gap between evidence and policy. It was attended by the IPU Secretary General and two members of the IPU Advisory Group on Health.

Senior-level interaction

On 3 April, during the 136th IPU Assembly in Dhaka, members of the IPU Committee on UN Affairs met with the Bangladesh UN Country Team (UNCT) in the presence of UN Assistant Secretary-General for Political Affairs, Mr. Miroslav Jenča, and visited a UNICEF project. The meeting with the Country Team was intended to highlight the potential for interaction between the United Nations and host countries' parliaments.

The IPU Secretary General met with the new UNDP Administrator, Mr. Achim Steiner, on 18 July in New York and with the UNFPA Acting Executive Director, Dr. Natalia Kanem on 17 July. He also met on 19 July with the new UN Envoy on Youth, Ms. Jayathma Wickramanayake, during her very first week in her new role at the United Nations.

On 10 August, the IPU Secretary General held an initial consultation with the UN Deputy Secretary-General, Ms. Amina Mohammed, regarding preparations for a meeting of UN and IPU high-level officials in the second half of 2017. The meeting reviewed the practical modalities of interaction between the two organizations at the national and global levels.

Report of the Committee on Middle East Questions

*Noted by the IPU Governing Council at its 201st session
(St. Petersburg, 18 October 2017)*

The Committee held two sittings, on 14 and 16 October 2017. The Committee's President Ms. D. Pascal Allende (Chile), Mr. A.N.M. Al-Ahmad (Palestine), Ms. R.A. Elwani (Egypt), Mr. F. Müri (Switzerland), Mr. M.T. Vatovec (Slovenia) and Mr. G. Farina (Italy) attended both of the sessions. Mr. M. Al-Mehrzi (United Arab Emirates) attended the sitting on 14 October. Mr. N. Shai (Israel) and Mr. R. Munawar (Indonesia) attended the sitting on 16 October.

The Committee heard a report on the latest general developments in the Middle East. In this context, it heard extensive briefings from members of both factions of the Yemen parliament. The Committee noted with satisfaction the stated intention of both factions to dialogue and cooperate in finding a solution to the humanitarian crisis in a bid to avoid any further suffering of the people of Yemen.

The Committee was also informed about the proceedings in the Executive Committee and the Working Group of Syria. It greatly appreciated the synergies and coordination between the various mechanisms in the IPU. It encouraged the Working Group on Syria to pursue its noble mission and to keep the Committee informed of its progress.

The members received a report on the Second Roundtable on Water which had taken place in July 2017 in Geneva. As will be recalled, the Second Roundtable focussed on issues in common that have elements for cooperation and peaceful dialogue, in particular water management. In the context of follow-up, the Committee was anxious to translate the recommendations of the Roundtable into concrete activities on the ground. In this regard, the members identified the "Science for Peace" Schools, based on a model of a successful project that the European Organisation for Nuclear Research (CERN) uses for the scientific community, a programme promoting technological innovation in order to bring peoples of the region together for cooperation under the neutral umbrella of science. The Committee welcomed the offer from CERN to accommodate and provide the facilities for the School.

The Science for Peace Schools would serve as a launch pad for a Parliamentary Network on Water; a platform for an exchange of experiences and expertise on water management by parliamentarians in the region. Based on the success of this initiative, such a network could be expanded to include other regions facing the same challenges of water management.

The members of the Committee wholeheartedly welcomed these two lines of action and promised their full cooperation with Members in the implementation of these projects. They encouraged the Secretariat to proceed with concrete proposals so as to implement these projects in a speedy fashion. The members all promised to promote support within their parliaments and governments for these projects that hold potential for contributing to the establishment of an environment conducive to the peace process in the Middle East region.

The Committee members continued to reiterate their support for the validity of the "projects of peace" approach as a viable resource for the peace process in the Middle East. The deliberations were conducted in an atmosphere of courtesy, mutual respect and commitment to promoting the cause of peace in the Middle East region.

The follow-up actions were agreed as follows:

- To organize the first "Science for Peace" School, in coordination with CERN
- To encourage the development of partnerships with other entities having expertise in the field of water management
- To establish a parliamentary network on water as a regional community of practice.

The Committee deferred the election of a new President of the Committee until its next session in 2018 as neither candidate was able to be present at the session.

The Committee invites the Governing Council to endorse the conclusions of the Committee on Middle East Questions during its 63rd session in St. Petersburg during the 137th Assembly.

Calendar of future meetings and other activities

*Approved by the IPU Governing Council at its 201st session
(St. Petersburg, 18 October 2017)*

Parliamentary Meeting on the Occasion of the UN Climate Change Conference (COP23/CMP13)	BONN (Germany) 12 November 2017
International conference on <i>Promoting better regional cooperation toward smart and humane migration across the Mediterranean</i>	VALLETTA (Malta) 16-17 November 2017
Fourth Global Conference of Young Parliamentarians	OTTAWA (Canada) 17-18 November 2017
Regional seminar on <i>Translating international human rights commitments into national realities: The contribution of parliament to the work of the United Nations Human Rights Council</i>	SAN SALVADOR (El Salvador) 27-28 November 2017
12 th Summit of Women Speakers of Parliament	COCHABAMBA (Bolivia) 6-7 December 2017
Annual session of the Parliamentary Conference on the WTO	BUENOS AIRES (Argentina) 9-10 December 2017
155 th session of the Committee on the Human Rights of Parliamentarians	GENEVA (Switzerland) 25-28 January 2018
IPU-UNISDR sub-regional seminar for Northeast Asia on disaster risk reduction and the 2030 Agenda for Sustainable Development	SEOUL (Republic of Korea) January 2018 (Dates to be confirmed)
Annual Parliamentary Hearing at the United Nations	NEW YORK 22-23 February 2018
41 st session of the Steering Committee of the Parliamentary Conference on the WTO	BRUSSELS (European Parliament) February-March 2018 (Dates to be confirmed)
Parliamentary Meeting on the occasion of the 62 nd session of the Commission on the Status of Women	NEW YORK mid-March 2018 (Dates to be confirmed)
138 th Assembly and related meetings	GENEVA (Switzerland) 24-28 March 2018
Parliamentary Meeting at the 2018 G7 Meeting	Canada April/May 2018 (Dates to be confirmed)
Fourth regional seminar on the achievement of the Sustainable Development Goals (SDGs) for the Parliaments of Eastern and Central Europe and Central Asia	BELGRADE (Serbia) 17-18 May 2018
Parliamentary meeting at the World Health Assembly	GENEVA (IPU Headquarters) May 2018 (Dates to be confirmed)
Information seminar on the structure and functioning of the Inter-Parliamentary Union for French-speaking participants	GENEVA (IPU Headquarters) May/June 2018 (Dates to be confirmed)
42 nd session of the Steering Committee of the Parliamentary Conference on the WTO on the occasion of the annual WTO session	GENEVA (IPU HQ) June 2018 (Dates to be confirmed)

Annual session of the Parliamentary Conference on the WTO	GENEVA June 2018 (Dates to be confirmed)
Parliamentary side event at the UN High Level Political Forum on Sustainable Development (HLPF)	NEW YORK mid-July 2018 (Dates to be confirmed)
43 rd session of the Steering Committee of the Parliamentary Conference on the WTO on the occasion of the annual WTO Public Forum	GENEVA (IPU HQ) September/October 2018 (Dates to be confirmed)
Parliamentary session within the framework of the annual WTO Public Forum	GENEVA September/October 2018 (Dates to be confirmed)
139 th Assembly and related meetings	GENEVA (Switzerland) 13-17 October 2018
Third South Asian Speakers' Summit on the achievement of the SDGs	Sri Lanka (Venue and dates to be confirmed)
Regional seminar on the achievement of the SDGs for the Parliaments of IPA-CIS	ST. PETERSBURG (Russian Federation) (Dates to be confirmed)
Conference for gender equality committees in the framework of the joint IPU, UN Women and the Committee on Equal Opportunity for Women and Men of the Parliament of Turkey project	Turkey (Venue and dates to be confirmed)
Second regional seminar on the achievement of the SDGs for the Parliaments of Latin America and the Caribbean, organized by the IPU and Parl Latino	PANAMA CITY (Panama) (Dates to be confirmed)
Regional seminar on the contribution of parliament to the promotion and the protection of the rights of the child on the occasion of the CEMAC Parliamentary session	CEMAC Parliament HQ MALABO (Equatorial Guinea) (Dates to be confirmed)
Seminar on the achievement of the SDGs for the Parliaments of the Twelve Plus geopolitical Group and East Asia	Knesset, JERUSALEM (Israel) Second half of 2018
Regional seminar on Parliaments and the implementation of UN Resolution 1540	Venue and dates to be confirmed
Sub-regional seminar for African Parliaments on health and development	Venue and dates to be confirmed
Conference on counter-terrorism	Venue and dates to be confirmed
13 th Summit of Women Speakers of Parliament	Venue and dates to be confirmed
Second Regional seminar on the achievement of the SDGs for the Parliaments in the Asia-Pacific Region	Venue and dates to be confirmed
Second regional seminar on the achievement of the SDGs for African Parliaments	Venue and dates to be confirmed
Third Roundtable convened by the Committee on Middle East Questions	Venue and dates to be confirmed
World e-Parliament Conference 2018	Venue and dates to be confirmed
Regional seminar on the contribution of parliament to the promotion and the protection of the rights of the child	Venue and dates to be confirmed

Regional seminar on <i>Translating international human rights commitments into national realities: The contribution of parliament to the work of the United Nations Human Rights Council</i>	Venue and dates to be confirmed
Regional seminar on gender equality and ending violence against women and girls	Venue and dates to be confirmed
Regional seminar on the achievement of the SDGs for Arab Parliaments	Venue and dates to be confirmed
5 th Global conference of Young Parliamentarians	Venue and dates to be confirmed
140 th Assembly and related meetings ¹	BUENOS AIRES (Argentina) 6-10 April 2019

¹ Pending official guarantees being provided for the issuance of visas to all participants

Agenda of the 138th Assembly

(Geneva, 24-28 March 2018)

1. Election of the President and Vice-Presidents of the 138th Assembly
2. Consideration of requests for the inclusion of an emergency item in the Assembly agenda
3. General Debate
4. Sustaining peace as a vehicle for achieving sustainable development
(Standing Committee on Peace and International Security)
5. Engaging the private sector in implementing the SDGs, especially on renewable energy
(Standing Committee on Sustainable Development, Finance and Trade)
6. Reports of the Standing Committees
7. Approval of the subject items for the Standing Committees on Peace and International Security and for the Standing Committee on Trade, Finance and Sustainable Development at the 140th IPU Assembly and appointment of the Rapporteurs
8. Amendments to the IPU Statutes and Rules

Inter-Parliamentary Union Assembly Carbon Footprint Report 2017

*Endorsed by the IPU Executive Committee at its 276th session
(St. Petersburg, 17 October 2017)*

Message from the IPU President

The Inter-Parliamentary Union (IPU), headquartered in Geneva, Switzerland, has made significant impacts on promoting sustainable development throughout its activities over the past decades. Today it is equally committed to placing its stamp on promoting sustainable environment and carbon-neutral activities. Consequently, the IPU leadership decided to make the 136th IPU Assembly and its related meetings, hosted in Dhaka, Bangladesh, a "Green Assembly". The IPU, as the global body of policymakers, is willing to join hands together with global stakeholders by offsetting its carbon emissions generated due to associated energy- and resource-consuming activities during the Assembly.

Green conventions or assemblies are events which are conducted in ways which minimize the environmental burdens imposed by such activities. Green conventions apply environmentally preferred practices to waste management, resource and energy use, travel and local transportation, facilities selection, siting and construction, food provision and disposal, hotels and accommodation, and management and purchasing decisions. A green assembly or event incorporates environmental initiatives to minimize its negative impact on the planet.

It is expected from this initiative that the IPU will make its action on the environment an example of sustainability by taking appropriate mitigation initiatives to protect the environment as promised by world leaders to ensure a better, more liveable and pollution-free atmosphere for future generations. Quantifying greenhouse gas emissions (GHE), known as a "carbon footprint assessment", is the first step in evaluating the impact of any activities on the environment. The next step is to adopt appropriate actions to offset carbon emissions in order to become carbon neutral, which will assure a harmonious balance between consumption and conservation.

A carbon footprint is a measure of the impact of human activities on the environment in terms of the amount of greenhouse gases produced, measured in units of carbon dioxide equivalents. Carbon footprint measurements are recommended as part of the climate strategies for organizations, projects or events to control and reduce emissions of greenhouse gasses. The measurement acts as a tool to determine the most significant sources of GHG emissions, to prioritize reduction initiatives, and lastly, to offset the emissions to achieve carbon neutrality.

The GHG emissions associated with the 136th IPU Assembly and related meetings will be mitigated and offsetting will be selected considering local requirements.

If we pay attention to the needs of most of the communities who live in rural areas, we will find that they lack access to clean and affordable household energy solutions, specifically, clean and efficient cooking solutions. Over 89 per cent of people in Bangladesh cook with traditional fuels such as firewood, jute sticks, agricultural waste and charcoal. Most use traditionally designed, inefficient stoves, causing high amounts of biomass consumption, indoor air pollution, environmental degradation and most importantly, deforestation.

Women who use old-style stoves and children who spend long hours in the kitchen are exposed to large amounts of pollutants and toxins that are particularly damaging to health. Household air pollution (HAP) contributes to 78,000 premature deaths annually in Bangladesh. Currently, there are approximately 30 million households still using traditional polluting cook stoves and the numbers of those with access to clean cooking solutions remains close to 3 per cent, meaning that the choice of improved cook stoves as a means of mitigating the carbon emissions resulting from the 136th IPU Assembly in Dhaka would be a welcome and useful one.

Improved cook stove distribution is also a priority for the Government of Bangladesh, aiming to ensure the supply of 30 million clean and energy efficient cook stoves by 2030. By contributing to this initiative, the IPU can play a vital role in helping the country to achieve the Sustainable Development Goals.

In light of the environmental conservation commitment of the IPU leadership, it is very clear that the IPU is laying the cornerstone for protecting the environment, conserving energy and resources, helping to accelerate the pace of clean energy adoption, alleviating poverty and empowering women globally, in order to create a greener environment and cleaner air for our children, the leaders of tomorrow. The IPU invites all global leaders to extend their hand of cooperation to replicate this model in their own national contexts, as well as to their neighbourhoods, to make the earth greener.

We would like to express our heartfelt thanks to all those involved in this endeavour, both from IPU Headquarters in, Geneva, Switzerland, and the local IPU Secretariat in Dhaka, Bangladesh, for helping to make this happen. Last but not least, a special word of thanks goes to Future Carbon for taking the lead in carrying out this unique environmental assessment in order to make this event a carbon-neutral one. We appreciate their enthusiasm, dedication and professionalism in conducting and implementing local offsetting mechanisms to mitigate the emissions resulting from the 136th Assembly.

* * * * *

Executive Summary

As part of corporate social responsibility commitments to global sustainability, the IPU leadership decided to make the 136th Assembly in Dhaka, Bangladesh a "green" or carbon-neutral meeting. It commissioned a carbon footprint assessment to evaluate the environmental impact of the event, which was the first assessment of its kind undertaken by the IPU. The assessment aimed to identify, track and quantify the carbon emission activities generated by the Assembly and pinpoint areas for carbon reduction or offsetting.

This report therefore provides the outcome of that carbon footprint assessment and details the 136th Assembly's total energy usage and net greenhouse gas emissions in terms of tCO_{2e} (tons of carbon dioxide equivalent). It has been prepared in accordance with the Greenhouse Gas Protocol Corporate Accounting and Reporting Standard, the most widely-used international accounting tool for understanding, quantifying and managing greenhouse gas emissions. Emissions have been calculated using the 2016 emission conversion factors devised by the United Kingdom's Department for Environment Food and Rural Affairs, in compliance with ISO 14064-1:2006 on the quantification and reporting of greenhouse gas emissions and removals. The carbon footprint assessment boundary was set around those activities over which the IPU had operational control and emission sources were attributed to one or more of the following categories:

- **Scope 1 emissions:** Direct greenhouse gas emissions from assets owned or controlled by the IPU.
- **Scope 2 emissions:** Indirect greenhouse gas emissions from purchased electricity, heat, steam and cooling.
- **Scope 3 emissions:** Other indirect greenhouse gas emissions from the activities of the Organization.

The scope of carbon emissions during the 136th Assembly and related meetings was as follows:

Scope 1 Direct Emissions	Scope 2 Indirect Emissions	Scope 3 Indirect Emissions
Fuel combustion	Purchased electricity	Travel (by air) Travel (over land) Transport (logistics) Accommodation Water use Waste disposal

The carbon dioxide equivalent of these three scopes of carbon emissions equated to:

Scope 1 Direct Emissions	Metric tons of CO_{2e}
Fuel combustion	1.69
Total Scope 1 Emissions	1.69

Scope 2 Indirect Emissions	Metric tons of CO_{2e}
Purchased electricity	55.48
Total Scope 2 Emissions	55.48
Total Scope 1 and 2 Emissions	57.17

Scope 3 Indirect Emissions	Metric tons of CO₂e
Travel (by air)	3,030.01
Travel (over land)	14.43
Transport (logistics)	4.25
Accommodation	267.5
Water use	0.07
Waste disposal	3.56
Total Scope 3 (Indirect) Emissions	3319.82
Total Reporting (Net) Emission	3376.99

The breakdown of greenhouse gas emissions in terms of tCO₂e disaggregated by scope and by delegate is shown below:

Emissions Scope	Metric tons of CO₂e	Delegates	Emissions/Delegates (tCO₂e)
Total Scope 1 Emissions	1.69	1,280	0.002
Total Scope 2 Emissions	55.48	1,280	0.06
Total Scope 1 and 2 Emissions	57.17	1,280	0.04
Total Scope 3 Emissions	3319.82	1,280	2.59
Total Reporting Emissions	3376.99	1,280	2.63

The gross greenhouse gas emission summary for the 136th Assembly and related events is contained in the following table, disaggregated by scope and activity:

Scope	Activity	Emission (tCO₂e)	Percentage (%)
Scope 1	Fuel combustion	1.69	0.05
Scope 2	Purchased electricity	55.48	0.13
Scope 3	Travel (by air)	3030.01	89.73
	Travel (land)	14.43	0.430
	Travel (logistics)	4.25	0.13
	Accommodation	267.5	7.93
	Water use	0.07	0.0
	Waste disposal	3.56	0.11
Total		3376.99	100

As highlighted in the tables above, most of the carbon emissions at the 136th Assembly came from air travel, accommodation and energy use. Carbon emissions reductions are most commonly delivered through energy reduction. Given that traditional, highly polluting cook stoves are a major source of greenhouse gas emissions in Bangladesh, the IPU leadership took the decision to distribute improved stoves as a means of reducing national energy consumption and offsetting the carbon emissions resulting from the 136th Assembly. This proved to be an extremely effective and efficient solution. By making clean and energy-efficient stoves available to the local Bangladeshi population, the IPU not only played a vital role in helping Bangladesh make tangible progress towards achieving the Sustainable Development Goals, it also guaranteed that the 136th Assembly was an entirely carbon-neutral and green event.

Decisions concerning the Human Rights of Parliamentarians

Cameroon

CM/01 - Dieudonné Ambassa Zang

*Decision adopted unanimously by the IPU Governing Council at its 201st session
(St. Petersburg, 18 October 2017)*

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Dieudonné Ambassa Zang, a former member of the National Assembly of Cameroon, and to the decision it adopted at its 197th session (October 2015),

Recalling the following information on file with regard to the facts of the case:

- Mr. Ambassa Zang was Minister of Public Works from August 2002 to December 2004 and was elected in 2007 on the ticket of the Cameroon People's Democratic Rally (RDCP);
- Mr. Ambassa Zang left Cameroon before the National Assembly Bureau lifted his parliamentary immunity on 7 August 2009 to permit an investigation into allegations of misappropriation of the public funds he had managed as Minister of Public Works;
- According to the authorities, the charges laid against Mr. Ambassa Zang stem from audits prompted by a complaint from the French Development Agency (AFD), the funding source for renovation works on the Wouri Bridge, for which Mr. Ambassa Zang was responsible. According to the Prosecutor General, State companies, ministries and other State bodies managing public funds are subject to annual audits by the Minister Delegate to the Office of the President in charge of the Supreme State Audit Office (CONSUPE);
- On the basis of the audits, the Head of State first opted for criminal proceedings on a charge of misappropriation of public funds. On 11 June 2013, more than two years after the police had completed their investigation, the Prosecutor General of the Special Criminal Court filed charges before the examining judge of that court, directed against 15 persons including Mr. Ambassa Zang. By an order dated 9 June 2014, the Prosecutor General referred him and four other defendants to that court, which, in its decision of 18 June 2015, found him guilty and sentenced him in absentia to: (i) a penalty of life imprisonment; (ii) payment to the State of Cameroon of the sum of 5.8 billion CFA francs in damages; and (iii) lifelong forfeiture of his civil rights. Mr. Ambassa Zang sought the Supreme Court's annulment of the Special Criminal Court's decision, arguing that: (i) there was a material error in the amount of the financial penalty, the difference being not less than 91 million CFA francs; (ii) the arbitral award raised problems concerning the authority of *res judicata*; and (iii) Article 7 of the 2006 law organizing the judiciary stipulates that judges must state reasons for their decisions in law and in fact;
- While criminal proceedings were under way, on the orders of the Head of State a decision was signed on 12 October 2012 referring the accusations against Mr. Ambassa Zang to the Budget and Finance Disciplinary Council (CDBF), before which, unlike in a criminal procedure, defendants can be represented in their absence by legal counsel. It would seem that this decision was notified to Mr. Ambassa Zang's counsel only in May 2013, or nearly seven months after it was signed, without any explanation. On 20 August 2013, Mr. Ambassa Zang received a partial request for information from the CDBF rapporteur, to which he responded in two extensive defence memorandums. More than two months later, the CDBF rapporteur sent a second partial request for information, to which Mr. Ambassa Zang responded on 13 December 2013 with another defence memorandum,

Recalling the following observations made on the legal proceedings and the accusations against Mr. Ambassa Zang:

- According to the complainant, under the terms of Article 1, Decree No. 2013/287 of 4 September 2013, CONSUPE "is under the direct authority of the President of the Republic, from whom it receives instructions and to whom it is accountable"; the complainant affirms therefore that CONSUPE is an "instrument" in the service of the President of the Republic and

must “follow orders and submit to pressure”. The complainant points out that CONSUPE technical staff lack professional expertise and capacities, and their reports therefore lack credibility and tend to spark controversy. According to the complainant, Mr. Ambassa Zang was never informed about the original audits, invited to contribute to the audit process, informed of the conclusions or invited to comment on them; the complainant affirms that the CDBF rapporteur broke the rules of procedure, including by formulating a second partial request for information and formulating accusations in addition to those mentioned in the audits. In response, the President of the CDBF stated that CDBF’s rules of procedure strictly comply with the general principles of presumption of innocence and the right of defence and that “should one or several new incidents arising from the rapporteur’s investigations be closely connected to the presumed offences on the basis of which the respondent was brought before the CDBF, the rapporteur is authorized, in accordance with consistent case law, to take them into account in his examination of the case; this principle is at all times limited to the management period considered by the audit.” According to the complainant, invoking the concept of “connectivity” in a case before the CDBF is both an abuse of authority and a serious violation of the ethical principles governing the proceedings before this financial body and leaves the door wide open for arbitrary decisions;

- According to the complainant, Mr. Ambassa Zang had been known for having fought corruption within that ministry; the complainant affirms that there was no wrongdoing or misappropriation in Mr. Ambassa Zang’s favour of any sum whatsoever, the accusations relate to 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; moreover, on 13 July 2010, the International Chamber of Commerce handed down an arbitral award in *UDECTO v. State of Cameroon*, a dispute concerning the execution of the Wouri Bridge renovation works; the complainant affirms that, because Cameroon won that case, the company UDECTO having been sentenced to pay it substantial sums, and also on the strength of the legal principle of *non bis in idem*, the accusations brought against Mr. Ambassa Zang regarding a prejudice he allegedly caused Cameroon are no longer applicable; the AFD Director General specified in her letter of 7 January 2014 that the AFD had filed no complaint against Mr. Ambassa Zang relating to his activities in the context of the proceedings against him before the CDBF and that, owing to the blocking statute, it was not in a position to provide any observations that could be used as proof in administrative or judicial proceedings abroad, except pursuant to an official request made as part of international judicial assistance procedures;
- Mr. Simon Foreman (partner, Courrégé Foreman law office and lawyer at the Paris Bar) was mandated to attend and report on the hearing which took place in this case before the Special Criminal Court on 17 September 2014; in his report he states: “It is worth stressing that the examining judge’s order seizing the court and presenting the charges against the accused mentions no sign whatsoever of personal enrichment on behalf of Mr. Ambassa Zang. Many of the accusations against him relate to the fact that the auditors found no justifying documents for various budgetary expenses, for which he could not account. Given that ministers do not normally leave office taking accounting documents with them, much of Mr. Ambassa Zang’s defence arguments relies on the suggestion that such documents might be found, for instance, in the archives of the Ministry of Public Works or the Ministry of Finance. In any event, his inability to provide detailed justification for expenses that occurred 10 to 12 years ago (2002-2004) does not amount to evidence of criminal misappropriation. In the absence of criminal intent, it should at the most qualify as mismanagement, possibly resulting in disciplinary proceedings. In reading the examining judge’s order, I found no mention of any sign of criminal intent, let alone personal enrichment”;
- The IPU Committee and Governing Council have expressed long-standing doubts about the fairness of the proceedings against Mr. Ambassa Zang, leading it to conclude that the conditions have never been met to enable equitable and objective treatment of this case should Mr. Ambassa Zang, who enjoys official refugee status abroad, return to Cameroon. With regard to the verdict itself against Mr. Ambassa Zang, the IPU has expressed the following concerns: (i) the verdict does not show how the accusations amount to criminal misappropriation and personal enrichment and constitute a criminal offence; (ii) Mr. Ambassa Zang has provided extensive and detailed rebuttals of each of the accusations made against him; (iii) the main accusation against Mr. Ambassa Zang relates to the Wouri Bridge renovation works, which matter the International Chamber of Commerce has already fully adjudicated by finding the company UDECTO at fault; (iv) the State of Cameroon does not seem to have formally

requested any information that the AFD or other donors may have at their disposal to shed further light on the accusations against Mr. Ambassa Zang; (v) there is a discrepancy between the amount of money mentioned in the original accusations and the one mentioned in the verdict against Mr. Ambassa Zang;

- According to the complainant, Mr. Ambassa Zang's prosecution must be seen in the context of "Opération Épervier" (Operation Sparrow Hawk), which was widely criticized as a campaign originally intended to combat corruption and misappropriation of public funds, but instead was used to silence critically-minded public figures who, like Mr. Ambassa Zang, expressed views not always in line with those of their party,

Considering that the Supreme Court has not yet ruled on Mr. Ambassa Zang's request to annul the verdict of the Special Criminal Court,

Considering that, on 30 June 2017, the CDBF found Mr. Ambassa Zang guilty of several management irregularities which had resulted in a loss of 7.5 billion CFA francs to the State Treasury, the CDBF also sentenced Mr. Ambassa Zang to pay a special fine totalling 2 million CFA francs; according to the complainant, Mr. Ambassa Zang had not been notified of the CDBF's verdict, which prevented him from bringing annulment proceedings before the competent administrative court, a remedy provided for by Act No. 74/18 of 5 December 1974, as amended and supplemented by Act No. 76/4 of 8 July 1976 (art. 12),

1. *Is deeply concerned* about the decision adopted by the CDBF against Mr. Ambassa Zang in light of the serious allegations that the right to a fair trial was not followed, the severity of the penalty imposed on him and the firm replies he has provided to refute each of the accusations; *regrets* that, seemingly, the Cameroonian authorities again did not make use of the possibility to formally request the French Development Agency to offer assistance, given that the Agency seemed well placed to help shed full light on the matters at hand;
2. *Is concerned* that Mr. Ambassa Zang has still not received a copy of the CDBF decision and is thus prevented from legally challenging it; *calls on* the authorities to provide him with a copy of the decision as soon as possible;
3. *Is deeply concerned* that in the criminal proceedings the Supreme Court has still not pronounced on the request to annul the verdict; *reaffirms* the important principle that justice delayed is justice denied; *trusts* that the Supreme Court will consider this request as a matter of urgency; *wishes* to receive confirmation thereof;
4. *Reaffirms its views* in this regard that the proceedings leading to Mr. Ambassa Zang's conviction were fraught with irregularities, to the point that they can in no way justify his conviction; *considers*, in fact, that the various elements of concern in this case, when taken together, lend strong weight to the accusation that he was subjected to a criminal procedure motivated by other than legal concerns;
5. *Trusts* that the Supreme Court, in reaching its decision on the request for annulment of the sentence, will therefore take due account of these procedural irregularities;
6. *Requests* the Secretary General to convey this decision to the relevant authorities, the complainant and any third party likely to be in a position to supply relevant information;
7. *Requests* the Committee to continue examining this case and to report back to it in due course.

Democratic Republic of the Congo

DRC/71 - Eugène Diomi Ndongala

***Decision adopted unanimously by the IPU Governing Council at its 201st session
(St. Petersburg, 18 October 2017)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Eugène Diomi Ndongala, a former member of the National Assembly of the Democratic Republic of the Congo (DRC), and to the decision adopted at its 198th session (Lusaka, March 2016),

Referring to communications from the Speaker of the National Assembly dated 10 October, 21 August, 30 March and 20 January 2017 and the information provided by the complainants,

Referring also to the report on the mission conducted to the DRC from 10 to 14 June 2013 (CL/193/11b)-R.2),

Recalling the following allegations provided by the complainants: Mr. Ndongala, the leader of an opposition political party, was framed because he publicly denounced large-scale electoral fraud during the 2011 elections and questioned the legitimacy of the election results; he also staged a protest at the National Assembly, in which 40 opposition members took part; for those reasons, Mr. Ndongala has been the target since June 2012 of a campaign of political and legal harassment aimed at removing him from the political process and at weakening the opposition; that harassment has in particular been marked by the following alleged violations of his fundamental rights: (i) arbitrary arrest on 27 June 2012, the day before Mr. Ndongala was to establish an opposition party platform, followed by unlawful incommunicado detention by the intelligence services from 27 June to 11 October 2012, during which Mr. Ndongala was allegedly ill-treated; (ii) arbitrary lifting of Mr. Ndongala's parliamentary immunity on 8 January 2013, in violation of his rights of defence; (iii) arbitrary revocation of his parliamentary mandate on 15 June 2013; (iv) baseless and politically motivated judicial proceedings that disregarded the right to a fair trial; (v) illegal pre-trial detention from April 2013 until his conviction on March 2014; (vi) denial of medical care in prison since the end of July 2013,

Recalling the following information and allegations:

- That the National Assembly has repeatedly asserted that, since Mr. Ndongala has boycotted the parliamentary institution to which he belonged and questioned its legitimacy, he could not expect to benefit from its protection; at the hearing held during the 130th IPU Assembly (March 2014), the delegation of the DRC stated that if Mr. Ndongala had not contested the legitimacy of the last elections and had agreed to take part in the parliamentary proceedings, the National Assembly would not have agreed to lift his parliamentary immunity and would not have revoked his parliamentary mandate;
- According to the authorities, Mr. Ndongala was never held incommunicado, but instead fled in late June 2012 to avoid arrest *in flagrante delicto*; that, after his parliamentary immunity had been lifted, he was arrested and placed in pre-trial detention; he was tried on charges of rape of minors that were unrelated to his political activities;
- According to the complainants, the accusations that Mr. Ndongala had sexual relations with minors – qualified as rape by the prosecution – are unfounded and a pure fabrication;
- On 26 March 2014, at the end of a trial characterized by serious irregularities, Mr. Ndongala was sentenced to 10 years in prison for rape and for having both paid for and engaged in consensual sexual intercourse with underage females,

Also recalling that, in its previous decisions, it strongly criticized the fact that the trial had been tainted by serious violations of the guarantee of due process, as well as the fact that, in the DRC, judicial proceedings that involve parliamentarians do not include any appeal process; and that it has expressed its fear that a serious miscarriage of justice might have occurred, particularly in light of the highly political nature of the case,

Considering that the United Nations Human Rights Committee, to which Mr. Ndongala's case was also submitted, ruled in its conclusion of 3 November 2016 on the case that articles 2(3), 9(1), 10(1), 14(1) and 14(3)(b) of the International Covenant on Civil and Political Rights had been violated, and instructed the DRC to take appropriate steps to free Mr. Ndongala immediately, quash his conviction and, if necessary, launch fresh inquiries in accordance with the principles of equity and presumption of innocence, and to grant him suitable compensation; and that the DRC authorities have not implemented that decision,

Considering that the case was submitted to the national commission on human rights (CNDH-RDC), which on 29 May 2017 called on the Minister of Justice and the Prosecutor General of the Republic to implement the decision of the UN Human Rights Committee in accordance with the DRC's international obligations and to re-examine the case accordingly as soon as possible,

Recalling that the complainants, like the opposition parties in the DRC, consider Mr. Ndongala to be a political prisoner and have repeatedly demanded his release and that of other political prisoners, as a prerequisite to the resumption of political dialogue; and that the final report of the national consultations held between the majority and opposition political blocs in September 2013 recommended the release of political prisoners including Mr. Ndongala,

Considering that an inclusive overall political agreement signed on 31 December 2016 directs the National Assembly and Senate to give priority to the legislative agenda with respect to the elections and to the measures for easing political tensions in connection with the release of political prisoners; the parties to the agreement requested the National Episcopal Conference of Congo (CENCO) to “take the initiative in seeking an appropriate and satisfactory solution” in the case of Mr. Ndongala; they tasked CENCO with mediating to that effect and with facilitating agreement between the parties on modalities for implementing the agreement of 31 December through “particular arrangements”, especially concerning the easing of political tensions; CENCO ended its mediation mission in the absence of agreement between the parties,

Considering that the particular arrangement for implementation of the measures to ease political tensions foreseen by the agreement of 31 December 2016 was signed on 27 April 2017 and that it provided for the release of seven symbolic political prisoners including Mr. Ndongala, on the fifth day following signature; and that Mr. Ndongala has not been released,

Considering that the Speaker of the National Assembly stated in his letters that the National Council for Follow-Up on the Agreement (CNSA) was put in place in July 2017, and that the CNSA, which is now responsible for measures to ease political tensions, had informed him on 2 October 2017 that initiatives were under way to obtain a presidential pardon for Mr. Ndongala;

Also recalling that, according to the complainants, Mr. Ndongala’s health has deteriorated sharply since his detention began in late July 2013, but that the authorities have systematically refused to allow him to be taken to hospital and that he currently continues to be denied appropriate medical care; the UN Human Rights Committee, on 8 October 2014, requested the DRC to take all necessary measures to ensure that he receives appropriate medical care to prevent irreparable damage to his health; the authorities have stated that he has received appropriate medical care and that his situation does not require his evacuation for medical care abroad,

Considering that in April 2017 the authorities accepted his transfer from prison to a hospital in Kinshasa, where he currently remains; according to the complainants, further medical examination has revealed that Mr. Ndongala needs treatment not available in the DRC and which would require his transfer abroad; the application that his lawyer made to the authorities for that purpose remains unanswered,

1. *Thanks* the Speaker of the National Assembly for the information provided;
2. *Notes with interest* the steps being taken by the National Council for Follow-Up on the Agreement and Mr Ndongala’s transfer to hospital; *wishes* to be informed of any new development as soon as possible;
3. *Deplores* the continuing detention of Mr. Ndongala although, over the past three years, the authorities have pledged many times to release him; again *urges* the authorities to proceed with his immediate release;
4. *Requests* the Secretary General to convey this decision to the parliamentary authorities, the Minister of Justice, the complainants and any third party likely to be in a position to supply relevant information;
5. *Requests* the Committee to continue examining this case and to report back to it in due course.

Democratic Republic of the Congo

DRC86 - Franck Diongo

***Decision adopted unanimously by the IPU Governing Council at its 201st session
(St. Petersburg, 18 October 2017)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Diongo, a member of the National Assembly of the Democratic Republic of the Congo (DRC) and president of an opposition party, whose case has been under review by the Committee on the Human Rights of Parliamentarians since December 2016 under its “Procedure for the examination and treatment of complaints” (Annex I of the Rules and practices of the Committee),

Referring to the letters from the Speaker of the National Assembly dated 10 October, 21 August, 30 March and 20 January 2017,

Referring to the hearing of a delegation from the DRC at the Committee's 152nd session (January 2017),

Considering that the complainants and the authorities agree on the following facts: Mr. Franck Diongo, member of parliament and President of the *Mouvement Lumumbiste Progressiste* (MLP) opposition party, was arrested together with a dozen activists from his political party at his home on 19 December 2016 by Presidential Guard soldiers. He was summarily tried on 28 December 2016, under an accelerated procedure and sentenced, in both the first and the last instance, to five years in prison for arbitrary arrest and illegal detention aggravated by torture. He has been serving sentence at Kinshasa prison since that time,

Taking into account that the events took place in an atmosphere of tension following the postponement of the presidential and legislative elections initially scheduled for the end of 2016; that 19 December was the date when, under the Constitution, the mandate of the Head of State was due to end; the opposition had for months been calling for elections to be held and for the Head of State to step down,

Considering that, according to reports issued by the United Nations Mission in the DRC (MONUSCO), and in particular by the United Nations Joint Human Rights Office (UNJHRO), Mr. Diongo's arrest took place amidst violent clashes in Kinshasa and elsewhere in the country; the UN deplored the gross negligence on the part of police, defence and security forces during those incidents, the violent suppression of dissenting voices and the heavy-handed and irresponsible reaction to protests on the part of the authorities, which it said risked leading to an escalation of the violence; also according to the UN reports, on 13 December 2016 Mr. Diongo had announced his support for the candidature of Mr. Moïse Katumbi (declared opponent of President Kabila) in the presidential election; he had also been the only opposition figure to continue calling for protests and to openly oppose the President on 19 December after the arrests and crackdown of the previous days,

Taking fully into account the following allegations and information on which the positions of the two sides differ:

- **Circumstances underlying the arrest of Mr. Diongo and parliamentary immunity**
- According to the complainants, on 19 December three Presidential Guard soldiers – identified as such – who were dressed in civilian clothes and armed, tried to make their way to Mr. Diongo's house. Fearing for the politician's safety on a day of tension following his call for a demonstration despite the bans imposed by the authorities, young men from the neighbourhood "apprehended them" and took them to Mr. Diongo's house. Mr. Diongo told the young men not to harm the soldiers, and requested a team from MONUSCO to intervene and take their testimonies so as to prevent their being exposed to vengeful acts by the public. Presidential Guard soldiers then arrived to arrest him and the 15 party members who were present. His house was looted and ransacked.
- The complainants allege that Mr. Diongo has committed no offence and is a political prisoner. His parliamentary immunity was ignored and the recourse to accelerated procedure was improper, according to the complainants, since he had committed no offence. They consider that this was a plot staged by the ruling regime to silence him and weaken members of the opposition by any means and to prevent protests against the extension of the Head of State's mandate. They state that Mr. Diongo had already suffered persecution, threats and assassination attempts during the previous months of his struggle for regime change. His protests to the authorities went unanswered, according to the complainants.
- The authorities have provided several versions of events. There are several points of discrepancy between them:
 - (i) The Supreme Court of Justice gave the following version in its verdict: Three Republican Guard soldiers in plain clothes took a shortcut to return home and "found themselves ambushed by a group of young men who subjected them to a beating". The young men took them to Mr. Diongo's residence, on his instructions. There, they were subjected to "a detailed interrogation focusing on their rank, role and their reasons for being in the district, and all three were subjected to a number of blows from clubs and threatened with machetes". They were detained for around four hours at Mr. Diongo's residence and freed through the intervention of MONUSCO.

- (ii) The official correspondence dating from Mr. Diongo's arrest refers to "a subversive movement", to "inciting civil disobedience" and to the organization of an "insurgency" by Mr. Diongo and his "militia".
 - (iii) The version provided by the National Assembly refers to the fact that Mr. Diongo was arrested for his own safety to prevent any acts of vengeance by members of the Republican Guard.
- The Speaker of the National Assembly asserts that he informed the Assembly's plenary of the infringements that had triggered the recourse to accelerated procedure and had informed the Public Prosecutor to ensure that Mr. Diongo's rights of defence and his parliamentary immunity were upheld. The specific circumstances behind the accelerated procedure have not been communicated by the authorities.
- **Torture of Mr. Diongo**
 - According to the complainants, Mr. Diongo and his party supporters were held in the Tshatshi military camp and at the premises of the military intelligence services (ex-DEMIAP) after their arrest and before being transferred to the prosecution service. They were forced to swallow a drink and also hemp. They were injected with an unknown substance. They were struck with rifle butts, beaten with an iron bar enclosed in a PVC tube, burned with sulphuric acid and seriously wounded with metal wire and bars. On 27 February 2017 Mr. Diongo lodged a complaint with the military courts concerning these acts, which was ignored.
 - No information has been provided in response to the allegations of torture and detention. The Speaker of the National Assembly has simply stated that he requested Mr. Diongo's transfer to the National Public Prosecutor's Office because a military intelligence unit was not an appropriate place of detention for a member of parliament. The Supreme Court did not mention these allegations in its decision although, according to his lawyers and the photographs taken of the trial, Mr. Diongo was forcibly taken to the hearings in a hospital bed while attached to a drip.
- **Fairness of Mr. Diongo's trial**
 - According to the complainants, the minimum guarantees of the right to a fair trial were not observed: Mr. Diongo was not capable of preparing his defence or of appearing in court owing to his maltreatment in detention; he had no access to lawyers prior to the trial; no defence witness was heard by the court; the defence could not question prosecution witnesses; many procedural irregularities were committed including the airing of the verdict on national television before it had been read out at a public hearing; no remedy existed to appeal against his conviction, the court refused, without any reasoned decision, to accept his constitutional challenge against that absence;
 - The Speaker of the National Assembly emphasized that Mr. Diongo had indeed enjoyed the support of his lawyers during the trial proceedings;
 - The reasoned decision of the Supreme Court adduced no proof in support of its conclusions and did not present Mr. Diongo's version of events, despite the stark contradictions between the versions given by Mr. Diongo and his supporters, on one hand, and the public prosecutor and plaintiffs on the other; the court took no account of the political security context prevailing at the time, nor of the background of oppression and threats to which Mr. Diongo stated he had long been subjected, particularly from Republican Guard soldiers;
 - The 15 party members arrested with Mr. Diongo were tried separately by a regular court. Eight of them were acquitted on 3 June 2017 and the other seven were handed 7-month prison sentences for abduction and assault and battery, with extensive mitigating circumstances. Unlike the Supreme Court decision, the court ruling referred clearly to the grounds raised by the defence lawyers and to the evidence used by the court in reaching its verdict.
- **Conditions of detention**
 - The complainants allege that, despite repeated requests, Mr. Diongo was not given proper medical care while in detention following the maltreatment he suffered during his arrest and given his chronic health problems; his health therefore deteriorated in prison, according to the complainants; Mr. Diongo was transferred to hospital on 18 August 2017, but under the supervision of the Presidential Guard, not the police, an illegal procedure that raised concerns about Mr. Diongo's safety; following a brief stay in a private clinic he was forcibly returned to prison on 31 August without having received the necessary care;

- The Speaker of the National Assembly stated in his letter dated 30 March 2017 that he had contacted the Minister of Justice to ensure that Mr. Diongo was assured appropriate medical treatment and visiting rights at all times while in prison; no information on the events of August has been provided;

Considering the above-mentioned contradictions and discrepancies concerning the facts underpinning the conviction of Mr. Diongo and the fact that the Speaker of the National Assembly, in his letter dated 20 January 2017, suggested contacting MONUSCO, “an organization whose independence is beyond doubt” in order to verify that the facts were genuine,

Considering the following conclusions published by MONUSCO, in particular in the UNJHRO report on human rights violations committed in the context of the events of 19 December 2016:

- “On 19 December, in Kinshasa, soldiers of the Republican Guard arrested at least 16 MLP members, including their president and member of the national parliament, Franck Diongo. Mr. Diongo was allegedly arrested for having neutralized, held and beaten three soldiers of the Republican Guard who had tried to enter into his residence. Following MONUSCO intervention, Franck Diongo and his sympathizers released the three soldiers. After MONUSCO had left, several soldiers of the Republican Guard attacked Mr. Diongo’s residence and arrested him and 15 MLP members, before looting and damaging the residence.
- Following their arrest, Mr. Diongo and the members of his party were sent to the Tshatshi military camp, where they were tortured by soldiers of the Republican Guard. They were then transferred to the prison in Makala. Franck Diongo was detained at the premises of the military intelligence services, where he suffered cruel, inhuman and degrading treatment before being transferred the same night to the criminal police, then the Public Prosecutor’s Office and finally to Makala prison.”
- Before, during and after the events of 19 and 20 December, the Congolese authorities carried out mass arrests and detained individuals suspected of planning or taking part in protests, in an attempt to prevent any demonstration. The complete bans on protests decreed by the authorities were unjustified and disproportionate in terms of maintaining law and order, and contravened articles 25 and 26 of the Constitution as well as international law. The UNJHRO report also condemned the disproportionate use of force and repressive measures used against peaceful demonstrators and the impunity enjoyed by the security forces for their acts. The UNJHRO emphasizes that “despite several appeals made by national and international organizations, including United Nations Human Rights Council special procedures, the authorities took no steps to establish an environment more conducive to peaceful political activity.”

Considering lastly that the agreement of 31 December 2016 concluded by the majority and opposition political stakeholders to try to find a way out of the crisis provides for the implementation of measures to improve the political situation, namely by freeing all political prisoners; the DRC delegation, at its hearing in January 2017, considered that Mr. Diongo’s situation could be settled within that framework in such a way that he could receive a measure of leniency and regain his freedom; to date, Mr. Diongo’s name has not appeared on the list of political prisoners affected by these political tension-easing measures,

Recalling the seriousness of the shared concerns about the 34 cases involving other current and former members of parliament from the DRC that have long been before the Committee, especially those concerning violations of the freedom of expression of parliamentarians who spoke out against the position of the Head of State, the policy of the Government and the presidential majority, the manipulation of the justice system and the absence of fair process, and given the conditions in which the various trials involving these parliamentarians have taken place and the absence of remedy, as well as the repeated attacks made on parliamentary immunity, short-circuited on several occasions in the past by the public prosecutor using an unfair accelerated procedure,

1. *Thanks* the Speaker of the National Assembly for the information provided and the communications sent to the competent authorities;
2. *Considers* that the allegations of the complainants are credible in respect of the information received from both parties and of the context in which events have unfolded; *notes in particular* that there is nothing in the Supreme Court of Justice’s sentencing of Mr. Diongo to indicate that the Court attempted to establish what actually happened and that, rather, it seems to have focused solely on the version of events given by the public prosecutor and did not try to verify it by means of either incriminating or exculpatory evidence, *also notes with concern* that the

- Court's decision cites no evidence demonstrating that Mr. Diongo was personally responsible for the incidents of 19 December, by contrast with the decision issued by the court which tried the party activists arrested with him and acquitted most of them;
3. *Fears* that Mr. Diongo was arrested and sentenced for attempting to continue expressing his opposition to the extension of the Head of State's mandate, and so as to put an end to the protests organized by the opposition; *considers* that the basic rights of freedom of expression, peaceful assembly and a fair trial have been neither observed nor protected by the executive, judicial and legislative authorities of the DRC;
 4. *Is alarmed* that an incumbent member of parliament was kept in military confinement and tortured *and shocked* that the authorities appear to have taken no appropriate action;
 5. *Calls upon* the authorities to release Mr. Diongo as quickly as possible in the framework of implementing the measures for improving the political situation as provided for in the agreement of 31 December 2016, since Mr. Diongo meets all the conditions for inclusion in the list of political prisoners; *likewise urges them* to ensure that the complaint which Mr. Diongo submitted to the military courts concerning the abuse he suffered is processed without delay and in a transparent, impartial and independent manner;
 6. *Reminds* the authorities, principally the parliamentary authorities, that they have a duty and obligation to guarantee respect and protection for the fundamental rights of all parliamentarians, whatever their political affiliation, and *urges* the National Assembly to perform that task to the full in the future; *emphasizes* that the integrity and independence of the entire institution of parliament is at stake when it permits such situations to occur and reoccur, especially when, in such a tense political context, only genuinely inclusive political dialogue that respects the opposition's role offers any hope of a way out from the crisis that will bring benefits to the Congolese population;
 7. *Requests* the Secretary General to convey this decision to the parliamentary authorities, the complainants and any third party likely to be in a position to supply relevant information;
 8. *Requests* the Committee to continue examining this case and to report back to it in due course.
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Venezuela

VEN13 - Richard Blanco	VEN48 - Yanet Fermin (Ms.)
VEN16 - Julio Borges	VEN49 - Dinorah Figuera (Ms.)
VEN19 - Nora Bracho (Ms.)	VEN50 - Winston Flores
VEN24 - Nirma Guarulla (Ms.)	VEN51 - Omar González
VEN25 - Julio Ygarza	VEN52 - Stalin González
VEN26 - Romel Guzamana	VEN53 - Juan Guaidó
VEN27 - Rosmit Mantilla	VEN54 - Tomás Guanipa
VEN28 - Enzo Prieto	VEN55 - José Guerra
VEN29 - Gilberto Sojo	VEN56 - Freddy Guevara
VEN30 - Gilber Caro	VEN57 - Rafael Guzmán
VEN31 - Luis Florido	VEN58 - María G. Hernández (Ms.)
VEN32 - Eudoro González	VEN59 - Piero Maroun
VEN33 - Jorge Millán	VEN60 - Juan A. Mejía
VEN34 - Armando Armas	VEN61 - Julio Montoya
VEN35 - Américo De Grazia	VEN62 - José M. Olivares
VEN36 - Luis Padilla	VEN63 - Carlos Papanoni
VEN37 - José Regnault	VEN64 - Miguel Pizarro
VEN38 - Dennis Fernández (Ms.)	VEN65 - Henry Ramos Allup
VEN39 - Olivia Lozano (Ms.)	VEN66 - Juan Requesens
VEN40 - Delsa Solórzano (Ms.)	VEN67 - Luis E. Rondón
VEN41 - Robert Alcalá	VEN68 - Bolivia Suárez (Ms.)
VEN42 - Gaby Arellano (Ms.)	VEN69 - Carlos Valero

VEN43 - Carlos Bastardo
VEN44 - Marialbert Barrios (Ms.)
VEN45 - Amelia Belisario (Ms.)
VEN46 - Marco Bozo
VEN47 - José Brito
VEN70 - Milagro Valero (Ms.)
VEN71 - German Ferrer
VEN72 - Adriana d'Elia (Ms.)
VEN73 - Luis Lippa

*Decision adopted by consensus by the IPU Governing Council at its 201st session
(St. Petersburg, 18 October 2017) ¹*

The Governing Council of the Inter-Parliamentary Union,

Referring to the existing cases under file names VEN13, 16, 19 and 24-32, which concern allegations of human rights violations affecting members from the coalition of the former opposition, the Democratic Unity Round Table (MUD), which obtained a majority of seats in the National Assembly following the parliamentary elections of 6 December 2015,

Having before it new cases under the file name VEN/33 to 73, which have been examined by the Committee on the Human Rights of Parliamentarians pursuant to the revised Procedure for the examination and treatment of complaints (Annex I of the Revised Rules and Practices),

Considering the information regularly provided by the complainant and by parliamentarians belonging to the MUD and during the hearing with the Committee on 14 October 2017,

Considering the following information on file regarding the concerns in this case:

- **Attacks on parliamentarians by law enforcement officers and pro-government supporters in the course of demonstrations**
- According to the complainant, against a backdrop of peaceful demonstrations organized in defence of democracy and the Constitution of the Republic, since 28 March 2017 the following opposition members of parliament have been attacked by pro-government supporters and/or law enforcement officers:
 - Robert Alcalá, Gaby Arellano, Marialbert Barrios, Carlos Bastardo, Amelia Belisario, Richard Blanco, Marcos Bozo, Julio Borges, José Brito, Yanet Fermín, Dinorah Figuera, Winston Flores, Luis Florido, Juan Guaidó, José Guerra, Olivia Lozano, Omar González, Stalin González, Américo De Grazia, Tomás Guanipa, Freddy Guevara, Rafael Guzmán, María G. Hernández, Piero Maroun, Juan A. Mejía, Jorge Millán, Julio Montoya, José M. Olivares, Carlos Paparoni, Miguel Pizarro, Henry Ramos Allup, Juan Requesens, Luis E. Rondón, Delsa Solórzano, Bolivia Suárez, Carlos Valero, Milagro Valero,
- In August 2017, the Office of the UN High Commissioner for Human Rights (OHCHR) issued a report, “Human rights violations and abuses in the context of protests in the Bolivarian Republic of Venezuela from 1 April to 31 July 2017”. The OHCHR’s findings point to an increasingly critical human rights situation since the protests began, with mounting levels of repression of political dissent by national security forces and increasing stigmatization and persecution of people perceived as opposing the government of President Maduro. The OHCHR report documented extensive violations of human rights committed by national authorities aimed at curbing any type of anti-government protest, against a background of country-wide demonstrations. The OHCHR found that security forces systematically used excessive force and arbitrarily detained protesters, and documented patterns of ill-treatment, in some cases amounting to torture, as well as serious violations of the due process rights of persons detained by the authorities in connection with the protests. Credible and consistent accounts from victims and witnesses indicate that security forces systematically used excessive force to deter demonstrations, crush dissent and instil fear. The Bolivarian National Police (PNB) and the Bolivarian National Guard (GNB), which is part of the armed forces, used tear gas and other less lethal weapons, such as water cannons and plastic pellets, during demonstrations without prior warning and in a non-progressive manner, in violation of the international legal principles of necessity and proportionality. Less lethal weapons were also used systematically in a manner intended to cause unnecessary harm. For example, security forces shot tear gas grenades

¹ A Venezuelan MP from the governing party expressed reservations regarding the decision.

directly at demonstrators at short range and altered ammunition to make it more harmful. The OHCHR also documented the use of lethal force against protesters by security forces. The authorities rarely condemned incidents of excessive use of force, in most cases denying that the security forces were responsible for such incidents, and repeatedly labelled demonstrators as “terrorists.”

- **Parliamentarians prevented from taking their seats in Parliament**

- On 30 December 2015, the Electoral Chamber of the Supreme Court ordered the suspension of a number of acts of proclamation issued by the Electoral Council for the State of Amazonas. The judgement related to allegations of fraud relating to the election of Ms. Guarulla, Mr. Ygarza and Mr. Guzamana (all from the coalition of the former opposition, the MUD) and of Mr. Miguel Tadeo (from the PSUV). On 5 January 2016, the National Assembly decided to disregard this judgement, considering that it was unjustified and that the deputies from Amazonas should take their seats, although Mr. Tadeo of the PSUV chose to respect the court order. On 11 January 2016, the Supreme Court ruled that any decision taken by the National Assembly would be invalid as long as the members of parliament whom the Court had suspended remained in their seats. The MUD coalition parties in parliament at first decided to continue legislating in defiance of the court ruling but, on 13 January 2016, the suspended members requested to leave the legislature “without losing their status of members of parliament and in expectation of more favourable conditions on resuming their seats”; they subsequently returned to the National Assembly, but later decided to temporarily withdraw from its work; it appears that no progress has been made on the case before the Supreme Court regarding the allegations of fraud which are at the origin of the suspension of the MPs.

- **Arbitrary detention of parliamentarians and/or politically motivated proceedings**

- The complainant states that, on 11 January 2017, officers from the Bolivarian Intelligence Service (SEBIN) arbitrarily arrested and detained Mr. Gilber Caro. In June 2017, in contradiction of the Constitution, Mr. Caro was presented before a military tribunal which ordered his indefinite detention in Tocuyito prison in the state of Carabobo. The charges brought against Mr. Caro are treason and appropriation of goods belonging to the armed forces. According to the complainant, Mr. Caro is not receiving sufficient food and has lost considerable weight. His family members, lawyers and human rights organizations have raised this matter with the authorities. Moreover, Mr. Caro is reportedly being kept in isolation, without contact with his children or other detainees, and without even the possibility of real contact with penitentiary staff. His cell measures 2 by 3 metres and has no natural light. His lawyers have repeatedly asked the judge to have him transferred to a detention centre where his rights would be respected, but to no avail. Mr. Caro started a hunger strike on 11 September 2017 and has threatened to sew his lips together if his pleas are ignored.
- Mr. Mantilla, Mr. Prieto and Mr. Sojo, elected as alternate members of parliament in the elections of 6 December 2015, were deprived of their liberty in 2014 in connection with ongoing legal proceedings, for political reasons according to the complainant; Mr. Mantilla and Mr. Sojo were released in November and December 2016; the legal case against them continues; however, Mr. Prieto remains in detention.
- On 17 August 2017, the Supreme Court of Justice “declared appropriate” [“declaró procedente”] the detention of MP Mr. German Ferrer on the basis of accusations of involvement in a widespread extortion ring and after concluding that the case was one of “in flagrante delicto” that concerned the commission of a “permanent crime”. Mr. German Ferrer was originally a member of the PSUV and is the husband of former Prosecutor General Diaz, who was ousted by the Constituent Assembly in August 2017 after voicing serious criticism of the Government. On 18 August 2017, the Constituent Assembly lifted Mr. Ferrer’s immunity. Mr. Ferrer and his wife fled to Colombia the same day.

- **Arbitrary confiscation of passports and other intimidation in connection with international parliamentary work**

- The passports and/or identity cards of Mr. Florido (in January and February 2017), Mr. Dávila (February 2017), Mr. González (March 2017) and Mr. Américo de Grazia (July 2017) were cancelled by immigration officers as they either returned to or were about to leave Venezuela in connection with parliamentary work abroad; immigration officers told them that their passports had been cancelled owing to a reported official complaint of theft of the said documents.

- In all four cases, the complainant affirms that no official complaint about the theft of the passports was ever made. It considers that the measures taken against the parliamentarians are arbitrary and have no basis in law, being merely intended to harass and silence parliamentarians wishing to participate in international forums to voice their criticism of the political situation in Venezuela.
- On 6 April 2017, Ms. Delsa Solórzano, on returning home from Dhaka where she had been head of the Venezuelan Delegation to the 136th IPU Assembly, was detained in an abusive and intimidating manner by officers of the Armed Forces and the National Customs and Revenue Administration at the orders of SEBIN. The officers held Ms. Solórzano hostage for approximately 30 minutes, circling her and threatening to take away her cell phone, because, as they told her, she had resorted to the IPU. They said to her: “You should have stayed there. The next time I don’t let you enter, and take care of yourself, you don’t know what could happen to you...”.
- On 15 July 2017, deputies Jorge Millán and Richard Blanco arrived at Simón Bolívar International Airport. As Deputy Millán was registering his entry into the country, SAIME agents attempted to take away his passport. When he refused to hand it over, invoking his status as a parliamentarian, they took him to a room where five officers, directed by Major Henribson Herrera, beat him, seized and revoked his passport, and took his cell phone in order to review and erase information it contained. Deputy Blanco, for his part, while awaiting his luggage at the airport was surrounded by agents from SEBIN and the Bolivarian National Guard, who detained him more than 40 minutes without explanation.

- **Allegations of arbitrary disbarment from holding public office**

- By decision of 3 August 2017, the *Contraloría General de la República* [Comptroller-General of the Republic] disbarred a member of the National Assembly, Ms. Adriana D’Elia, from holding public office for 15 years. On 16 August 2017, the Comptroller-General also disbarred MP Mr. Luis Lippa from holding public office, although no information is on file as to the length of the disbarment. According to the complainant, revoking parliamentary mandate can only be done through a final legal decision following proceedings that respect due process, neither of which applies to the situation of the aforementioned parliamentarians.

- **Illegal occupation of parliamentary premises, including by paramilitary groups who, incited by the government, attacked and seriously injured deputies and violated their human rights**

The events of 5 July 2017

- The signing of the Independence of Venezuela Act is commemorated on 5 July each year by a solemn public ceremony held in the Oval Room of the Legislative Palace and by a special session of parliament. On the morning of that day the Vice President of the Republic, Mr. Tareck El Aissami, and representatives of the various ministries conducted a surprise ceremony in the Oval Room of the Palace to celebrate Independence Day, without authorization from the parliamentary leadership. Members of the executive branch withdrew after the ceremony but their supporters remained outside the Palace.
- While the special session was being held, at approximately 12 noon a group of government supporters who had gathered outside the entrance to the legislative building invaded the parliament, brandishing clubs, tubes, knives and explosive devices and threatening National Assembly deputies and those who work for them:
<https://www.youtube.com/watch?v=of00oAZf82s>.
- Those injured included the legislators Américo De Grazia, Nora Bracho, Armando Armas, Luis Padilla and José Regnault. Deputy de Grazia suffered convulsions after being beaten with an object about the head and had to be transported by ambulance to a medical facility, where he was diagnosed as having a cerebral contusion and several broken ribs. Three other legislators sustained head cuts.
- According to the complainant, after the initial attack, the group of government supporters continued laying siege to the Assembly area for more than seven hours, launching rockets at parliamentary headquarters and holding hostage 108 journalists, 120 workers and 94 deputies, as well as musicians and special guests including representatives of the diplomatic corps. The complainant also stresses that the GNB, which had custodial responsibility for the premises, did not contain the demonstrators nor act to prevent the attacks against parliamentarians.

- The above-mentioned OHCHR report referred to the events that unfolded on 5 July 2017 as follows: “On the morning of 5 July, the National Assembly held a solemn session on the occasion of Venezuela’s Independence Day. At around noon, a group of over 100 persons, including alleged members of armed *colectivos*, burst into the Assembly’s premises, and started throwing rockets and attacking parliamentarians, journalists and staffers with metal rods and sticks. Some of them reportedly carried guns. One of the injured recalled to the OHCHR how he lost consciousness after being hit but afterwards saw in the security footage how the individuals “were kicking and hitting me while I lay on the floor.” A journalist interviewed by the OHCHR said “I took refuge in the main chamber, where I saw several parliamentarians covered in blood.” The attack lasted more than six hours. During that time, parliamentarians were prevented from leaving the premises. The incident left 12 persons injured, including five parliamentarians from the opposition. The GNB, responsible for securing the National Assembly’s premises, reportedly opened the gates to the armed *colectivos* and witnessed the assault while failing to protect the victims. “The GNB was absolutely indifferent,” reported a witness interviewed by the OHCHR. “The evidence is that there is not a single detainee [...] I believe everything was planned and orchestrated with the GNB.”

The events of 27 June 2017

- On 27 June 2017, at approximately 5 p.m. while an ordinary session of the National Assembly was being held, GNB agents took sealed boxes bearing the stamp and seal of the National Electoral Council (CNE) into the Federal Legislative Palace without the prior authorization of parliamentary authorities. According to the complainant, there is no reason whatsoever for such materials to be on parliamentary premises and they were brought in behind the backs of the parliamentary authorities.
- Three women deputies, Denis Fernández, Second Vice President of the National Assembly, Delsa Solórzano and Olivia Lozano, together with Deputy Winston Flores, approached to verify what was happening and what the boxes contained, but were forced away and beaten with helmets by GNB officers. These assailants were identified by Deputy Solórzano as Officers Betancourt and Leal. She went on to assign blame to Col. Vladimir Lugo, head of the GNB unit responsible for safeguarding National Assembly premises. The attack caused Deputy Solórzano to sustain a severe cervical injury.
- When questioned about events by Deputy Julio Borges, President of the National Assembly, Col. Lugo Armas answered that he managed conflicts “as he saw fit” and ordered the deputy to withdraw. Later, when Deputy Borges reminded Col. Lugo Armas that he was President of the National Assembly, he replied as follows: “I am commander of the unit. You may be President of the National Assembly, but I am commander of the unit”, while pushing the deputy out of his office.
- While these events were occurring, armed paramilitary groups began surrounding and then violently entering the Legislative Palace, shouting slogans and insults and throwing explosives and other dangerous objects at the building. Deputies were held hostage and the building was occupied for more than four hours, during which no action was taken by the GNB or any other state security force to eject the violent groups or protect the physical integrity of the deputies. According to the complainant, these events occurred a few hours after President Maduro, speaking at an event for the National Constituent Assembly, made the following threat: “If Venezuela were engulfed by chaos and violence, if the Bolivarian revolution were destroyed, we would join the combat, we would never give up and what we might not be able to do with votes we would do with guns - we would liberate our country with guns”.
- The complainant affirms that the actions taken by GNB officers in physically transporting CNE materials into the parliament without prior authorization from its authorities violated the parliament’s autonomy; in addition, in striking and pushing deputies, they violated their parliamentary immunity. According to the complainant, the occupation of the National Assembly and the prevention of legislators, journalists and parliamentary officials from leaving the building violated those persons’ right to free transit and placed their physical integrity at risk, in flagrant violation of the human rights of the parliamentarians and other citizens held in the Legislative Palace.

Considering that on 1 May 2017, President Maduro announced that he would convene an Assembly to rewrite the Constitution, which prompted a new wave of street protests; that on 30 July 2017, despite mounting national and international pressure, voting for the Constituent Assembly took place; and that on 4 August 2017, the Constituent Assembly members were sworn in,

Considering also the following information with regard to the general restrictions placed on the work of the National Assembly and its members:

- Since August 2016 the President of Venezuela has deprived the National Assembly of funds, including salaries for its members and staff and monies needed to cover its running costs;
- The Constituent Assembly has taken over many of the premises belonging to the National Assembly, whose room to operate is therefore greatly diminished;
- By decision of 18 August 2017, the Constituent Assembly invested itself with legislative powers.

Recalling the persistent concerns which the complainant and others have expressed about the lack of independence of the Supreme Court; in this regard they pointed out, among other concerns, that three judges and 21 substitute judges, some of whom had close affinity with, if not direct ties to, the governing party, were elected hastily to the Court by the outgoing National Assembly less than one month after the elections of 6 December 2015 had eliminated the governing party's majority in the newly elected National Assembly, which then took office on 5 January 2016,

Recalling the long-standing efforts since 2013 to send a delegation of the Committee on the Human Rights of Parliamentarians to Venezuela, which have failed in the absence of clear authorization from the Government to welcome and work with the delegation; *recalling* that the IPU President, on the last day of the 136th IPU Assembly in Dhaka (5 April 2017), called for the speedy dispatch of a human rights mission and a high-level political mission to Venezuela, proposals for which he obtained tacit support in the room from Mr. Darío Vivas Velazco, member of the Venezuelan National Assembly and coordinator of the Venezuelan parliamentary group *Bloque de la Patria* in the Latin American Parliament; *considering* that since the 136th IPU Assembly, the IPU President and Secretary General have made numerous attempts to obtain the agreement of the Venezuelan executive to conduct these missions, but to no avail,

Recalling the official visit to Venezuela by the Secretary General in late July 2016, during which he met, among others, with the President of Venezuela, the Speaker of the National Assembly, the Ombudsman and parliamentarians from majority and opposition parties, and that his visit laid the groundwork for the organization of the planned mission by the Committee,

Recalling that from May 2016 to February 2017 efforts were made, with mediation by the Secretary General of the Union of South American Nations (UNASUR), the former Prime Minister of Spain and the former presidents of the Dominican Republic and Panama, and later by the Vatican, to bring the two political sides together, which led to official plenary meetings on 30 October 2016 and 11 and 12 November 2016 to decide on the issues for the political dialogue; and that, however, the dialogue stalled subsequently in light of disagreements about what had been concluded to date and how to proceed; efforts made in August and September 2017 to revive these talks failed,

1. *Is deeply concerned* about the unprecedented scale of repression of opposition members and of efforts to undermine the integrity and autonomy of the Parliament of Venezuela;
2. *Is shocked* at the widespread and serious reports of attacks on members of parliament, the direct participation or complicity therein of state security agents and government supporters, and their apparent impunity for these incidents; *calls on* the authorities to put an end to this pattern of abuse by ensuring that law enforcement officers and government supporters respect the law and that those responsible for violations are held to account;
3. *Is deeply concerned* about the reprisals taken against several parliamentarians after they spoke out abroad on the situation in Venezuela; *considers* such intimidation to be unacceptable; *urges* the authorities to investigate these incidents and to prevent them from recurring; *calls on* the authorities to return forthwith the passports and identity documents to the parliamentarians concerned and to ensure that the members of the official Venezuelan delegation to the 137th IPU Assembly can return to Venezuela without reprisals;
4. *Is alarmed* at the invasion and aggression that occurred on 5 July 2017 in the National Assembly, which left several parliamentarians seriously wounded, and the serious reports that government supporters were responsible and were able to act freely as state security agents stood by; *is also concerned* about the intrusion onto parliamentary premises on 27 June and the ill-treatment of several parliamentarians; *calls on* the authorities to do everything possible to fully investigate these extremely serious incidents and punish those responsible;

5. *Is deeply concerned* about the general restrictions placed on the National Assembly, which not only prevent it from carrying out its work but also demonstrate complete contempt for the institution of parliament itself; *is shocked* that the Constituent Assembly, rather than focus on redrafting the Constitution, is steadily replacing the duly elected National Assembly and considers itself competent to lift the parliamentary immunity of a member of the National Assembly; *urges* the relevant authorities to ensure that the National Assembly and its members can fully carry out their work by respecting its powers and allocating the necessary funding for its proper functioning;
 6. *Is deeply concerned* about Mr. Caro's situation; *urges* the authorities to ensure that he receives adequate treatment in detention; *wishes* to receive official information on this matter and on the exact accusations against him and the facts underpinning them; *wishes also* to know more about the full details of the legal grounds and facts that underpin the accusations against Mr. Prieto;
 7. *Is concerned* about the disbarment from public office of two parliamentarians in the absence of a final legal decision; *wishes* to receive a copy of the disbarment decision and of the official views on this matter;
 8. *Deeply regrets* that the human rights mission to Venezuela has still not taken place; *remains* all the more convinced, given the rapidly deteriorating situation, that such a mission could help address the concerns at hand; *requests* therefore the Secretary General to explore the possibility of sending a mission even in the continued absence of government endorsement;
 9. *Reaffirms* its stance that the issues in these cases are part of a larger political crisis in Venezuela which can only be solved through political dialogue; *calls once again on* both sides to act in good faith and to commit fully to restarting the political dialogue with the assistance of external mediation; *reaffirms* that the IPU stands ready to assist with these efforts; and *wishes* to receive further official information about how this assistance can best be provided;
 10. *Requests* the Secretary General to convey this decision to the competent authorities, the complainants and any third party likely to be in a position to supply relevant information;
 11. *Requests* the Committee to continue examining this case and to report back to it in due course.
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Cambodia

CMBD/27- Chan Cheng
CMBD/48 - Mu Sochua (Ms.)
CMBD/49 - Keo Phirum
CMBD/50 - Ho Van
CMBD/51 - Long Ry
CMBD/52 - Nut Romdoul
CMBD/53 - Men Sothavarin
CMBD/54 - Real Khemarin
CMBD/55 - Sok Hour Hong
CMBD/56 - Kong Sophea
CMBD/57 - Nhay Chamroeun
CMBD/58 - Sam Rainsy
CMBD/59 - Um Sam An
CMBD/60 - Kem Sokha
CMBD/61 - Thak Lany (Ms.)

*Decision adopted by consensus by the IPU Governing Council at its 201st session
(St. Petersburg, 18 October 2017)²*

The Governing Council of the Inter-Parliamentary Union,

Referring to the cases of the above-mentioned 15 parliamentarians from the opposition Cambodian National Rescue Party (CNRP), who are all long-standing and prominent members of the CNRP leadership, and to the decision adopted at its 200th session (Dhaka, 5 April 2017),

² The delegation of Cambodia expressed its reservations regarding the decision.

Referring to the letters of 3 and 28 September 2017 of the Secretary General of the National Assembly, the video material provided by the latter as well as the information provided by the complainants and reliable third parties,

Referring to the hearings held during the 137th IPU Assembly (St. Petersburg, October 2017) with the Cambodian delegation and with Ms. Mu Sochua, member of the National Assembly of Cambodia and Vice-President of the CNRP, as part of the Committee's effort to continue hearing both sides in a systematic manner to promote dialogue, and to the additional videos and documents provided by both parties at that time,

Referring to the final report on the visit of the Committee conducted to Cambodia in February 2016 (CL/199/11(b)-R.1),

Recalling the complainants' claim that the cases under examination demonstrate that the ruling party is attempting to weaken, silence and exclude the opposition in the lead-up to the 2017 and 2018 local and national elections by various means, including: (i) acts of intimidation and pressure; (ii) physical violence against members of parliament; (iii) political and judicial harassment characterized by multiple groundless criminal prosecutions, unfair trials and court convictions, as well as charges kept dangling to maintain a permanent threat of arrest; (iv) exclusion from political participation and from entry into Cambodia of the former leader of the opposition; and (v) threats of suspension and dissolution of the CNRP and of a future ban on the political activities of its newly designated leadership pursuant to the recently passed amendments to the 1997 political party law,

Recalling the extensive information on file and the serious concerns expressed in prior decisions on the serious abuses committed against the 15 members of parliament whose cases have been referred to the Committee on the Human Rights of Parliamentarians since July 2014 and the fact that no progress whatsoever has been made towards a satisfactory settlement,

Recalling the following in relation to the political dialogue and the 2016 Committee visit to Cambodia:

- The July 2014 political agreement put an end to the 2013 post-election crisis and established a mechanism for dialogue between the two main political parties represented in parliament, known as the "culture of dialogue". The culture of dialogue was seen by both parties as crucial to ending the prevailing culture of violence. It opened more space for political dialogue within the parliamentary institution and allowed the parties to achieve progress on some issues of national interest between July 2014 and mid-2015. It failed, however, to address and resolve the cases at hand;
- In February 2015, the Committee conducted a "visit of last resort" to Cambodia, after extensive time had repeatedly been given to both parties to find negotiated solutions. The final report of the visit concluded that the parliamentarians had been, and continued to be, victims of serious violations of their fundamental rights. They were being prevented from effectively playing their role as parliamentarians and members of the opposition freely without fear of persecution;
- The National Assembly of Cambodia shared its official views in a letter dated 11 July 2016. It denied that any violations of human rights had been committed in the cases at hand and claimed that all opposition parliamentarians concerned were criminals who must be punished in accordance with the law; accordingly, this was a purely judicial matter for the Cambodian courts to decide and not a political matter that could be resolved through the culture of dialogue, as political dialogue could not replace or violate the law,

Considering the following developments that have occurred in the individual cases before the Committee since the 136th IPU Assembly and the information and allegations shared by both parties in that respect:

- The Court of Appeal has upheld a series of first-instance prison sentences against the opposition parliamentarians concerned. It upheld Mr. Sok Hour's seven-year sentence on 29 June 2017, after a half-day hearing; it upheld Mr. Sam Rainsy's 20-month sentence – for defamation and incitement in allegedly accusing the Prime Minister of being behind the murder of political analyst Kem Ley – on 13 August 2017; and it also upheld, on 29 August, an 18-month sentence against Senator Thak Lany, also for defamation: he allegedly accused Prime Minister Hun Sen, in a video clip, of being behind Kem Ley's assassination.

- Mr. Kem Sokha, the current President of the CNRP, was arrested on 3 September 2017 at his home after midnight, and was transferred 200 km out of the capital to the remote Correctional Centre 3, where he allegedly remains detained in solitary confinement and under 24-hour video surveillance in his cell. He faces a prison sentence of 15 to 30 years for committing the crime of “conspiracy with a foreign power”, defined as “having a secret agreement with a foreign state or its agents with a view to fomenting hostilities or aggression against the Kingdom of Cambodia” (article 443 of the Criminal Code). The core evidence supporting the charges is a video of a public speech he gave to the diaspora in Australia in late 2013. The video has been online since its 2013 initial broadcast. The authorities have shared the full video, as well as a three-minute edited clip containing what they consider to be the most incriminating words said by Mr. Kem Sokha. The transcript of this clip states the following:
 - “In 1993, when I first became member of parliament, the Americans, the US government invited me as the first Khmer politician to visit the US in order to understand the democratization process, which they helped. I have visited there every year since 1993. In my last visit, they decided that I must step outside the politics for a while in order to have a change in Cambodia. Then, in 2002 I quit the politics, the political party to which I was affiliated and created an organization called ‘Cambodian Human Rights Centre’. Why did they need to create this centre? They said if we want to change the leadership we cannot fight the top. Before changing the top level, we need to uproot the lower one. We need to change the lower level first. It is a political strategy in democratic country. And the USA that has assisted me, they asked me to take the model from Yugoslavia, Serbia, where they can change the dictator Milosevic. You know Milosevic had huge number of tanks. But they can change by using this strategy and they take this experience for me to implement in Cambodia. But, no one knew about this. However, since we are now reaching at this stage, today I must tell you about this strategy. We will have more to continue and we will succeed. I do not do anything at my own will. I have experts, university professors in Washington D.C., Montreal, Canada, hired by the Americans in order to advise me on the strategy to change the leaders. And, if I follow such a tactic and strategy, and still if we could not win, I do not know what else to do?”;
- In a letter dated 28 September 2017, the Secretary General of the National Assembly confirmed that the video “shows the connection with a foreign country in the support, assistance, planning and intent to carry out a regime change, modelled from Yugoslavia and Serbia, to overthrow the democratically elected government of Cambodia”. The Cambodian delegation to the 137th Assembly has confirmed that the words spoken by Mr. Kem Sokha show clearly that he had a plan to topple the government by force; that this is clear because he referred to the manner in which the regime change took place in Serbia and in the former Yugoslavia and to the overthrow of President Milošević; and that the plan to topple the government by force has been in motion for some time, at least since 2013, and continues to the present day; this was demonstrated, according to the delegation, by the very fact that the video was still available online, hence the need to arrest him preventively rather than wait for a coup to take place to arrest him in flagrante delicto; the delegation stated that only Mr. Kem Sokha is currently affected by the charges. The CNRP is still operating and working in Cambodia to this day. Only a few CNRP members have left the country and the delegation stated that it did not understand why they claimed to have received threats.
- The complainants alleged that the charges are groundless and politically motivated. They further alleged that parliamentary immunity and standards of due process have once again been violated in this case. They pointed out that in the incriminated 2013 video speech, Mr. Kem Sokha had only explained the role of the opposition and his plans to strengthen the Cambodian political opposition through means including training and advice (including from US experts and professors), public communication and media work and the organization of public gatherings and protests, in order to eventually win the elections. They emphasized that Mr. Kem Sokha and the CNRP had always advocated regime change through peaceful and constitutional means and that this was the very essence of the role and existence of an opposition party in any democratic country. The CNRP insisted that it had only acted within the framework of the Constitution and laws of Cambodia. Mr. Sam Rainsy called the move a “gross attempt to decapitate the opposition” prior to the elections. This allegation has been strongly echoed by many local and international actors. On 4 September 2017, the United Nations High Commissioner for Human Rights expressed serious concern that Mr. Kem Sokha had

apparently been arrested without respect for his due process guarantees or his parliamentary immunity and that “numerous public statements by the Prime Minister and high-ranking officials about Mr. Kem Sokha’s supposed guilt breach the presumption of innocence and the right to a fair trial”.

- According to the Secretary General’s letter of 28 September 2017 referenced above, the Standing Committee of the National Assembly met on 7 September to review Mr. Kem Sokha’s arrest, including the detention order and reports submitted by the prosecution, and found it to be in compliance with Article 80 of the Constitution. It convened an extraordinary plenary session on 11 September 2017 to adopt a proposal to authorize the continuation of judicial proceedings in view of the gravity of the crime and the strong evidence presented (the video clip). No members of the opposition were present at the time of the vote. The Cambodian authorities claim that parliamentary immunity was not applicable because the crime was committed in flagrante delicto. The Cambodian delegation to the 137th Assembly explained that even if the video and the words of Mr. Kem Sokha dated back to 2013, the fact that they have remained available on line was constitutive of an in flagrante delicto offence as the crime had continued since 2013 for this reason; no reasons were provided to explain why Mr. Kem Sokha was suddenly arrested on 3 September in the middle of the night.
- The Committee on the Human Rights of Parliamentarians has been requested by the complainants to visit Mr. Kem Sokha in detention and has expressed the wish to meet with Mr. Kem Sokha at the earliest convenience; the Cambodian delegation to the 137th IPU Assembly has indicated that the National Assembly would facilitate this and liaise with all relevant authorities in order to seek their official response and authorization.
- According to the complainants, on 4 September 2017, the Prime Minister issued public statements warning that the CNRP faced dissolution if it “dared to appear to protect” Mr. Kem Sokha, and that other CNRP members, as well as foreign nationals, would be investigated for their involvement in the alleged plot to topple the government. The public threat was repeated on 11 September 2017 after CNRP parliamentarians unanimously called for his release and attempted to visit him in prison. Since that time, opposition MPs have allegedly been labelled as “rebels”, placed under constant surveillance and repeatedly intimidated. According to the information shared by Ms. Mu Sochua during the hearing held at the 137th IPU Assembly, most of the senior CNRP leadership and about half of opposition MPs, including herself, have been forced to flee Cambodia in the past few days out of fear of reprisals after they received a message warning them of their imminent arrest and of the impending dissolution of the CNRP. Ms. Mu Sochua has expressed the view that today Cambodian opposition parliamentarians and members no longer have any freedom to express their opinions, to meet or gather peacefully or to move around freely inside or outside of Cambodia, and that she fears for her safety and for the safety of all CNRP parliamentarians and members. She has expressed the wish to return to Cambodia to continue exercising her parliamentary and opposition duties and ensure that the voice of the Cambodian people who elected the CNRP to Parliament is respected. She expressed the wish of the CNRP for political dialogue to resume,

Taking into account public international reports by the United Nations and other international and regional organizations that the political space in Cambodia has further shrunk in recent months following an unprecedented crackdown on critical media outlets and civil society and that, according to the UN Special Rapporteur, the range of laws being employed to restrict criticism of the Government and quell political debate has continued to widen; and that, according to such reports, in addition to defamation and incitement, serious charges of secession, insurrection, forgery and treason have been made, and restrictions on the right to peaceful assembly have not been lifted,

Recalling that, on 9 March 2017, a fast-tracked amendment to the 1997 political party law gave unprecedented power to the executive and judicial branches to suspend and dissolve political parties. It prohibited people with criminal court convictions (including for minor offences), such as Mr. Sam Rainsy, from holding senior positions in political parties and also prohibited parties from receiving foreign funding. Under the amended law, if convicted of a criminal offence, a party leader will be banned from undertaking any political activity for a period of five years and his/her political party will be dissolved pursuant to a Supreme Court order. The provisions of the amendments have been couched in vague terms and are considered squarely at odds with accepted restrictions on the right to freedom of association under international law, particularly the requirements of necessity and proportionality,

Considering further that, on 31 July 2017, the Law on Political Parties was amended again in order to ban parties from associating with, or using the voice, image or written documents of, anyone convicted of a criminal offence; political parties found in violation of the amendments can now be dissolved, barred from standing in elections or banned from all political activity for up to five years,

Considering that, according to the complainants, on 6 October 2017 the Minister of the Interior reportedly submitted an official request to the Supreme Court to dissolve the CNRP on the basis of the above-mentioned amendments; the CNRP fears that the Supreme Court will order the dissolution of the party in the coming weeks and will deprive the party members of their elective mandates conferred by the people at the national and local levels, as well as exclude them from campaigning and running freely and fairly in the general elections scheduled for 29 July 2018; the CNRP has stated that the National Assembly had started discussing amendments to several pieces of legislation that would allow for the redistribution of all national and local CNRP seats to other parties should it be dissolved; that media reported that the amendments had been adopted on 16 October 2017; that this move calls into question the integrity and legitimacy of the institution of parliament in Cambodia as it no longer acts in compliance with the Constitution of Cambodia, according to the CNRP; it also calls into question the possibility for free and fair elections to be held in Cambodia next year, still according to the CNRP; the Cambodian delegation to the 137th IPU Assembly stated that it had not been informed that such amendments were being discussed in the National Assembly,

Bearing in mind the following in relation to Cambodia's international obligations to respect, protect and promote fundamental human rights:

- As a party to the International Covenant on Civil and Political Rights, Cambodia is bound to respect international human rights standards, including the fundamental rights to freedom of expression, freedom of assembly, freedom of association, equality before the law and to a fair trial conducted by an independent and impartial court and to participate in public affairs;
- Following the second cycle of the universal periodic review (UPR) of Cambodia, conducted by the United Nations Human Rights Council in 2014, the Cambodian authorities accepted, *inter alia*, recommendations to “promote a safe and favourable environment that allows individuals and groups to exercise the freedoms of expression, association and peaceful assembly and put an end to harassment, intimidation, arbitrary arrests and physical attacks, particularly in the context of peaceful demonstrations” and “take all necessary measures to guarantee the independence of justice without control or political interference” (Report of the Working Group on the UPR of Cambodia (A/HRC/26/16)),

Also bearing in mind the fundamental principle of “liberal multi-party democracy” enshrined in article 1 and chapter 3 of the Constitution of Cambodia, concerning the rights and obligations of Khmer citizens, in particular article 31, which states that “The Kingdom of Cambodia recognizes and respects human rights as stipulated in the United Nations Charter, the Universal Declaration of Human Rights and the covenants and conventions related to human rights [...]” as well as articles 80 and 104, which provide: (1) members of the National Assembly and the Senate shall enjoy parliamentary immunity; (2) no member of parliament shall be prosecuted, detained or arrested because of opinions expressed in the exercise of his/her duties; (3) a member of parliament may only be prosecuted, arrested or detained with the permission of parliament; (4) in cases of flagrante delicto offences, the competent authority shall immediately report to parliament and request permission; (5) such permission requires the lifting of parliamentary immunity by a two-thirds majority vote; and (6) parliament can request the suspension of the detention or prosecution of any member of parliament following a three-quarters majority vote,

Taking into account that, at the 137th IPU Assembly, the Executive Committee and then the Governing Council urged the IPU leadership to continue to engage with the Cambodian authorities to help them comply with international standards and work towards a more peaceful and stable environment for the next elections,

1. *Thanks* both parties for sharing their views, supporting information and video materials;
2. *Expresses deep concern* at the further escalation of the human rights situation of opposition parliamentarians in Cambodia and at the lack of clear and convincing responses provided by the Cambodian authorities and by the Cambodian delegation to the 137th Assembly on the extremely serious concerns at hand;

3. *Concludes* that the videos of the 2013 speech of Mr. Kem Sokha contain nothing whatsoever that could constitute a criminal offence; *points out* that Mr. Kem Sokha at no point incited hatred or violence or uttered defamatory words in the incriminated videos and that he has emphasized that he aimed at bringing political change by winning the elections; *considers* therefore that his freedom of expression has clearly been violated in the present case; *is deeply shocked* that this video has been used as evidence of treason, for which he faces up to 30 years in prison, and that it currently justifies his prolonged pre-trial detention in solitary confinement; *is also alarmed* at the clear violation of his parliamentary immunity in the absence of any criminal offence and of any flagrante delicto;
4. *Exhorts* all Cambodian authorities to immediately release and drop the charges against Mr. Kem Sokha, to allow him to resume his duties as a parliamentarian and as president of the opposition without further delay and restriction;
5. *Requests* the Secretary General to take all appropriate steps to organize a visit by a Committee delegation to Cambodia to meet with Mr. Kem Sokha in prison, and *appeals to* the Parliament of Cambodia to facilitate this visit at the earliest convenience while urging the authorities to release him and clear him of the charges in the meantime;
6. *Urges* the Cambodian authorities immediately to stop violating the fundamental rights of opposition members of parliament and to take urgent measures to end their ongoing harassment, as well as provide all appropriate guarantees to ensure that those who have gone into exile are able to return safely, without delay, to resume their political activities within the CNRP and to campaign freely in the run-up to the fast-approaching 2018 elections, without fears of further arrests and reprisals or of the dissolution of the only opposition party in parliament;
7. *Recalls* that, pursuant to the principles and values defended by the IPU, as enshrined in the Universal Declaration of Democracy adopted by the IPU in September 1997, “a state of democracy ensures that the processes by which power is acceded to, wielded and alternated allow for free political competition and are the product of open, free and non-discriminatory participation by the people, exercised in accordance with the rule of law, in both letter and spirit”; and *expresses the hope* for increased tolerance and acceptance of the role of the political opposition in Cambodia; and *considers* that it is crucial for the CNRP to be able to stand in the upcoming elections;
8. *Requests* the Secretary General to convey this decision to the competent authorities, the complainants and any third party likely to be in a position to supply relevant information;
9. *Requests* the Committee to continue examining this case and to report back to it in due course.

Maldives

MLD/16 - Mariya Didi* (Ms.)
MLD/28 - Ahmed Easa
MLD/29 - Eva Abdulla* (Ms.)
MLD/30 - Moosa Manik*
MLD/31 - Ibrahim Rasheed
MLD/32 - Mohamed Shifaz
MLD/33 - Imthiyaz Fahmy*
MLD/34 - Mohamed Gasam

MLD/35 - Ahmed Rasheed
MLD/36 - Mohamed Rasheed
MLD/37 - Ali Riza
MLD/39 - Ilyas Labeeb

MLD/50 - Abdulla Shahid*
MLD/51 - Rozeyna Adam* (Ms.)
MLD/52 - Ibrahim Mohamed Solih
MLD/53 - Mohamed Nashiz
MLD/54 - Ibrahim Shareef*
MLD/55 - Ahmed Mahloof*
MLD/56 - Fayyaz Ismail*
MLD/57 - Mohamed Rasheed Hussain*
MLD/58 - Ali Nizar*
MLD/59 - Mohamed Falah*
MLD/60 - Abdulla Riyaz*
MLD/61 - Ali Hussain*

* (Re-)elected to parliament in the elections of March 2014.

MLD/40 - Rugiyya Mohamed (Ms.)	MLD/62 - Faris Maumoon*
MLD/41 - Mohamed Thoriq	MLD/63 - Ibrahim Didi*
MLD/42 - Mohamed Aslam*	MLD/64 - Qasim Ibrahim*
MLD/43 - Mohammed Rasheed*	MLD/65 - Mohamed Waheed Ibrahim*
MLD/44 - Ali Waheed	MLD/66 - Saud Hussain*
MLD/45 - Ahmed Sameer	MLD/67 - Mohamed Ameeth*
MLD/46 - Afrasheem Ali	MLD/68 - Abdul Latheef Mohamed*
MLD/48 - Ali Azim*	MLD/69 - Ahmed Abdul Kareem*
MLD/49 - Alhan Fahmy	MLD/70 - Hussein Areef*

***Decision adopted unanimously by the IPU Governing Council at its 201st session
(St. Petersburg, 18 October 2017)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the existing cases under file name MLD/16-61 and to the decision adopted at its 200th session (October 2016),

Having before its new cases under the file name MLD/62-70, which have been examined by the Committee on the Human Rights of Parliamentarians pursuant to the Procedure for the examination and treatment of complaints (Annex I of the Revised Rules and Practices),

Considering the information provided by MP Ahmed Nihan, PPM Parliamentary Group Leader and Majority Leader of the Parliament, along with two other members of the Maldivian delegation to the 137th IPU Assembly (October 2017) at the hearing held on 14 October 2017 with the Committee on the Human Rights of Parliamentarians; *considering* also the information presented at the meeting which took place in Geneva on 5 October 2017 between the IPU President and the Secretary General on the one hand, and a Maldivian delegation led by Mr. Nihan and comprising other members of the governing party, on the other,

Considering also the information regularly provided by the complainant,

Referring to the report on the mission conducted to Maldives from 10 to 12 October 2016 by the Committee on the Human Rights of Parliamentarians (CL/200/11(b)-R.2), following earlier missions in 2012 and 2013,

Recalling that most of the above current and former members of the People's Majlis belong to the opposition Maldivian Democratic Party (MDP) and that the case before the Committee on the Human Rights of Parliamentarians was initiated in 2012 and included instances of alleged arbitrary arrest and detention, frivolous legal proceedings and acts of threat and violence, including murder in the case of Mr. Afrasheem Ali, a former member of the ruling Progressive Party of Maldives (PPM),

Considering the following information on file regarding events which have taken place since the beginning of March 2017:

- **Attempts to bring no-confidence motions**
- On 24 March 2017, the leaders of four Maldivian political parties, namely the MDP, the PPM, the Jumhooree Party (JP) and the Adhaalath Party (AP), signed a coalition agreement; the opposition alliance, headed by the MDP, won 53 per cent of the seats in the local council elections of May 2017 while President Yameen's party won 27 per cent of the seats;
- According to the complainant, on three occasions the opposition attempted to bring, with the support of 45 parliamentarians, hence a majority, a motion of no-confidence against the Speaker of Parliament in the belief that he was not acting impartially; the first no-confidence motion was submitted on 24 March 2017; the vote did not take place as members of the military reportedly forcibly removed 13 opposition parliamentarians from the parliamentary premises; according to the complainant, the Speaker narrowly maintained his position and the ruling party stepped up its intimidation campaign against opposition members; the opposition affirms that the second attempt was scheduled to take place on 24 July 2017, but that security forces prevented the MPs from entering parliament, some of whom decided therefore to scale the

walls around the parliamentary premises and were subsequently forcibly removed; according to the authorities there was no parliamentary sitting scheduled that day due to a visit from a foreign dignitary and the celebration of Maldives independence day, and there was heightened security in the area; the complainant affirms that on 22 August 2017 the Maldives military locked down the nation’s parliament in an effort to thwart the third attempt to bring a no-confidence vote against the Speaker; the authorities affirm that the allegation of “military intervention” is both erroneous and unwarranted and there had been neither an intervention nor a lockdown; according to the authorities, a no-confidence motion was never duly submitted as some of those who originally signed the motion withdrew their support and others had been bribed to sign it,

- **Alleged abusive revocation of parliamentary mandate**

- According to the complainant, the Attorney General, in a bid to thwart the no-confidence vote, submitted a case to the Supreme Court on 11 July 2017 seeking a ruling that would strip several members of the People’s Majlis of their parliamentary mandate, for no longer belonging to the party on whose ticket they were elected. The request to the Supreme Court came in the context of increased political tension, as ten of the 15 government MPs who signed the impeachment motion against the parliamentary speaker had left the ruling PPM party in anticipation of the Supreme Court’s ruling, while three of them had previously been expelled from the party.
- On 13 July 2017, the Supreme Court issued a ruling stating that lawmakers who resign or are expelled from the political party they represented at the time of their election, or who switch to another party (floor-crossing), must lose their parliamentary mandate. The ruling further stated that MPs lose their mandate once the Elections Commission informs Parliament of their change of status, and ordered state institutions to enforce the new rule with effect from 13 July. According to the complainant, the above-mentioned ruling is unconstitutional as it defies a number of existing laws, namely:
 - (i) Article 73 of the Constitution, which stipulates that an MP will be disqualified only if he is sentenced to more than a year in prison, has a decreed debt or becomes a member of the judiciary. Furthermore, MPs are protected by their parliamentary immunity which is strictly regulated by the law;
 - (ii) Article 16 of the Political Parties Act, which states that, while an elected official can be expelled from a party on disciplinary grounds, they will not have to forfeit their seat;
 - (iii) A 2012 Supreme Court ruling which allows floor-crossing, stating that if local councillors switch parties, they cannot be forced to forfeit their seats,
- The complainant also underlined that the Supreme Court’s ruling contained a number of false references to justify its decision, such as Islamic legal principles on peace and security which require judges to consider Islamic Sharia law “when deciding matters on which the Constitution or the law is silent.” Furthermore, the Chief Justice said that lawmakers crossing the floor undermined multi-party democracy and posed a threat to sovereignty and rule of law, citing “anti-defection amendments in the Indian Constitution and the right to revoke seats in the United States of America.”
- As a result of the Supreme Court’s ruling, since 13 July 2017, seven parliamentarians have lost their seats as the Elections Commission removed their names from the membership of the Progressive Party of Maldives at the request of the party.
- According to the parliamentary authorities, floor-crossing had led to serious malpractice and disenfranchisement of the electorate; the current Government had made numerous attempts at enacting legislation to bring this practice to an end, but selected opposition MPs continued to obstruct such a move; the Government had submitted a request to the Supreme Court for clarification of this practice, which had resulted in a ruling barring floor-crossing, pending the enactment of legislation to support it.
- **Parliamentarians who remain detained or have been convicted recently on charges of bribery in connection with attempts to bring a no-confidence motion**

- *The situation of MP Faris Maumoon*

- MP Faris Maumoon was arrested on 18 July 2017 under a warrant issued by the Criminal Court authorizing a search of his residence and accusing him of involvement in bribing MPs ahead of the no-confidence vote, an allegation he strongly denied. He was later taken to the Dhoonidhoo

detention centre. On 19 July 2017, the Criminal Court issued an indefinite remand for Mr. Maumoon until the conclusion of his trial. On 20 July 2017, he was moved to the Maafushi detention centre, which is designated for convicts. On 16 September 2017, it was reported that the Prosecutor General's office had revised the charge from accepting bribes to offering to bribe fellow parliamentarians to back the attempts to remove the Speaker. He was transferred to house arrest in October 2017.

The situation of Mr. Qasim Ibrahim

- Mr. Qasim Ibrahim, the leader of the Jumhooree Party, was first charged on 13 April 2017 for offering a bribe, attempting to communicate with a public official for the purpose of influencing the exercise of that person's official authority, and attempting to influence a voter by offering a benefit not authorized by law. Mr. Qasim's first trial was scheduled for 16 July 2017, but the hearing was cancelled as Mr. Qasim was urgently admitted to hospital. Mr. Qasim's lawyer then sent several requests to try to lift the travel ban and allow Mr. Qasim to travel abroad for treatment, which were all to no avail. Mr. Qasim's first hearing was held on 25 July 2017 and, according to his lawyer, he only had eight hours to appoint lawyers, which is a breach of Section 114(c) of the Criminal Procedure Code. Mr. Qasim's first hearing was followed by multiple hearings, none of which respected due process.
- On 24 August 2017, the Criminal Court of Male' sentenced Mr. Qasim in absentia to a prison term of three years, two months and twelve days. Mr. Qasim was sentenced in absentia as he had collapsed on 24 August 2017 inside the premises of the Court and was admitted to the intensive care unit of the Indira Ghandi Memorial Hospital. The complainant stated that Mr. Qasim was served a summons by the Criminal Court on 24 August 2017 to attend a hearing scheduled on the same day at 11 p.m. The summons stated that the order of the day was to reach a verdict on the bribery charge held against Mr. Qasim and that if he failed to attend, the trial would continue in his absence. The complainant highlighted that Mr. Qasim's trial did not respect due process and contained a number of procedural irregularities, including the fact that it was the first trial to be held in absentia since the entry into force of the 2008 Constitution. In addition, the complainant said that the Criminal Court refused to issue a timetable for the hearings despite Mr. Qasim's lawyers' multiple requests, and did not provide enough time for the defence to prepare its closing arguments. Upon receiving the summons, Mr. Qasim sent a letter to the Criminal Court explaining his condition together with a medical certificate indicating that he required treatment that was unavailable in Maldives and that his life would be in danger if he did not receive urgent medical care abroad. According to Mr. Qasim's lawyer, in its verdict convicting Mr. Qasim the Court also ordered the relevant State authorities to facilitate his travel abroad for treatment, thus lifting the travel ban. Mr. Qasim was finally allowed to seek medical assistance outside Maldives at the beginning of September 2017. He subsequently left for Singapore after the Maldives Correctional Service authorized 10 days of medical leave. The authorities claim that Mr. Qasim is not respecting the terms of his leave and is making excuses to avoid coming back to Maldives to serve his sentence, which the complainant denies; according to the authorities, the cases of Mr. Qasim and Mr. Maumoon also have to be seen in the context of efforts by selected opposition MPs to resort to bribery in their attempt to impeach the Speaker of Parliament.
- **Trial of Mr. Ibrahim Didi on terrorism charges**
- Mr. Ibrahim Didi, member of the MDP and a retired brigadier-general, is on trial for renewed terrorism charges. In 2015, the Prosecutor General withdrew the terrorism-related charges against Mr. Didi. However, following the no-confidence motion, Mr. Didi was charged for a second time on the same grounds. Mr. Didi's trial started on 20 July 2017 and is ongoing. He was granted 10 days to obtain legal assistance.

Considering that, according to the opposition, the entire judiciary, including the Supreme Court, and all the independent institutions created by the Constitution, such as the Elections Commission, Anti-Corruption Commission and Judicial Services Commission, have lost their freedom to act according to the law and have become tools in the hands of the President to stifle and suppress all opposition; according to the authorities, however, there is full respect for the rule of law and the separation of powers in Maldives,

Considering that, as of 7 October 2017, 33 different legal cases are pending against 21 opposition parliamentarians, on charges including "criminal trespass", "divulging confidential information", "terrorism" and "assault of an officer",

Recalling that Committee missions have highlighted, among other issues:

- Heightened political polarisation in and outside parliament and the absence of meaningful dialogue between majority and opposition;
- The long-standing phenomenon of death threats and other forms of intimidation of parliamentarians;
- The use of excessive force by law enforcement officers against parliamentarians;
- Concerns about undue restrictions of the rights to freedom of expression and freedom of assembly on the basis of the Protection of Reputation and Good Name and Freedom of Expression Act and the amended Peaceful Assembly Act;
- Concerns about amendments to the Standing Orders of Parliament which have the effect of limiting the opposition's work in parliament, and about allegations of strong bias against the opposition on the part of the Speaker, which he fully denies;
- The need to promote parliamentary ethics and the proper use of parliamentary procedure,

Considering that the parliamentary authorities believe that there is significant misinformation about the situation in Maldives and the allegations which the opposition have provided to the Committee; *considering* also that the PPM Parliamentary Group Leader and Majority Leader of the Parliament stated to the Committee that the authorities would be glad to receive an IPU delegation to discuss and clarify outstanding concerns and questions in the cases at hand; *considering* also that the Speaker of Parliament, IPU President and IPU Secretary General met in St. Petersburg on 15 October 2017 and agreed that such a mission should also include a political dimension,

Considering that the representatives of the main opposition parties on the IPU Committee of the Maldives Parliament wrote letters to the IPU on 7 and 8 October 2017 stating that the Committee had not held a single meeting since 2014 and that the composition of the Maldivian delegations was now decided solely by the Speaker, without consulting the parties, thereby preventing them from deciding on their own delegates to the IPU; according to Mr. Nihan, the Leader of the MDP Parliamentary Group, Mr. Ibrahim Solih, had been included in the delegation but was prevented from coming owing to an urgent personal commitment; by letter of 7 October 2017, Mr. Solih nevertheless informed the IPU that he could not be party to a delegation handpicked by the Speaker in breach of the standard norms of the parliament and the national IPU committee,

Considering that presidential and parliamentary elections are due to take place in Maldives in 2018 and 2019 respectively,

1. *Thanks* the parliamentary authorities for their cooperation and the information they provided; *regrets* however that it was not possible to meet with a member of the opposition to hear their views; *is concerned* in this regard that the opposition representatives on the national IPU committee affirm that they have no say in its decisions; *wishes* to receive the official views on this matter;
2. *Is deeply concerned* that a sizeable part of the opposition in parliament has been subject to legal action; *fears* that this state of affairs, together with ongoing reports about reduced space for freedom of expression and assembly and reduced opportunities for the opposition to meaningfully contribute to the work of parliament lend weight to the allegation that all this is part of a deliberate attempt to silence the opposition;
3. *Is deeply concerned* about the increased militarization of the parliamentary premises; *is upset* that parliamentarians were forcibly prevented from entering the parliament on 24 July 2017 and were reportedly manhandled; *considers* that they should at all times be able to access the parliament and thus that the charge of "obstruction of police duty" against the 12 MPs has no place; *calls* on the authorities to drop these charges forthwith;
4. *Is deeply concerned* also that the mandate of seven parliamentarians was revoked in the absence of a sound legal basis under Maldivian law; *is concerned* that the Election Commission went ahead with revoking parliamentary mandates even though the challenge to the Supreme Court ruling at the heart of the decision on revocation was still under consideration; *fears* therefore that the revocation was politically inspired as it had the immediate effect of limiting the likelihood of the successful passage of the no-confidence motion;

5. *Is concerned* about the specific allegations that the trial against Mr. Qasim did not respect due process and about the alleged circumstances in which the verdict was delivered; *wishes* to receive the official views on these matters; *also wishes* to receive a copy of the verdict so as to understand how the court concluded that he was guilty of attempted bribery; *wishes* to receive information from the complainant about when Mr. Qasim intends to return to Maldives in compliance with the travel authorization;
 6. *Wishes* to receive information about the precise facts underpinning the charges against Mr. Faris Maumoon; *wishes* also to receive such details on the other parliamentarians who are facing other types of charges, including Mr. Ibrahim Didi;
 7. *Welcomes* the invitation by the parliamentary authorities for the IPU to conduct a mission to Maldives to discuss its current concerns and outstanding questions on all the cases, including those not highlighted specifically in this decision, with all parties concerned; *requests* the Secretary General to arrange for this mission to take place in the very near future;
 8. *Reaffirms* its stance that the issues in these cases are part of a larger political crisis in Maldives which can only be solved through political dialogue; *calls once again* on all sides to act in good faith and to commit fully to restarting the political dialogue; *reaffirms* that the IPU stands ready to assist with these efforts, including by offering its good offices and technical assistance to help ensure that the legal framework is in place to provide a level playing-field allowing all political parties to fully participate in the next elections;
 9. *Requests* the Secretary General to convey this decision to the competent authorities, the complainants and any third party likely to be in a position to supply relevant information;
 10. *Requests* the Committee to continue examining this case and to report back to it in due course.
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Mongolia

MON/01 - Zorig Sanjasuuren

Decision adopted unanimously by the IPU Governing Council at its 201st session (St. Petersburg, 18 October 2017)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Zorig Sanjasuuren, a member of the State Great Hural of Mongolia, and acting Minister of Infrastructure Development – regarded as the father of the democracy movement in Mongolia in the 1990s – who was assassinated on 2 October 1998, and to the decision it adopted at its 200th session (Dhaka, April 2017),

Referring to the letter of 17 May 2017 of the Vice-Chairman of the State Great Hural and to the information shared by the complainants and by third parties,

Taking into account that a delegation of the Committee on the Human Rights of Parliamentarians, led by Ms. Fawzia Koofi, President of the Committee, and by Mr. Ali Alaradi, Committee member, conducted a mission to Mongolia from 11 to 13 September 2017,

Taking into account that over the 19 years since the initial submission of the case, three Committee missions have taken place and the IPU has adopted over 50 decisions on it,

Recalling that, following the 2015 Committee visit to Mongolia, the IPU Governing Council called on the Mongolian authorities to do their utmost to ensure that justice was done and seen to be done in resolving the case of Mr. Zorig's assassination, and to give urgent consideration to the following recommendations:

- Urgently declassify the case and increase transparency in the investigation, including by engaging in regular communication with the IPU and Mr. Zorig's relatives, but also by sharing public information with the Mongolian people on the results and challenges of the investigation, in order to restore confidence in the investigative efforts and demonstrate that the case has been handled in an impartial, independent and effective manner;

- Limit the role of the central intelligence agency to a minimum and ensure strict compliance with standards of due process, as well as accountability and redress for abuses committed in the course of the investigation; place the investigation under the full and effective control of the General Prosecutor's office; seek specialized assistance in the investigation of contract killings and include experienced foreign criminal experts in the investigation (as part of the existing working group or of a new independent investigative mechanism); focus on the examination of witness statements, public records and open-source materials, rather than exclusively investing in forensic analysis;
- Grant access to the investigative files to Mr. Zorig's relatives, who are party to the legal procedure, and inform them regularly of new developments in the investigation;
- Use existing institutional checks and balances to ensure that all authorities concerned from the legislative, executive and judicial branches of power deliver appropriate results and are held accountable if and when failing to fulfil their constitutional and legal duties;
- Keep the IPU regularly apprised of: (i) recent investigative activities, including their outcome and outstanding challenges; (ii) the assessment and recommendations made by the special oversight subcommittee of the State Great Hural; and (iii) progress made in implementing the recommendations arising out of the mission report,

Recalling that the following developments have taken place following the 2015 visit:

- Ms. Banzragch Bulgan, Mr. Zorig's widow, was arrested on 13 November 2015 and kept in detention for months by the central intelligence agency, in conditions amounting to torture under international human rights standards, as confirmed by a parliamentary delegation which visited her in detention; Ms. Bulgan was eventually released and the parliamentary authorities indicated at that time that she had been considered a suspect in the case but that, "her involvement in the crime has not been established and thus the case has been terminated". Ms. Bulgan has, however, remained prohibited from travelling abroad since her release and has been subjected to constant surveillance;
- Three other suspects were arrested and allegedly confessed to committing the murder of Mr. Zorig. They were sentenced to 24 to 25 years' imprisonment on 27 December 2016. On 14 March 2017, the Appeal Court upheld the first-instance verdict;
- The first-instance and appeal trials were held behind closed doors on the grounds that the case was classified as top secret. Repeated requests made by the defendants' lawyers and by Mr. Zorig's family for declassification of the case and for a public trial were systematically rejected by the court. The lawyers for the accused and for the Zorig family were allowed to attend the proceedings, but were barred from sharing any information relating thereto. For the same reason, no copy of the verdict or details of the proceedings were made available. Mr. Zorig's family issued a public statement questioning the legitimacy of the proceedings and court decisions and concluding that, in its view, justice has not been done and the case should continue. The trials were also considered by reliable third parties and the Mongolian media to be a smokescreen designed to conceal the real culprit(s)/mastermind(s) of the assassination,

Recalling that the parliamentary authorities have repeatedly expressed concern about the manner in which the case was handled and have stated that they were not able to obtain information on the proceedings and could not intervene due to the separation of powers and the classification of the case, but have welcomed a new mission by the Committee to raise the concerns directly with the relevant judicial and executive authorities,

Considering the following preliminary observations and recommendations by the delegation that conducted the recent mission to Mongolia, to which the Committee fully subscribed while awaiting the full mission report:

- **Preliminary observations**
 - The delegation regretted that it was not allowed to meet the convicts in prison or the members of the Supreme Court; it was nonetheless pleased that it was able to hold constructive discussions with all other relevant parliamentary, executive and judicial authorities, including the Chairman and Vice Chairman of the State Great Hural, the newly elected President of Mongolia, Mr. Zorig's family members and those of the three convicted persons, human rights organizations and diplomats;

- The delegation confirmed prior allegations and concerns that the trial and conviction of the three individuals for the assassination of Mr. Zorig violated international fair-trial standards and undermined the legitimacy and integrity of the investigative and judicial process; the delegation based this preliminary conclusion on the findings below:
 - (i) None of the Governing Council's or Committee's prior recommendations have been implemented by the Mongolian authorities since the Committee's 2015 mission;
 - (ii) The trial again took place behind closed doors. Requests for public hearings made by the defendants and the civil party's lawyers were denied on the grounds that the case was classified. After a very brief hearing, the Supreme Court issued a final verdict on 4 August 2017. The lengthy sentences against the three suspects were confirmed and only reduced by a couple of years. The IPU was not informed of this development in advance of the mission;
 - (iii) Most of the evidence has remained classified, having been collected by intelligence officers during undercover operations. Such secret evidence has never been made accessible to the prosecutor's office or to defence counsel at any stage of the proceedings. It is not subject to cross-examination or questioning of any kind. The delegation was told that such evidence was provided exclusively to the Supreme Court judges, an affirmation that it was not able to verify, since the Supreme Court refused to meet with the delegation and its decision of 4 August 2017 has been kept secret;
 - (iv) The final verdict has not been made available to anyone. The delegation has not been able to obtain a copy of it or any information on the grounds underpinning it (or on those underpinning the lower courts' prior decisions). At the time of the mission, none of the parties had received the court decision, despite over one month having passed since the verdict;
 - (v) Although the sentences have now become final under Mongolian law, it appears that the three convicted persons may be able to lodge one final appeal with the President of the Supreme Court within 30 days of receiving the final court decision. The delegation was unable, however, to find out when the Court would make its verdict available. It also observed with deep concern that the judges who ruled on the case included the President of the Supreme Court, a very unusual situation which, in the delegation's view, will create a conflict of interest when he is now called upon to decide on the convicted persons' last avenue of appeal;
 - (vi) Before and during the mission, the delegation received recurrent and credible reports about the use of torture and corruption to divert the course of justice in this case. Such reports were not seriously addressed by the judicial authorities through independent, credible and transparent procedures. The delegation was simply told, and asked to believe, that there was no truth to those reports;
 - (vii) The delegation came to the preliminary conclusion that the three convicted persons were most likely pressured by the intelligence services to make false confessions about their involvement, and the involvement of others, in the commission and organization of the crime. Given that this concern has been raised repeatedly about investigations of suspects and witnesses over the past 19 years, the delegation cannot rule out the possibility that others have suffered the same fate and that innocent people have been framed for Mr. Zorig's murder;
 - (viii) Given the above concerns, there is a high probability that much of what is constantly referred to as secret evidence was actually fabricated over the years by the intelligence services. Unless the case file is fully declassified, intelligence and law enforcement officers who may have committed serious abuses of power will be able to continue doing so with full impunity, in violation of the fundamental human rights of Mongolian citizens. This will prevent the truth about Mr. Zorig's assassination from ever being known;
 - (ix) The delegation was shocked by the level of intimidation and pressure exercised against all persons taking an interest in the case, whether directly (parties to the proceedings and their legal counsels, and possibly judicial staff and investigators) or indirectly (parliamentarians, politicians, civil society actors or ordinary citizens publicly voicing concerns about how the case has been handled or simply sharing IPU decisions with the Mongolian people). The delegation noted that some of its interlocutors withheld

information out of fear of reprisals. Lawyers were not even allowed to share information with their own clients on the proceedings or their defence strategy. Parties to the proceedings stated clearly to the delegation that, owing to the classified status of the case, they had been forced to sign a non-disclosure agreement and thus could not share any information on the criminal file, the trial proceedings or the grounds for court decisions. They would be subject, should they do so, to being charged, arrested and convicted for disclosing State secrets to foreign nationals,

- The delegation is extremely worried that the persistent secrecy and the political resistance to declassifying the case are signs that the investigations and recent proceedings are not actually aimed at uncovering the truth, but at covering for the real mastermind(s) and organizer(s) of the assassination. In that context, it is of particular concern that the 25-year statute of limitations (2023) is approaching;
- This raises still more serious concerns about the investigation that has now been allegedly opened to identify the organizer(s) and mastermind(s). The judicial investigative working group under the authority of the Prosecutor General's Office has been discharged from the case and the intelligence agency given exclusive responsibility for the investigation. The delegation could not fail to notice that none of the persons it met appeared to consider it likely that the process would lead to anything or achieve true justice. There were fears that it would likely be used to exert pressure and frame people to other ends;
- Justice must be provided to the family of Mr. Zorig, as well as to the three persons convicted. A fair, open and just trial before an independent and impartial court is now the only means to achieve true justice. It must take place without further delay to avoid a serious miscarriage of justice being perpetrated for political purposes. Given the profound distrust that has developed over the past few years, the delegation is further convinced that this is a crucial test of the ability of the Mongolian judiciary to demonstrate that it operates under to the rule of law and has not become hostage to political and commercial interests.

- **Preliminary recommendations**

- The President of Mongolia, the Chairman of the State Great Hural and the Prime Minister should put an end to the persistent secrecy and order the immediate and full declassification of the case pursuant to the State Secret Law, which grants them this power as members of the National Security Council. If the relevant authorities have nothing to hide, as they claim, the case should at last be opened up for the sake of justice and fairness, and to honour Mr. Zorig's memory and the dignity of his family;
- The judiciary should demonstrate its independence, impartiality and respect for the rights of the defence by ordering without further delay a public retrial of the three convicted persons in the presence of domestic and international observers, to remedy all existing serious flaws;
- To avoid a serious miscarriage of justice, the three convicted persons should be released and presumed innocent until a retrial has been completed in a fair, just and transparent manner; until their release, the three convicted persons should benefit from ordinary conditions of detention with appropriate medical care and unrestricted access to their families and lawyers in prison;
- Urgent measures should be taken to end all ongoing pressures and intimidation against the parties to the case, and all issues related to the coercion, torture and pressuring of witnesses and suspects should be urgently addressed through independent and impartial investigation procedures;
- Ms. Bulgan and all other persons who were detained as suspects and subsequently discharged due to lack of evidence should be presumed innocent and their fundamental rights fully respected. They should be allowed to move freely around Mongolia and to travel abroad without restrictions, unless formally charged by a court of law on the basis of solid evidence;
- The separate investigation opened to identify the organizer(s) and mastermind(s) of the assassination should be immediately transferred from the National Intelligence Agency to the Prosecutor's Office; it should be closely supervised to ensure that all incriminatory and exculpatory evidence is taken into account and that the investigative methods used by law enforcement officials are in strict compliance with human rights standards and the rule of law;

- The State Great Hural should exercise strong parliamentary oversight, while respecting the separation of powers, to ensure that justice is done, and seen to be done, in the present case. It should consider urgently re-establishing an ad hoc parliamentary committee with a clear mandate to that end, granting it full access to all court documents and classified evidence so that a comprehensive assessment can be conducted. The IPU remains available, upon request, to facilitate technical assistance on ways to strengthen parliamentary oversight,
- 1. *Thanks* the Mongolian parliamentary authorities for their cooperation during the recent mission by the Committee to Mongolia while *deeply regretting* that the delegation was not allowed to meet with the detainees or with the members of the Supreme Court;
- 2. *Thanks* the mission delegation for the work undertaken; *takes note* of the preliminary observations and recommendations on the mission and *eagerly awaits* the final mission report at the next IPU Assembly (March 2018);
- 3. *Deplores* that the authorities responsible for the investigation and judicial proceedings appear to continue to favour methods involving torture, intimidation, secret evidence and trials over transparent proceedings that respect the right to a fair trial; *also deplores* that the case continues to be used as a political bargaining chip by all political parties;
- 4. *Renews its previous call* for immediate declassification of the case *and urges* the Chairman of the State Great Hural, the President and the Prime Minister to take action to that end without further delay so as to ensure respect for the right to a fair trial in compliance with the Constitution of Mongolia and international human rights standards;
- 5. *Exhorts* the Supreme Court to order a public retrial in the presence of domestic and international observers, including an IPU observer, to avoid a serious miscarriage of justice; *calls* for the urgent release of the three convicted persons until a retrial has been completed in a fair, just and transparent manner; *further calls* for the immediate lifting of all restrictions on the freedom of movement of persons who are not formally charged by a court as suspects in the case;
- 6. *Appeals* to the State Great Hural to resume its oversight work on the case by urgently re-establishing an ad hoc parliamentary committee to that end and giving it a clear mandate to adequately review all issues of concern and to recommend effective remedies; *recalls* that parliamentary oversight is a primary safeguard against abuse of power and corruption, and that it helps to ensure that government policies and actions deliver on commitments made to the people they serve; *further reaffirms* the availability of the IPU to provide technical assistance to the Parliament of Mongolia;
- 7. *Wishes* to be kept apprised of new developments related to the case by the parliamentary and other relevant authorities;
- 8. *Requests* the Secretary General to convey this decision to the relevant authorities, the complainant and any third party likely to be in a position to supply relevant information;
- 9. *Requests* the Committee to continue examining this case and to report back in due course.

Philippines

PHI/08 - Leila de Lima

***Decision adopted unanimously by the IPU Governing Council at its 201st session
(St. Petersburg, 18 October 2017)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Senator de Lima and to the decision it adopted at its 197th session (April 2017),

Taking into account the report (CL/201/11(b)-R.1) of the Committee delegation which, at the invitation of the Philippines parliamentary authorities, went to the Philippines (22 – 24 May 2017) to gather first-hand information on Senator de Lima's situation from the parliamentary, government and judicial authorities, Senator de Lima herself, her lawyers and staff as well as third parties,

Taking into account the information regularly provided by the complainants since then,

Recalling the following information on file:

- Senator Leila de Lima served as Chairperson of the Commission on Human Rights of the Philippines from May 2008 until June 2010. In that capacity she led a series of investigations into a number of alleged extrajudicial killings linked to the so-called Davao Death Squad (DDS) in Davao City, where Mr. Duterte had long been mayor, and concluded that Mr. Duterte, now President of the Philippines, was behind the DDS;
- In 2010, Ms. de Lima was appointed Secretary of Justice. She resigned from this position in October 2015 to focus on her campaign to gain a seat in the Senate in the elections of May 2016, in which she was successful. In August 2016, as Chair of the Senate Committee on Justice and Human Rights, Senator de Lima initiated an inquiry into the killings of thousands of alleged drug users and drug dealers alleged to have taken place since President Duterte took office in June 2016;
- Senator de Lima was arrested and detained on 24 February 2017 in a case before Regional Criminal Court (RTC) Branch 204, in which she faces, as in two other cases before RTC Branches 205 and 206, criminal proceedings on the basis of accusations that she had received drug money to finance her senatorial campaign. The accusations against her were brought in the wake of an inquiry by the House of Representatives into drug trading in New Bilibid Prison and Senator de Lima's responsibility in that regard when she was Secretary of Justice. The House inquiry was launched one week after she initiated her inquiry in the Senate into the extrajudicial killings;
- Senator de Lima has been subject to a public campaign of vilification by the highest State authorities portraying her as an "immoral woman" and as guilty, even though a trial has yet to commence. On 7 November 2016, Senator de Lima filed a petition for writ of habeas data against President Duterte in the Supreme Court, with the request that the Court order President Duterte and any of his representatives to stop seeking details about her personal life outside the realm of legitimate public concern and making public statements that malign her as a woman and degrade her dignity as a human being, sexually discriminate against her, describe or publicize her alleged sexual conduct, constitute psychological violence against her and otherwise violate her rights or are contrary to law, good morals, good customs, public policy and/or the public interest,

Considering the following developments which have taken place since the mission:

- On 10 October 2017, the Supreme Court, by 9 votes in favour and 6 against, dismissed Senator de Lima's petition to nullify her arrest in the case before RTC Branch 204; Senator de Lima has filed a motion for reconsideration of this decision;
- RTC Branch 205 issued a non-bailable arrest warrant on 19 July 2017. Senator de Lima filed a motion for reconsideration which was denied; subsequent motions to quash submitted to RTC Branch 205 have likewise been dismissed; the arraignment is set for 24 November 2017; unless a temporary restraining order or preliminary injunction is issued, the proceedings, including trial, are expected to take place after the arraignment. The case before RTC Branch 206 is still on hold;
- On 29 May 2017, members of the minority bloc in the Senate filed a resolution expressing support for the granting of occasional furlough as requested by Senator de Lima. Another attempt, which also failed for lack of a majority, was made at the beginning of September 2017;
- The complainants reported that on 12 July 2017, Senate President Aquilino Pimentel III visited Senator de Lima. He committed to support any request for furlough, subject to court approval, provided that the Senator specifies which pre-scheduled sessions of the Senate and select committees she wishes to attend;
- The Supreme Court has not yet pronounced on the request for occasional furlough; Senator de Lima's lawyers intend to bring up this matter in the motion for reconsideration;

- The complainants affirm that the chief legal officer of the Bureau of Corrections, Mr. Alvin Herra Lim, as well as a memorandum from the Bureau of Corrections, clearly state that those from among the so-called "Bilibid 19" convicts who testified against Senator de Lima have benefited from privileged treatment since giving their testimonies;
- Although Senator de Lima remains very politically active from detention and receives newspapers, journals and books; she has no access to internet, TV or radio nor to an air-conditioning unit, despite a doctor's order - Senator de Lima has written a letter to the chief of the Philippine National Police in this regard;

Considering that, at the conclusion of their country visit, on 20 July 2017 the four members of the European Parliament (and of its Subcommittee on Human Rights) "called on the authorities of the Philippines to guarantee a fair trial for the senator and allow her to fulfil her duties as senator, including voting in the Senate."

Considering that in their joint statement of 18 August 2016, the UN Special Rapporteur on summary executions and the UN Special Rapporteur on the right to health called for drug trafficking offences to be "judged in a court of law, not by gunmen on the streets" and called on the Philippines authorities to adopt with immediate effect the necessary measures to protect all persons from targeted killings and extrajudicial executions; the UN Special Rapporteur on the right to health said that drug dependency should be "treated as a public health issue" and advocated "justice systems that decriminalize drug consumption and possession for personal use as a means to improve health outcomes."

Considering that the European Parliament, in its resolution of 16 March 2017 on "The Philippines – the case of Senator Leila M. De Lima", strongly condemns the high number of extrajudicial killings by the armed forces and vigilante groups related to the anti-drug campaign; expresses its condolences to the families of the victims; expresses grave concern over credible reports to the effect that the Philippines Police Force is falsifying evidence to justify extrajudicial killings, and that overwhelmingly the urban poor are those being targeted; calls on the authorities of the Philippines to immediately carry out impartial and meaningful investigations into these extrajudicial killings and to prosecute and bring to justice all perpetrators; and calls on the EU to support such investigations and on the authorities of the Philippines to adopt all necessary measures to prevent further killings,

Considering that the Philippines Government has rejected several recommendations by the UN Human Rights Council to investigate alleged extrajudicial killings resulting from the war on drugs, stating that it has sufficiently explained that deaths which occurred in the course of the implementation of the anti-illegal drugs campaign are not extrajudicial killings; that the government accepted only 103 out of the 257 recommendations made during the 36th session of the Council's Universal Periodic Review (UPR) of the Philippine human rights situation in May 2017, while taking note of the remaining 154 proposals. Aside from those calling for an independent investigation of alleged extrajudicial killings, the Government also denied a request to allow the UN Special Rapporteur on extrajudicial, summary or arbitrary executions to conduct an official visit to the country,

Considering that the UN High Commissioner for Human Rights, in his opening speech on 11 September 2017 to the 36th session of the UN Human Rights Council stated: "I continue to be gravely concerned by the President's open support for a shoot-to-kill policy regarding suspects, as well as by the apparent absence of credible investigations into reports of thousands of extrajudicial killings, and the failure to prosecute any perpetrator,"

Considering also that on 25 September 2017, 16 of the country's 23 senators introduced draft Senate resolution 516 urging the administration of President Rodrigo Duterte to "undertake the necessary steps to stop the spate of killings, especially of our children." The resolution also called for a Senate investigation into the "institutional reasons, if any, that give rise to such killings" and affirmed: "Due to the alarming spike in the number of children recently killed in blatant violation of their rights guaranteed by the Constitution, Philippine laws and international treaties, there is an urgent need to conduct an investigation of these senseless killings,"

Considering also that, amid the escalation of conflict in Mindanao and clashes in Marawi City, involving the Maute Group, President Duterte placed Mindanao and its nearby islands under martial law on 23 May 2017; that the 1987 Constitution provides for martial law for a maximum of 60 days without congressional approval; that on 22 July 2017, the two houses of Congress granted President Duterte's request to extend martial law in the southern Philippines until the end of 2017; and that President Duterte has said that he might extend martial law to the entire country if necessary, to "protect the people,"

Considering finally that, after threats by the House of Representatives to reduce the budget for the Commission on Human Rights for 2018 to a mere P1,000 (equivalent to 20 USD) in connection with its extensive investigation of reports of extrajudicial killings, it was finally decided to restore the Commission's previous budget, although the allocated sum did not match the increased amount that the Commission had asked for to be able to fully investigate the multiple reports of extrajudicial killings,

1. *Thanks* the Philippines authorities, in particular the parliamentary authorities, for receiving the on-site mission and for facilitating the fulfilment of its mandate, including the visit to Senator de Lima in detention;
2. *Fully endorses* the mission's findings and recommendations;
3. *Calls on* the relevant authorities to release Senator de Lima immediately and to seriously consider abandoning the legal proceedings should serious evidence not rapidly be forthcoming; *underscores* in this regard that the mission report amply shows that the steps taken against Senator de Lima came in response to her vocal opposition to President Duterte's war on drugs, including her denunciation of his alleged responsibility for the extrajudicial killings, and that there is no evidence to justify the criminal cases against her;
4. *Regrets* therefore that the Supreme Court did not see fit to nullify her arrest in the case pending before RTC Branch 204; *trusts* that the Court will give full consideration to the arguments presented by Senator de Lima and her lawyers in her motion for reconsideration; *wishes* to be kept informed in this regard;
5. *Decides* to send a trial observer to monitor and report on respect for fair trial standards in the case before RTC Branch 205, should the trial proceed;
6. *Is shocked* at the public campaign of vilification by the highest state authorities against Senator de Lima portraying her as an "immoral woman" and as guilty, even though a trial has yet to commence; *regrets* that the Supreme Court has still to rule on this matter, thereby missing an important opportunity to end and condemn the public degrading treatment to which she has been subjected as a woman parliamentarian; *calls* on the Supreme Court to rule on this matter as quickly as possible;
7. *Considers* that the Senate has a special responsibility to help ensure that its colleagues participate in its deliberations and to speak out when they face reprisals for their work; *regrets* therefore that the Senate has not been able to take a firm stance in favour of Senator de Lima's direct participation in the most important work of the Senate; *sincerely hopes* that the Senate, under the leadership of its President, will finally be able to act in solidarity with its colleague;
8. *Sincerely hopes* that, failing her immediate release, the Supreme Court will soon grant her occasional furlough; *also hopes* that the relevant authorities will swiftly enable her to access internet, TV and radio, as it would greatly facilitate her parliamentary work; *trusts* that the authorities will also provide her with an air-conditioning unit, as per her doctor's order; *wishes* to be kept informed in this regard;
9. *Requests* the Secretary General to convey this decision to the competent authorities, the complainant and any third party likely to be in a position to supply relevant information;
10. *Requests* the Committee to continue examining this case and to report back to it in due course.

Sri Lanka

SRI/49 - Joseph Pararajasingham

SRI/53 - Nadarajah Raviraj

SRI/61 - Thiyagarajah Maheswaran

SRI/63 - D.M. Dassanayake

***Decision adopted unanimously by the IPU Governing Council at its 201st session
(St. Petersburg, 18 October 2017)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the cases of the four above-mentioned parliamentarians, who were all assassinated between December 2005 and January 2008, and the decision adopted by the Committee on the Human Rights of Parliamentarians at its 152nd session (January 2017) and its own decision adopted at its 197th session (October 2015),

Taking into account the information provided by the Sri Lankan delegation to the 137th IPU Assembly, led by the Speaker of the Parliament and including the Minister of Justice, at the hearing held with the Committee on 14 October 2017,

Recalling the following information provided by the complainants and the authorities regarding the cases of:

- **Mr. Pararajasingham**

- Mr. Pararajasingham, a member of the Tamil National Alliance (TNA), was shot dead on 24 December 2005 during the Christmas Eve mass at St. Mary's Cathedral in Batticaloa, located in a high-security zone between two military checkpoints;
- The complainants have always affirmed that Mr. Pararajasingham was killed by the Sri Lankan Government with the help of the Tamil Makkal Viduthalai Pulikal (TMVP, also known as the "Karuna group"), a faction led by Mr. V. Muralitharan (alias "Karuna"), which split from the Liberation Tigers of Tamil Eelam (LTTE) in 2004 over grievances that the LTTE gave priority to the situation of the Tamils in the north and disregarded the Tamils in the east; at that time, the Karuna group reportedly asked Mr. Pararajasingham to support the split; his refusal to do so became a problem, given that the Government had wanted the Tamils to divide over the north and east;
- On 4 October 2015, four suspects, including the former Chief Minister of the Eastern Provincial Council, the Tamil leader Makkal Viduthalai Pulikal (TMVP), were arrested; the involvement of four others, all members of the TMVP, had also been established, two of whom were said to be in Dubai and India respectively; one of the other two of this group of four had been identified as the person who had fired the shots but had in turn been shot dead in the Kaththankudi police area in 2008; the Attorney General filed indictments, under Batticaloa High Court case No. 3057/17, against the four in detention and the three others at large;

- **Mr. Raviraj**

- Mr. Raviraj, a member of the TNA, was shot dead on 10 November 2006, along with his security officer, while travelling along a main road in Colombo, the gunman escaping on a motorcycle; the complainants refer to information showing that the circumstances of the murder point to State responsibility and that the immediate purpose of Mr. Raviraj's killing was to silence the Civil Monitoring Committee, which he had set up and whose reports on abductions, killings and extortions had created significant unrest;
- Eight persons had been arrested, five of them in March and October 2015, including two lieutenant-commanders of the Sri Lankan Navy and two other navy and police officers; four of the suspects, namely the three arrested in 2006 and one of the lieutenant-commanders arrested in March 2015, were subsequently discharged by the court on the advice of the Attorney General, whereas the others were released on bail; the investigation has also pointed to the complicity in the crime of Mr. Sivakanthan Vivekanandan (alias "Charan"), Mr. Fabian Roiston Christopher (alias "Thusain") and Mr. Palanisamy Suresh (alias "Saamy"); "Charan" is reported to have been a TMVP member and to have migrated to Switzerland, and is yet to be arrested; "Thusain" was formerly an intelligence officer attached to the state intelligence service and is believed to be currently living in an unknown foreign country; he is also yet to be arrested; the whereabouts of "Saamy" are yet to be established; the court has issued arrest warrants against three of them and the process to have "Charan" extradited from Switzerland has been initiated; Interpol red notices have been secured against "Charan" and "Thusain";
- The Sri Lankan authorities also made a mutual legal assistance request to the United Kingdom authorities to enlist the support of the Metropolitan Police Service (MPS) at New Scotland Yard, in the United Kingdom, which developed DNA profiles and fingerprints from evidence that they had found at the murder scene and took back to the United Kingdom for examination; the results of the DNA comparisons were considered very crucial and investigators were very hopeful that the proposed DNA comparisons would yield much needed proof of complicity by suspect(s) in the murder; nevertheless, the Attorney General initiated non-summary proceedings against three of the suspects arrested and released on bail in 2015 and against "Charan", "Thusain" and "Saamy", while using the remaining fourth suspect arrested and released in 2015 as a "state witness", having cited 32 witnesses; the accused were served with indictments on 21 July 2016 and remanded in custody until such time as the trial was concluded by the High Court, which, on 24 December 2016, decided to discharge all suspects; an appeal has been filed by the Attorney General against the judgment;

- **Mr. Maheswaran**

- The complainant in this case has from the outset emphasized that Mr. Maheswaran voted against the budget on 14 December 2007 and that, soon after the vote, the number of security guards assigned to him was cut from 18 to two; Mr. Maheswaran had openly made statements to the effect that the reduction of his security detail put his life seriously at risk and repeatedly requested the Government to enhance his security, but to no avail; on 1 January 2008, he was shot and died soon after; according to the complainant, the attack came after Mr. Maheswaran had said in a television interview that, when parliamentary sittings resumed on 8 January 2008, he would describe in detail the terror campaign that the Government was pursuing in Jaffna, particularly how abductions and killings were managed;
- In the months following the murder, the authorities arrested Mr. Johnson Collin Valentino, from Jaffna, who was identified as the gunman on the basis of a DNA analysis; the investigators concluded that he was an LTTE activist who had been trained and sent to Colombo to kill Mr. Maheswaran; Mr. Valentino confessed to the crime and was found guilty on 27 August 2012 and sentenced to death; an appeal regarding the sentence against Mr. Johnson Collin Valentino is pending;

- **Mr. D.M. Dassanayake**

- Mr. Dassanayake was killed on 8 January 2008; the arrest of a key LTTE suspect operating in Colombo led to the arrest of other suspects; one of these, Mr. Hayazinth Fernando, pleaded guilty and was sentenced on 1 August 2011 to two years' rigorous imprisonment, a 10-year suspended sentence and the payment of a fine of Rs. 30,000 for refusing to provide information to the investigators; the legal proceedings against Mr. Fernando have been completed; two other accused, namely Mr. Sunderam Sathisha Kumaran and Mr. Kulathunga Hettiarachchige Malcom Tyron, stood indicted in the High Court of Negombo on nine counts, including conspiracy to commit murder and abetment to commit murder; however, Mr. Sunderam Sathisha Kumaran fell sick in remand prison and died in hospital on 14 May 2015, whereas the case against the other accused is still ongoing,

Recalling that, on 16 September 2015, the United Nations High Commissioner for Human Rights released the report (A/HRC/30/CRP.2) on his office's (OHCHR) comprehensive investigation into alleged serious violations and abuses of human rights and related crimes committed by both parties (that is, the Government and related institutions, on the one hand, and the LTTE on the other) in Sri Lanka between 2002 and 2011; the report mentions, with regard to the murders of Mr. Pararajasingham and Mr. Raviraj, that:

- Concerning the motive in the case of Mr. Pararajasingham, based on the information obtained, "there are reasonable grounds to believe that the Karuna group killed Joseph Pararajasingham, and that it was aided and abetted by security and army personnel";
- Mr. Raviraj was widely known for his moderate views and his critical statements of both the LTTE and the Government, particularly in the weeks leading up to his murder; along with other parliamentarians, he had set up the Civilian Monitoring Committee, which alleged the Government was responsible for abductions, enforced disappearances and unlawful killings; the UN report also points to the fact that, the day before he was killed, Mr. Raviraj and other TNA parliamentarians had taken part in a demonstration in front of the United Nations offices in Colombo to protest against the killing of Tamil civilians by the military in the east and the increasing abductions and extrajudicial killings,

Recalling also that the aforesaid UN report concluded more generally that:

- There are reasonable grounds to believe that gross violations of international human rights law and serious violations of international humanitarian law were committed by all parties during the period under review;
- There are reasonable grounds to believe that the Sri Lankan security forces and paramilitary groups associated with them were implicated in widespread and unlawful killings of civilians and other protected persons; that Tamil politicians, humanitarian workers and journalists were particularly targeted; and that the LTTE also unlawfully killed civilians perceived to hold sympathies contrary to the LTTE, or suspected of being informers, as well as rival Tamil political figures, public officials and academics;

- The sheer number of allegations, their gravity and recurrence and the similarities in their modus operandi, as well as the consistent pattern of conduct this shows, all point to systematic crimes which cannot be treated as ordinary crimes;
- Sri Lanka's criminal justice system is not currently equipped to conduct an independent and credible investigation into allegations of this breadth and magnitude, or to hold accountable those responsible for such violations;
- It is therefore necessary to establish an ad hoc hybrid special court, which would include international judges, prosecutors, lawyers and investigators mandated to try in particular war crimes and crimes against humanity, with its own independent investigative and prosecuting organ, defence office and witness and victim protection programme,

Recalling that, on 1 October 2015, the United Nations Human Rights Council adopted a resolution, supported by Sri Lanka, in which the Council: (i) welcomed the recognition by the Government of Sri Lanka that accountability is essential to uphold the rule of law and to build the confidence of the people of all communities of Sri Lanka in the justice system; (ii) notes with appreciation the proposal of the Government of Sri Lanka to establish a judicial mechanism with a special counsel to investigate allegations of violations and abuses of human rights and of violations of international humanitarian law, as applicable; (iii) affirms that a credible justice process should include independent judicial and prosecutorial institutions led by individuals known for their integrity and impartiality; and (iv) affirms in this regard the importance of Commonwealth and other foreign judges, defence lawyers and authorized prosecutors and investigators participating in Sri Lankan judicial mechanisms, including working with the special counsel's office,

Recalling that the current President of Sri Lanka, along with other high-ranking government officials, has repeatedly emphasized the need for reconciliation and accountability in Sri Lanka,

Recalling that, on 18 December 2015, the Cabinet of Ministers formed the Secretariat for Coordinating Reconciliation Mechanisms tasked, under the Prime Minister's Office, with the design and implementation of the following reconciliation mechanisms: the Office of Missing Persons; the Truth, Justice, Reconciliation and Non-Recurrence Commission; the Judicial Mechanism; and the Office of Reparations; on 3 January 2017, the Sri Lankan Consultations Task Force on Reconciliation Mechanisms released its final report recommending the appointment of a hybrid court composed of local and international judges to oversee the adjudication of allegations of war crimes committed during the country's civil war; the international presence in the court would be phased out once trust between the court and the public was re-established,

Considering that the Minister of Justice, in the hearing with the Committee on the Human Rights of Parliamentarians, stated that the creation of a hybrid court would be envisaged once the constitutional amendment process, which included a review on 30 and 31 October and 1 November 2017 of the proposals made thus far, has been confirmed; according to the Speaker at the same hearing, the current government remained deeply committed to promoting reconciliation, human rights and good governance; as part of the Government's commitment to human rights, the United Nations Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence was currently engaged in his third official visit to Sri Lanka to examine the progress made in redressing the legacies of large-scale previous violations and abuses,

Considering the new information provided by the Speaker at the hearing concerning the four murder cases:

- **Mr. Pararajasingham**
The case has been fixed for 6 and 7 December 2017 for the purpose of serving indictments against seven accused; the case is being handled by a special prosecutor;
- **Mr. Raviraj**
The case has been fixed to call on 12 December 2017 in the Supreme Court;
- **Mr. Maheshwaran**
The appeal filed by the accused who was convicted was fixed for Argument in December 2017;
- **Mr. Dassanayake**
The case will next be heard on 13 December 2017;

Recalling also that the Sri Lankan Prime Minister intended to create a parliamentary select committee to monitor the investigations into the assassinations of parliamentarians, but that no such action has been taken,

1. *Thanks* the Speaker of the Parliament and the Minister of Justice for their cooperation and the information they provided;
2. *Notes with satisfaction* that the case against the suspects in the case of Mr. Pararajasingham is now fixed for trial; *wishes* to be kept informed of trial developments and to receive a copy of the indictments and information on the motives for the crime; *also wishes* to be informed of progress in the efforts made to locate and extradite the suspects who are abroad;
3. *Sincerely hopes* that, despite the original setback in court, similar progress will also be achieved in the case of Mr. Raviraj; *wishes* to be kept informed of progress made in locating the two suspects who are the subject of an Interpol red notice; *wishes* also to be kept informed of developments in the appeal and to receive a copy of the first-instance court ruling discharging the suspects;
4. *Is pleased* that the Sri Lankan authorities are committed to setting up a hybrid court to shed full light on past human rights violations; *trusts* that this court will indeed soon be created; *wishes* to be kept informed in this regard and to know how the authorities aim to strengthen the Victim and Witness Protection Act to offer the best possible protection for witnesses in and outside of Sri Lanka;
5. *Reiterates* its wish to receive a copy of the verdict against the culprit in the case of Mr. Maheswaran, in particular to know if it sheds light on whether the timing of his killing and the reduction of his security detail was taken into account; *wishes* to be kept informed of the appeal;
6. *Trusts* that the legal proceedings against the single suspect in the case of Mr. Dassanayake will soon be completed; *wishes* to be kept informed in this regard;
7. *Is convinced* that the previously mentioned parliamentary select committee to monitor the investigations into the assassinations of former members of parliament could ensure sustained parliamentary oversight in these matters; *sincerely hopes*, therefore, that the Parliament will put this committee in place as a matter of urgency;
8. *Requests* the Secretary General to convey this decision and the request for information to the relevant authorities, the complainants and any third party likely to be in a position to supply relevant information;
9. *Requests* the Committee to continue examining these cases and to report back to it in due course.

Russian Federation

RUS/01 - Galina Starovoitova

Decision adopted unanimously by the IPU Governing Council at its 201st session (St. Petersburg, 18 October 2017)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Ms. Galina Starovoitova, a member of the State Duma of the Russian Federation, who was assassinated on 20 November 1998, and to the decision adopted at its 197th session (Geneva, October 2015),

Considering the letter from the authorities dated 3 October 2017 and the information provided by the complainant,

Considering the hearings held by the Committee on the Human Rights of Parliamentarians with representatives of the State Duma, of the Prosecutor General's Office and with Ms. Olga Starovoitova, the sister of Ms. Galina Starovoitova, and her lawyer, during the 137th IPU Assembly (St. Petersburg, October 2017),

Recalling the following information on file provided over several years:

- In June 2005, two men, Mr. Akishin and Mr. Kolchin, were found guilty of Ms. Starovoitova's murder, with Mr. Akishin sentenced to 23 and a half years in prison and Mr. Kolchin to 20 years, both by the St. Petersburg City Court, which, in its judgment, concluded that the murder had been politically motivated; in September 2007, two others were found guilty of complicity in the murder and sentenced to 11 and 2 years' imprisonment respectively; four other suspects were acquitted and released; national and international arrest warrants have been issued for three other individuals; in its report of April 2008, the Prosecutor General's Office stated that the investigation and search operations to identify the other individuals involved in Ms. Starovoitova's murder were ongoing;
- Ms. Starovoitova was a prominent Russian human rights advocate and had denounced instances of high-profile corruption shortly before her assassination; in November 2009, the United Nations Human Rights Committee expressed its "concern at the alarming incidence of threats, violent assaults and murders of journalists and human rights defenders in the Russian Federation, which has created a climate of fear and a chilling effect on the media ...", and urged the Russian Federation "to take immediate action to provide effective protection and ensure the prompt, effective, thorough, independent and impartial investigation of threats, violent assaults and murders and, where appropriate, prosecute and initiate proceedings against the perpetrators of such acts"; many States made similar recommendations during the first and second universal periodic reviews of the Russian Federation's compliance with its human rights obligations before the United Nations Human Rights Council (February 2009 and April 2013),

Recalling the following information that Mr. Sergey A. Gavrilov, a member of the State Duma, provided to the Committee at the hearing held during the 126th IPU Assembly (Kampala, March-April 2012):

- It was very difficult to identify all the individuals involved in Ms. Starovoitova's murder, which had to be seen in the context of her political activism; after it became possible, in 2006, for convicts to obtain reduced sentences in exchange for cooperation in providing essential information about unresolved crimes, Mr. Kolchin had cooperated to help advance the recently resumed investigation into Ms. Starovoitova's murder; as a result, the authorities had been able to identify an additional suspect: Mr. Mikhael Glushchenko, a former member of parliament and a businessman involved in large-scale criminal activities, who was already serving a long prison term having previously been found guilty of extortion;
- The State Duma was fully committed to shedding light on and establishing accountability for Ms. Starovoitova's murder and had set up an anti-corruption and security committee, which was monitoring the case and coordinating with the Prosecutor General's Office about further developments; it would communicate further information on the investigation and proceedings to the IPU in the coming months,

Recalling that Mr. Glushchenko was formally charged and convicted, on 27 August 2015, to 17 years in prison as one of the organizers of the assassination,

Considering that the court, in its verdict, stated clearly that M. Glushchenko "was complicit as an organizer of the assassination "and that he "received instructions from an unidentified person to organize and commit the killing of Ms. Starovoitova",

Recalling that Mr. Glushchenko, during his trial proceedings, entered a plea bargain by agreeing to provide the name of the person who had ordered him to organize the killing in exchange for a reduced sentence; Mr. Glushchenko allegedly stated that he had acted under orders from Mr. Vladimir Barsukov (aka Kumarin), a former leader of the "Tambov criminal syndicate", who was already serving a prison term on a prior conviction,

Recalling that the complainant found it credible that Mr. Barsukov may have been involved in the assassination in some way, but believed that he most likely acted on orders from one or more other persons because he had no personal motive to instigate the murder; hence the necessity of pursuing the investigation to expose the real mastermind(s) who had ordered him to organize Ms. Starovoitova's assassination,

Considering that, according to the complainant, since the 2015 conviction of Mr. Glushchenko there has been no further progress in the investigation, and that no charges have been brought against Mr. Barsukov to date,

Considering that following the 2012 hearing, a total of 10 official letters were sent by the IPU Secretary General to the parliamentary authorities of Russia, primarily to the Chairperson of the State Duma, in order to seek updated information on the investigation of the mastermind(s) and further discussions with members of the Russian delegations to the IPU Assemblies; and that no response was forthcoming for five years until 3 October 2017,

Further considering that, on 3 October 2017, the Chairpersons of the State Duma and of the Council of the Federation responded to the IPU Secretary General's letter and asked him to "inform the members of the Committee about the completion of the investigation in this criminal case, in order to consider closing the case in accordance with the Rules of Procedure of the Committee"; the two Speakers recalled that the Russian authorities have pursued investigations and judicial proceedings against a number of suspects for years; they emphasized that "the legitimate and justified punishment that the murderers and the organizers of this crime received cannot mitigate the pain of the loss of one of the brightest politicians of the new Russia", who "is remembered as a prominent lawyer, a human rights activist and a public figure who did much to shape modern Russian society"; the Government of St. Petersburg has established a scholarship named after Galina Starovoitova for students of humanitarian studies institutes,

Recalling that the Committee's guiding principle is to never give up and that article 25 of its revised Procedure for the examination and treatment of complaints (Annex I to the Rules and Practices of the Committee on the Human Rights of Parliamentarians) provides that "The Committee shall continue in principle to examine a case at future sessions as long as a satisfactory settlement has not been reached",

Considering the following information that Mr. Anatoly Vybornov, Deputy Chairman of the State Duma Committee on Security and Corruption Prevention, provided at the hearing held during the 137th IPU Assembly:

- The Russian authorities have pursued the investigation of Ms. Starovoitova's assassination for many years; it has been a difficult task in light of the complexity of the case and the involvement of a multitude of persons; the length of the investigation can be attributed to the circumstances in which the crime occurred, namely the collapse of the Soviet Union and high levels of criminality at that time; the authorities have done their utmost to shed light on the circumstances of the assassination and have always expressed the wish to clarify them, no matter how long it may take; the investigation successfully led to the identification and conviction of several suspects, including Mr. Glushchenko; it is credible that Mr. Glushchenko was the true mastermind of the crime as he was not happy at the time with the public views that Ms. Starovoitova had expressed; Mr. Glushchenko is the only mastermind that has been identified by the courts to date and it is unlikely that other suspects will be identified, even if the investigation continues looking at various scenarios; the parliamentary authorities therefore recommend to the Committee to close the case because, in their view, the real culprit has been identified,
- With regard to suspicions about Mr. Barsukov's involvement in Ms. Starovoitova's assassination, the State Duma is committed to the principle of the presumption of innocence enshrined in the Constitution of the Russian Federation and cannot comment on this until the completion of the investigation and a final court ruling on this matter,
- The lack of cooperation by the parliamentary authorities should be regarded as an issue of the past; the State Duma is committed to cooperating with the Committee and pursuing a dialogue in the future,

Considering the following information that Lieutenant-General Nelly Evgenievna Solyshnika, Prosecutor General of the Russian Federation for the North-West Federal District, provided at the hearing held during the 137th IPU Assembly:

- The investigation of Ms. Starovoitova's murder is still ongoing as it still has not identified all persons involved in the crime, including the ultimate mastermind(s) behind the assassination; the investigation is pursuing all possible scenarios but contract killings are hard to investigate as they are based on secret arrangements; the case is complex and sensitive; investigations are confidential until formal charges are brought and confirmed by a court against specific suspects; no formal charges have been confirmed against new suspects in recent years; the name of Mr. Barsukov was mentioned in the media and the investigation is looking at any possible connection with the case but he has not been formally charged to date;

- The Prosecutor General's Office, and the court, are the only authorities competent to decide whether to pursue or put an end to the investigation, which is still open and will continue; the investigation is being conducted by a group comprising experienced investigators from the Federal Security Service (FSB), the Prosecutor General's office and the police who have been on the case for many years; however there are no guarantees that it will be able to gather sufficient evidence to bring charges against other suspects;
- The State Duma is a different institution with a different mandate and is not involved in the investigation nor competent to make decisions on its continuation or closure pursuant to the domestic legal framework; the Office of the Prosecutor General is the only authority legally authorized to pursue the case and to supervise the investigation; it shares occasional summary updates on the investigation with the State Duma given that Ms. Starovoitova was a parliamentarian; should new verdicts be issued or the case be closed, the State Duma will be duly informed by the Prosecutor General's Office, as was done in the past,

Considering the following observations provided by Ms. Olga Starovoitova and her lawyer at the hearing held during the 137th IPU Assembly:

- The investigation has made progress over time and the investigators have always acted in a professional manner; the family has been kept informed of updates on a regular basis; there is no investigative team as such at this stage but only one investigator, who is actively working on the case; the investigation has been endless and the more time passes, the less likely it becomes that an end result can be reached; investigators have been replaced over time due to the length of the investigation and the fact that they had reached the maximum retirement age, thus affecting the continuity and efficiency of the investigation; public interest and support for the investigation has diminished over time as well;
 - Suspicions exist about different scenarios with regard to the mastermind(s), and the investigation is still ongoing and looking into these. Mr. Glushchenko cannot be trusted as a witness and his admission is not sufficient evidence to establish the exact role of Mr. Barsukov unless corroborated by additional evidence. Until suspicions can be proved in court, the presumption of innocence must be respected. While it is possible and credible that Mr. Barsukov may have played a role in co-organizing the assassination, it does not make sense that he alone would have instigated and ordered the assassination, and, that being the case, he must have received instructions from someone else; it is feared that he might be a convenient scapegoat used to facilitate the closure of the case without achieving a satisfactory settlement;
 - For the family of Ms. Galina Starovoitova, justice requires the identification and punishment of the ultimate mastermind(s); the family and their lawyers will continue doing everything possible to ensure that the investigation continues until justice has been achieved,
1. *Thanks* the parliamentary authorities, the Prosecutor General's Office, the sister of Ms. Galina Starovoitova and her lawyer for their cooperation and for the valuable information provided;
 2. *Acknowledges* the relentless efforts and renewed commitment of the Russian authorities to ensure full accountability for the assassination of Ms. Galina Starovoitova and *notes with satisfaction* that the investigation is still ongoing and that the representative of the Prosecutor General's Office has confirmed that it will remain open until light is fully shed on all the masterminds of the crime;
 3. *Expresses the hope* that evidence will soon be found to support further progress in the investigation, in particular towards the identification of the mastermind(s);
 4. *Notes with interest* that the State Duma is kept informed of new developments in the investigation by the Prosecutor General's Office; *regrets* that cooperation with the parliamentary authorities was not forthcoming for the past five years and *welcomes* the State Duma's offer to start a new dialogue with the Committee; *wishes* to know if the anti-corruption and security committee of the State Duma currently continues to monitor the case and to be kept regularly apprised, by the parliamentary authorities and by the Prosecutor General's Office, of the status of the investigation in the future, in particular if and when new suspects are charged, tried and convicted;

5. *Requests* the Secretary General to convey this decision to the parliamentary authorities, the Prosecutor General's Office, the complainant and any third party likely to be in a position to supply relevant information;
6. *Requests* the Committee to continue examining this case and to report back to it in due course.

Turkey

TK69 - Gülser Yildirim (Ms.)	TK98 - Alican Önlü
TK70 - Selma Irmak (Ms.)	TK99 - Altan Tan
TK71 - Faysal Sariyildiz	TK100 - Ayhan Bilgen
TK72 - Ibrahim Ayhan	TK101 - Behçet Yildirim
TK73 - Kemal Aktas	TK102 - Berdan Öztürk
TK75 - Bedia Özgökçe Ertan (Ms.)	TK103 - Dengir Mir Mehmet Firat
TK76 - Besime Konca (Ms.)	TK104 - Erdal Ataş
TK77 - Burcu Çelik Özkan (Ms.)	TK105 - Erol Dora
TK78 - Çağlar Demirel (Ms.)	TK106 - Ertuğrul Kürkcü
TK79 - Dilek Öcalan (Ms.)	TK107 - Ferhat Encü
TK80 - Dilan Dirayet Taşdemir (Ms.)	TK108 - Hişyar Özsoy
TK81 - Feleknaş Uca (Ms.)	TK109 - Idris Baluken
TK82 - Figen Yüksekdağ (Ms.)	TK110 - Imam Taşçier
TK83 - Filiz Kerestecioğlu (Ms.)	TK111 - Kadri Yildirim
TK84 - Hüda Kaya (Ms.)	TK112 - Lezgin Botan
TK85 - Leyla Birlik (Ms.)	TK113 - Mehmet Ali Aslan
TK86 - Leyla Zana (Ms.)	TK114 - Mehmet Emin Adiyaman
TK87 - Meral Daniş Beştaş (Ms.)	TK115 - Nadir Yildirim
TK88 - Mizgin Irgat (Ms.)	TK116 - Nihat Akdoğan
TK89 - Nursel Aydoğan (Ms.)	TK117 - Nimetullah Erdoğan
TK90 - Pervin Buldan (Ms.)	TK118 - Osman Baydemir
TK91 - Saadet Becerikli (Ms.)	TK119 - Selahattin Demirtaş
TK92 - Sibel Yiğitalp (Ms.)	TK120 - Sirri Süreyya Önder
TK93 - Tuğba Hezer Öztürk (Ms.)	TK121 - Ziya Pir
TK94 - Abdullah Zeydan	TK122 - Mithat Sancar
TK95 - Adem Geveri	TK123 - Mahmut Toğrul
TK96 - Ahmet Yildirim	TK124 - Aycan Irmez (Ms.)
TK97 - Ali Atalan	TK125 - Ayşe Acar Başaran (Ms.)

***Decision adopted unanimously by the IPU Governing Council at its 201st session
(St. Petersburg, 18 October 2017)***

The Governing Council of the Inter-Parliamentary Union,

Referring to the cases of the above-mentioned parliamentarians and to the decision it adopted at its 199th session (October 2016), as well as the decision adopted by the Committee on the Human Rights of Parliamentarians at its 152nd session (January 2017),

Referring to the letters of 28 September, 29 March and 25 January 2017 from the President of the Turkish IPU Group, and to the information and new allegations submitted by the complainant,

Referring to the report on the mission conducted to Turkey by the Committee in February 2014 (CL/195/11(b)-R.1),

Recalling that the case concerns 56 parliamentarians and former parliamentarians of the total of 58 parliamentarians in the People's Democratic Party (HDP); that they face over 500 terrorism and criminal charges after the Constitution was amended to authorize a wholesale lifting of parliamentary immunity in May 2016,

Considering that the following information is not disputed by the parties:

- On 20 May 2016, the Grand National Assembly of Turkey (GNAT) amended the Turkish Constitution by voting an immunity bill to strip over a quarter of the country's members of parliament of their immunity; pursuant to the constitutional amendment adopted, the requests for the lifting of parliamentary immunity that were pending at that time were not processed under the ordinary constitutional procedure; instead, they were sent back to the executive for immediate implementation, without prior review and approval by parliament or hearings of the members of parliament concerned; the Constitutional Court rejected, on procedural grounds, the petitions of 70 members of parliament seeking annulment of the amendment; fifty HDP parliamentarians subsequently lodged applications to the European Court of Human Rights;
- Dozens of trial proceedings are ongoing against HDP members of parliament in various courts scattered all over Turkey,

Considering that, according to the complainant, the current overall situation of the 56 members is as follows:

- Turkish courts have delivered at least 17 convictions against 12 HDP MPs in recent months;
- Nine members of parliament continued to be held in detention by early October 2017;
- The other MPs are free but face restrictions of their freedom of movement, as they have been placed under judicial control and banned from travelling abroad (three MPs have sought refuge abroad and will be detained if they return to Turkey). This, together with the multitude of trials ongoing against them throughout Turkey, has restricted their ability to devote themselves meaningfully to the exercise of their parliamentary mandate;
- Five MPs have had their mandates revoked (including four women MPs): two for their prolonged absence from parliament and three following final convictions. These convictions are at least partly related to older charges not covered by the blanket immunity constitutional amendment and for which the concerned MPs' parliamentary immunity was therefore not lifted, according to the complainant. The complainant fears that two additional MPs will have their mandate revoked soon given new recent convictions and the continuing trial proceedings. Two of the MPs have allegedly been further deprived of their citizenship;
- The Vice Chair of the HDP, Ms. Figen Yüksekdağ, has also been deprived of her party membership and executive position and banned by court decision from exercising any political activities, according to the complainant;
- Some members of parliament have been physically and verbally abused, including three female members of parliament, Ms. Feleknas Uca - whose son was also reportedly tortured - Ms. Besime Konca, Women's Assembly spokesperson, and Ms. Sibel Yiğitalp; they were physically assaulted by the police during a protest in Diyarbakir in October 2016; Ms. Uca's arm was allegedly badly injured by the police and she had to be hospitalized, according to the complainant; Ms. Konca was also physically harassed during her detention on 12 December 2016; physical attacks (punches in the face) also allegedly took place in parliament during the budget debate in early December 2016; Mr. Mehmet Adiyaman and Mr. Behçet Yıldırım were subsequently hospitalized; further, female HDP members of parliament were exposed to sexist swear words from AKP members of parliament during the same debate, according to the complainant,

Considering that there are divergences in the information and views provided by the authorities and by the complainant on the following issues of concern:

- **Parliamentary immunity**
 - The complainant alleges that the Constitution has been violated by the procedure used, as relevant constitutional provisions on parliamentary immunity were suspended and disregarded; it observes that the normal procedure pursuant to Article 83 of the Turkish Constitution should have been a case-by-case review of the charges and evidence brought against each member of parliament, including the conduct of a hearing with each incriminated member of parliament to hear his or her version of the facts and defence arguments before the relevant GNAT commission and before the plenary; the complainant alleges that the GNAT has failed to protect the fundamental rights of its members;
 - The complainant alleges that the wholesale lifting of the immunity of most HDP parliamentarians was "*an administrative coup to exclude the Kurds and other marginalized peoples represented by the HDP from the Parliament of Turkey*"; it claims that the overwhelming majority of members

of parliament affected belonged to the two main opposition parties (CHP and HDP) and that this measure was part of a broader effort to silence and sideline the most vocal critics of President Erdoğan's agenda and to ensure full executive control over a subservient parliament;

- The parliamentary authorities have consistently maintained that the Constitution was strictly adhered to when adopting the amendment; they point out that amending the Constitution is a right explicitly granted to the GNAT by the Turkish Constitution and that "*the latest amendment purely reflect[ed] the discretion of the legislative authority*"; they note that the critical importance and sanctity of the principle of parliamentary immunity have been fully acknowledged; again according to the authorities, the opposition parties were not specifically targeted; at the time of adoption of the amendment, many judicial files against members of parliament from all political parties, including the AKP, were waiting to be processed; the authorities indicate that the lifting of immunity involved 518 files relating to 55 members of parliament from the HDP, 215 files relating to 59 members of parliament from the Republican's People's Party (CHP), 23 files relating to 10 members of parliament from the Nationalist Movement Party and 50 files relating to 29 members of parliament from the Justice and Development Party (AKP) – a total of 733 files for 114 opposition members of parliament and 73 files for 39 members of parliament from the majority; different numbers have been provided in the various communications received both from the authorities and the complainant,
- **Arrests, pre-trial detention and other restrictions imposed on HDP parliamentarians; allegations of arbitrary detention, solitary confinement and obstruction of prison visits**
- According to the authorities, the courts are required to ensure compulsory attendance at interrogations and to prevent obstruction of justice, particularly in terrorism cases; arrest warrants were issued only for those members of parliament who had repeatedly refused to respond to calls for questioning (an affirmation contested by the complainant); pre-trial detention was ordered on the grounds that "*calling for violence and creating propaganda in favour of terrorist organizations are not considered within the scope of freedom of expression*", that "*detention orders are appropriate, necessary and proportionate to the aim pursued with a view to protection of national security, territorial integrity and public safety*", and in view of the nature of the offences and the evidence available;
- According to the complainant, the courts' practices decisions to arrest parliamentarians and maintain them in pre-trial decision have been arbitrary and inconsistent. The complainant further claims that there are no factual and legal grounds to justify the detention of some MPs and the release of others. Many MPs were allegedly not summoned to provide their testimony but arrested directly without being given a chance to appear voluntarily. They never refused to appear for questioning according to the complainant. On the other hand, other MPs were summoned, refused to appear for questioning and were arrested and forcefully brought before court. According to the complainant, some of them were nevertheless granted release, such as Mr. Ziya Pir. The complainant further alleges that the Turkish Criminal Code provides that, if a person does not answer a prosecutor's summons, the police may take them to the prosecutor's office by force, for the sole purpose of ensuring that they give testimony. Pre-trial detention orders are based on specific criteria, of which failure to respond to a summons is not one, according to the complainant. The complainant has pointed out that none of the pre-trial detention orders issued referred to the fact that the MPs had not answered a court summons, or to legal provisions that might justify pre-trial detention on such grounds. Summary translations of the detention orders provided by the complainant have corroborated this allegation;
- The complainant alleges that most of the detained members of parliament have been held in solitary confinement in remote high-security prisons throughout Turkey, far away from their homes and from the courts where they are being tried; they have allegedly been denied prison visits; no foreign delegation has been granted access to them to date, according to the complainant; three of them, including Mr. Demirtaş and Mr. Zeydan were transferred to cells with co-detainees in January 2017; in response to these allegations, the authorities have indicated that the primary criterion when placing prisoners in penitentiary institutions is "*existing physical conditions*"; they state that prison visits can only be authorized by the Ministry of Justice pursuant to the legislation in force and that no one has the right to "directly" undertake visits; no information has been provided on the detention conditions of the other parliamentarians,
- **Judicial proceedings - alleged violations of the right to a fair trial and to freedom of expression, assembly and association**

- The complainant has claimed that the arrests of the members of parliament were arbitrary and that the proceedings were politically motivated to prevent them from continuing their work in parliament and politics, including in the lead-up to the April 2017 constitutional referendum;
- The complainant alleges that fair-trial and due process guarantees, starting with the presumption of innocence, have been disregarded; the judicial process is not being administered in a fair, independent and impartial manner according to the complainant; the detained members of parliament have faced restrictions on their rights to legal counsel which have seriously undermined their ability to prepare a defence, including surveillance of their legal counsels' visits and communications, seizure and censorship of documents and intimidation against their counsels; the Government has allegedly banned the associations of lawyers representing most of the HDP parliamentarians and has intimidated, detained and pressed charges against many HDP lawyers, accusing them of complicity and membership of a terrorism organization for the mere fact that they have agreed to defend the parliamentarians; the Turkish authorities have cited the need to respond to security/terrorism threats and invoked legislation adopted under the state of emergency such as Decree 675 No. of 29 October 2016 and Decree No. 667 of 23 July 2016 to justify the legality of the measures taken;
- The complainant further alleges that the charges against the 56 HDP members of parliament are baseless and infringe their rights to freedom of expression, assembly and association; no serious and credible evidence has been adduced to support the hundreds of criminal and terrorism charges brought against them, according to the complainant; the complainant claims that the evidence relates to public statements, rallies and other peaceful political activities that they carried out in furtherance of their parliamentary duties and their political party programme, such as mediating between the PKK and the Turkish Government as part of the peace process between 2013 and 2015, publicly advocating political autonomy, and criticizing the policies of President Erdoğan in relation to the current conflict in south-eastern Turkey (including denouncing the crimes committed by the Turkish security forces in that context); the complainant claims that such statements, rallies and activities are not constitutive of any offence and fall under the clear scope and protection of the fundamental rights of the members of parliament; it therefore alleges that proper standards of due process have been disregarded at the investigation stage; it also does not believe that the judicial process is being administered in a fair, independent and impartial manner at the trial stage, given the political dimension of the cases and the politicization of the Turkish judiciary; in the trials that have already started or been completed, the complainants have alleged restrictions and violations of the right of defence;
- The parliamentary authorities have consistently reaffirmed that the HDP parliamentarians were accused of siding with the PKK terrorist organization because of their remarks and action; they have observed that freedom of expression has its limits, as set out in relevant international conventions; they point out that article 7 of the anti-terrorism law provides that "*expressions which justify, praise or promote the use of methods by terrorist organizations involving coercion, violence or threats*" are punishable; the authorities affirm that the parliamentarians have justified and promoted the violent acts of the PKK terrorist organization; they acknowledge that the judicial authorities have yet to deliver final decisions on most of the charges levelled against the members of parliament and emphasize that all appropriate judicial remedies exist under domestic law; a series of court convictions have been delivered in 2017 but no detailed information has been provided by the authorities on the evidence relied upon by the courts to reach their verdicts or the manner in which respect for freedom of expression was taken into account by the courts,

Considering that, in its opinion of 14 October 2016, the European Commission for Democracy through Law (Venice Commission) called for the restoration of the parliamentary inviolability of all 139 members of parliament, as an essential guarantee of the functioning of parliament in Turkey, on the basis of the following conclusions:

- The procedure followed was a misuse of the constitutional amendment procedure because it concerned 139 identified individuals and, in substance, constituted a sum of decisions on the lifting of immunity, whereas the decisions should have been taken individually and subject to the specific guarantees of the suspended Article 83 of the Constitution; the National Assembly, instead of seeking a milder solution, pursued the most radical measure of complete removal of immunity for the 139 members of parliament and deprived them of an appeal to the Constitutional Court, in violation of the principle of proportionality;

- The situation in the Turkish judiciary made it the worst possible moment to abolish inviolability, and most of the files concerned related to freedom of expression; there were serious doubts about the independence and impartiality of the Turkish judiciary; the Commission was informed (but was unable to confirm) that a considerable number of the files against the 139 members of parliament were prepared by prosecutors who had been imprisoned and/or dismissed after the failed coup of 2016;
- Moreover, “[F]reedom of expression of members of parliament is an essential part of democracy. Their freedom of speech has to be a wide one and should be protected also when they speak outside parliament. The non-violent pursuit of non-violent political goals such as regional autonomy cannot be the subject of criminal prosecution. Expression that annoys (speech directed against the President, public officials, the Nation and the Republic, etc.) must be tolerated in general but especially when it is uttered by members of parliament. Restrictions of the freedom of expression have to be narrowly construed. Only speech that calls for violence or directly supports the perpetrators of violence can lead to criminal prosecution. The case law of the European Court of Human Rights shows that Turkey has a problem with safeguarding freedom of expression, not least with respect to cases considered as propaganda for terrorism. This is partly due to the fact that [...] the scope of the Criminal Code is too wide”.

Recalling the following conclusions and recommendations reached by the IPU Governing Council after the mission conducted to Turkey in 2014 in relation to cases raising similar concerns of freedom of expression:

- Peaceful and legal political activities of parliamentarians have been construed as evidence of criminal and terrorist acts by the prosecution and the courts on repeated occasions in the past, particularly in relation to the situation in south-eastern Turkey; the protection of freedom of expression in Turkey has been a long-standing issue of concern in prior cases brought before the Committee, which has repeatedly called on the Turkish authorities since 1992 to take action to enhance respect for this fundamental right;
- Legislative reforms undertaken have not addressed the long-standing concerns – and calls for reform – of international and regional human rights bodies regarding the use of broad anti-terrorism and criminal legislative provisions (particularly the offence of “membership of a criminal organization”) to criminalize conduct that is protected under international human rights law;
- The Turkish legal framework and judicial practice have continued largely to fail to distinguish between peaceful protests and dissenting opinions, on the one hand, and violent activities pursuant to the same goals on the other,

Considering that, on 29 March 2017, the Turkish authorities rejected the Committee’s request to conduct a mission to Turkey and to visit the detained parliamentarians on the grounds that it “could negatively affect the judicial process”; in a letter of 28 September 2017, the President of the Turkish IPU Group shared some information on the status of ongoing proceedings against the two co-chairs of the HDP, Mr. Demirtaş and Ms. Yüksedag, and stated that he had no additional comments to share; detailed information on the specific facts and evidence adduced to support the charges against the HDP parliamentarians has not been provided despite repeated requests to that end; the Turkish IPU Group declined the Committee’s invitation to a hearing to discuss the concerns at hand during the 137th IPU Assembly,

Further considering that the Committee on the Human Rights of Parliamentarians mandated an independent trial observer to attend the hearing of Ms. Figen Yüksekdağ on 18 September 2017, and that:

- In these latest proceedings against her, which started on 4 July 2017, Ms. Yüksekdağ faces 83 years of jail on accusations of “managing a terrorist organisation”, “making terrorist propaganda”, “inciting violence” and “violating the law on demonstrations and gatherings”;
- The facts and evidence supporting the accusations have not yet been examined by the court; they relate to (i) speeches Ms. Yüksedag gave on different occasions, (ii) a tweet from the HDP’s Executive Board (of which Ms. Yüksedag was a member) calling on people to protest against the 2014 siege of Kobane by ISIS and the inaction of the Turkish Government, and denouncing excessive use of force by the police against protesters that led to many deaths, (iii) Ms. Yüksedag’s participation and activities in the Democratic Society Congress - a legally recognized umbrella organisation of about 700 NGOs and political parties, including the HDP – which played a major role during the peace process but is now considered a criminal organization, being part of the PKK since the 2015 suspension of the peace process;

- Ms. Yüksedag was not present at the hearing, in protest at the fact that a small court room in the precincts of Sincan prison complex had been chosen as the venue rather than an ordinary courtroom open to the public; she further objected to the fact that international and domestic observers were barred from entering the courtroom, with the sole exception of the IPU observer. She considered this a violation of her right to a public hearing; her defence lawyers also raised concerns about the lack of equality of arms and of a fair trial; the presiding judge systematically followed the prosecutor's opinion and rejected all petitions lodged by defence lawyers during the 18 September hearing; the court decided to continue hearing the case in the same premises and to maintain Ms. Yüksedag in detention; it further decided to bring her by force to the next hearing, which was set for 6 December 2017;
- A full trial observation report will be submitted to the Committee at a later stage and shared with the Turkish authorities for their comments and observations,

Considering that, on 25 September 2017, the IPU lodged a further submission with the European Court of Human Rights as a third-party intervener in relation to the case; the aim of the submission was to inform the Court of the work and decisions of the IPU Committee on the Human Rights of Parliamentarians,

Bearing in mind Turkey's international obligations to respect, protect and promote fundamental human rights, particularly as a Party to the International Covenant on Civil and Political Rights (ICCPR) and to the European Convention on Human Rights (ECHR),

Considering that, since the failed coup of 15 July 2016, the Turkish Government has officially invoked derogations related to the state of emergency to its obligations under articles 2/3, 9, 10, 12, 13, 14, 17, 19, 21, 22, 25, 26 and 27 of the ICCPR and similar derogations from the ECHR,

Further considering that a group of United Nations human rights special rapporteurs issued a public statement on 19 August 2016 noting that "*the invocation of Article 4 [of the ICCPR] is lawful only if there is a threat to the life of the nation, a condition that arguably is not met in this case*". The experts underscored that "*one cannot avoid, even in times of emergency, obligations to protect the right to life, prohibit torture, adhere to fundamental elements of due process and non-discrimination, and protect everyone's right to belief and opinion*" and that "*even where derogation is permitted, the Government has a legal obligation to limit such measures to those that are strictly required by the needs of the situation*"; they have urged the Turkish Government to uphold the rule of law in times of crisis, voicing their concern about the use of emergency measures to target dissent and criticism and warning that derogation measures should not be used in a way that would push the country deeper into crisis,

Taking into account the letter of 22 September 2017 from the national delegations of the parliaments of Denmark, Finland, Iceland, Norway and Sweden, expressing their deepest concern at the violations of the human rights of the Turkish parliamentarians and encouraging the Committee on the Human Rights of Parliamentarians to continue its efforts to support and defend them,

1. *Thanks* the Turkish IPU Group for the information provided and *notes with interest* that the trial observer mandated by the IPU was the only foreign observer allowed to attend the hearing of Ms. Yüksedag on 18 September 2017; *expresses the wish* that the trial observation continue at the next hearing on 6 December 2017 and *awaits* the completion of the observer's mandate to receive a final report on the hearings;
2. *Notes with consternation*, however, that the authorities have not authorized the Committee to conduct its mission to Turkey and *is appalled* at the persisting allegations of solitary confinement of the detained MPs and the fact that no foreign delegation appears to have been allowed to visit them in detention;
3. *Remains convinced* that it is essential for the Committee mission to take place and *urges* the parliamentary authorities to grant it access; *requests* therefore the Secretary General to continue exploring with the Turkish authorities the possibility of sending a mission to Turkey; also *renews its call on* the authorities to share information on the current conditions of detention of the detained MPs and to grant immediate access to them to the Committee mission;
4. *Remains deeply concerned*, in light of the verdicts delivered in recent months, that the peaceful public statements and legal political activities of members of parliament that fall within the scope of their rights to freedom of expression, assembly and association may have been regarded as evidence of criminal and terrorist acts committed in violation of Turkey's international human rights obligations;

5. *Recalls* its long-standing concerns over freedom of expression and association related to anti-terrorist legislation and the offence of membership of a criminal organization and *reiterates* its prior recommendations to the Turkish authorities to urgently address these concerns in an appropriate manner; *urges* the Turkish authorities to share the information requested on the specific facts and evidence adduced to support the charges and convictions against the concerned parliamentarians, including relevant excerpts of all court decisions, *also wishes* to be kept informed of new developments in the proceedings, particularly when verdicts are delivered;
 6. *Cautions* that recent developments and the lack of progress towards resolution of the case seem to lend significant weight to fears that the ongoing proceedings may be aimed at depriving the People's Democratic Party (HDP) of effective representation in parliament, at weakening the opposition parties in parliament and in the broader political arena, and therefore at silencing the populations they represent; *reaffirms its concerns* that the limited possibility of parliamentary representation for the populations affected may contribute to further deterioration of the political and security situation prevailing in south-eastern Turkey, as well as weaken the independence of the institution of parliament as a whole;
 7. *Notes with particular concern* that a large number of women parliamentarians are affected by the current situation, as they represent 50 per cent of the concerned HDP parliamentarians, that half of the HDP parliamentarians who have been detained, and four out of the five MPs whose parliamentary mandates have been revoked, are women; *laments* that this may result in disproportionately affecting women's representation in the Grand National Assembly of Turkey and *further notes with concern* that the authorities have provided no information on the alleged incidents of physical and verbal assaults committed against at least three women parliamentarians;
 8. *Sincerely thanks* the Nordic parliaments for their joint action calling for respect of the fundamental rights of the Turkish parliamentarians concerned and renews its call to all IPU members to translate the principle of parliamentary solidarity into concrete actions in support of the urgent resolution of this case;
 9. *Requests* the Secretary General to convey this decision to the parliamentary authorities, the complainant and any third party likely to be in a position to supply relevant information and to proceed with all necessary arrangements to organize the requested mission by a Committee delegation and any future trial observation missions;
 10. *Requests* the Committee to continue examining this case and to report back to it in due course.
-

Palestine

PAL/02 - Marwan Barghouti

Decision adopted by consensus by the IPU Governing Council at its 201st session (St. Petersburg, 18 October 2017)³

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Marwan Barghouti, an incumbent member of the Palestinian Legislative Council (PLC), and to the decision it adopted at its 197th session (October 2015),

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 from the head of the Knesset delegation to the Inter-Parliamentary Union dated 26 September 2017 and the hearing which the Committee on the Human Rights of Parliamentarians held with the Palestinian delegation during the 137th IPU Assembly (St. Petersburg 14-18 October 2017),

³ The delegation of Israel expressed its reservations regarding the decision.

Recalling the following information on file regarding Mr. Barghouti's situation:

- He 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 of 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;
- According to his letter of 6 January 2013, the Diplomatic Advisor to the Knesset stated: "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 most recent of which took place on 4 December 2012",

Recalling that, according to the complainants, Mr. Barghouti was threatened before a disciplinary committee with solitary confinement should he publish another article like the one on 11 October 2015 in the Guardian newspaper, entitled: "There will be no peace until Israel's occupation of Palestine ends"; Mr. Barghouti ends his article with: "I joined the struggle for Palestinian independence 40 years ago, and was first imprisoned at the age of 15. This did not prevent me from pleading for peace in accordance with international law and United Nations resolutions. But Israel, the occupying power, has methodically destroyed this perspective year after year. I have spent 20 years of my life in Israeli jails, including the past 13 years, and these years have made me even more certain of this unalterable truth: the last day of occupation will be the first day of peace",

Considering that, Mr. Barghouti was placed in solitary confinement for initiating a mass hunger strike from 17 April to 30 May 2017 in protest against the detention conditions in Israeli prisons and for publishing an article about it in the New York Times entitled "Why We Are on Hunger Strike in Israel's Prisons"; *Considering* that, according to open-source information, Mr. Barghouti will be "prosecuted in a disciplinary court" as a result of the hunger strike he initiated and the opinion piece he published,

Considering that the letter from the head of the Knesset delegation to the IPU dated 26 September 2017 did not provide any information on Mr. Barghouti's case and declined the Committee's invitation to a hearing during the 137th IPU Assembly (14-18 October 2017) in that regard; *recalling* that numerous requests for information on Mr. Barghouti's current conditions of detention, in particular his family visiting rights, along with information on the extent to which he has access to medical care, have been left unanswered by the Israeli authorities,

Considering that according to Mr. Azzam Al-Ahmad, member of the Palestinian delegation and Head of the parliamentary group of Fatah, the head of the PNC tried to work with members of the Knesset to obtain access to their Palestinian colleagues detained in Israeli prisons, particularly Mr. Barghouti, but that those efforts were to no avail,

1. *Regrets* that the head of the Knesset delegation to the IPU declined the Committee's invitation for a hearing; *considers* this all the more regrettable given the long-standing concerns and requests for information in this case; *stresses* that the Committee's work is based on the principle of dialogue with the authorities of the country concerned, first and foremost its parliament; *sincerely hopes* therefore that the Knesset will engage in regular written and face-to-face exchanges of views with the Committee in order to facilitate progress towards a satisfactory solution of the case;
2. *Remains* deeply concerned that 15 years after his arrest Mr. Barghouti remains in detention as the result of a trial which did not meet the fair-trial standards that 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. *Is concerned* about the reported threat of reprisals made against Mr. Barghouti earlier this year in connection with his exercise of the right to freedom of expression; *wishes* to receive the official views on this matter; *reiterates* its deep concern about the prison conditions in which Palestinian prisoners are reportedly held in Israel; *requests* in that regard information on the agreement reached between the Israeli Prison Service and Mr. Barghouti which led to the end of the 2017 hunger strike;

4. *Calls on* the Israeli authorities to release him without delay and to provide, until that occurs, new official information on his current conditions of detention;
 5. *Regrets* that the authorities have not yet acceded to its own long-standing request, for as long as Mr. Barghouti remains imprisoned, to be granted permission to visit him; *sincerely hopes* that the authorities will finally respond favourably and facilitate such a visit;
 6. *Requests* the Secretary General to convey this decision to the relevant authorities, the complainant and any third party likely to be in a position to supply relevant information;
 7. *Requests* the Committee to continue examining this case and to report back to it in due course.
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Palestine

PAL/05 - Ahmad Sa'adat

Decision adopted by consensus by the IPU Governing Council at its 201st session (St. Petersburg, 18 October 2017) ⁴

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 decision it adopted at its 195th session (October 2014),

Referring 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 from the head of the Knesset Delegation to the Inter-Parliamentary Union dated 26 September 2017 and of the hearing which the Committee on the Human Rights of Parliamentarians held with the Palestinian delegation during the 137th IPU Assembly, (St. Petersburg, 14-18 October 2017),

Recalling the following information on file regarding Mr. Sa'adat's situation:

- 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, none of these charges alleges 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

⁴ The delegation of Israel expressed its reservations regarding the decision.

agreement ending the April-May 2012 hunger strike by some 2,000 Palestinian detainees in Israel; one of the complainants 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;

- According to his letter of 6 January 2013, the Diplomatic Advisor to the Knesset stated: "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",

Recalling that, according to the information provided by one of the complainants, a complete ban on family visits was imposed on Mr. Sa'adat from July 2014, at a time when violence had flared up in the region, which was only lifted in September 2015,

Considering that, according to a letter from the Speaker of the Knesset dated 23 November 2015, Mr. Sa'adat was detained in Hadarim Prison and held in a regular cell with other inmates and without separation or isolation; the Speaker further said that Mr. Sa'adat was entitled to and received regular visits from his family, the latest having taken place on 8 October 2015; however, according to information provided on 25 January 2016 by one of the complainants, Mr. Sa'adat's daughter had been denied visiting rights from 2006 to 2015 during which she was granted a single visit,

Considering that, in April 2017, Mr. Sa'adat took part in a mass hunger strike conducted by Palestinian detainees in protest against the detention conditions in Israeli prisons and was reportedly temporarily moved to solitary confinement in Ohlikdar Prison as a result,

Considering also that, according to one of the complainants in September 2017, Mr. Sa'adat's general health is satisfactory but he still suffers from poor medical care; Mr. Sa'adat was denied visits from other family members for security reasons and only his wife could visit him,

Considering that the letter from the head of the Knesset delegation to the IPU dated 26 September 2017 did not provide any information on Mr. Sa'adat's case and declined the Committee's invitation to a hearing during the 137th IPU Assembly (14-18 October 2017) in that regard,

Considering that according to Mr. Azzam Al-Ahmad, member of the Palestinian delegation and head of the parliamentary group of Fatah, the head of the PNC had tried to work with members of the Knesset to obtain access to their Palestinian colleagues detained in Israeli prisons, particularly Mr. Sa'adat, but that these efforts were to no avail,

1. *Regrets* that the head of the Knesset delegation to the IPU declined the Committee's invitation for a hearing; *considers* this all the more regrettable given the long-standing concerns and requests for information in this case; *emphasizes* that the Committee's work is based on the principle of dialogue with the authorities of the country concerned, first and foremost its parliament; *sincerely hopes* therefore that the Knesset will engage in regular written and face-to-face exchanges of views with the Committee in order to facilitate progress towards a satisfactory solution of the case;
2. *Deeply deplores* that more than 11 years after his arrest Mr. Sa'adat remains in detention as a result of a politically motivated trial; *reaffirms* in this regard its long-standing position that Mr. Sa'adat's abduction and transfer to Israel were related not to the original murder charge but rather to his political activities as PFLP General Secretary;
3. *Calls on* the Israeli authorities to release him without delay and to provide, until that occurs, new official information on his current conditions of detention and on the extent to which he has access to the required medical treatment; *remains concerned* in this regard about the reported prison conditions in which Palestinian prisoners are held in Israel;
4. *Regrets* that the authorities have not yet acceded to its own long-standing request, for as long as Mr. Sa'adat remains imprisoned, to be granted permission to visit him; *sincerely hopes* that the authorities will finally respond favourably and facilitate such a visit;
5. *Requests* the Secretary General to convey this decision to the relevant authorities, the complainant and any third party likely to be in a position to supply relevant information;
6. *Requests* the Committee to continue examining this case and to report back to it in due course.

Palestine

PAL28 - Muhammad Abu-Teir
PAL29 - Ahmad 'Attoun
PAL30 - Muhammad Totah
PAL32 - Basim Al-Zarrer
PAL47 - Hatem Qfeisheh
PAL57 - Hasan Yousef
PAL61 - Mohd. Jamal Natsheh⁵
PAL62 - Abdul Jaber Fuqaha
PAL63 - Nizar Ramadan
PAL64 - Mohd. Maher Bader
PAL65 - Azzam Salhab
PAL75 - Nayef Rjoub
PAL78 - Husni Al Borini
PAL79 - Riyadgh Radad
PAL80 - Abdul Rahman Zaidan
PAL82 - Khalida Jarrar
PAL84 - Ibrahim Dahbour
PAL85 - Ahmad Mubarak
PAL86 - Omar Abdul Razeq Matar
PAL87 - Mohammad Al-Tal
PAL89 - Khaled Tafesh
PAL90 - Anwar Al Zaboun

***Decision adopted by consensus by the IPU Governing Council at its 201st session
(St. Petersburg, 18 October 2017) ⁶***

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 decision it adopted at its 197th session (October 2015),

Taking into account the letter from the head of the Knesset delegation to the Inter-Parliamentary Union dated 26 September 2017,

Also taking into account the hearing which the Committee on the Human Rights of Parliamentarians held with the Palestinian delegation led by Mr. Azzam Al-Ahmad, head of the parliamentary group of Fatah, during the 137th IPU Assembly (St. Petersburg, October 2017),

Recalling that some of the parliamentarians concerned were elected to the PLC 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 of 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 serving their sentences, many were subsequently rearrested, sometimes several times, and placed in administrative detention, as in the case of Ms. Khalida Jarrar who was rearrested on 2 June 2017 and placed in administrative detention on 12 July 2017,

Considering that, as of September 2017, the number of PLC members held in administrative detention stood at ten,

Recalling that, with regard to the use of administrative detention:

⁵ Only PLC member from the list currently in (administrative) Israeli detention.

⁶ The delegation of Israel expressed its reservations regarding the decision.

- The Supreme Court of Israel has ruled that the exceptional measure of administrative detention, which is usually ordered for six months but may 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: first, 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, second, military prosecution, which implements a “cautious and level-headed” policy in the use of administrative detention, an approach which 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 lack access to the information on which the orders are based and are therefore unable to present a meaningful defence,

Considering that, according to information provided by the complainant in 2017, Mr. Al-Natsheh was released on 10 February 2016 after spending three years in administrative detention and was rearrested on 28 September 2016 and placed in administrative detention; that Mr. Hassan Youssef and Mr. Azzam Salhab were placed in administrative detention on 20 October 2015 and 6 December 2016 respectively; that the following individuals have also been placed in administrative detention: Mr. Ahmad Mubarak (6 January 2017); Mr. Ibrahim Dahbour (23 March 2017); Mr. Mohammed Bader (28 June 2017); Ms. Khalida Jarrar (12 July 2017) and Mr. Omar Abdul Razeq (23 July 2017),

Considering that, on 17 April 2017, Palestinian detainees staged a mass hunger strike which lasted for 51 days in protest against detention conditions inside Israeli prisons,

Considering that, according to the head of the Palestinian delegation Mr. Azzam Al-Ahmad, despite the recent hunger strike the Israeli prison service did not significantly improve the detention conditions of detainees, who are still not entitled to appropriate family visiting rights and medical care,

Bearing in mind that, in its concluding observations on the third periodic report of Israel to the International Covenant on Civil and Political Rights,⁷ the United Nations Human Rights Committee remained concerned at the continuing practice of administrative detention of Palestinians, at the fact that, in many cases, the detention order is based on secret evidence and at the denial of access to counsel, independent doctors and family contacts (articles 4, 9, and 14), and therefore recommended that the practice of administrative detention and the use of secret evidence in administrative detention proceedings be discontinued, and that individuals subject to administrative detention orders be either promptly charged with a criminal offence or released,

Recalling that, in his letter of 22 December 2015, the Senior Diplomatic Advisor to the Knesset stated that Mr. Al-Borini had been released on 14 June 2015 after being convicted for attending a gathering of an unlawful association and sentenced as part of a plea bargain to a 12-month prison term, and after receiving a six-month suspended sentence for a similar violation during a three-year probation period; *recalling also* that, according to information provided previously by one of the complainants, Mr. Riyadh Radad and Mr. Abdul Rahman Zaidan, who had first been held in administrative detention, were at some point held in detention on criminal charges,

Recalling the following information on file with regard to the revocation of the residency permits of three PLC members, namely that, in May 2006, the Israeli Minister of the Interior revoked the East Jerusalem residency 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; that the order was not implemented, owing to their arrest in June 2006; that after their release in May/June 2010, the three men were immediately notified that they had to leave East Jerusalem; that 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; and that 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,

⁷ CCPR/C/ISR/CO/4.

Considering that the head of the Knesset delegation, in his letter dated 26 September 2017 addressed to the IPU Secretary General, stated: “The activities of individuals named in your letters, notably Ms. Jarrar, have been addressed at length on various occasions in recent years, both in our correspondence and in face-to-face meetings. I am sure you can appreciate the sensitivity of these matters, which prevent me from commenting in detail on the nature of these allegations. Nonetheless, I can assure you that Israel's actions were taken in response to legitimate and concrete security concerns and not to the typical "political work" expected of members of parliament. As such, in detaining these individuals, Israel was acting well within the right of self-defence that is accorded all nations”; the head of the Knesset delegation to the IPU declined the Committee's invitation to a hearing in that regard during the 137th IPU Assembly (14-18 October 2017),

Considering that, according to the head of the Palestinian delegation, the head of the PNC tried to work with members of the Knesset to obtain access to their Palestinian colleagues detained in Israeli prisons, but that those efforts were to no avail; the Palestinian parliamentary authorities reached out to the Speaker of the Knesset to understand the reasons behind Ms. Jarrar's arrest in an effort to maintain a culture of dialogue, but the Israeli parliamentary authorities were not forthcoming regarding Ms. Jarrar's detention or any of the other cases,

1. *Thanks* the head of the Knesset delegation for his letter,
2. *Regrets* however that he chose not to meet with the Committee for a hearing; *considers* this all the more regrettable given the long-standing concerns and requests for information in this case; *emphasizes* that the Committee's work is based on the principle of dialogue with the authorities of the country concerned, first and foremost its parliament; *sincerely hopes* therefore that the Knesset will engage in regular written and face-to-face exchanges of views with the Committee in order to facilitate progress towards a satisfactory solution of the case;
3. *Is concerned* about the re-arrest and administrative detention of Mr. Al-Natsheh and Ms. Jarrar and the fact that eight other MPs are also in such detention; *considers* that, as the case history shows, even when PLC members are released, they remain subject to renewed arrest and can be placed in administrative detention again at any time;
4. *Remains deeply concerned* in this regard that the practice of administrative detention often relies on classified evidence, as the Israeli authorities acknowledge; *understands* that, at the normative level and that of the relevant jurisprudence of the Supreme Court, safeguards are provided for with a view to preventing the abusive use of administrative detention; nevertheless *notes with regret* that the reality of administrative detention is quite different, mainly owing to the lack of any effective possibility for the detainees to defend themselves, with the result that they are open to arbitrary treatment; *calls on* the Israeli authorities to abandon the practice of administrative detention by putting in place in the meantime effective safeguards against possible abuses, notably with regard to the use of classified evidence;
5. *Requests* the Secretary General to convey this decision to the relevant authorities, the complainant and any third party likely to be in a position to supply relevant information;
6. *Requests* the Committee to continue examining this case and to report back to it in due course.

Palestine

PL/84 - Najat Abu Bakr

***Decision adopted unanimously by the IPU Governing Council at its 201st session
(St. Petersburg, 18 October 2017)***

The Governing Council of the Inter-Parliamentary Union,

Having before it the case of Ms. Najat Abu Bakr, a member of the Palestinian Legislative Council, which has been examined by the Committee on the Human Rights of Parliamentarians pursuant to the Procedure for the examination and treatment of complaints (Annex I of the Revised Rules and Practices),

Considering the letter from the Speaker of the Palestinian National Council (PNC) dated 30 August 2017,

Taking into account the hearing which the Committee on the Human Rights of Parliamentarians held with the Palestinian delegation during the 137th IPU Assembly, (St. Petersburg, October 2017),

Considering the following information provided by the complainant:

- Ms. Abu Bakr was deprived of her parliamentary immunity in December 2016 following a presidential decision that paved the way for the Attorney General to pursue an investigation against her; Ms. Abu Bakr was never provided with a written decision notifying her of such measure or justifying the reasons behind it;
- The presidential decision to revoke Ms. Abu Bakr's parliamentary immunity was underpinned by a Constitutional ruling of November 2016 which supported President Abbas's 2012 decree revoking the parliamentary immunity of former parliamentarians; according to the ruling, "President Abbas is not overstepping his authority as he is issuing legal decisions to revoke the immunity of members of the Palestinian Legislative Council while it is not in session"; the complainant pointed out in this regard that the Palestinian Legislative Council has not been able to convene since the 2007 conflict between Hamas and Fatah;
- Ms. Abu Bakr has been subjected to harassment, intimidation and restrictions since February 2016, primarily after she requested an investigation into transactions by the Minister of Local Governance in light of corruption allegations and was then herself accused of defamation;
- The authorities unsuccessfully attempted to arrest Ms. Abu Bakr on defamation charges; she sought refuge in the premises of the Palestinian Legislative Council (PLC) from 22 February to 10 March 2016; Ms. Abu Bakr ended her sit-in and handed the corruption files to the Attorney General after she was persuaded to do so by the head of the parliamentary group of Fatah, Mr. Azzam Al-Ahmed; she also provided oral testimony before the Palestinian Anti-corruption Commission against the above-mentioned minister, but no action has been taken by the Anti-corruption Commission or the parliamentary authorities to investigate those allegations, and a case for defamation is still pending against her;
- Ms. Abu Bakr's salary was stopped without notice in June 2017 and she did not receive any written explanation for the measure; pursuant to orders from the Palestinian authority, Ms. Abu Bakr has not been allowed to exercise any kind of paid professional activity since the suspension of her salary; she was subject to a travel ban after June 2016, which was lifted in early August 2017; she has been receiving threatening letters and facing daily acts of intimidation;
- Ms. Abu Bakr filed a complaint before the Palestinian courts with regard to the lifting of her parliamentary immunity, the stopping of her salary and the travel ban but, owing to the lack of independence of the Palestinian judiciary, her lawyer was unable to reinstate her salary and parliamentary immunity or even obtain a decision allowing him to enter the PLC during Ms. Abu Bakr's sit-in without risking his own arrest,

Considering that, according to the letter from the Speaker of the Palestinian National Council dated 30 August 2017, most of the complainant's allegations are erroneous, since Ms. Abu Bakr did not submit a complaint before the PNC about her case and did not submit any question or interrogation to the above-mentioned minister within the framework and rules of procedure of the Legislative Council; that, despite Ms. Abu Bakr's behaviour, no legal action was pending against her because the matter had already been resolved thanks to a "tribal reconciliation carried out in accordance with the popular tradition between the family of the minister and the family of Ms. Abu Bakr"; and that she did not seek legal redress through a formal complaint on the other allegations concerning the stopping of salary and harassment,

Considering the following information that Mr. Azzam Al-Ahmad, member of the Palestinian delegation and head of the parliamentary group of Fatah, provided at the hearing held during the 137th IPU Assembly;

- With regard to the lifting of Ms. Abu Bakr's parliamentary immunity, only the parliamentary authorities are competent and such decision does not lie within the President's powers; Ms. Abu Bakr was facing an organizational issue with her parliamentary faction, Fatah, due to her divergent views on the political course of the party; she resorted to the media to provide a statement against the Fatah leadership and, as a result, was brought before a Fatah committee which decided to dismiss her from the party;

- The PNC's procedures and methods of work prevent parliamentarians from resorting to the media to publicly accuse ministers of violations of any kind; Ms. Abu Bakr should have referred the complaint against the mentioned minister to the parliamentary authorities; the minister accused by Ms. Abu Bakr of corruption was not even a minister at the time; she had faced similar issues in the past with former ministers who also accused her of defamation; the parliamentary authorities supported Ms. Abu Bakr and offered her protection within the PLC's premises when she was about to be arrested; Mr. Al-Ahmad mediated in the case and informed the presidency that, as a parliamentarian, Ms. Abu Bakr is protected by her parliamentary immunity; the Palestinian authorities informed him that there was no case pending against her;
- The Attorney General, however, as an independent authority and in accordance with his powers, was able to investigate Ms. Abu Bakr; Mr. Al-Ahmad accompanied Ms. Abu Bakr to the Attorney General's Office where she was questioned for about an hour before she was permitted to leave without any charges against her; a tribal reconciliation was carried out, in accordance with the popular tradition, between the family of the minister and the family of Ms. Abu Bakr;
- The parliamentary authorities did not issue a decision ordering the stopping of Ms. Abu Bakr's salary; the Ministry of Finance was the relevant authority to rule on such matters; Ms. Abu Bakr might have been deprived of her salary due to her lack of attendance at parliamentary sessions, and she could seek legal redress through a formal complaint;
- Concerning the alleged travel ban, Ms. Abu Bakr was able to travel numerous times in 2016 and 2017,

Considering that the State of Palestine is a party to the International Covenant on Civil and Political Rights, which it ratified in 2014 and which guarantees the right to freedom of expression and association together with freedom of movement, thus entailing the prohibition of restrictions related to the aforementioned rights,

1. *Thanks* the parliamentary authorities for their cooperation and for the information provided;
2. *Is deeply concerned* about the lifting of Ms. Abu Bakr's parliamentary immunity, which seems to have come in response to the legitimate exercise of her parliamentary mandate and freedom of opinion; *is likewise concerned* that it appears that her parliamentary immunity was lifted by the President, which would contradict the principle of separation of powers and the independence of parliament;
3. *Is eager* therefore to receive official information about the facts and legal grounds supporting the President's decision to lift Ms. Abu Bakr's parliamentary immunity, as well as a copy thereof;
4. *Sincerely* hopes that the court will rule swiftly on her complaint regarding the stopping of her salary and the lifting of her parliamentary immunity; *trusts* that the Parliament will monitor this matter and assist her during the proceedings, if need be;
5. *Requests* the Secretary General to convey this decision to the parliamentary authorities, the complainants and any third party likely to be in a position to provide relevant information;
6. *Requests* the Committee to continue examining this case and to report back to it in due course.