

117<sup>th</sup> IPU Assembly and Related Meetings

Results of the Proceedings

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INTER-PARLIAMENTARY UNION

2007





# TABLE OF CONTENTS

Page(s)

## MEETINGS AND OTHER ACTIVITIES

### 117<sup>th</sup> Assembly of the Inter-Parliamentary Union

1. Opening of the Assembly .....	4
2. Participation .....	4
3. Choice of an emergency item .....	5
4. Debates and decisions of the Assembly and of the IPU Committee on United Nations Affairs ..	5

### 181<sup>st</sup> Session of the Governing Council

1. Membership of the IPU .....	7
2. Financial situation of the IPU .....	7
3. Programme and budget for 2008 .....	7
4. Cooperation with the United Nations system .....	8
5. Consolidation of the reform of the IPU .....	8
6. Recent specialized conferences and meetings .....	9
7. Reports of committees and other bodies .....	9
8. Future inter-parliamentary meetings .....	9
9. Amendments to the Statutes and Rules .....	9

249 <sup>th</sup> Session of the Executive Committee .....	10
--	----

Coordinating Committee of Women Parliamentarians .....	11
--	----

### Subsidiary bodies and committees of the Governing Council

1. Committee on the Human Rights of Parliamentarians .....	12
2. Committee on Middle East Questions .....	12
3. Gender Partnership Group .....	12

### Other events

1. Launch of the Handbook for Parliamentarians on the Convention on the Rights of Persons with Disabilities and its Optional Protocol <i>From exclusion to equality: Realizing the rights of persons with disabilities</i> .....	14
2. Special event to mark the tenth anniversary of the Universal Declaration on Democracy .....	14
3. Exhibitions.....	14

## ELECTIONS AND APPOINTMENTS AND MEMBERSHIP OF THE INTER-PARLIAMENTARY UNION

### Elections and appointments

1.	President of the 117 <sup>th</sup> Assembly of the Inter-Parliamentary Union .....	15
2.	Executive Committee .....	15
3.	Vice-President of the Executive Committee .....	15
4.	IPU Committee on United Nations Affairs .....	15
5.	Committee on Middle East Questions .....	15
6.	Auditors for the 2008 accounts .....	15

Membership of the Inter-Parliamentary Union .....	16
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## AGENDA, RESOLUTIONS, REPORTS AND VOTES OF THE 117<sup>th</sup> ASSEMBLY OF THE INTER-PARLIAMENTARY UNION

Agenda .....	17
--------------	----

### Emergency item

- Results of the roll-call vote on requests for the inclusion of an emergency item in the Assembly agenda ..... 18-19
- Resolution: *The urgent need to immediately stop the widespread human rights violations and to restore the democratic rights of the people of Myanmar* ..... 20

### IPU Committee on United Nations Affairs

- Report of the Committee ..... 22
- Report on the nature of the relationship between the United Nations and the world of parliaments ..... 24

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

- Amendments to the Statutes of the IPU ..... 30
- Amendments to the Rules of the Assembly ..... 30
- Amendments to the Rules of the Standing Committees ..... 31

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

### Reports, decisions and recommendations

- 10<sup>th</sup> anniversary of the adoption of the Universal Declaration on Democracy ..... 32
- Budget of the IPU for the year 2008 ..... 33
- Table of contributions to the budget of the IPU for the year 2008 ..... 37
- Cooperation with the United Nations system: list of activities undertaken by the IPU between 5 May and 8 October 2007 ..... 40

### Future meetings

- Future meetings and other activities ..... 43
- Agenda of the 118<sup>th</sup> Assembly ..... 45
- List of international organizations and other bodies invited to follow the work of the 118<sup>th</sup> Assembly as observers ..... 46

**Resolutions concerning the human rights of parliamentarians**

• Mr. Shah AMS Kibria, of Bangladesh .....	48
• Sheik Hasina, of Bangladesh .....	49
• Mr. Victor Gonchar, of Belarus .....	51
• Mr. S. Mfayokurera, Mr. I. Ndikumana, Mr. G. Gahungu, Ms. L. Ntamutumba, Mr. P. Sirahenda and Mr. G. Gisabwamana, of Burundi .....	53
• Mr. Norbert Ndiwokubwayo, of Burundi .....	54
• Mr. Pedro Nel Jiménez Obando, Mr. Leonardo Posada Pedraza, Mr. Octavio Vargas Cuéllar, Mr. Pedro Luis Valencia Giraldo, Mr. Bernardo Jaramillo Ossa and Mr. Manuel Cepeda Vargas, of Colombia .....	55
• Mr. Hernán Motta Motta, of Colombia .....	56
• Ms. Piedad Córdoba, of Colombia .....	57
• Mr. Oscar Lizcano, Mr. Jorge Eduardo Gechen Turbay, Mr. Luis Eladio Pérez Bonilla, Mr. Orlando Beltrán Cuéllar, Ms. Gloria Polanco de Lozada and Ms. Consuelo González de Perdomo, of Colombia .....	58
• Mr. Jorge Tadeo Lozano Osorio, of Colombia .....	59
• Mr. Gustavo Petro Urrego, of Colombia .....	60
• Mr. Jaime Ricaurte Hurtado González and Mr. Pablo Vicente Tapia Farinango, of Ecuador .....	61
• Fifty-seven parliamentarians of Ecuador .....	63
• Eleven parliamentarians of Eritrea .....	65
• Mr. Miguel Angel Pavón Salazar, of Honduras .....	66
• Mr. Gibran Tueni, of Lebanon .....	66
• Mr. Walid Eido, of Lebanon .....	67
• Mr. Anwar Ibrahim, of Malaysia .....	68
• Mr. Zorig Sanjasuuren, of Mongolia .....	69
• Thirty-four parliamentarians of Myanmar .....	70
• Mr. Makhdoom Javed Hashmi, of Pakistan .....	72
• Mr. Marwan Barghouti, of Palestine .....	73
• Mr. Hussam Khader, of Palestine .....	74
• Mr. Ahmad Sa'adat, of Palestine .....	75
• Thirty-three parliamentarians of Palestine .....	77
• Mr. Abdel Aziz Dweik, of Palestine .....	80
• Mr. Crispin Beltran, Mr. Saturnino Ocampo, Mr. Joel Virador, Mr. Teodoro Casiño, Ms. Liza Maza and Mr. Rafael Mariano, of the Philippines .....	81
• Mr. Leonard Hitimana, of Rwanda .....	83
• Ten parliamentarians of Sri Lanka .....	84
• Mr. D.M.S.B. Dissanayake, of Sri Lanka .....	85
• Mr. Joseph Pararajasingham, of Sri Lanka .....	86
• Mr. Nadarajah Raviraj, of Sri Lanka .....	88
• Ten parliamentarians of Turkey .....	90
• Mr. Roy Bennett, Mr. Job Sikhala, Mr. Tichaona Munyanyi, Mr. Tandai Biti, Mr. Paul Madzore, Mr. Tumbare Mutasa, Mr. Gilbert Shoko and Mr. Nelson Chamisa, of Zimbabwe .....	91

## 117<sup>th</sup> Assembly of the Inter-Parliamentary Union

### 1. Opening of the Assembly

The 117<sup>th</sup> Assembly of the Inter-Parliamentary Union<sup>1</sup> opened its proceedings at the Geneva International Conference Centre in the morning of Monday, 8 October 2007. The President of the IPU, Mr. Pier Ferdinando Casini, welcomed the participants and declared the 117<sup>th</sup> Assembly officially open. He was subsequently elected President of the Assembly, and the Vice-President of the Executive Committee, Ms. M. Mensah-Williams (Namibia), was elected Vice-President. In the afternoon, the Speaker of the Swiss National Council, Ms. Christine Egerszegi-Obrist, addressed the Assembly.

### 2. Participation

Delegations of the parliaments of the following 125 countries took part in the work of the Assembly:<sup>2</sup> Afghanistan, Algeria, Andorra, Angola, Argentina, Armenia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chile, China, Congo, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Denmark, Democratic Republic of the Congo, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Guatemala, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Palau, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, The former Yugoslav Republic of Macedonia, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United

Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia and Zimbabwe.

The following Associate Members also took part in the Assembly: the Andean Parliament, the East African Legislative Assembly, the European Parliament, the Latin American Parliament, the Parliamentary Assembly of the Council of Europe and the Parliament of the Economic Community of West African States (ECOWAS).

Observers included representatives of: (i) Palestine; (ii) United Nations system: United Nations, United Nations Conference on Trade and Development (UNCTAD), International Labour Organization (ILO), Food and Agriculture Organization (FAO), United Nations Educational, Scientific and Cultural Organization (UNESCO); World Bank, Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO), and World Trade Organization (WTO); (iii) League of Arab States; (iv) African Parliamentary Union (APU), Arab Inter-Parliamentary Union (AIPU), Asian Parliamentary Assembly (APA), Assembly of the Western European Union (WEU), Association of Senates, Shoora and Equivalent Councils in Africa and the Arab World (ASSECAA), Confederation of Parliaments of the Americas (COPA), European Parliamentarians for Africa (AWEPA), Inter-Parliamentary Assembly of the Eurasian Economic Community (EURASEC), Inter-Parliamentary Committee of the West African Economic and Monetary Union (WAEMU), Maghreb Consultative Council, Parliamentary Assembly of the Black Sea Economic Cooperation (PABSEC), Parliamentary Assembly of the Union of Belarus and the Russian Federation, Parliamentary Union of the Organization of the Islamic Conference Members (PUOICM), Southern African Development Community (SADC) Parliamentary Forum; (v) International Committee of the Red Cross (ICRC), International Federation of Red Cross and Red Crescent Societies (IFRC), and World Federation of United Nations Association (WFUNA). Furthermore, the Parliaments of Timor-Leste and Mauritania participated as observers with a view to their future affiliation.

Of the 1,075 delegates who attended the Assembly, 511 were members of national parliaments. The parliamentarians included 42 presiding officers, 28 deputy presiding officers and 159 women parliamentarians (31.1%).

<sup>1</sup> The resolution and reports referred to in this document and general information on the Geneva session are available on the IPU website ([www.ipu.org](http://www.ipu.org)).

<sup>2</sup> For the complete list of IPU Members, see page 16.

### **3. Choice of an emergency item (Item 2)**

The Assembly had before it a consolidated request for the inclusion of an emergency item submitted by the delegations of Iran (Islamic Republic of) and Bahrain on behalf of the Arab Group entitled "Supporting Iraq's independence, sovereignty and territorial integrity", and a request submitted by the delegation of Indonesia entitled "The urgent need to immediately stop the widespread human rights violations and to restore the democratic rights of the people of Myanmar".

After a vote, the proposal submitted by the delegation of Indonesia was adopted and added to the agenda as item 6 (see page 19).

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

#### **(a) Debate on the emergency item**

*The urgent need to immediately stop the widespread human rights violations and to restore the democratic rights of the people of Myanmar (Item 6)*

The debate on the emergency item took place in the afternoon of Monday, 8 October. The meeting was chaired in turn by the President and the Vice-President of the Assembly.

A total of 31 speakers from 29 parliamentary delegations and one observer took part in the debate.

The Assembly referred the item to a drafting committee composed of members of the delegations of Canada, Chile, China, India, Indonesia, Japan, Kenya, Netherlands, Philippines, United Kingdom, United Republic of Tanzania, Uruguay and Zambia. The drafting committee appointed Mr. J.P. Letelier (Chile) as its president and Mr. M. Darusman (Indonesia) as rapporteur. It met on Tuesday, 9 October, in the morning and prepared a draft resolution.

The draft resolution was adopted unanimously by the Assembly on Wednesday, 10 October (see page 20).

#### **(b) IPU Committee on United Nations Affairs (Item 4)**

The Committee on United Nations Affairs held its first meeting on the occasion of the 117<sup>th</sup> Assembly. The Committee has been set up on a trial basis as a subsidiary body of the Assembly by the Governing Council. Pending a final decision by the Council, the Committee will elaborate on the definition of its

mandate and its working methods and draft rules to govern its proceedings.

The report prepared by Mr. G. Versnick (Belgium) on the nature of the relationship between the United Nations and the world of parliaments (see page 24) was approved by the Committee members and subsequently approved by the Assembly as an official IPU policy paper.

Mr. J. Somavia, Director-General of the International Labour Organization (ILO), and senior member of the United Nations Chief Executives Board for Coordination, made a presentation on the current status of United Nations reform and engaged in an interactive discussion with the Committee members.

Mr. A. Steiner, Executive Director of the United Nations Environment Programme (UNEP), spoke of the dangers facing people, nations and global economic development because of climate change and severe weather events. The ensuing discussion focused on the role and responsibilities of parliamentarians in this area.

Ambassador D. Costea of Romania, President of the United Nations Human Rights Council, gave an overview of the main opportunities and challenges facing this newly established body and discussed ways in which parliaments could engage with the Council, particularly in the universal periodic review process, whereby all States report on their implementation of international human rights instruments and identify areas where additional efforts are required.

Ms. C. Molinier, Director of the UNDP Office in Geneva, gave a presentation on the progress made and setbacks encountered in achieving the Millennium Development Goals (MDGs) and engaged in a substantive discussion with Committee members. The Committee requested similar updates at each annual session, with a special focus on parliamentary initiatives aimed at furthering the MDGs.

Mr. K. Chutikul of the United Nations Conference on Trade and Development (UNCTAD) spoke about preparations for the UNCTAD XII meeting, scheduled to take place in the spring of 2008 in Accra, Ghana. The forthcoming IPU resolution on parliamentary oversight of State policies on foreign aid would make an important contribution to the Accra meeting.

The report prepared by Mr. F.M. Vallersnes (Norway) on the proceedings of the first meeting of the Committee's Advisory Group (July 2007) sparked an in-depth discussion of the practical and operational aspects of the Committee's future work. The resulting ideas and proposals were taken up by a drafting committee composed of representatives from Belgium, Bolivia, Burkina Faso, Canada, India, Mexico, Morocco, Namibia, Norway, Pakistan, Republic of Korea, South Africa and Switzerland. The drafting committee was chaired by Mr. T. Ben Gurirab (Namibia), and Mr. F.M. Vallersnes was appointed rapporteur.

The Report of the Committee on United Nations Affairs (see page 22), prepared by the drafting committee, was subsequently discussed by the full Committee, which made a number of minor amendments. The report was approved by acclamation in the Assembly.

- (c) Panel discussion (First Standing Committee subject item at 118<sup>th</sup> Assembly): *The role of parliaments in striking a balance between national security, human security and individual freedoms, and in averting the threat to democracy* (Item 3(a))

In accordance with the new format of the second Assembly of the year, a panel discussion took place in the morning of 9 October 2007 on this item. It was chaired by Mr. T. Boa, President of the Standing Committee on Peace and International Security. The co-Rapporteurs of the above-mentioned item, Ms. H. Mgabadeli (South Africa), Mr. L.M. Suklabaidya (India) and Mr. M. Pritchard, speaking on behalf of Lord Morris (United Kingdom, who was unable to be present for health reasons), informed participants of progress made in the preparation of their reports on the item. Participants also heard keynote presentations from Mr. M. Scheinin, United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, and Mr. C. Cordone of Amnesty International. They briefed participants on the interplay between security and individual freedoms and identified action that parliaments and parliamentarians should take to guarantee respect for human rights in parallel with ensuring national security. Twenty-two delegates also took the floor to address those issues.

- (d) Panel discussion (Second Standing Committee subject item at 118<sup>th</sup> Assembly): *Parliamentary oversight of State policies on foreign aid* (Item 3(b))

A panel discussion on this subject took place in the morning of 9 October 2007. It provided an opportunity for IPU Members to deepen their understanding of the subject item to be debated in South Africa. It also provided the co-Rapporteurs, Mr. F.-X. de Donnea (Belgium) and Mr. E. Quenum (Benin), with a midpoint review of the drafting process. The panel included two non-parliamentary experts: Mr. C. Gore of UNCTAD Secretariat and Mr. M. Halle of the International Institute for Sustainable Development. Following introductory statements by the panellists, a lively exchange of views took place, with a total of 26 delegates taking the floor. The debate focused on quality and quantity of foreign aid and on the respective roles of parliamentarians of donor and recipient countries in overseeing aid flows.

- (e) Panel discussion (Third Standing Committee subject item at 118<sup>th</sup> Assembly): *Migrant workers, trafficking in persons, xenophobia and human rights* (Item 3(c))

A panel discussion took place in the afternoon of 9 October 2007 on this item. It was chaired by Mr. E. Rodriguez Zavaleta (Peru), President of the Standing Committee on Democracy and Human Rights. The co-rapporteurs of the above-mentioned item, Mr. A. Dismore (United Kingdom) and Mr. C. Camacho (Mexico), informed participants of progress made in the preparation of their report and draft resolution. Participants also heard keynote presentations from Ms. R. Puttonen of the United Nations Office on Drugs and Crime (UNODC) and Ms. J. Redpath of the International Organization for Migration (IOM). They briefed participants on the current state of play with regard to migration and human trafficking and identified action that parliaments and parliamentarians should take to improve the lives of migrant workers and stamp out the scourge of human trafficking. Some 30 delegates also took the floor to address those issues.

- (f) Amendments to the Statutes and Rules of the Inter-Parliamentary Union (Item 5)

The Assembly adopted amendments to the Statutes and to its Rules (see page 30)

## 181<sup>st</sup> Session of the Governing Council

### 1. Membership of the IPU

At its sitting on 10 October, the Council decided to suspend the affiliation of the Parliament of Guinea, which had accumulated more than three years' arrears in the payment of its contributions. The IPU currently comprises 146 Member Parliaments and seven Associate Members: international parliamentary assemblies and organizations.

As regards the Parliament of Thailand, the Council welcomed the developments that had taken place over the last six months and invited the Parliament to resume full participation in the activities of the Organization as soon as it convenes after the elections which are due to take place on 23 December 2007.

The Governing Council also approved a request for observer status from the Organization of the Collective Security Treaty (OCST).

### 2. Financial situation of the IPU

The Governing Council received a comprehensive written report on the financial situation of the IPU as at 30 June 2007 and a list of Members' arrears as at 8 October 2007. Other than the Parliament of Guinea, four Members with significant arrears were subject to sanctions. The Secretary General projected that despite the extraordinary expenditures incurred at the beginning of the year, the IPU would be able to end the year within the originally approved budget, thereby avoiding the need to dip into the Working Capital Fund.

The Council noted that the closed Staff Pension Fund reported an actuarial surplus in 2006 and although the IPU was responsible for the payment of existing retirees' pension benefits, no additional contributions were required at that time.

### 3. Programme and budget for 2008

The Council received a PowerPoint presentation of the proposed budget for 2008. The Secretary General noted that the consolidated budget was results-based and provided both a medium-term outlook and a gender perspective. Additionally, the 2008 budget proposed to be carbon-neutral by providing funds to offset carbon emissions.

Mr. G. Versnick (Belgium) reported on the discussions on the budget that had taken place at the Executive Committee meeting, where several themes had emerged. The Committee expressed support for the budget presentation, which it commended for its transparency and detail. However, it found that the large budget for projects to be funded from voluntary contributions tended to obscure the regular spending estimates. The Committee asked for future budgets to include separate information for regular funds and voluntary funds.

The environmental theme of the 2008 budget being relevant and timely, the Executive Committee supported, in principle, the reduction of carbon emissions and the idea of offsetting. However, the Executive Committee would request prior review of any expenditure of those funds and a report on the impact of such expenditure.

The Executive Committee was opposed to a five-per-cent increase in membership fees and had asked the Secretary General to make reductions. As a result, the proposed budget was revised to take into account the weakening of the US dollar in recent months and reductions were made in new or expanded spending initiatives including travel, succession planning, a new information brochure, evaluation and oversight and the ability to respond to urgent, unforeseen requests for assistance from parliaments.

The Executive Committee recommended a budget with a higher-than-normal increase in Member contributions, provided that increases were maintained at three per cent a year on average over a longer period.

Several delegates intervened on behalf of their geopolitical groups. They spoke about the need for action on climate change and agreed that the IPU should show leadership in this regard, but questioned whether carbon offsets were an effective alternative to reducing emissions in developed countries. There was a general consensus that existing functions and committees of the IPU, in particular the Committee on the Human Rights of Parliamentarians and the Committee on Middle East Questions, needed to be properly resourced. The overarching feeling was that any increase in assessed contributions had to be viewed in light of the

fundamental change to the scale of contributions that was being introduced gradually over six years, as a result of which some Members were already facing steep increases in contributions while others were enjoying savings.

At the end of the debate, the Governing Council approved the 2008 budget as recommended by the Executive Committee with gross operating expenses of CHF 20,131,400 for 2008, requiring an overall increase of 4 per cent in assessed contributions, and capital expenditures of CHF 100,000. The Council authorized carbon emissions of up to 3,160 tonnes in relation to heating and staff travel and agreed to offset those emissions, provided that any offsetting expenditure would be subjected to the prior review of the Executive Committee.

Members of the Council welcomed the opportunity offered at that session to consider the IPU's draft programme and budget in greater detail. They recommended that more time be set aside for that purpose at future Council sessions so that Members could more effectively be involved in setting the priorities of the Organization. They also expressed the desire to take part in future evaluations of IPU activities so as to determine whether certain activities might be discontinued in favour of new priorities.

The approved budget and scale of contributions for 2008 are presented on pages 33 and 37.

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#### **4. Cooperation with the United Nations system**

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The Governing Council expressed satisfaction with the recent visit of the United Nations Secretary-General, Ban Ki-moon, to IPU Headquarters. It had offered an opportunity to discuss follow-up to the Declaration on Climate Change, which had been endorsed by the 116<sup>th</sup> Assembly, and to talk about priorities for future cooperation between the two organizations.

The Council noted the different initiatives taken since its last session to implement United Nations General Assembly resolution 61/6 on *Cooperation between the United Nations and the Inter-Parliamentary Union*, particularly in fostering close cooperation between the IPU and the new United Nations bodies, such as the Peacebuilding Commission.

The IPU and the United Nations were also implementing the recommendation to organize, for

the first time, a joint parliamentary hearing at the United Nations General Assembly. The hearing will examine *The role of parliaments in reinforcing the rule of law in international relations*. The Council urged its members to ensure that the invitation was widely circulated in parliaments so that interested persons could also be informed and attend the event.

As recommended by the General Assembly resolution, the IPU was assuming a more active role in support of the United Nations Economic and Social Council (ECOSOC) and its new functions. The IPU had started to give shape to a parliamentary dimension to the Development Cooperation Forum (DCF) and was taking on an active role in preparing for the first session of the Forum. The Council endorsed a proposal that IPU convene a representative group of members of parliament from both developed and developing countries well versed in development cooperation issues to participate in a *Stakeholder Forum* to be organized by the United Nations in Florence, Italy, in May 2008, to provide input to the DCF. The IPU will consult with the United Nations on the agenda of the meeting.

The Council received the latest information regarding the first *Global Parliamentary Meeting on HIV/AIDS*, which the IPU and the Senate of the Philippines were organizing in cooperation with UNAIDS and UNDP in late November 2007. The meeting would focus on leadership issues in combating the HIV/AIDS pandemic and would consider a policy paper on affordability of drugs and patent issues. The Council invited its members to ensure that each parliament was represented at the event.

More generally, the Governing Council took stock of recent developments in IPU-United Nations cooperation, was informed of a variety of activities carried out with or in support of the United Nations (see page 40), and approved a calendar of forthcoming initiatives and meetings.

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#### **5. Consolidation of the reform of the IPU**

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The Secretary General made a PowerPoint presentation highlighting the achievements of the institutional reform process initiated several years ago with a view to making the IPU more relevant, topical and visible. The reform has already resulted in an overhaul of the Union's structure and working methods, adoption of a new set of arrangements for the second annual IPU Assembly held in Geneva,

improvements in reporting on the implementation of IPU resolutions, and significant development of the IPU's relationship with the United Nations.

Following the presentation, the Governing Council had an exchange of views on the role of the IPU President as the political head of the Organization, the proposal for the President to be assisted by six Vice-Presidents representing each of the geopolitical groups, the need to provide adequate resources to the Middle East Committee and the Committee on the Human Rights of Parliamentarians, and the imperative to pursue proactive relations with the United Nations system, including the ILO.

To provide a statutory framework for the continuation of the reform process, the Governing Council adopted a number of amendments to the IPU Statutes and Rules (see point 9 below).

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## **6. Recent specialized conferences and meetings**

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The Governing Council took note of the results of the Regional Seminar on *The role of parliaments in Latin America in promoting reconciliation so as to consolidate fair and inclusive societies based on the rule of law* (see <http://www.ipu.org/splz-e/lapaz07/conclusions.pdf>), the Parliamentary Forum on the occasion of the 7<sup>th</sup> Global Forum on Reinventing Government (see <http://www.ipu.org/splz-e/vienna07.htm>), the Regional Seminar on *Developing a protective environment for South Asian children: the role of parliamentarians in the protection of children in the juvenile justice system* (see <http://www.ipu.org/splz-e/pakistan07.htm>), the Regional Seminar for Parliaments of Europe and Central Asia on *Parliament and the budgetary process, including from a gender perspective* (see <http://www.ipu.org/splz-e/budgetgender07.htm>), and the Third Meeting of the IPU Advisory Group on HIV/AIDS.

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## **7. Reports of Committees and other bodies**

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At its sitting on 10 October, the Governing Council took note of the reports on the activities of the Coordinating Committee of Women Parliamentarians, the Gender Partnership Group and the Committee on Middle East Questions. The Governing Council deplored the fact that the Middle East Committee had failed to hold a regular meeting in Geneva due to the absence of the quasi-totality of its titular members. The Council expressed the hope that, following the election of three new members (see page 15), the Committee would be able to live up to the political expectations associated with its work. In the afternoon of

10 October, the Governing Council heard an extensive report on the activities of the Committee on the Human Rights of Parliamentarians. The Committee made separate presentations on the cases it dealt with in Colombia, Myanmar and the Philippines. The Governing Council subsequently adopted the decisions prepared by the Committee on the 34 cases before it.

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## **8. Future inter-parliamentary meetings**

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Having heard a presentation by Ms. B. Mbete, Speaker of the South African Parliament, on the advancement of practical preparations for the 118<sup>th</sup> Assembly, to be held in Cape Town from 13 to 18 April 2008, the Governing Council approved a list of international organizations and other bodies to be invited to follow the work of the Assembly as observers. The Council endorsed the theme of the general debate at the 118<sup>th</sup> Assembly: *Pushing back the frontiers of poverty*.

The Council approved a list of future meetings and other activities to be funded by the Union's regular budget as well as by external sources (see page 43). In addition, the Council approved the requests for IPU sponsorship of the Regional Workshop for Latin American Parliamentarians on Trade Negotiations (Montevideo, Uruguay, 5-7 December 2008), and the Eighth Workshop of Parliamentary Scholars and Parliamentarians (University of Hull, United Kingdom, 26-27 July 2008).

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## **9. Amendments to the Statutes and Rules**

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The Council had before it a set of reform-related amendments to the Statutes and Rules which it had approved in principle at its 180<sup>th</sup> session in Nusa Dua, Bali, Indonesia, on 30 April 2007, and which had subsequently been circulated to all IPU Members.

At its session on 8 October, the Council considered four proposals concerning amendments to the IPU Statutes and another two proposals concerning amendments to the Rules of the Standing Committees. Following an exchange of views, the Council voted by show of hands on each of the proposed amendments. An amendment to Article 19.1 of the Statutes, extending the mandate of the IPU President from three to four years, was defeated. Three remaining amendments were approved by majority vote, namely:

- Add a new sentence at the end of Article 7, specifying the duties of IPU Member Parliaments in the post-Assembly reporting process, in

accordance with the recommendation of the President's Working Group on Reform, as sub-amended by the Group of Switzerland;

- Amend Article 19.1 emphasizing the role of the IPU President as the political head of the Organization;
- Add a new paragraph to Article 19 concerning the appointment of a group of six Vice-Presidents representing each of the geopolitical groups.

The approved amendments were subsequently submitted to the Assembly for adoption (see page 6).

The Council also adopted by majority vote two amendments to the Rules of the Standing Committees, namely:

- Amend Rule 12.1 to allow for separate reports to be prepared by the co-Rapporteurs, if necessary;
- Amend Rule 18 to allow for new amendments to the draft resolution to be added by the Committee in exceptional circumstances.

The exact text of all approved amendments are found on page 30.

## 249<sup>th</sup> session of the Executive Committee

The Executive Committee held its 249<sup>th</sup> session in Geneva on 5, 6 and 10 October 2007. The President of the IPU chaired the meetings. The following titular and substitute members took part in the session: Mr. G. Versnick (Belgium), Mr. A.C. Valadares (Brazil), substituting for Mr. H. Fortes, Mr. Lü Congmin (China), Ms. K. Serrano Puig (Cuba), Ms. K. Komi (Finland), Mr. Y. Yatsu (Japan), substituting for Mr. T. Kawara, Ms. R. Benmessaoud (Morocco), substituting for Mr. A. Radi, Ms. M. Mensah-Williams (Namibia), Mr. A. Kozlovskiy (Russian Federation), Mr. J. Austin (United Kingdom) and Ms. M. Xavier (Uruguay). Ms. E. Papadimitriou (Greece), Mr. F.X. Ole Kaparo (Kenya) and Mr. O.F. Natchaba (Togo) were absent. Mr. P. Sende (Cameroon) is no longer a member of parliament.

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

The Committee received a delegation from Thailand that reported on the political situation in the country. The timeline established for the return to full democracy was being followed and elections were scheduled to be held in December 2007.

The Committee heard a presentation by a representative of the UN Secretary-General's Advisory Board on Water and Sanitation, who suggested that the subject of sanitation be included in the agenda of the next IPU Assembly.

The Committee endorsed proposed amendments to the Financial Regulations to implement the recommendations of the auditors. The amendments that still have to be approved by the Governing Council redefine the sources of income for the Working Capital Fund and the General Fund, and set a limit on the amounts that can be transferred between budget headings without the prior authorization of the Executive Committee.

No progress was reported with respect to the fiscal situation of certain staff members residing in France. Negotiations on the matter were ongoing and the 2008 budget included a provision of CHF 60,000 for tax liability.

The annual revisions to the Staff Rules, incorporating the recommendations of the International Civil Service Commission (ICSC) with respect to changes in salary scales and allowances, were submitted to the Executive Committee for information. It was noted that the ICSC had expressed its displeasure with the slow accession of women to senior professional grades across the UN common system.

The Committee was informed of the staff changes that had taken place since the last meeting. The Secretary General had appointed two new staff members, project officers for HIV/AIDS and Human Rights, and had promoted one woman to a senior professional grade in the Division for the Promotion of Democracy. The Secretary General welcomed the secondment of a staff member of the Parliament of the Republic of Korea to the Secretariat.

## Coordinating Committee of Women Parliamentarians

The Coordinating Committee of Women Parliamentarians met on 7 October 2007. The sitting was chaired by Ms. M. Xavier (Uruguay), President of the Committee. The session served to follow up on the previous Meeting of Women Parliamentarians and to prepare the work of the forthcoming Meeting. The Coordinating Committee also discussed women's contribution to the work of the 117<sup>th</sup> IPU Assembly.

The Committee was briefed on the work and recommendations of the Gender Partnership Group by one of its members, Ms. M. Mensah-Williams (Namibia). It welcomed the fact that more than 30 per cent of delegates at the Geneva Assembly were women, and called on delegations to pursue their efforts. The Committee was also briefed on application of Article 23.2 of the Statutes, which stipulates that at least three elected members of the Executive Committee should be women, and supported the Gender Partnership Group's suggestion to develop a mechanism that would secure compliance with that provision.

Follow-up by women parliamentarians on the meetings held in Nusa Dua was also discussed. Committee members reported on recent developments in their respective countries, especially the role of political parties in promoting women's participation and the question of equal job opportunities, which had been the two main topics of discussion at the previous Meeting of Women Parliamentarians.

The Committee went on to discuss its contribution to the 117<sup>th</sup> Assembly. It discussed the three items of the Assembly's panel discussions, highlighting

aspects of each topic's gender dimension, which the respective rapporteurs might wish to take into account.

Preparations for the thirteenth Meeting of Women Parliamentarians were also discussed. It was decided that women would debate agenda item 5 of the 118<sup>th</sup> Assembly on *Migrant workers, people trafficking, xenophobia and human rights*. It was also agreed that part of the Meeting's afternoon session would be dedicated to a dialogue between men and women on *Women and the media*.

Following a presentation by the representative of the United Nations Children's Fund (UNICEF), the Committee proposed that the next panel for the 118<sup>th</sup> Assembly should consider the question of *Maternal, Newborn and Child Health*.

The Committee discussed ways of enhancing its work. It agreed with the recommendations of its reform group, which included extending the term of Committee members to four years and the partial renewal of the Committee every two years, in order to ensure continuity, mentorship and sharing. It was decided that amendments to the Rules of the Meeting of Women Parliamentarians would be drafted and submitted for adoption at the Cape Town meeting.

At the invitation of the Committee, Ms. S. Carstairs (Canada) made a short presentation on the work of the IPU Committee on the Human Rights of Parliamentarians, over which she presides. The presentation raised much interest and participants considered that the IPU Human Rights Committee was in need of further support.

## Subsidiary bodies and committees of the Governing Council

### 1. Committee on the Human Rights of Parliamentarians

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The Committee on the Human Rights of Parliamentarians held its 119<sup>th</sup> session from 6 to 9 October 2007. Ms. Z. Benarous (Algeria), Ms. S. Carstairs (Canada), Ms. R. Green (Mexico), Mr. P. Mahoux (Belgium) and Mr. A.Q. Pimentel Jr. (Philippines) participated in their titular capacity, while Mr. N. Ávila Contreras (Chile), Ms. A. Boumediene-Thierry (France) and Mr. K. Jalali (Islamic Republic of Iran) participated in their capacity as substitute members. The Committee held ten hearings with delegations from countries where it had cases pending, and with representatives of the sources. The Committee examined a total of 62 cases in 32 countries, five of which had been examined for the first time.

The Committee submitted to the Governing Council 34 cases (see resolutions on pages 48 to 94).

### 2. Committee on Middle East Questions

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The Committee met on 7 October. Its President, Mr. K. Sairaan (Mongolia), was the only titular member present. Mr. L.H. Ishaq (Indonesia), Mr. J. Carter (New Zealand), and Ms. A. Clwyd (United Kingdom) attended as substitutes.

The President expressed regret that he was the only titular member present. His remarks were strongly endorsed by the three substitute members attending the meeting. The Committee then invited the Israeli and Palestinian delegations to meet with them for a dialogue.

The representative of the Knesset said that more openness to negotiation was evident on the Palestinian side in the lead-up to the major peace meeting, although the Palestinian positions were still not acceptable to Israel. Since the decision to evacuate Gaza, which at the time had been considered a dramatic move towards peace, the situation had in fact worsened, with cross-border rocket attacks against Israel becoming more intense and more deadly. Now that terrorists had been prevented from entering Israel, it was to be hoped that the moderates would be willing to move towards compromise, and accept, for example, that it was not possible for Israel to accept full implementation of the right of return of refugees.

His Knesset colleague added that Israel's disengagement from Gaza should probably have taken place sooner. However, as the Israeli families had left their homes, missiles had come as a response to their departure, and she had little confidence left. Even if the Palestinians could not enforce non-violence, they should at least declare their agreement with it as a first step.

The member of the Palestinian National Council (PNC) stated that the point of departure for both parties had to be United Nations resolutions and international law, which superseded Knesset or PNC resolutions. In the case of the separation wall, the International Court of Justice had ruled that it should be dismantled and that compensation should be paid for losses. In reality, checkpoints were omnipresent, and villages had been cut off from adjacent farmland. Meanwhile, East Jerusalem was under a state of siege, and ministers and parliamentarians were being kidnapped in flagrant contravention of international law. The main source of evil in the region was occupation. There could be no self-determination for Palestine until the occupation came to an end. His colleague from the Palestinian Legislative Council testified to the suffering he saw around him every day in his hometown of Qalqilya.

The Committee asked if the two sides would welcome a visit by an IPU delegation, and both the Israeli and Palestinian delegations replied that they would. The Committee members agreed that a visit to the region should take place before the next IPU Assembly, scheduled for Cape Town in spring 2008.

### 3. Gender Partnership Group

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The Gender Partnership Group held its 20<sup>th</sup> session on 5 and 6 October 2007. The participants were Mr. J. Austin (United Kingdom), Ms. M. Mensah-Williams (Namibia), Mr. Y. Yatsu (Japan) and Ms. K. Serrano Puig (Cuba). Mr. J. Austin acted as moderator.

The 117<sup>th</sup> IPU Assembly in Geneva recorded the second highest percentage ever of women participants, with a total of 159 female delegates (31.1%). Of the 125 delegations attending the 117<sup>th</sup> Assembly, most (119) were composed of more than one delegate. Of those, 19 (16%) were all-

male: constituting the highest number of all-male delegations in the past three years. Two delegations were all-female, representing a small setback compared to the previous Assembly in Nusa Dua, where there were no all-female delegations. The Group called on IPU Members to pursue efforts and remain vigilant.

The 19 all-male delegations were from the Parliaments of Afghanistan, Belgium, Bosnia and Herzegovina, Democratic Republic of the Congo, Ecuador, El Salvador, Germany, Kuwait, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Mongolia, New Zealand, Palau, Peru, Poland, Qatar, Saudi Arabia and Yemen. The two all-female delegations were from the Parliaments of Congo and The former Yugoslav Republic of Macedonia.

The Group discussed IPU's budget from a gender perspective. It studied the proposed IPU budget for 2008, which contained information on the environmental impact of activities foreseen per division and over several years. It recommended that a similar approach be developed from a gender perspective. Though the current budget document presented year-on-year information regarding gender-specific allocations, the Group recommended that multi-year information be included and that information comparing gender-specific allocations with allocations to other departments/units be presented as well. It noted that current indicators were still insufficient to undertake a gender analysis of the remainder of the IPU's budget and that guidance was needed on those issues. Some identified targets needed to be revised, in particular the one regarding participation at the 118<sup>th</sup> IPU Assembly, where the target participation of women should be 30 not 25 per cent.

The Group continued to debate the progress made in countries where parliaments had no women members and possible mechanisms for assisting those parliaments, if they so desired. At 30 September 2007, seven out of 189 parliaments worldwide had no women members: Kyrgyzstan (single chamber), Micronesia (Federated States of - single chamber), Palau (lower and upper chambers), Qatar (single chamber), Saudi Arabia (single chamber), the Solomon Islands (single chamber) and Tuvalu (single chamber). Election results for Nauru were pending.

There was no noticeable progress in the countries concerned. The Group highlighted the difficulty of

obtaining information, especially regarding Pacific Island countries that were not Members of the IPU. As those countries were members of the Commonwealth Parliamentary Association (CPA), the Group agreed to contact the CPA in an attempt to coordinate efforts and receive information. It also noted that several of those countries had not honoured their reporting commitments to the United Nations Committee on the Elimination of Discrimination against Women and requested that the IPU undertake follow-up. Lastly, the Group recommended that parliaments that did not have women members should be encouraged to include women parliamentary advisers in their delegations to the IPU, as Saudi Arabia had been doing for the past years.

On 6 October, the Group held a second dialogue session (the first took place in 2004) with the delegation of the Shura Council of Saudi Arabia. The aim of the session was to review progress and changes in Saudi Arabia with regard to women's participation in politics.

The Group was pleased to note that women's participation in various sectors of Saudi society had improved, in particular education and the private sector, where a significant number of women headed businesses. It was also pleased to note that six women advisers worked at the Shura Council and provided input to the decision-making process. With regard to political rights, the Group expressed the hope that, since the logistical issues which had prevented women from taking part in the 2005 local elections had been addressed, women would take part, as voters and candidates, in the 2009 local elections. While recognizing that it took time to change attitudes, the Group hoped that Saudi Arabia would continue to support women's political empowerment. The Group encouraged the Shura Council to play a more active role in the reporting obligation required under the Convention on the Elimination of All Forms of Discrimination against Women.

Lastly, the Group discussed application of Article 23.2 of the IPU Statutes, which requires that at least three elected members of the Executive Committee be women. It noted that no specific mechanism existed to ensure implementation of that provision, and recommended that one be set up soon. In particular, it recommended that each geopolitical group with two or more seats on the Executive Committee have at least one representative of each sex.

## Other events

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### 1. Launch of the Handbook for parliamentarians on the Convention on the Rights of Persons with Disabilities and its Optional Protocol: *From Exclusion to Equality: Realizing the Rights of Persons with Disabilities*

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On 8 October, the IPU launched No. 14 in its series of Handbooks for Parliamentarians, on the newly adopted Convention on the Rights of Persons with Disabilities and its Optional Protocol. The Handbook, entitled *From Exclusion to Equality: Realizing the Rights of Persons with Disabilities*, was produced jointly by the IPU, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations Department for Economic and Social Affairs (UNDESA). It is designed to enable legislators to become more familiar with the Convention and to provide them with the tools to facilitate its ratification and subsequent implementation. The Handbook is currently available in English and will be released in Arabic, French and Spanish and in the spring of next year. It is also available on the IPU website ([www.ipu.org/English/handbks.htm](http://www.ipu.org/English/handbks.htm)).

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### 2. Special event to mark the tenth anniversary of the adoption of the Universal Declaration on Democracy

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On Wednesday, 10 October, the Council held a special event to mark the tenth anniversary of the adoption of the Universal Declaration on Democracy in Cairo in September 1997. The general theme of the event was *The challenges facing democracy in the 21<sup>st</sup> century*. The Council heard an introductory statement from the IPU President, in which he reaffirmed the fundamental principles of democracy enshrined in the Declaration. He underscored the link between democracy and peace and freedom and enjoined parliaments to deploy efforts to address the crisis of legitimacy facing them. The Council also heard a report from the Secretary General, who gave an overview of the work done by the IPU to promote

democracy in the broad areas of building parliamentary capacity, setting standards, promoting women's participation in politics and defending and upholding human rights. The two keynote speakers, Ms. B. Mbete, Speaker of the National Assembly of South Africa, and Ms. N. Burdjanadze, Speaker of the Parliament of Georgia, highlighted the progress made in the field of democracy and stressed the importance of upholding the principles of the Declaration. In particular, they pointed to the importance of free and fair elections as a means to an end, and the interlinkages between democracy and conflict resolution.

The Council also heard a speech by Mr. F. Sorour, Speaker of the People's Assembly of Egypt, under whose stewardship as President of the IPU Council the Declaration was adopted.

At the end of the session, the Governing Council adopted by acclamation a declaration reaffirming the continued validity of the principles set forth in the Universal Declaration, expressing satisfaction over the development of democracy worldwide and calling for greater efforts, especially by parliaments, to promote a breed of democracy that was conducive to the promotion of human rights and the well-being of all. The declaration also affirmed the IPU's resolve to continue to help parliaments become ever more representative, transparent, accessible, accountable and effective institutions. See the text of the declaration on page 32.

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### 3. Exhibitions

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Two exhibitions were shown during the Assembly. One was entitled « A Century of Nobel Peace Prize Laureates 1901-2005 - From Peace Movements to the United Nations », a gracious loan from the United Nations Office at Geneva (ONUG). The second one was devoted to the tenth anniversary of the Universal Declaration on Democracy adopted in 1997 by the IPU in Cairo; it was complemented by photographs from the exhibition on the human rights situation in Myanmar (first shown at the 116<sup>th</sup> Assembly in Bali).

## Elections and appointments

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### 1. President of the 117<sup>th</sup> Assembly of the Inter-Parliamentary Union

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Mr. P.F. Casini, President of the Inter-Parliamentary Union, was elected President of the Assembly.

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### 2. Executive Committee

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The Governing Council elected by acclamation Ms. Z. Drif Bitat (Algeria), Mr. J.A. Coloma (Chile), Mr. T. Toga (Ethiopia), Mr. R. del Picchia (France), Mr. J.-K. Yoo (Republic of Korea) and Mr. Ngo Anh Dzung (Viet Nam), to serve on the Executive Council until October 2011. One seat for the Africa geopolitical Group was contested by two candidates, Mr. M.C. Nago (Benin) and Mr. E. Sekyi Hughes (Ghana). After a roll-call vote, with 214 ballots cast - 64 of which were blank or void, and 150 valid - Mr. Nago was elected with 89 votes until October 2011 against 61 for Mr. Hughes.

The Governing Council elected Ms. J. Fotso (Cameroon) to serve on the Executive Council until October 2010 to complete the term of office of Mr. P. Sende (Cameroon), who is no longer a member of parliament.

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### 3. Vice-President of the Executive Committee

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The Executive Committee elected Mr. A. Radi (Morocco) as its Vice-President until October 2008.

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### 4. IPU Committee on United Nations Affairs

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Ms. R. Green (Mexico) was elected to preside over the session of the Committee.

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### 5. Committee on Middle East Questions

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Ms. A. Clwyd (United Kingdom) and Mr. J. Carter (New Zealand) were elected titular members for a four-year term expiring in October 2011. Mr. F.-X. de Donnea (Belgium) was elected substitute member also for a four-year term.

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### 6. Auditors for the 2008 accounts

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The Governing Council appointed Mr. H.-J. Fuchtel (Germany) and Mr. P.C. Appiah-Ofori (Ghana) as internal auditors for the 2008 financial year.

## Membership of the Inter-Parliamentary Union\*

### Members (146)

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

### Associate Members (7)

Andean Parliament, Central American Parliament, East African Legislative Assembly, European Parliament, Latin American Parliament, Parliament of the Economic Community of West African States, and the Parliamentary Assembly of the Council of Europe.

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\* At the closure of the 117<sup>th</sup> Assembly

## Agenda, Resolutions, Reports and Votes of the 117<sup>th</sup> Assembly of the Inter-Parliamentary Union

1. Election of the President and Vice-Presidents of the 117<sup>th</sup> Assembly
2. Emergency item
3. Panel discussions on the subject items chosen for debate during the 118<sup>th</sup> Assembly in April 2008:
  - (a) The role of parliaments in striking a balance between national security, human security and individual freedoms, and in averting the threat to democracy  
*(Standing Committee on Peace and International Security)*
  - (b) Parliamentary oversight of State policies on foreign aid  
*(Standing Committee on Sustainable Development, Finance and Trade)*
  - (c) Migrant workers, people trafficking, xenophobia and human rights  
*(Standing Committee on Democracy and Human Rights)*
4. Report of the IPU Committee on United Nations Affairs
5. Amendments to the Statutes and Rules of the Inter-Parliamentary Union
6. The urgent need to immediately stop the widespread human rights violations and to restore the democratic rights of the people of Myanmar

**Results of roll-call vote at the request of the delegations  
of the Islamic Republic of Iran and of Bahrain (on behalf of the Arab Group)  
for the inclusion of an emergency item entitled**

**"SUPPORTING IRAQ'S INDEPENDENCE, SOVEREIGNTY AND TERRITORIAL INTEGRITY"**

**Results**

Affirmative votes .....	672	Total of affirmative and negative votes..	1246
Negative votes .....	574	Two-thirds majority.....	831
Abstentions.....	117		

Country	Yes	No	Abst.	Country	Yes	No	Abst.	Country	Yes	No	Abst.
Afghanistan	14			Hungary		13		Paraguay		<i>absent</i>	
Algeria	15			Iceland		10		Peru		<i>absent</i>	
Andorra		10		India	23			Philippines		18	
Angola	12			Indonesia		22		Poland		<i>Absent</i>	
Argentina	15			Iran (Islamic Republic of)	18			Portugal		13	
Armenia			10	Ireland		11		Qatar	8		
Austria		<i>Absent</i>		Israel		12		Republic of Korea		16	
Bahrain	10			Italy		17		Romania		14	
Bangladesh		<i>Absent</i>		Japan		20		Russian Federation	10		
Belarus	13			Jordan	12			Rwanda		<i>Absent</i>	
Belgium		12		Kazakhstan		<i>Absent</i>		San Marino		<i>Absent</i>	
Benin	4	8		Kenya	14			Sao Tome and Principe	10		
Bolivia	12			Kuwait	9			Saudi Arabia	11		
Bosnia and Herzegovina		<i>Absent</i>		Lao People's Dem. Republic	12			Senegal	12		
Botswana	11			Latvia		11		Serbia	4	8	
Brazil		20		Lebanon	11			Singapore		11	
Bulgaria	8		4	Libyan Arab Jamahiriya		<i>Absent</i>		Slovakia		12	
Burkina Faso	6	5		Liechtenstein		10		Slovenia		11	
Burundi	6	6		Lithuania		11		Somalia	13		
Cambodia		13		Luxembourg		<i>Absent</i>		South Africa		16	
Cameroon			13	Madagascar		<i>Absent</i>		Spain		15	
Canada		15		Malaysia	8			Sri Lanka		<i>Absent</i>	
Chile			13	Maldives	10			Sudan	15		
China	23			Mali	12			Suriname	10		
Congo	11			Malta		<i>Absent</i>		Sweden		12	
Côte d'Ivoire	7		6	Mauritius		<i>Absent</i>		Switzerland		12	
Cuba	13			Mexico			20	Syrian Arab Rep.	13		
Cyprus		<i>Absent</i>		Monaco		10		The FYR of Macedonia		11	
Czech Republic		13		Mongolia		11		Tunisia	12		
Denmark		12		Montenegro		<i>Absent</i>		Turkey	18		
Ecuador		<i>Absent</i>		Morocco	14			Uganda			13
Egypt	18			Mozambique	13			Ukraine	17		
El Salvador			12	Namibia	11			United Arab Emirates	11		
Estonia		11		Nepal	14			United Kingdom		18	
Ethiopia			18	Netherlands		13		United Republic of Tanzania	15		
Finland		12		New Zealand		11		Uruguay	6	5	
France		17		Niger	13			Venezuela	13		
Gabon	8	3		Nigeria	8			Viet Nam	10		8
Gambia		<i>Absent</i>		Norway		11		Yemen	13		
Georgia		<i>Absent</i>		Pakistan	20			Zambia	13		
Germany		19		Palau		<i>Absent</i>		Zimbabwe	13		
Ghana		13		Panama	11						
Greece		<i>Absent</i>									
Guatemala		<i>Absent</i>									

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

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

**"THE URGENT NEED TO IMMEDIATELY STOP THE WIDESPREAD HUMAN RIGHTS  
VIOLATIONS AND TO RESTORE THE DEMOCRATIC RIGHTS OF THE PEOPLE OF MYANMAR"**

**Results**

Affirmative votes .....	898	Total of affirmative and negative votes .	1265
Negative votes.....	367	Two-thirds majority .....	843
Abstentions .....	102		

Country	Yes	No	Abst.	Country	Yes	No	Abst.	Country	Yes	No	Abst.
Afghanistan	14			Hungary	13			Paraguay		absent	
Algeria		15		Iceland	10			Peru		absent	
Andorra	10			India	23			Philippines	18		
Angola		12		Indonesia	22			Poland		Absent	
Argentina		15		Iran (Islamic Republic of)		18		Portugal	13		
Armenia	10			Ireland	11			Qatar		8	
Austria		absent		Israel	12			Republic of Korea	16		
Bahrain		10		Italy	17			Romania	14		
Bangladesh		absent		Japan	20			Russian Federation	10		
Belarus		13		Jordan		12		Rwanda		Absent	
Belgium	12			Kazakhstan		Absent		San Marino		Absent	
Benin	8	4		Kenya	14			Sao Tome and Principe		10	
Bolivia	12			Kuwait		9		Saudi Arabia		11	
Bosnia and Herzegovina		absent		Lao People's Dem. Republic	5		7	Senegal		12	
Botswana	11			Latvia	11			Serbia	12		
Brazil	20			Lebanon		11		Singapore	11		
Bulgaria	12			Libyan Arab Jamahiriya		Absent		Slovakia	12		
Burkina Faso	13			Liechtenstein	10			Slovenia	11		
Burundi	12			Lithuania	11			Somalia		13	
Cambodia	13			Luxembourg		Absent		South Africa	16		
Cameroon	13			Madagascar		Absent		Spain	15		
Canada	15			Malaysia	14			Sri Lanka		Absent	
Chile	13			Maldives	10			Sudan		15	
China	5	5	13	Mali		12		Suriname	10		
Congo		11		Malta		Absent		Sweden	12		
Côte d'Ivoire	7		6	Mauritius		Absent		Switzerland	12		
Cuba		13		Mexico	20			Syrian Arab Rep.		13	
Cyprus		absent		Monaco	10			The FYR of Macedonia	11		
Czech Republic	13			Mongolia	11			Tunisia		12	
Denmark	12			Montenegro		Absent		Turkey			18
Ecuador		absent		Morocco		14		Uganda	13		
Egypt		18		Mozambique	5			Ukraine			17
El Salvador	12			Namibia	11			United Arab Emirates		11	
Estonia	11			Nepal	14			United Kingdom	18		
Ethiopia			18	Netherlands	13			United Republic of Tanzania			15
Finland	12			New Zealand	11			Uruguay	11		
France	17			Niger	13			Venezuela		13	
Gabon	11			Nigeria	12			Viet Nam	10		8
Gambia		absent		Norway	11			Yemen		13	
Georgia		absent		Pakistan		20		Zambia	13		
Germany	19			Palau		Absent		Zimbabwe		13	
Ghana	13			Panama		11					
Greece		absent									
Guatemala		absent									

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

**THE URGENT NEED TO IMMEDIATELY STOP THE WIDESPREAD HUMAN RIGHTS VIOLATIONS AND TO RESTORE THE DEMOCRATIC RIGHTS OF THE PEOPLE OF MYANMAR**

*Resolution adopted unanimously by the 117<sup>th</sup> IPU Assembly  
(Geneva, 10 October 2007)*

The 117<sup>th</sup> Assembly of the Inter-Parliamentary Union,

*Recalling* the IPU resolution adopted at the 108<sup>th</sup> Conference (Santiago, 2003) on "Parliaments' role in strengthening democratic institutions and human development in a fragmented world", and the resolution adopted at the 110<sup>th</sup> Assembly (Mexico City, 2004) on "Furthering parliamentary democracy in order to protect human rights and encourage reconciliation among peoples' and partnership among nations", which encourages States to eliminate the structural causes of violent conflict,

*Also recalling* resolution A/HRC/S-5/L.1/rev.1 adopted by consensus on 2 October 2007 at the Fifth Special Session of the UN Human Rights Council,

*Recalling further* the resolutions of the IPU Committee on the Human Rights of Parliamentarians regarding the violations of the human rights of National League for Democracy (NLD) parliamentarians elected in the 1990 general elections,

*Gravely concerned* by the worsening situation of human rights in Myanmar, where the brutal acts of violence perpetrated by the Myanmar military and police forces against peaceful protests by Buddhist monks and civilians have resulted in a high number of deaths, cases of torture, injuries and arbitrary arrests, and the very recent detention of several more parliamentarians-elect,

*Deeply disturbed* by the military junta's use of the most brutal methods of maintaining civil order in continuing defiance of the precepts of all international human rights instruments, in particular the Universal Declaration of Human Rights, and by the crackdown on the media, the blocking of international communications, including the Internet, and the killing of a Japanese photojournalist,

*Deeply disappointed* by the fact that there has been virtually no progress towards political reform, which would ensure democratization in Myanmar based on the Road Map to Democracy pledged by the Government,

*Expressing deep sorrow* for the victims and human rights defenders and *further expressing* profound sympathy to their families,

*Welcoming* the statement issued by the ASEAN Chair on behalf of ASEAN Foreign Ministers in New York on 27 September 2007 regarding the situation in Myanmar,

*Further recalling* the Declaration of ASEAN Concord II (Bali Concord II) signed by the ASEAN leaders at their summit in Bali on 7 October 2003,

*Recognizing* the efforts of the international community, the UN Special Envoy, regional groups and neighbouring countries to ease tensions and improve the situation in Myanmar,

*Welcoming* the acceptance by the Government of Myanmar of the visit of the United Nations Secretary-General's Special Envoy to Myanmar, Mr. Ibrahim Gambari,

1. *Strongly depl*ores the reprehensible repression of peaceful demonstrations of monks and civilians in Myanmar in violation of the most fundamental human rights of ordinary citizens, notably their right to life and to freedom of opinion peacefully expressed;
2. *Urges* the Government of Myanmar to refrain from committing further acts of violence against current and future demonstrations and to desist from any ruthless acts against the citizens, who are fully entitled to exercise their right to freedom of expression;
3. *Demands* that the Government of Myanmar immediately and unconditionally release the jailed parliamentarians-elect, Daw Aung San Suu Kyi and other NLD political leaders, as well as all political prisoners, monks and ethnic leaders struggling for democratization, political reform and respect for human rights in the country;
4. *Also demands* that the Government of Myanmar fully cooperate with the Special Rapporteur on the situation of human rights in Myanmar in accordance with the resolution adopted by the Fifth Special Session of the Human Rights Council;
5. *Urges* the military authorities in Myanmar to embark without delay on the implementation of democratization and political reforms in Myanmar;
6. *Calls on* the United Nations, including the Security Council, to swiftly follow up on the results of the visit of the UN Special Envoy to expedite the processes leading to national reconciliation;
7. *Calls on* ASEAN Member Countries to seriously consider suspending Myanmar's membership in ASEAN until such time as the process of reconciliation with the democratic forces gains momentum;
8. *Calls on* the international community, in the event of any further setbacks in the constructive process of dialogue and reconciliation with the democratic forces, to seriously consider taking necessary and effective economic measures and suspending military assistance and arms sales to Myanmar;
9. *Urges* parliamentarians worldwide to maintain their strong commitment to the promotion and protection of the fundamental human rights of the people of Myanmar as an expression of solidarity with their sacrifice and struggle against tyranny;
10. *Resolves* to remain vigilant regarding any developments in Myanmar.

## REPORT OF THE IPU COMMITTEE ON UNITED NATIONS AFFAIRS

*Approved by the 117<sup>th</sup> IPU Assembly  
(Geneva, 10 October 2007)*

1. The Committee on United Nations Affairs expressed strong support for the establishment of the Committee and underlined the need to develop further both the definition of its mandate and the rules governing its proceedings.
2. The Committee expressed support for the policy paper presented by Mr. G. Versnick on the nature of relations between the United Nations and the world of parliaments, and proposed that it be endorsed as an official IPU document.
3. The Committee expressed approval of the organization of annual meetings at which high-ranking United Nations officials would present the different facets and programmes of the UN agenda, thus allowing the Committee to pinpoint the areas on which it might focus its work.
4. The Committee will take a particular interest in the system-wide coherence of the United Nations as part of the ongoing process of United Nations reform. Its conclusions and findings will be oriented towards recommendations for making the world organization more efficient and cost-effective.
5. The Committee will not seek to supplant the role of the IPU Standing Committees by examining substantive, thematic items that fall within the purview of the latter. It will nonetheless examine how the United Nations is organizing its work in relation to a number of broad issues which include:
  - Financing for development, especially through the establishment of the new ECOSOC Development Cooperation Forum;
  - Human rights and the functioning of the new Human Rights Council;
  - The sources of United Nations funding and the use of those funds, with a view to setting up a stronger scrutiny role in the longer term;
  - The organization of peace-building operations, paying particular attention to gender concerns, the question of reconciliation, multilateralism and inclusive development, and the key role of parliament in the establishment of sound democracies.
6. The Committee emphasized the importance of specialized IPU meetings attended by experts from the relevant parliamentary committees who could make a substantive contribution to the debates.
7. There is much duplication in the various parliamentary initiatives vis-à-vis international institutions. When it comes to dealing with global issues, the IPU should strive to build a membership comparable to that of the United Nations, take the lead in building greater coherence among regional and other parliamentary bodies, and make better use of the relevant expertise available within national parliaments.
8. The Committee will strive as far as possible to ensure that national parliaments concerned are actively involved in all activities that have a particular country focus.
9. The Committee will continue to examine reports by its Advisory Group, which will meet between sessions and maintain the continuum of the Committee's work. The Advisory Group could be called upon to make field visits while preparing its reports. This would be done in close cooperation with the national parliaments concerned and with the United Nations.

10. The Committee stated, in connection with the foregoing, that the budgetary arrangements for Advisory Group meetings and visits should be more clearly defined in the IPU programme and budget.

11. The Committee should strive to monitor compliance with all major international commitments. Priority should be given to the Millennium Development Goals (MDGs). The Committee applauded the presentation on the status of the MDGs, and suggested that it receive similar updates at each annual session, with a special focus on parliamentary initiatives aimed at furthering the Goals.

12. The Committee recommends that consideration be given to systematically including parliamentarians in national delegations to the United Nations, involving them in international negotiation processes at an early stage, and providing them with comprehensive briefings prior to major international conferences.

13. The Committee should make a survey of how each parliament organises its interaction with the United Nations and other international institutions, and how it works with the government in the implementation of international commitments, and consider how to mainstream global issues into national parliaments.

**REPORT ON THE NATURE OF THE RELATIONSHIP BETWEEN THE  
UNITED NATIONS AND THE WORLD OF PARLIAMENTS**

***Policy paper<sup>1</sup> presented by Mr. Geert Versnick, MP (Belgium),  
member of the Advisory Group of the IPU Committee on United Nations Affairs***

***Approved by the 117<sup>th</sup> IPU Assembly  
(Geneva, 10 October 2007)***

Introduction

1. We live in an interdependent world where yesterday's neat distinctions between national and international affairs, and what constitutes domestic and foreign policy, no longer apply. Events in one country frequently have profound effects on other States and on international relations generally, which, in turn, help shape the domestic agenda in countries all over the world in a never-ending circle.
2. As this world evolves, so does the universe of international organizations. A hundred years ago there were few entities specifically set up to manage international or multilateral cooperation. Today, they number many thousands, operate at the global, regional and sub-regional levels, and cover most aspects of human endeavour. Foremost among the global organizations is the United Nations and its system of specialized agencies.
3. The United Nations is a permanent forum for inter-governmental cooperation. At the United Nations, governments negotiate and agree on international conventions and guidelines and on major operations, for example to build peace and security in situations of conflict. However, the United Nations is also a service provider, much like a governmental agency or department. It implements programmes, particularly in support of development, in almost every country in the world, invariably in cooperation with governments, civil society organizations and others.
4. The United Nations is a classic international organization. Its members are States, which are represented by the executive branch of government and which negotiate and take decisions on its behalf. Under the United Nations Charter, there is no place for parliaments in the United Nations architecture. "We the peoples of the United Nations" are represented by governments, not the people's elected representatives.
5. However, the United Nations is not immutable and change is taking place. Structures and working methods, policies and programmes are under scrutiny, and much is being done to turn the United Nations into a more effective organization that is better able to meet current demands.
6. Against this backdrop, what responsibilities do parliaments have in the area of international cooperation? How do they relate to multilateral organizations like the United Nations? What role do parliaments assume at the United Nations? What mechanisms are at their disposal? These are some of the questions that this paper will address.

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<sup>1</sup> The present paper has been drawn up at the request of the Advisory Group of the IPU Committee on United Nations Affairs and reflects the substance of the discussion that took place at the Group's first meeting on 12 and 13 July 2007. It also draws heavily on a number of documents, reports and papers produced by parliaments and the IPU over many years, including the reports and outcome documents of the first two World Conferences of Speakers of Parliament organized by the IPU at United Nations Headquarters in New York in 2000 and 2005 (IPU Reports and Documents No. 39 and UN document A/60/398).

Parliaments and international cooperation

7. While constitutional systems vary from one country to another, parliaments everywhere are the central institution of democracy. They embody the will of the people and its expectations that democracy will be responsive to its needs and solve the most pressing problems that confront it.

8. As the elected body that represents society in all its diversity, parliament has a unique responsibility for reconciling the conflicting interests and expectations of different groups and communities through the democratic machinery of dialogue and compromise. As the key legislative organ, parliament has the task of adapting laws to society's ever changing needs. As the body entrusted with the oversight of government, parliament is responsible for ensuring that governments are fully accountable to the people.

9. With few exceptions, parliaments have had scant involvement in international affairs. This was hardly surprising in the days when international affairs were largely handled through bilateral relations between States. Today's world presents a different picture, and parliaments everywhere are grappling with international affairs and, by extension, with the United Nations in a number of ways.<sup>2</sup>

10. There can be no gainsaying that parliaments have much to contribute to the United Nations. Members of parliament possess unique understanding of people in all their diversity and are better placed than most to articulate people's aspirations and explain what really matters to them. They are also powerful opinion makers and can, through their work in parliament, political parties and movements, and in their constituencies, raise public awareness and create popular support for international action at the United Nations. It therefore makes a great deal of sense to invite them to contribute to the work of the United Nations.

11. Of course, parliament's role is not limited to implementing previously negotiated international agreements. Without seeking to supplant the executive branch of government by negotiating international agreements at the United Nations, parliaments are increasingly insisting that these negotiations be subjected to much more stringent democratic parliamentary control. In practice, this means that a parliament should:

- ✓ Be given sufficient advance notice of negotiations that will take place at the United Nations;
- ✓ Have accurate information at its disposal about the issues at stake and the policies and negotiating positions that will be under consideration;
- ✓ Be able to put questions to ministers and negotiators, and to express its political views to the government;
- ✓ Where the system so allows, provide the government with an explicit negotiating mandate or have the power to influence it;
- ✓ Be equipped with the necessary structures, procedures and resources to be able to monitor negotiations as they develop and, to that end,
- ✓ Be represented, as a matter of course, in national delegations attending these negotiations.

12. This is particularly true in that agreements reached at the United Nations will have little practical effect if parliaments do not take action to implement their provisions. To this end, parliaments are increasingly undertaking some or all of the following actions:

- ✓ Ensure that they are fully conversant with the content of an international agreement so as to be able to ratify or otherwise assent to the respective country's accession to it;
- ✓ Review and adapt existing laws, or adopt new ones, to implement the provisions of the agreement;
- ✓ Vote the financial resources to fund implementing programmes, generally under the annual budget, and monitor expenditures and implementation through the annual audited accounts;
- ✓ Require the government to report to parliament periodically on the implementation of a specific international agreement;

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<sup>2</sup> See also *Parliament and Democracy in the Twenty-First Century: A Guide to Good Practice* (IPU, 2006), which provides an extensive overview of parliament's involvement in international affairs.

- ✓ Where international mechanisms have been set up to monitor the implementation of these agreements, debate and provide input for the periodic reports to these mechanisms, attend, as part of the government delegation, the sessions where the reports are discussed and review the ensuing recommendations for follow-up.

13. As mentioned above, the United Nations is also a service provider in its own right, running programmes in a wide range of areas, particularly development. It has formulated the Millennium Development Goals (MDGs) and assists countries in meeting them, along with other development goals, by offering support to governments in implementing the corresponding national development plans. Here again, parliaments are increasingly assuming a more assertive role to ensure that programmes are designed and implemented in a participative and transparent manner and that they meet the needs of the people. Action by parliament includes:

- ✓ Participating in the development of poverty reduction strategy programmes by, for example, holding public hearings, commissioning expert reports and submissions, questioning relevant ministers and officials, and formulating policy proposals;
- ✓ Adopting enabling legislation and budgets to implement these and related development programmes;
- ✓ Reviewing and, as the case may be, approving foreign aid programmes negotiated by the executive branch of government with the United Nations, including the international financial institutions such as the World Bank and the International Monetary Fund, and with bilateral donors;
- ✓ Monitoring implementation of these programmes not merely for their financial soundness but especially for their effectiveness in delivering development to the people.

14. The United Nations system frequently implements programmes that touch directly on State policies. Every one of them should ideally be brought to the attention of parliament for possible review as part of its oversight of government policy.<sup>3</sup> The United Nations also constitutes a formidable knowledge base for countries everywhere. Parliaments have much to gain and can make a notable difference to the general welfare by acting on some of the research done by the United Nations.<sup>4</sup>

15. The United Nations system is funded by States largely through the national budget adopted by parliament. Just as parliament monitors the performance of national entities funded through the State budget, so, too, should it review the performance of the international organizations receiving funding. To this end, parliaments are showing increasing interest in:

- ✓ Undertaking some form of periodic review of the functioning of these organizations and of the policies pursued by the government in regard to them;
- ✓ Reviewing the broad policies that these organizations apply in regard, for example, to development cooperation.

#### Parliaments at home and abroad

16. It has been observed that the substance of politics is becoming ever more global but the process of politics is not. The fundamental political institutions - elections, political parties and parliaments - remain firmly rooted at the national and local levels.<sup>5</sup> This is only to be expected. The nation-State still forms the

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<sup>3</sup> To quote a few examples among many, the programmes of the World Health Organization touch on national health policies, the protection and assistance programmes of the United Nations High Commissioner for Refugees impinge directly on a country's human rights obligations and its population and migration policy, and UNICEF programmes are directly relevant to a country's child protection framework and the implementation of the Convention on the Rights of the Child.

<sup>4</sup> For example, a recent United Nations study demonstrates that violence against children occurs on a large scale and in a range of settings, that it is often under-reported, and that it can have a devastating impact on children. Parliaments can be instrumental in curbing violence against children by raising the United Nations study in parliament, measuring State policies and programmes against the study's findings, and enacting corrective measures where necessary.

<sup>5</sup> See the *Report of the Panel of Eminent Persons on relations between the United Nations and civil society, including parliamentarians and the private sector* (Cardoso report, UN document A/58/817).

basis for the structure of international cooperation, and parliaments are national institutions that embody the sovereignty of those States.

17. It is therefore logical that parliaments address international issues, including the work of the United Nations, on their home territory. By successfully working United Nations affairs into their agenda and proceedings, national parliaments can provide a parliamentary dimension to the work of the United Nations and thus help bridge the democracy gap in international relations.

18. This is not to say that parliaments are absent from the work of the United Nations. On the contrary, the parliamentary presence at the United Nations is becoming larger and more diverse, in ways that include:

- ✓ Missions by members of parliamentary committees and other parliamentary delegations to different offices of the United Nations system to exchange views on their work and on international conventions that are being or will be implemented;
- ✓ Parliamentary missions to examine United Nations field work, for example in peace-building operations;
- ✓ Parliamentary participation in official national delegations to the United Nations General Assembly and other major meetings of United Nations organs;
- ✓ Parliamentary support for several United Nations operations by, for example, engaging in parliamentary diplomacy, participating in election observer missions, and providing resource persons in governance projects;
- ✓ Participation in a growing number of hearings, panel discussions and conferences organized in conjunction with major United Nations meetings.

19. In these different endeavours, a conscious effort is also being made to mobilize the expertise that exists in parliamentary standing and select committees with a view to connecting with the different United Nations bodies dealing with the specific issues within their competence. In this way, parliaments are in a better position to interact with the United Nations not only by contributing substantively to discussions taking place at the United Nations, but also by ensuring that the questions are followed up in parliament itself.

20. In a nutshell, parliaments' interaction with the United Nations is founded on action in parliaments at the national level, complemented by greater and more systematic engagement by parliaments internationally. To drive this process forward, parliaments are committed to making better use of existing regional assemblies and their world organization rather than creating new international parliamentary structures or assemblies.<sup>6</sup>

#### The role of the Inter-Parliamentary Union

21. The IPU therefore has a central role to play in making this strategy work. It is the world organization of parliaments. It facilitates political dialogue between members of parliament and mobilizes parliamentary cooperation and action on a wide range of subjects that are high on the international agenda.<sup>7</sup> The IPU provides an essential bridge between the national parliaments and the United Nations; it raises awareness in parliaments of the United Nations and its work, mobilizes parliamentary action on issues that are high on the international agenda and encourages and facilitates their interaction with relevant entities within the United Nations system.

22. More recently, the IPU has undertaken several reforms and adapted its policies, structures and working methods to the demands of the 21<sup>st</sup> century. This has included:

<sup>6</sup> See for example the final declarations of the two World Conferences of Speakers of Parliament (UN documents A/55/409 and A/60/398) and the IPU statement to the 2005 High-level Plenary Meeting of the United Nations General Assembly (<http://www.ipu.org/Un-e/sp-unga160905.pdf>).

<sup>7</sup> A more complete mission statement states that the IPU "aims to ensure that parliaments and their members can freely, safely and effectively do the job they were elected to do: express the will of the people, adopt laws, and hold governments accountable for their actions. The IPU implements programmes to strengthen parliaments as democratic institutions. It audits parliaments, provides technical assistance and advice, undertakes research, and develops standards and guidelines. It places special emphasis on promoting and defending human rights and facilitating women's participation in politics" (IPU, Handbook for Parliamentarians, No. 14, 2007).

- ✓ Placing much greater emphasis on promoting closer cooperation between parliaments and the United Nations within the IPU's policy and programmes;
- ✓ Monitoring and contributing to the reform process at the United Nations and mobilizing parliaments to work with the newly created United Nations bodies;
- ✓ Mobilizing more generally the expertise that exists in parliaments on many of the major issues before the international community today and bringing it to bear on the deliberations taking place at the United Nations;
- ✓ Greatly expanding the number and content of parliamentary hearings, meetings and panels that it organizes every year in conjunction with the United Nations General Assembly and major United Nations meetings;
- ✓ Creating awareness in parliaments through training activities, seminars and global campaigns on major issues requiring urgent political action by parliaments and their members;
- ✓ Developing parliamentary handbooks and other practical tools to facilitate action in parliament to ratify, implement and monitor international conventions negotiated at the United Nations;
- ✓ Working closely with the United Nations and its programmes and agencies in designing and implementing joint programmes and activities, particularly to promote democracy and good governance from a broad perspective.

23. Notwithstanding these advances, the IPU's Member Parliaments are asking for a more substantive and equitable working relationship between the United Nations and their organization. They have set up the Committee on United Nations Affairs to monitor compliance with the series of recommendations developed in recent years for strengthened cooperation between the United Nations and parliaments, examine how they are fulfilled in practice, and make proposals for more effective implementation.

24. All of this is done by the IPU at the request of parliaments. In recent years, however, governments have also asked the IPU to foster more cooperation between the United Nations and parliaments.<sup>8</sup> They have granted the IPU special observer status at the United Nations General Assembly<sup>9</sup> and use their biennial review of cooperation between the United Nations and the IPU to make recommendations for strengthening interaction between the United Nations, the IPU and parliaments.<sup>10</sup> Evidence of this growing demand by the executive branch of government for a stronger relationship between the players is to be found in the latest General Assembly resolution, which focuses on five specific inter-related areas:

- ✓ Strengthening the IPU's contribution to the work of the United Nations General Assembly, including its revitalization, and to the new bodies such as the Human Rights Council and the Peacebuilding Commission;
- ✓ Building an active role for the IPU in support of the Economic and Social Council, particularly in relation to its annual High-level Summit and the new Development Cooperation Forum;
- ✓ Increasing cooperation between the United Nations and the IPU in the realm of democracy and good governance, including through the partnership agreement concluded between the United Nations Democracy Fund and the IPU;
- ✓ Developing further the annual parliamentary hearing at the United Nations and other specialized parliamentary meetings in the context of major United Nations meetings as joint UN/IPU events;
- ✓ Ensuring closer involvement of the IPU in the elaboration of system-wide strategies for consideration by the United Nations system and its Chief Executives Board for Coordination, with a view to ensuring greater and more coherent support by parliaments for the work of the United Nations.

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<sup>8</sup> Millennium Declaration adopted by Heads of State and government on 8 September 2000, UN document A/RES/55/2.

<sup>9</sup> See United Nations General Assembly resolution A/RES/57/32.

<sup>10</sup> See the most recent report of the United Nations Secretary-General on the subject contained in A/61/256 and the corresponding United Nations General Assembly resolution A/RES/61/6.

## Conclusions

25. What is the value of the most democratic State institution when so many of the decisions that matter to the life of the country's citizens, including their security, are taken beyond national borders by international institutions that are not subject to democratic control or accountability? This gap between the national level, where democratic institutions like parliaments are located, and the global level where so many decisions are now taken, is a major source of what is termed the international "democracy deficit".

26. Parliaments can, and increasingly do, take action to tackle this problem. As this paper suggests, their action necessarily depends upon the parliamentary system prevailing in any given country and the powers conferred upon the parliamentary chambers under the constitution or basic law. In all countries, however, it entails the use of parliamentary structures, working methods, habits and agendas, and where necessary their adaptation and modernization, to allow each institution to address the work of the United Nations and its related institutions.

27. Every parliament is sovereign in its approach to this work, in keeping with the myriad of parliamentary cultures in the world. Common to all, however, is an effort to integrate the business of the United Nations into the day-to-day legislative and oversight work of parliament. As these efforts grow in vigour and outreach, parliaments are reaching ever further into the workings of the United Nations and participating in ever more diverse ways in its activities.

28. The IPU is a critical component of this equation. It promotes action by parliaments, acting as a catalyst, facilitating interaction with the world of the United Nations and, more generally, helping to ensure that the views of the parliamentary community are heard at the United Nations. The stronger the link between parliaments and the IPU, the better the chance of attaining the critical mass required to have a lasting effect on the United Nations.

29. The present challenge is to develop a common strategy for ensuring, in the words of the latest United Nations General Assembly resolution, "*greater and more coherent support by parliaments to the work of the United Nations*". The IPU looks to its Committee on United Nations Affairs to provide the essential elements for such a policy.

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

*Adopted at the 117<sup>th</sup> IPU Assembly  
(Geneva, 10 October 2007)*

### 1. Amendments to the Statutes of the Inter-Parliamentary Union

#### Duties of IPU Member Parliaments

Article 7, add at the end

**"To this end, all heads of delegations to IPU Assemblies should submit in accordance with national laws a report to their national parliaments with a copy to the IPU Secretary General as soon as possible following the closure of the Assembly."**

#### IPU President

Article 19.1, add the following words in the second sentence:

**"The President of the Inter-Parliamentary Union is the political head of the Organization and shall be ex officio President of the Governing Council."**

Add a new paragraph to Article 19 that reads as follows:

**"5. The President shall also be assisted in his or her work between the statutory sessions by a group of six vice-presidents representing each of the geopolitical groups and appointed from among the members of the Executive committee for a renewable term of one year."**

### 2. Amendments to the Rules of the Assembly

#### Agenda

Rule 11, amend to read as follows:

1. Any Member of the Union may request the inclusion of an emergency item in the Assembly agenda. Such a request ~~may~~ **must** be accompanied by a brief explanatory memorandum and a draft resolution **which clearly define the scope of the subject covered by the request**. The Secretariat shall communicate the request and any such documents immediately to all Members.

2. Consideration and acceptance by the Assembly of a request for the inclusion of an emergency item in its agenda shall be subject to the following provisions:

- (a) A request for the inclusion of an emergency item must relate to a major event of international concern on which it appears necessary for the IPU to express its opinion. Such a request must receive a two-thirds majority of the votes cast in order to be accepted.
- (b) The Assembly may place only one emergency item on its agenda. Should several requests obtain the requisite majority, the one having received the largest number of positive votes shall be accepted.

- (c) **The authors of two or more requests for the inclusion of an emergency item may combine their proposals to present a joint one, provided that each of the original proposals relates to the same subject.**
- (d) **The subject of a proposal that has been withdrawn by its authors or rejected by the Assembly cannot be included in the draft resolution submitted on the emergency item, unless it is clearly referred to in the request and title of the subject adopted by the Assembly.**

#### Reports

Rule 13, amend as follows:

"As a rule, the Assembly will appoint two rapporteurs for each Standing Committee who will prepare a report **or reports** on the item placed on their Committee's agenda".

#### Amendments

Rule 17.1, replace the words "no later than one week before the opening of the Assembly" by "**no later than 15 days before the opening of the Assembly**".

### **3. Amendments to the Rules of the Standing Committees**

#### Reports

Rule 12.1, amend as follows:

"The Assembly shall appoint rapporteurs for each Standing Committee who will prepare a report **or reports** on the item placed on their Committee's agenda".

#### Amendments

Rule 18, add a new Rule 18.1 bis as follows:

"**Ibis. In exceptional circumstances, a new amendment may be considered for inclusion by the Committee if it incorporates a significant and/or recent development highlighted during the Committee debate and meets with broad consensus among the Committee members.**"

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

### 10<sup>th</sup> ANNIVERSARY OF THE ADOPTION OF THE UNIVERSAL DECLARATION ON DEMOCRACY

*Declaration adopted by acclamation by the IPU Governing Council  
at its 181<sup>st</sup> session (Geneva, 10 October 2007)*

We hail the great progress that has been made in strengthening democracy worldwide in the last ten years. We welcome the emergence of an increasing number of parliaments and their contribution to democracy.

We are concerned, however, that in many countries parliament, the central institution of democracy, is experiencing a crisis of legitimacy. Democracy itself is facing serious challenges, including certain effects of globalization, poverty, violations of human rights, corruption and terrorism.

We reaffirm the validity of the principles, precepts and values enshrined in the Universal Declaration on Democracy and invite the world parliamentary community to redouble its efforts to promote and defend them.

We solemnly affirm the Inter-Parliamentary Union's resolve to continue to promote democracy in its broadest sense, and in particular to pursue its efforts to help parliaments become ever more representative, transparent, accessible, accountable and effective.

**BUDGET OF THE INTER-PARLIAMENTARY UNION FOR THE YEAR 2008**

*Approved by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)*

**Approved 2008 operating budget**

	2006 actual (CHF)	2007 revised (CHF)	2008 budget	
			(CHF)	(Tonnes CO2e)
<b>REVENUES</b>				
Membership Fees	10,544,590	10,977,720	11,354,900	
Staff Assessment	1,081,801	1,340,900	1,255,900	
Other Revenues	99,632	20,000	70,000	
Voluntary Contributions	836,624	5,118,100	7,450,000	
<b>Total Revenue</b>	<b>12,562,647</b>	<b>17,456,720</b>	<b>20,131,400</b>	
<b>EXPENSES</b>				
Executive Office	1,124,755	1,146,800	1,190,500	138
Assembly Affairs	2,499,672	2,929,920	2,782,900	503
Promotion of Democracy	2,996,355	3,636,900	3,713,800	274
-- Voluntary Funds	836,624	5,118,100	7,450,000	2,028
External Relations	2,169,628	2,260,000	2,356,500	97
Support Services	2,331,332	2,289,000	2,366,600	120
Grants and Reserve Contributions	604,281	76,000	271,100	0
<b>Total Expenses</b>	<b>12,562,647</b>	<b>17,456,720</b>	<b>20,131,400</b>	<b>3,160</b>

**Approved 2008 capital budget**

	2006 actual (CHF)	2007 revised (CHF)	2008 budget (CHF)
<b>CAPITAL EXPENDITURES</b>			
Information technology	32,989	35,000	35,000
Furnishings	11,377	15,000	15,000
Vehicle			50,000
<b>Total Capital Expenditures</b>	<b>44,366</b>	<b>50,000</b>	<b>100,000</b>

**SPENDING ESTIMATES BY OBJECT OF EXPENDITURE FOR REGULAR FUNDS (CHF) FOR 2008**

<b>EXPENDITURE ITEM</b>	<b>2006 ACTUAL</b>	<b>2007 REVISED</b>	<b>2008 PROPOSED</b>
Regular staff salaries	5,750,590	6,191,000	6,348,200
Benefits	1,651,614	1,801,100	1,872,700
Staff overheads	(10,795)	96,000	82,800
Overtime payments	94,364	56,000	73,600
Temporary staff	327,834	308,300	307,200
Interpreters	629,837	714,300	659,300
Translations and editing	218,825	284,620	256,600
Other purchased services	95,455	267,000	255,500
Honorariums	33,000	54,000	58,000
Duty travel - transportation	478,533	577,400	680,700
Duty travel - allowances	158,703	193,400	198,200
Duty travel - incidentals	2,427	10,700	5,200
Rent	156,343	146,800	145,600
Heating	26,828	28,400	27,900
Electricity	24,905	37,700	36,300
Water	2,016	2,200	2,100
Buildings and grounds	39,529	55,000	42,400
Insurance	43,509	47,600	42,100
Office vehicles	8,228	8,700	10,000
Office furniture and equipment	8,394	4,600	5,900
Equipment maintenance	26,185	5,900	11,500
Equipment rental/leasing	160,252	105,100	69,700
Conference venue services	108,437	104,400	104,300
Stationery	50,675	50,400	52,000
Miscellaneous office supplies	16,431	28,400	20,400
Sundry expenses	29,999	13,200	10,200
Telephone/Telefax	71,063	82,400	77,800
Postage	139,120	128,700	133,300
Courier services	10,985	20,900	18,700
Freight	16,323	37,600	28,300
Internet connection	36,793	37,900	31,300
Computer hardware maintenance	17,147	14,800	14,300
Computer software/supplies/service	34,023	35,000	30,500
Publishing	96,726	166,600	182,200
Web site technical maintenance	3,366	7,500	7,500
Online databases	34,504	40,000	50,000
Library acquisitions	17,025	16,200	17,400
Information activities	23,604	10,500	4,000
Official hospitality	80,829	94,900	96,200
Bank charges	27,601	4,000	17,200
Audit costs	4,962	5,000	4,900
Grants	55,194	92,200	75,000
Amortization	375,554	331,200	344,500
Allowance for Doubtful Accounts	119,306	290,000	114,900
Reserves	429,780	(269,000)	55,000
<b>TOTAL EXPENSES</b>	<b>11,726,023</b>	<b>12,338,620</b>	<b>12,681,400</b>

## SPENDING ESTIMATES BY OBJECT OF EXPENDITURE FOR VOLUNTARY FUNDS (CHF) FOR 2008

EXPENDITURE ITEM	2006 ACTUAL	2007 REVISED	2008 PROPOSED
Regular staff salaries		545,300	369,700
Benefits		191,200	109,100
Staff overheads		-	4,800
Overtime payments		1,000	46,400
Temporary and contract employees		490,800	77,000
Interpreters		166,500	1,188,000
Translations and editing		169,500	954,000
Other purchased services		1,445,200	403,000
Honorariums		14,000	14,000
Duty travel - transportation		999,300	1,851,000
Duty travel - allowances		394,400	990,000
Duty travel - incidentals		12,800	82,000
Rent		35,100	12,000
Office vehicles		11,700	-
Office furniture and equipment		133,400	-
Conference venue services		171,700	135,000
Miscellaneous office supplies		66,700	21,000
Sundry expenses		7,000	5,000
Postage		9,600	75,000
Courier services		-	52,000
Freight		7,800	-
Publishing		212,500	875,000
Library acquisitions		13,700	-
Information activities		37,100	17,000
Official hospitality		19,000	168,000
Bank charges		-	1,000
Grants		(37,200)	-
<b>TOTAL EXPENSES</b>	<b>836,624</b>	<b>5,118,100</b>	<b>7,450,000</b>

## CONSOLIDATED SPENDING ESTIMATES BY OBJECT OF EXPENDITURE (CHF)

EXPENDITURE ITEM	2006 ACTUAL	2007 REVISED	2008 PROPOSED
Regular staff salaries	5,750,590	6,736,300	6,717,900
Benefits	1,651,614	1,992,300	1,981,800
Staff overheads	(10,795)	96,000	87,600
Overtime payments	94,364	57,000	120,000
Temporary and contract employees	327,834	799,100	384,200
Interpreters	629,837	880,800	1,847,300
Translations and editing	218,825	454,120	1,210,600
Other purchased services	95,455	1,712,200	658,500
Honorariums	33,000	68,000	72,000
Duty travel - transportation	478,533	1,576,700	2,531,700
Duty travel - allowances	158,703	587,800	1,188,200
Duty travel - incidentals	2,427	23,500	87,200
Rent	156,343	181,900	157,600
Heating	26,828	28,400	27,900
Electricity	24,905	37,700	36,300
Water	2,016	2,200	2,100
Buildings and grounds	39,529	55,000	42,400
Insurance	43,509	47,600	42,100
Office vehicles	8,228	20,400	10,000
Office furniture and equipment	8,394	138,000	5,900
Equipment maintenance and repair	26,185	5,900	11,500
Equipment rental/leasing	160,252	105,100	69,700
Conference venue services	108,437	276,100	239,300
Stationery	50,675	50,400	52,000
Miscellaneous office supplies	16,431	95,100	41,400
Sundry expenses	29,999	20,200	15,200
Telephone/Telefax	71,063	82,400	77,800
Postage	139,120	138,300	208,300
Courier services	10,985	20,900	70,700
Freight	16,323	45,400	28,300
Internet connection	36,793	37,900	31,300
Computer hardware maintenance	17,147	14,800	14,300
Computer software/supplies/service	34,023	35,000	30,500
Publishing	96,726	379,100	1,057,200
Web site technical maintenance	3,366	7,500	7,500
Online databases	34,504	40,000	50,000
Library acquisitions	17,025	29,900	17,400
Information activities	23,604	47,600	21,000
Official hospitality	80,829	113,900	264,200
Bank charges	27,601	4,000	18,200
Audit costs	4,962	5,000	4,900
Grants	55,194	55,000	75,000
Amortization	375,554	331,200	344,500
Allowance for Doubtful Accounts	119,306	290,000	114,900
Extra-budgetary expenditures	836,624		
Reserves	429,780	(269,000)	55,000
<b>TOTAL EXPENSES</b>	<b>12,562,647</b>	<b>17,456,720</b>	<b>20,131,400</b>

**APPROVED PROGRAMME AND BUDGET FOR 2008****TABLE OF CONTRIBUTIONS TO THE BUDGET OF THE  
INTER-PARLIAMENTARY UNION FOR THE YEAR 2008**

*Approved by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)*

Member or Associate Member	UN Scale	Old Scale (2006)		Proposed Scale (2008)		Target
		Points	Per cent	Per cent	CHF	Per cent
Afghanistan	0.001%			0.181%	CHF 20,600	0.10%
Albania	0.006%	0.20	0.22%	0.190%	CHF 21,660	0.13%
Algeria	0.085%	0.33	0.36%	0.347%	CHF 39,460	0.31%
Andorra	0.008%	0.20	0.22%	0.190%	CHF 21,660	0.13%
Angola	0.003%	0.20	0.22%	0.186%	CHF 21,200	0.11%
Argentina	0.325%	0.69	0.76%	0.740%	CHF 84,190	0.69%
Armenia	0.002%	0.26	0.29%	0.228%	CHF 25,920	0.11%
Australia	1.787%	1.50	1.65%	1.857%	CHF 211,280	2.27%
Austria	0.887%	0.84	0.92%	1.073%	CHF 122,040	1.37%
Azerbaijan	0.005%	0.35	0.39%	0.298%	CHF 33,860	0.12%
Bahrain	0.033%	0.22	0.24%	0.224%	CHF 25,440	0.20%
Bangladesh	0.010%	0.20	0.22%	0.193%	CHF 21,980	0.14%
Belarus	0.020%	0.48	0.53%	0.410%	CHF 46,620	0.17%
Belgium	1.102%	1.11	1.22%	1.348%	CHF 153,290	1.60%
Benin	0.001%	0.20	0.22%	0.181%	CHF 20,600	0.10%
Bolivia	0.006%	0.20	0.22%	0.190%	CHF 21,610	0.13%
Bosnia and Herzegovina	0.006%	0.23	0.25%	0.213%	CHF 24,220	0.13%
Botswana	0.014%	0.20	0.22%	0.197%	CHF 22,450	0.15%
Brazil	0.876%	1.57	1.73%	1.606%	CHF 182,650	1.35%
Bulgaria	0.020%	0.30	0.33%	0.278%	CHF 31,670	0.17%
Burkina Faso	0.002%	0.20	0.22%	0.184%	CHF 20,900	0.11%
Burundi	0.001%	0.20	0.22%	0.180%	CHF 20,490	0.10%
Cambodia	0.001%	0.20	0.22%	0.181%	CHF 20,600	0.10%
Cameroon	0.009%	0.20	0.22%	0.193%	CHF 21,980	0.14%
Canada	2.977%	2.89	3.18%	3.222%	CHF 366,540	3.30%
Cape Verde	0.001%	0.20	0.22%	0.180%	CHF 20,490	0.10%
Chile	0.161%	0.26	0.29%	0.340%	CHF 38,690	0.44%
China	2.667%	0.86	0.95%	1.651%	CHF 187,780	3.04%
Colombia	0.105%	0.30	0.33%	0.338%	CHF 38,470	0.35%
Congo	0.001%	0.20	0.22%	0.181%	CHF 20,600	0.10%
Costa Rica	0.032%	0.20	0.22%	0.215%	CHF 24,440	0.20%
Côte d'Ivoire	0.009%	0.20	0.22%	0.193%	CHF 21,980	0.14%
Croatia	0.050%	0.29	0.32%	0.298%	CHF 33,860	0.24%
Cuba	0.054%	0.27	0.30%	0.286%	CHF 32,500	0.25%
Cyprus	0.044%	0.21	0.23%	0.230%	CHF 26,200	0.23%
Czech Republic	0.281%	0.50	0.55%	0.576%	CHF 65,570	0.63%
Dem. People's Rep. of Korea	0.007%	0.23	0.25%	0.212%	CHF 24,170	0.13%
Dem. Rep. of the Congo	0.003%	0.20	0.22%	0.184%	CHF 20,980	0.11%
Denmark	0.739%	0.75	0.83%	0.951%	CHF 108,150	1.20%
Dominican Republic	0.024%	0.22	0.24%	0.222%	CHF 25,260	0.18%
Ecuador	0.021%	0.22	0.24%	0.221%	CHF 25,180	0.17%
Egypt	0.088%	0.25	0.28%	0.291%	CHF 33,120	0.32%
El Salvador	0.020%	0.20	0.22%	0.204%	CHF 23,160	0.17%
Estonia	0.016%	0.25	0.28%	0.238%	CHF 27,110	0.16%
Ethiopia	0.003%	0.20	0.22%	0.184%	CHF 20,980	0.11%
Fiji	0.003%	0.20	0.22%			
Finland	0.564%	0.69	0.76%	0.839%	CHF 95,470	1.00%

Member or Associate Member	UN Scale	Old Scale (2006)		Proposed Scale (2008)		Target
		Points	Per cent	Per cent	CHF	Per cent
France	6.301%	5.39	5.93%	5.884%	CHF 669,320	5.78%
Gabon	0.008%	0.20	0.22%	0.191%	CHF 21,710	0.13%
Gambia	0.001%			0.180%	CHF 20,490	0.10%
Georgia	0.003%	0.29	0.32%	0.251%	CHF 28,500	0.11%
Germany	8.577%	7.93	8.73%	8.245%	CHF 937,960	7.27%
Ghana	0.004%	0.20	0.22%	0.187%	CHF 21,260	0.12%
Greece	0.596%	0.49	0.54%	0.704%	CHF 80,040	1.03%
Guatemala	0.032%	0.21	0.23%	0.221%	CHF 25,160	0.20%
Guinea	0.001%	0.20	0.22%			
Hungary	0.244%	0.35	0.39%	0.447%	CHF 50,870	0.57%
Iceland	0.037%	0.22	0.24%	0.232%	CHF 26,350	0.21%
India	0.450%	0.50	0.55%	0.652%	CHF 74,200	0.85%
Indonesia	0.161%	0.33	0.36%	0.396%	CHF 45,040	0.44%
Iran (Islamic Republic of)	0.180%	0.86	0.95%	0.793%	CHF 90,200	0.48%
Ireland	0.445%	0.35	0.39%	0.540%	CHF 61,420	0.85%
Israel	0.419%	0.39	0.43%	0.557%	CHF 63,330	0.81%
Italy	5.079%	3.91	4.30%	4.511%	CHF 513,100	4.92%
Japan	16.624%	10.55	11.61%	11.663%	CHF 1,326,770	11.75%
Jordan	0.012%	0.20	0.22%	0.197%	CHF 22,350	0.15%
Kazakhstan	0.029%	0.45	0.50%	0.396%	CHF 45,060	0.19%
Kenya	0.010%	0.20	0.22%	0.194%	CHF 22,030	0.14%
Kuwait	0.182%	0.41	0.45%	0.461%	CHF 52,400	0.48%
Kyrgyzstan	0.001%	0.22	0.24%	0.195%	CHF 22,170	0.10%
Lao People's Democratic Rep.	0.001%	0.20	0.22%	0.180%	CHF 20,490	0.10%
Latvia	0.018%	0.28	0.31%	0.261%	CHF 29,700	0.16%
Lebanon	0.034%	0.20	0.22%	0.220%	CHF 25,010	0.21%
Liberia	0.001%	0.20	0.22%	0.180%	CHF 20,490	0.10%
Libyan Arab Jamahiriya	0.062%	0.40	0.44%	0.384%	CHF 43,680	0.27%
Liechtenstein	0.010%	0.20	0.22%	0.193%	CHF 21,980	0.14%
Lithuania	0.031%	0.30	0.33%	0.290%	CHF 32,930	0.20%
Luxembourg	0.085%	0.24	0.26%	0.280%	CHF 31,800	0.31%
Madagascar	0.002%	0.20	0.22%	0.184%	CHF 20,900	0.11%
Malaysia	0.190%	0.30	0.33%	0.386%	CHF 43,910	0.49%
Maldives	0.001%	0.20	0.22%	0.180%	CHF 20,490	0.10%
Mali	0.001%	0.20	0.22%	0.181%	CHF 20,600	0.10%
Malta	0.017%	0.20	0.22%	0.200%	CHF 22,760	0.16%
Mauritius	0.011%	0.20	0.22%	0.194%	CHF 22,080	0.14%
Mexico	2.257%	0.95	1.05%	1.594%	CHF 181,340	2.69%
Monaco	0.003%	0.20	0.22%	0.184%	CHF 20,900	0.11%
Mongolia	0.001%	0.20	0.22%	0.180%	CHF 20,490	0.10%
Montenegro	0.001%			0.181%	CHF 20,600	0.10%
Morocco	0.042%	0.22	0.24%	0.236%	CHF 26,850	0.22%
Mozambique	0.001%	0.20	0.22%	0.182%	CHF 20,670	0.10%
Namibia	0.006%	0.20	0.22%	0.190%	CHF 21,610	0.13%
Nepal	0.003%	0.20	0.22%	0.184%	CHF 20,980	0.11%
Netherlands	1.873%	1.49	1.64%	1.874%	CHF 213,230	2.34%
New Zealand	0.256%	0.40	0.44%	0.490%	CHF 55,770	0.59%
Nicaragua	0.002%	0.20	0.22%	0.184%	CHF 20,900	0.11%
Niger	0.001%	0.20	0.22%	0.180%	CHF 20,490	0.10%
Nigeria	0.048%	0.30	0.33%	0.302%	CHF 34,400	0.24%
Norway	0.782%	0.67	0.74%	0.908%	CHF 103,350	1.25%
Pakistan	0.059%	0.24	0.26%	0.264%	CHF 30,000	0.26%
Palau	0.001%			0.180%	CHF 20,490	0.10%
Panama	0.023%	0.20	0.22%	0.207%	CHF 23,500	0.18%
Papua New Guinea	0.002%	0.20	0.22%	0.184%	CHF 20,900	0.11%
Paraguay	0.005%	0.20	0.22%	0.187%	CHF 21,320	0.12%

Member or Associate Member	UN Scale	Old Scale (2006)		Proposed Scale (2008)		Target
		Points	Per cent	Per cent	CHF	Per cent
Peru	0.078%	0.24	0.26%	0.277%	CHF 31,510	0.30%
Philippines	0.078%	0.25	0.28%	0.284%	CHF 32,350	0.30%
Poland	0.501%	0.60	0.66%	0.752%	CHF 85,550	0.92%
Portugal	0.527%	0.36	0.40%	0.581%	CHF 66,090	0.95%
Qatar	0.085%	0.23	0.25%	0.272%	CHF 30,960	0.31%
Republic of Korea	2.173%	0.79	0.87%	1.453%	CHF 165,260	2.62%
Republic of Moldova	0.001%	0.30	0.33%	0.255%	CHF 28,960	0.10%
Romania	0.070%	0.34	0.37%	0.347%	CHF 39,460	0.28%
Russian Federation	1.200%	5.50	6.05%	4.528%	CHF 515,070	1.70%
Rwanda	0.001%	0.20	0.22%	0.180%	CHF 20,490	0.10%
Samoa	0.001%	0.20	0.22%	0.180%	CHF 20,490	0.10%
San Marino	0.003%	0.20	0.22%	0.184%	CHF 20,900	0.11%
Sao Tome and Principe	0.001%	0.20	0.22%	0.180%	CHF 20,490	0.10%
Saudi Arabia	0.748%	1.02	1.12%	1.153%	CHF 131,180	1.21%
Senegal	0.004%	0.20	0.22%	0.187%	CHF 21,260	0.12%
Serbia	0.021%	0.33	0.36%	0.299%	CHF 34,060	0.17%
Singapore	0.347%	0.30	0.33%	0.460%	CHF 52,310	0.72%
Slovakia	0.063%	0.28	0.31%	0.300%	CHF 34,080	0.27%
Slovenia	0.096%	0.27	0.30%	0.308%	CHF 35,070	0.33%
Somalia	0.001%	0.20	0.22%	0.180%	CHF 20,490	0.10%
South Africa	0.290%	0.54	0.59%	0.612%	CHF 69,660	0.64%
Spain	2.968%	1.91	2.10%	2.500%	CHF 284,340	3.29%
Sri Lanka	0.016%	0.20	0.22%	0.200%	CHF 22,760	0.16%
Sudan	0.010%	0.20	0.22%	0.193%	CHF 21,980	0.14%
Suriname	0.001%	0.20	0.22%	0.180%	CHF 20,490	0.10%
Sweden	1.071%	1.15	1.27%	1.365%	CHF 155,230	1.56%
Switzerland	1.216%	1.20	1.32%	1.451%	CHF 165,110	1.71%
Syrian Arab Republic	0.016%	0.23	0.25%	0.222%	CHF 25,270	0.16%
Tajikistan	0.001%	0.21	0.23%	0.187%	CHF 21,320	0.10%
Thailand	0.186%	0.29	0.32%	0.376%	CHF 42,760	0.48%
The FYR of Macedonia	0.005%	0.20	0.22%	0.187%	CHF 21,320	0.12%
Togo	0.001%	0.20	0.22%	0.180%	CHF 20,490	0.10%
Tunisia	0.031%	0.22	0.24%	0.228%	CHF 25,970	0.20%
Turkey	0.381%	0.43	0.47%	0.574%	CHF 65,260	0.76%
Uganda	0.003%	0.20	0.22%	0.184%	CHF 20,980	0.11%
Ukraine	0.045%	0.60	0.66%	0.518%	CHF 58,900	0.23%
United Arab Emirates	0.302%	0.37	0.41%	0.491%	CHF 55,850	0.66%
United Kingdom	6.642%	4.54	5.00%	5.337%	CHF 607,070	6.01%
United Republic of Tanzania	0.006%	0.20	0.22%	0.190%	CHF 21,610	0.13%
Uruguay	0.027%	0.23	0.25%	0.232%	CHF 26,440	0.19%
Uzbekistan	0.008%	0.37	0.41%			
Venezuela	0.200%	0.62	0.68%	0.627%	CHF 71,340	0.51%
Viet Nam	0.024%	0.20	0.22%	0.208%	CHF 23,690	0.18%
Yemen	0.007%	0.20	0.22%	0.191%	CHF 21,710	0.13%
Zambia	0.001%	0.20	0.22%	0.181%	CHF 20,600	0.10%
Zimbabwe	0.008%	0.20	0.22%	0.191%	CHF 21,710	0.13%
Andean Parliament		0.02	0.02%	0.015%	CHF 1,720	0.01%
Central American Parliament		0.01	0.02%	0.010%	CHF 1,160	0.01%
East African Legislative Assembly		0.01	0.01%	0.010%	CHF 1,130	0.01%
European Parliament		0.10	0.11%	0.100%	CHF 11,400	0.09%
Latin American Parliament		0.02	0.02%	0.024%	CHF 2,690	0.03%
Parliamentary Assembly of the Council of Europe		0.06	0.07%	0.056%	CHF 6,350	0.03%
ECOWAS Parliament		0.01	0.01%	0.010%	CHF 1,150	0.01%
<b>TOTAL</b>		<b>90.86</b>	<b>100.00%</b>	<b>99.82%</b>	<b>CHF 11,354,900</b>	<b>99.63%</b>

## COOPERATION WITH THE UNITED NATIONS SYSTEM

### *List of activities undertaken by the IPU between 5 May and 8 October 2007*

*Noted by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)*

#### United Nations

- Resolutions from the 116<sup>th</sup> IPU Assembly were circulated to the United Nations General Assembly in all six official languages of the United Nations and with access from both the IPU and UN websites.
- Further to the Declaration on Climate Change issued at the 116<sup>th</sup> IPU Assembly, the IPU launched a global parliamentary campaign to raise awareness about the issue of global warming and lend its support to related efforts by the United Nations. The campaign was announced to coincide with the visit to IPU Headquarters in Geneva by the United Nations Secretary-General (UNSG), Mr. Ban Ki-moon, on 6 July. The IPU followed the three-day thematic debate of the General Assembly on climate change that was held at the end of July. The IPU Secretary General also attended the special event on climate change that Mr. Ban organized for Heads of States and Government during their annual gathering in New York in September.
- The visit to IPU Headquarters by the UNSG provided an opportunity for discussion of the partnership and future cooperation between the two organizations. Efforts are currently underway for the UNSG to attend the 118<sup>th</sup> Assembly of the IPU, to be held in April 2008 in Cape Town, South Africa.
- Consultations were held with United Nations officials, including the President of the General Assembly (PGA), to set the stage for the first ever *joint* UN-IPU Parliamentary Hearing at the United Nations. Scheduled to take place in New York on 20 and 21 November, the Hearing will focus on the theme of *Reinforcing the rule of law in international relations: the key role of parliaments*. A first letter of invitation, signed jointly by the President of the UN General Assembly and the President of the IPU, was sent out in early August to all Speakers of parliaments.
- The IPU continued to work closely with the UN Peacebuilding Commission, particularly on the country-specific configurations for Burundi and Sierra Leone. The IPU facilitated a retreat of parliamentary political party leaders in Gitega, Burundi (June 2007), and finalized preparations for a needs assessment mission to Sierra Leone following the general elections there (October 2007).
- An IPU delegation of four MPs attended the launch event in Geneva of the new Development Cooperation Forum (DCF) of the Economic and Social Council (ECOSOC) on 5 July. The delegation was headed by the Deputy Speaker of the Parliament of Uganda, Ms. Rebecca Kadaga. To further signal the IPU's commitment to support the nascent DCF, the IPU Secretary General joined the Advisory Group on the DCF, which is chaired by the United Nations Under-Secretary-General for Economic and Social Affairs, Mr. Sha Zukang. Further discussions on how parliaments can be involved in the work of the DCF will continue in autumn.
- On 25 June, in cooperation with the Austrian Parliament, the IPU held a one-day Parliamentary Forum as a contribution to the 7<sup>th</sup> Global Forum on Reinventing Government, organized by the United Nations (Vienna, 26-29 June). On that occasion, a capacity-building workshop on *Improving the Quality of the Electoral and Parliamentary Process* was held in cooperation with the International Institute for Democracy and Electoral Assistance (IDEA) and the International Foundation for Election Systems (IFES).

- In May, the IPU and the United Nations Department for Economic and Social Affairs (UNDESA) co-facilitated a meeting of the sub-group on "ICT and Parliaments" as part of the follow-up to the World Summit on the Information Society under Action Line C1, "The role of public governance authorities and all stakeholders in the promotion of ICTs for development".
- The IPU worked with UNDESA to prepare the World e-Parliament Conference and related meetings, which will take place from 10 to 12 October 2007. The conference will be co-organized with the Association of Secretaries General of Parliaments, through the Global Centre for ICT in Parliament.
- Work on the Handbook for Parliamentarians on the Convention on the Rights of Persons with Disabilities and its Optional Protocol was completed. The Handbook, produced in cooperation with UNDESA and the Office of the United Nations High Commissioner for Human Rights (OHCHR), will be launched at the 117<sup>th</sup> Assembly in Geneva in the original English language. Arabic, French and Spanish translations will be issued in the first quarter of 2008.
- Discussions on a joint UN-IPU project on parliamentary groups in support of the Brussels Programme of Action for the Least Developed Countries continued following the appointment of a new United Nations High Representative for the LDCs, Mr. Cheick Sidi Diarra, in June. The project's pilot phase will start in December with a meeting involving 10 parliaments from the LDC group.
- The IPU had a first discussion with the UN Electoral Assistance Division on possible cooperation in helping monitor the November parliamentary elections in Nepal and assisting with a smooth transition of power in the days immediately following the elections.
- As a follow-up to the Bali resolution on "Ensuring respect for and peaceful coexistence between all religious communities and beliefs in a globalized world", the IPU joined the Group of Friends of the Alliance of Civilizations (AoC - initiative sponsored by Spain and Turkey, for which Mr. Jorge Sampaio, former President of Portugal was recently appointed UN High Representative). The President of the IPU was subsequently invited to attend a high-level AoC meeting in New York, on the occasion of the 2007 General Debate (26 September).

#### UNDP

- Consultations continued on a comprehensive Memorandum of Understanding (MOU) between the IPU and UNDP, to be formally signed once approved by the IPU governing bodies.
- The IPU continued to work with UNDP country offices to implement programmes of assistance to the parliaments of Burundi, Egypt, Lao People's Democratic Republic, Pakistan and Timor-Leste, to name but a few.

#### UNDEF

- The IPU launched a project of assistance to women parliamentarians of Burundi with funding from UNDEF. A seminar entitled *Parliament and gender equality* was held in Bujumbura on 18 and 19 June 2007.
- The IPU launched a programme of assistance to French-speaking African parliaments to promote parliamentary involvement in the implementation of human rights treaties. The official launch took place during a seminar for the parliaments concerned, hosted by the National Assembly of Burkina Faso from 1 to 3 October. That programme was also funded by UNDEF.

## UNICEF

- The IPU and UNICEF joined forces to organize a regional seminar in Islamabad, Pakistan (June 2007) on "Developing a protective environment for South Asian children: The role of parliamentarians in the protection of children in the Juvenile Justice System". A regional guide for parliamentarians on *Improving the protection of children in conflict with the law in South Asia* was launched by UNICEF and the IPU on that occasion.
- The IPU was invited to address the Executive Board of UNICEF in early September and present their proposed programme of cooperation. The proposal was well received and fundraising has now begun to help bring it to fruition.
- The IPU is also working with UNICEF to organize a panel discussion at the United States Congress on 23 October on violence against girls with the participation of prominent MPs from a number of countries.

## UNAIDS

- Members of the IPU Advisory Group on HIV/AIDS undertook a first field visit to Brazil in June to assess realities on the ground as well as to identify policies to better deal with the pandemic. In cooperation with UNAIDS, a panel discussion was later held at the United States Congress, with the participation of the Chair of the House Sub-committee on Africa and Global Health and the Co-Chair of the Congressional Global Health Caucus.
- Work on a joint IPU-UNAIDS-UNDP Handbook for Parliamentarians is heading towards completion. The publication will be launched at the First Global Parliamentary Meeting on HIV/AIDS to be held in Manila at the end of November.

## UNCTAD

- On 2 October, an IPU representative addressed the 54<sup>th</sup> session of the Trade and Development Board of UNCTAD. The presentation focused on the parliamentary contribution to the ongoing process of preparation for the UNCTAD XII session, to be held in Accra (Ghana) in April 2008.

## International Labour Organization (ILO)

- The IPU has been working to implement the Joint Programme of Work which the ILO and the IPU agreed to carry out in order to mobilize parliaments around the ILO Decent Work Agenda. Preparations are underway for a joint ILO-IPU meeting to be held on the eve of the ILO Forum on Decent Work for a Fair Globalization (Lisbon, 31 October to 2 November 2007).

## World Trade Organization (WTO)

- A two-day meeting of the Steering Committee of the Parliamentary Conference on the WTO was held in Geneva in June with the participation of the WTO Director-General, Mr. Pascal Lamy.
- A further session of the Steering Committee took place on 3 October in Geneva. Its programme included a hearing with Ambassadors of the G4 group of countries (Brazil, EU, India and USA). The Ambassadors of New Zealand and Canada were invited in their capacity as chairpersons of WTO negotiation groups dealing respectively with agriculture and non-agricultural market access.
- On 4 October, the IPU and the European Parliament jointly organized a parliamentary panel within the framework of the WTO Public Forum 2007. The theme of the parliamentary panel was "Trade and climate change: Is trade killing our planet?"

## FUTURE MEETINGS AND OTHER ACTIVITIES

*Approved by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)*

Seminar for members of parliamentary committees on human rights and other committees addressing migration issues "Migration: the human rights perspective"	GENEVA (IPU Headquarters) 24-26 October 2007
Regional conference for women parliamentarians of the GCC States	ABU DHABI (United Arab Emirates) 30-31 October 2007
Preparatory meeting of parliamentarians dealing with employment issues on the eve of the ILO Forum on Decent Work for a Fair Globalization (1-2 November)	LISBON (Portugal) 31 October 2007
Information seminar on the structure and functioning of the Inter-Parliamentary Union (for English speaking participants)	GENEVA (IPU Headquarters) 5-9 November 2007
Annual Parliamentary Hearing at the United Nations "Reinforcing the Rule of Law in International Relations: The Key Role of Parliaments"	NEW YORK (UN Headquarters) 20-21 November 2007
Regional Capacity-building Seminar for Asian Parliaments on Sustainable Development	VIENTIANE (Lao People's Democratic Republic) 26-28 November 2007
First global parliamentary meeting on HIV/AIDS	MANILA (Philippines) 28-30 November 2007
Regional seminar for parliaments in southern Africa on security sector reform	LUANDA (Angola) November 2007
Regional workshop for Latin American parliamentarians on trade negotiations sponsored by the IPU	MONTEVIDEO (Uruguay) 5-7 December 2007
Meeting of parliamentary bodies dealing with the status of women and gender equality	GENEVA 6-8 December 2007
120 <sup>th</sup> session of the Committee on the Human Rights of Parliamentarians	GENEVA (IPU Headquarters) January 2008
Seminar on Reconciliation and Rule of Law in Central America	SAN SALVADOR (El Salvador) 7-8 February 2008
Parliamentary Forum to Fight Human Trafficking	VIENNA (Austria) 12 February 2008
Parliamentary meeting on the occasion of the 52 <sup>nd</sup> session of the Commission on the Status of Women	NEW YORK (UN Headquarters) 27 or 28 February 2008
Regional Seminar on the Political Empowerment of Women	MONTEVIDEO (Uruguay) March 2008

International Forum on ICT, e-accessibility and the Convention on the Rights of Persons with Disabilities - a development perspective	GENEVA March 2008
118 <sup>th</sup> Assembly and Related Meetings	CAPE TOWN (South Africa) 13-18 April 2008
17 <sup>th</sup> session of the Steering Committee of the Parliamentary Conference on the WTO	GENEVA (IPU Headquarters) First half of 2008
Annual session of the Parliamentary Conference on the WTO	Venue to be decided First half of 2008
121 <sup>st</sup> session of the Committee on the Human Rights of Parliamentarians	GENEVA (IPU Headquarters) July 2008
Meeting of the Advisory Group of the IPU Committee on United Nations Affairs	GENEVA (IPU Headquarters) Summer 2008
Eighth Workshop of Parliamentary Scholars and Parliamentarians sponsored by the IPU	OXFORDSHIRE (United Kingdom) 26-27 July 2008
18 <sup>th</sup> session of the Steering Committee of the Parliamentary Conference on the WTO	GENEVA (IPU Headquarters) Second half of 2008
119 <sup>th</sup> Assembly and Related Meetings	GENEVA 13-15 October 2008
Parliamentary seminar on the Convention on the Elimination of All Forms of Discrimination against Women	GENEVA (IPU Headquarters) October 2008
Annual Parliamentary Hearing at the United Nations	NEW YORK (UN Headquarters) November 2008
Regional Parliamentary seminar on child protection for EU/CIS countries	Venue and date to be decided
Third meeting of parliamentary bodies dealing with the status of women and gender equality	GENEVA (IPU Headquarters) Second half of 2008
Seminar for members of parliamentary committees on human rights	GENEVA (IPU Headquarters) Second half of 2008

### **Invitations received for future Assemblies**

ADDIS ABABA (Ethiopia)

CARACAS (Venezuela)

## **AGENDA OF THE 118<sup>th</sup> ASSEMBLY**

**(Cape Town, South Africa, 13-18 April 2008)**

*Approved by the 117<sup>th</sup> IPU Assembly  
(Geneva, 10 October 2007)*

1. Election of the President and Vice-Presidents of the 118<sup>th</sup> Assembly
2. Consideration of possible requests for the inclusion of an emergency item in the Assembly agenda
3. General debate on the political, economic and social situation in the world with the overall theme of *pushing back the frontiers of poverty*
4. The role of parliaments in striking a balance between national security, human security and individual freedoms, and in averting the threat to democracy  
*(Standing Committee on Peace and International Security)*
5. Parliamentary oversight of State policies on foreign aid  
*(Standing Committee on Sustainable Development, Finance and Trade)*
6. Migrant workers, people trafficking, xenophobia and human rights  
*(Standing Committee on Democracy and Human Rights)*
7. Approval of the subject items for the 120<sup>th</sup> Assembly and appointment of the Rapporteurs

**LIST OF INTERNATIONAL ORGANIZATIONS AND OTHER BODIES INVITED  
TO FOLLOW THE WORK OF THE 118<sup>th</sup> ASSEMBLY AS OBSERVERS**

*Approved by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)*

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Palestine

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

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

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ACP-EU Joint Parliamentary Assembly (JPA)  
African Parliamentary Union (APU)  
AMANI Forum - The Great Lakes Parliamentary Forum on Peace  
Amazonian Parliament  
Arab Inter-Parliamentary Union  
ASEAN Inter-Parliamentary Assembly (AIPA)  
Asian Parliamentary Assembly (APA)  
Assemblée parlementaire de la Francophonie  
Assembly of the Western European Union (WEU)  
Association of Senates Shoorā and Equivalent Councils in Africa and the Arab World (ASSECAA)  
Baltic Assembly  
Commonwealth Parliamentary Association (CPA)  
Confederation of Parliaments of the Americas (COPA)  
European Parliamentarians for Africa (AWEPA)  
Indigenous Parliament of the Americas  
Inter-Parliamentary Assembly of the Commonwealth of Independent States  
Inter-Parliamentary Assembly of the Eurasian Economic Community (EURASEC)  
Interparliamentary Assembly on Orthodoxy (IAO)  
Inter-Parliamentary Commission of the Economic and Monetary Community of Central Africa (CEMAC)  
Inter-Parliamentary Committee of the West African Economic and Monetary Union (WAEMU)  
Inter-Parliamentary Council against Antisemitism  
Maghreb Consultative Council  
Nordic Council  
Pan-African Parliament (PAP)

Parliamentary Assembly of the Black Sea Economic Co-operation (PABSEC)  
Parliamentary Assembly of the Organization of the Collective Security Treaty (OCST)  
Parliamentary Assembly of the Organization for Security and Co-operation in Europe (OSCE)  
Parliamentary Assembly of the Union of Belarus and the Russian Federation  
Parliamentary Association for Euro-Arab Co-operation (PAEAC)  
Parliamentary Union of the Organization of the Islamic Conference Member States (PUOICM)  
Southern African Development Community (SADC) Parliamentary Forum  
Transitional Arab Parliament (TAP)

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Centrist Democrat International (CDI)

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Amnesty International  
International Committee of the Red Cross (ICRC)  
International Federation of Red Cross and Red Crescent Societies (IFRC)  
World Federation of United Nations Associations (WFUNA)

## Resolutions Concerning the Human Rights of Parliamentarians

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

#### *Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session (Geneva, 10 October 2007)*

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Shah Ams Kibria, a member of the National Parliament of Bangladesh who was assassinated in January 2005, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Taking account* of the communication from the Ministry of Home Affairs, conveyed by the Secretary of the Parliament of Bangladesh on 8 October 2007, in addition to communications from Mr. Kibria's family of 16 August and 4 October 2007,

*Recalling* that the investigation into the grenade attack of 27 January 2006, which took Mr. Kibria's life, was closed in April 2006 and applications made by Mr. Kibria's family for further investigations were rejected; that the investigation was reopened in March 2007 on the ground that additional and significant information had emerged suggesting the involvement of other persons who had yet to be investigated,

*Considering* that this information was confirmed in the communication from the Home Ministry, which provided the following details: intelligence operatives on several occasions voiced suspicion that Islamist militants might have links to some of the explosions that took place in Bangladesh and that, as a result, three suspected Islamist militants of the fundamentalist group Horkatul Jihad were arrested on 19 November 2006; from their confessional statements, the investigators learnt that they had collected several grenades to eliminate Awami League leaders; further investigations were started on 26 February 2007 owing to new leads that had emerged; on 6 May 2007, the investigation officer was changed and ASP M. Rafiqul Islam of the Central Investigation Department (CID) took over; a team comprising senior officials of the Rapid Action Battalion, CID, National Security Intelligence, Directorate General of Forces Intelligence and District Police was formed to coordinate the further investigation; the name and whereabouts of three absconding suspects were collected and a full, effective and thorough investigation was conducted to bring to book both the perpetrators and the instigators of this crime,

*Considering further* that, according to the Home Ministry, four of the arrested suspects, namely Mohammad Jamir Ali, Abedin Momin, Tajul Islam and Shahed Ali, gave confessional statements while the main accused Abdul Qayyum, Vice-President of district Bangladesh National Party (BNP), declined to give any statement; *recalling* in this respect the following information already on file: (i) on 16 April 2005, when the police report was being heard by the magistrate, the police refused Mr. Qayyum's request to make a voluntary confession under Article 164 of the Criminal Procedure Code before the magistrate in the absence of any police officers; the magistrate had passed an order to allow him to make such a statement, but the order was then reportedly crossed out by someone and Mr. Qayyum did not make a confessional statement; (ii) on 26 January 2006, the High Court Division of the Supreme Court of Bangladesh heard writ petition No. 3201 of 2005 in which the four suspects who had given confessional statements applied to be allowed to retract their statements as they had been obtained under torture; the High Court found no reason "not to give the accused a chance to retract their confessions" and directed the lower court to allow them "to file application before the trial court for retraction of their confessions",

*Noting lastly* that, according to information provided earlier and confirmed by the Home Ministry, the previous government formally requested Interpol, the United States Federal Bureau of Investigation (FBI) and Scotland Yard to join the local investigation into the grenade attack and that one FBI agent travelled to Bangladesh, visited the crime scene and passed on suggestions to the investigating officer,

1. *Thanks* the Home Ministry and the parliamentary authorities for their cooperation and the information provided;
  2. *Reaffirms* that States have the duty to dispense justice and to identify, prosecute and punish the perpetrators of criminal acts and must therefore diligently conduct thorough investigations to this end;
  3. *Is pleased* to note that the authorities are committed to carrying out such an investigation, even though it *regrets* that no tangible results have been achieved so far;
  4. *Would be grateful* in this respect for information regarding the procedural situation of the arrested suspects, with special reference to the retraction of the confessional statements made by four of them and any action taken to allow Mr. Qayyum to make a voluntary confession under Article 164 of the Criminal Procedure Code; *is confident* that the authorities will wish to make sure that they do not maintain in custody individuals who may not be linked to the attack;
  5. *Would also appreciate* information as to any steps the present Government may have taken to follow up on the earlier invitation extended to Interpol and other agencies and to associate foreign investigators with the local investigation;
  6. *Requests* the Secretary General to invite the competent authorities to provide this information;
  7. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).
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#### **CASE No. BGL/15 - SHEIKH HASINA - BANGLADESH**

##### ***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session (Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the outline of the case of Sheikh Hasina, a member of the National Parliament of Bangladesh at the time of the submission of the communication, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Taking account* of the communication from the Ministry of Home Affairs, conveyed by the Secretary of the Parliament of Bangladesh on 8 October 2007, in addition to communications from the source of 6 October 2007,

*Recalling* that Sheikh Hasina, leader of the Awami League (AL) and other AL leaders and members were targeted in a grenade attack of 21 August 2004 during a rally in the centre of Dhaka which killed 25 people, left hundreds maimed for life and severely injured Sheikh Hasina and others; that 20 persons were reportedly arrested and 17 of them released on bail as they had no connection with the attack; that in March 2007 the Caretaker Government registered the case with the Home Ministry's monitoring cell for proper investigation and quick disposal; *considering* that since then, according to media reports, the line of inquiry followed previously, which was based on the alleged confession of a petty criminal, Joj Miah, that the attack was carried out by a criminal gang, turned out to be fabricated and that, according to media reports, investigators have claimed that significant progress has been made in the case,

*Considering* that, according to the Ministry of Home Affairs, during the investigation a powerful committee was formed composed of senior officers of different intelligence agencies to assist the investigation; that three suspects who remain in detention, Joj Miah, Abdul Hashem and Md. Shofiqul made judicial confessions before the court implicating themselves; that they disclosed the names of nine accomplices while

five or six others remained unknown; that some FBI and Interpol officials visited Bangladesh several times and exchanged views with the investigating officials; that the investigating agencies have also been investigating whether any Islamic terrorist groups were involved in this grenade attack and that “all-out efforts are being made to detect the culprits and dispose of the case as early as possible”,

*Considering further* that Sheikh Hasina, who reportedly at the behest of the Caretaker Government had left the country but returned in early May 2007 against its will, was arrested at 5 a.m. on 17 July 2007; a bail petition was granted by the High Court on 7 August 2007, but on appeal was stayed by the Supreme Court on 27 August, thereby authorizing her continuing detention,

*Noting* the following information provided by the source as regards the charges: four criminal cases have been brought against her, three relating to alleged bribery/extortion and one relating to alleged corruption filed by the Anti-Corruption Commission of Bangladesh (ACC) under the Emergency Power Rules 2007 (EPR); the first case is based on a complaint of 9 April 2007 by a businessman who accused her of extorting Taka 30 million from him, but reportedly provided no evidence; the second case is based on a complaint of 13 June 2007 by a managing director of a company, Ali Noor, accusing Sheikh Hasina, her cousin and his wife of extorting Taka 32 million from him; however, the signatures on the back of the cheques, which is mandatory for the withdrawal of the money, are reportedly of neither Sheikh Hasina nor the other accused; the third case was filed, also on 13 June 2007, by another managing director, Azam Chowdhury, against Sheikh Hasina and her cousin Fazlul Karim Selim for allegedly extorting Taka 29.9 million from him; the fourth complaint, filed by the ACC accuses Sheikh Hasina and six others of allegedly having received kickbacks worth Taka 30 million between October 1996 and November 1997; Sheikh Hasina denies all the accusations against her,

*Noting further* that, according to the source, the cases were registered or brought under the Emergency Power Rules 2007 instead of the Bangladesh Criminal Code for the purpose of preventing Sheikh Hasina from engaging in political activity, since the EPR provide for a blanket denial of bail, and possibly from contesting elections since by virtue of Section 11, paragraph 5, any person sentenced at first instance under the Rules is debarred from contesting national or local government elections; *noting* in this context the concerns that have been voiced as to whether the EPR are in conformity with internationally recognized human rights norms such as the presumption of innocence, the prohibition of retroactive criminal laws and equality of arms of the prosecution and the defence,

1. *Thanks* the Ministry of Home Affairs and the parliamentary authorities for their cooperation and the information provided;
2. *Deeply regrets* that, three years after the grenade attack, no tangible results have been achieved regarding identification either of the perpetrators or of the masterminds of this crime; *notes* that, in its report, the Home Ministry makes no reference to the case having been registered with its monitoring cell for speedy disposal and that it also mentions as still valid the confessions of Joj Miah, which according to media reports have turned out to be a fabrication; *would therefore be grateful* for further information in this respect;
3. *Notes with concern* Sheikh Hasina’s arrest and the allegations regarding the judicial proceedings brought against her under the Emergency Power Rules 2007, and *would appreciate* official information about the judicial proceedings under way against her, what possibility she has of preparing her defence, and why the EPR are applied in these cases, particularly since they prevent the granting of bail;
4. *Requests* the Secretary General to invite the competent authorities to provide the requested information and to look into the possibility of sending an observer to the trial hearings which may take place should the charges not be dismissed;
5. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).

**CASE No. BLS/05 - VICTOR GONCHAR - BELARUS**

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Victor Gonchar, a member of the Thirteenth Supreme Soviet of Belarus at the time of the submission of the communication, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Taking account* of the hearing the Committee held during the 117<sup>th</sup> Assembly (October 2007) with Mr. N. Cherginets, Chairman of the Standing Committee on International Affairs and National Security of the Council of the Republic, National Assembly of the Republic of Belarus, and of his letter of 17 September 2007,

*Recalling* the following information:

- Mr. Victor Gonchar, a major political opponent of the President of Belarus, Mr. Lukashenko, disappeared together with his friend Mr. Krasovksy on 16 September 1999 after leaving a sauna in Minsk; investigations into their disappearance have been unavailing to date;
- in April 2004, the Parliamentary Assembly of the Council of Europe (PACE) adopted Resolution 1371 (2004) and Recommendation 1657 (2004) based on the report on "Disappeared persons in Belarus", prepared by its Special Rapporteur on disappearances for allegedly political reasons in Belarus, Mr. C. Pourgourides, which presents the investigatory work carried out by him and an ad hoc subcommittee to clarify the fate of four well-known persons who disappeared in Minsk in 1999 and 2000, including Mr. Gonchar and his friend Mr. Krasovsky; the authorities have strongly refuted the report and its conclusions that the Assembly had been led to believe that "steps were taken at the highest level of the State actively to cover up the true background of the disappearances, and to suspect that senior State officials may themselves be involved in these disappearances"; in October 2006, Mr. Cherginets conveyed to the Committee a Memorandum ("Comments and information") from the Prosecutor General's office on that report,

*Recalling* that Mr. Pourgourides gathered evidence, including a handwritten document from the then Police Chief, General Lapatik, whose authenticity the Belarusian authorities have acknowledged, in which he accuses Mr. V. Sheyman, then Secretary of the Belarusian Security Council, to have ordered the killing of Mr. Zakharenko, a former Minister of the Interior, and that the order was carried out by a special task force (SOBR unit) under the command of Colonel Pavlichenko with the assistance of the then Minister of the Interior, Mr. Sivakov, who provided Colonel Pavlichenko with the official execution pistol temporarily removed from SIZO-1 prison, and that the same method was used in the execution of Mr. Gonchar and Mr. Krasovsky,

*Recalling further* that, according to the information provided by Mr. Cherginets in previous meetings with the Committee, none of the possible reasons - political, economic or personal - for the disappearance had been ruled out so far and that, although Mr. Gonchar and Mr. Krasovsky had clearly been abducted, it was unclear whether the target had been Mr. Gonchar or Mr. Krasovsky, as the latter had business-related problems and his wife, now living in the United States, had refused to appear for the investigation; *considering* that Mrs. Krasovskaya has strongly refuted this allegation and affirms that she neither refused to cooperate with the prosecution, having actually given testimony to the former prosecutor in the case, nor was aware of any business-related problems experienced by her husband, who had financially supported opposition groups in Belarus,

*Noting* that, at the hearing held during the 117<sup>th</sup> Assembly, Mr. Cherginets insisted on economic motives which might be behind the disappearance, in particular debts which Mr. Krasovsky's company had allegedly accumulated; he strongly refuted once again the conclusions of the PACE report, adding that the Council of Europe had dismissed Mr. Pourgourides as Special Rapporteur, which information, upon verification with PACE, turned out to be wrong,

*Considering* that, according to Mr. Cherginets's letter of 17 September 2007, the Council of the Republic had regular correspondence and working meetings, most recently on 15 June and 3 September 2007, with the competent authorities; members of the Belarus National IPU Group, representatives of the Prosecutor General's Office, of the Ministry of the Interior, of the State Security Service, and of the Ministries of Foreign Affairs and of Justice participated in such working meetings and IPU reports on this case were shared with them for their consideration,

1. *Thanks* Mr. Cherginets for his consistent cooperation and *appreciates* his commitment to making every effort to ensure that full light is shed on Mr. Gonchar's disappearance;
2. *Notes* that, in its Memorandum on the Pourgourides report, the Prosecutor General's Office does not comment on the following essential questions raised in the report, and that no other information has been provided in this regard:
  - (i) The fact that the official execution pistol was twice signed out in the name of the then Minister of the Interior, Mr. Sivakov, and that the timing coincides with the disappearances of Mr. Gonchar, Mr. Krasovsky and Mr. Zakharenko; that Mr. Sivakov gave an explanation for only the first signing-out, namely for purposes of conducting a comparative study of death penalty execution methods in different European countries (when no European country was practising the death penalty) and provided none for the second signing-out, apart from "coincidence";
  - (ii) The fact that no comparison was apparently made of the red paint found at the crime scene with that of the red car driven by the suspect named by the then Police Chief, General Lapatik, that is, Colonel Pavlichenko;
  - (iii) The fact that Colonel Pavlichenko was arrested on the strength of a warrant signed by the then KGB Chief, Mr. Matskevitch, and sanctioned by the then Prosecutor General Bozhelko, for preventive detention of 30 days "taking into consideration that D.V. Pavlichenko and his criminal group may commit further crimes of particular violence", but freed shortly after his arrest;
  - (iv) The fact that KGB Chief Matskevitch, Prosecutor Bozhelko and Police Chief Lapatik were dismissed from their posts or retired at or around the time when General Lapatik levelled accusations at Mr. Sheyman and Mr. Sivakov and when KGB Chief and Prosecutor General Bozhelko ordered the arrest of Colonel Pavlichenko;
  - (v) The fact that Mr. Sheyman was appointed Prosecutor General and thereby placed in charge of investigating accusations made by Police Chief Lapatik against him and that he was only removed from that post in November 2004;
3. *Notes* further that, at the hearing, Mr. Cherginets insisted that every allegation made in Mr. Pourgourides's report had been fully checked and investigated; *invites* him and the competent Belarusian authorities therefore to provide Mr. Pourgourides with the results of the expert analysis carried out, including the ballistics report and the result of the comparison of the red paint found at the crime scene with that of Mr. Pavlichenko's car;
4. *Is pleased* that the Belarusian parliament is closely following the investigation in this case and sharing the Committee's reports with the competent investigative authorities; therefore *looks forward* to receiving their comments on the points raised above;
5. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).

## BURUNDI

CASE No. BDI/01 - S. MFAYOKURERA

CASE No. BDI/05 - I. NDIKUMANA

CASE No. BDI/06 - G. GAHUNGU

CASE No. BDI/07 - L. NTAMUTUMBA

CASE No. BDI/29 - P. SIRAHENDA

CASE No. BDI/35 - G. GISABWAMANA

### ***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session (Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of above-mentioned Burundian parliamentarians, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Taking into account* the communication from the President of the National Assembly of Burundi dated 4 October 2007 and the information provided by the Vice-President of the National Assembly at the meeting held with the Committee during the 117<sup>th</sup> Assembly,

*Recalling* that the parliamentary working group set up by the National Assembly to continue the work of its predecessor set up in 2003 with a view to examining, together with the competent authorities, cases of human rights violations of members of the Parliament of Burundi, including how best to reactivate the investigation into the murder of the parliamentarians concerned, first met on 26 October 2006 and proposed a series of strategies, but that institutional changes and hurdles have prevented the group from making progress,

*Considering* that, on 4 October 2007, the President of the National Assembly signed an ad hoc Internal Instruction in which he designated new members of the working group except for its Secretary, who remained in his post, with a view to giving it fresh impetus and that he assured in his aforesaid communication that "we will give it all the support it needs to fulfil its mission",

*Considering also* that, according to the President of the National Assembly, the case of the murdered parliamentarians will also be addressed by the Truth and Reconciliation Commission, the creation of which has moved a step closer with the appointment by the President of the Republic of a team in charge of conducting grassroots consultations in preparation for the Commission's work, which the National Assembly will follow closely,

*Considering furthermore* the work of the Inter-Parliamentary Union, under its technical cooperation programme, assisting the Parliament of Burundi in playing its role as an important facilitator of reconciliation in the country,

1. *Thanks* the President and the Vice-President of the National Assembly for their cooperation and the information provided;
2. *Reaffirms* that parliament and its members have an essential role in promoting debate and creating unity around a common vision for reconciliation which is firmly grounded in the principles of truth and justice; *is therefore pleased* at the initiatives taken to this end by the Parliament of Burundi with the assistance of the IPU, and *trusts* that they will continue to bear fruit; and *would appreciate* being kept informed in this regard;
3. *Is pleased* that the members of the parliamentary working group are now in place and that the parliamentary authorities are committed to ensuring its effectiveness; *trusts* that the multiple strategies it outlined more than a year ago will be promptly implemented with the assistance of the competent authorities; *would greatly appreciate* being kept informed in this regard;
4. *Trusts* that negotiations on the establishment of the National Truth and Reconciliation Commission and the Special Criminal Chamber will soon be successfully completed so that

these bodies can be set up and start their work; *would appreciate* being kept informed of developments in this regard; *remains convinced* that the parliamentary working group can be of great assistance in paving the way for the work of these institutions in the cases in question;

5. *Requests* the Secretary General to seek the requested information from the parliamentary authorities;
  6. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).
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#### **CASE No. BDI/02 - NORBERT NDIHOKUBWAYO - BURUNDI**

##### ***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session (Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Norbert Ndiwokubwayo, a member of the Parliament of Burundi, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Taking into account* the communication from the President of the National Assembly of Burundi dated 4 October 2007 and the information provided by the Vice-President of the National Assembly at the meeting held with the Committee during the 117<sup>th</sup> Assembly,

*Recalling* that the parliamentary working group set up by the National Assembly to continue the work of its predecessor set up in 2003 with a view to examining, together with the competent authorities, cases of human rights violations of members of the Parliament of Burundi, including how best to reactivate the investigation into the attempts on Mr. Ndiwokubwayo's life, first met on 26 October 2006 and proposed a series of strategies, but that institutional changes and hurdles have prevented the group from making progress,

*Considering* that on 4 October 2007 the President of the National Assembly signed an ad hoc Internal Instruction in which he designated new members of the working group except for its Secretary, who remained in his position, with a view to giving it fresh impetus and that he assured in his aforesaid communication that "we will give it all the support it needs to fulfil its mission",

*Considering also* that, according to the President of the National Assembly, the case of Mr. Ndiwokubwayo will also be addressed by the Truth and Reconciliation Commission, the creation of which has moved a step closer with the appointment by the President of the Republic of a team in charge of conducting grassroots consultations in preparation for the Commission's work, which the National Assembly will follow closely,

*Considering furthermore* the work of the Inter-Parliamentary Union, under its technical cooperation programme to assist the Parliament of Burundi in playing its role as an important facilitator of reconciliation in the country,

1. *Thanks* the President and the Vice-President of the National Assembly for their cooperation and for the information provided;
2. *Reaffirms* that parliament and its members have an essential role in promoting debate and creating unity around a common vision for reconciliation which is firmly grounded in the principles of truth and justice; *is therefore pleased* at the initiatives taken to this end by the Parliament of Burundi with the assistance of the IPU, and *trusts* that they will continue to bear fruit; and *would appreciate* being kept informed in this regard;

3. *Is pleased* that the members of the parliamentary working group are now in place and that the parliamentary authorities are committed to ensuring its effectiveness; *trusts* that the multiple strategies it outlined more than a year ago will be promptly implemented with the assistance of the competent authorities; *would greatly appreciate* being kept informed in this regard;
  4. *Trusts* that negotiations on the establishment of the National Truth and Reconciliation Commission and the Special Criminal Chamber will soon be completed so that these bodies can be set up and start their work; *would appreciate* being kept informed of developments in this regard; *remains convinced* that the parliamentary working group can be of great assistance in paving the way for the work of these institutions in the case in question;
  5. *Requests* the Secretary General to inform the parliamentary authorities and the source accordingly;
  6. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).
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CASE No. CO/01 - PEDRO NEL JIMENEZ OBANDO ) COLOMBIA  
CASE No. CO/02 - LEONARDO POSADA PEDRAZA )  
CASE No. CO/03 - OCTAVIO VARGAS CUELLAR )  
CASE No. CO/04 - PEDRO LUIS VALENCIA GIRALDO )  
CASE No. CO/06 - BERNARDO JARAMILLO OSSA )  
CASE No. CO/08 - MANUEL CEPEDA VARGAS )

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case concerning the murders that took place between 1986 and 1994 of Mr. Pedro Nel Jiménez Obando, Mr. Leonardo Posada Pedraza, Mr. Octavio Vargas Cuéllar, Mr. Pedro Luis Valencia Giraldo, Mr. Bernardo Jaramillo Ossa and Mr. Manuel Cepeda Vargas, all of whom were members of the Parliament of Colombia and the *Unión Patriótica* (Patriotic Union) political party, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Taking into account* the communication from the Director of the Presidential Programme on Human Rights and International Humanitarian Law, dated 23 April 2007, which includes an update from the Attorney General's Office on the investigations in this case confirming the information already on file, according to which only the investigation in the case of Mr. Cepeda has led to a conviction, and where culprits were apprehended and are serving their sentences; *also taking into account* the information provided by one of the sources on 23 July 2007,

*Recalling* that pursuant to a petition lodged in March 1997 pertaining to the persecution of the *Unión Patriótica* and the crimes committed against its members, including the parliamentarians concerned, an amicable settlement procedure has been pursued before the Inter-American Commission on Human Rights, with the express support of the authorities; however, claiming a lack of political will to advance the settlement procedure, the petitioners no longer wished to pursue it and requested the Inter-American Commission at the end of 2006 to examine the merits of their case; *recalling* moreover that Mr. Cepeda's family lodged a separate petition with the Inter-American Commission regarding the acquittal of paramilitary group leader Carlos Castaño, who had unambiguously and publicly acknowledged responsibility for Mr. Cepeda's murder, and that it agreed in December 2005 to consider the merits of the case forthwith; *considering* that the matters are now pending a ruling by the Commission,

*Recalling* that, in her March 2007 report on the human rights situation in Colombia (A/HRC/4/48), the United Nations High Commissioner for Human Rights stated that "substantial efforts are still needed to overcome impunity" and that she "strongly hopes that the implementation of the policy of combating impunity will lead to concrete results in the investigation and punishment of human rights violations",

1. *Is dismayed* that to date none of the perpetrators of five of the six murders, some of which took place more than twenty years ago, have actually been held to account;
2. *Reiterates* that it is the fundamental duty of any State to make a determined effort to hold perpetrators of human rights abuses to account and to provide victims and their families with reparation, and that this unequivocal obligation also stems from the American Convention on Human Rights and other human rights treaties to which Colombia is a party;
3. *Reaffirms* the particular responsibility that the Colombian Congress has, through its oversight role, to help ensure that such an effort is made at all times and that, should international monitoring bodies, such as the Inter-American Commission on Human Rights, conclude that the Colombian authorities have failed to do so, this situation is addressed and remedied without delay;
4. *Eagerly awaits* the adoption of the ruling by the Inter-American Commission on Human Rights on the *Unión Patriótica* case and on that of Mr. Cepeda; *would greatly appreciate* being kept informed in this respect and receiving a copy thereof;
5. *Requests* the Secretary General to inform the competent authorities and the source of this resolution;
6. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).

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#### **CASE No. CO/09 - HERNAN MOTTA MOTTA - COLOMBIA**

##### ***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session (Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Hernán Motta Motta of Colombia, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Recalling* that Mr. Motta, a member of the *Unión Patriótica* (Patriotic Union) party, was on a hit list drawn up by the paramilitary group led by Mr. Carlos Castaño Gil, that Mr. Motta received death threats which forced him into exile in October 1997, and that the investigations were discontinued in mid-2001 without yielding any result; that Mr. Castaño disappeared in mid-April 2004 and that his remains have since been found,

*Recalling* that pursuant to a petition lodged in March 1997 pertaining to the persecution of the *Unión Patriótica* and the crimes committed against its members, including Mr. Motta, an amicable settlement procedure has been pursued before the Inter-American Commission on Human Rights, with the express support of the authorities; however, claiming a lack of political will to advance the settlement procedure, at the end of 2006 the petitioners no longer wished to pursue it and requested the Inter-American Commission to examine the merits of their case; *considering* that, according to the information provided by one of the sources on 23 July 2007, the matter was pending a ruling by the Commission,

*Recalling also that, in her March 2007 report on the human rights situation in Colombia (A/HRC/4/48), the United Nations High Commissioner for Human Rights stated that "substantial efforts are still needed to overcome impunity" and that she "strongly hopes that the implementation of the policy of combating impunity will lead to concrete results in the investigation and punishment of human rights violations",*

1. *Reiterates that it is the fundamental duty of any State to protect the lives of its citizens, to make a determined effort to hold perpetrators of human rights abuses to account and to provide victims and their families with reparation, and that this unequivocal obligation also stems from the American Convention on Human Rights and other human rights treaties to which Colombia is a party;*
  2. *Reaffirms the particular responsibility of the Colombian Congress, through its oversight role, to help ensure that such an effort is made at all times and that, should international monitoring bodies, such as the Inter-American Commission on Human Rights, conclude that the Colombian authorities have failed to do so, such a situation is addressed and remedied without delay;*
  3. *Eagerly awaits the adoption of the ruling by the Inter-American Commission on the *Unión Patriótica* case as it concerns the case of Mr. Motta;*
  4. *Requests the Secretary General to inform the competent authorities and the source of this resolution;*
  5. *Requests the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).*
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#### **CASE No. CO/121 - PIEDAD CORDOBA - COLOMBIA**

##### ***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session (Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring to the case of Ms. Piedad Córdoba of Colombia, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),*

*Taking into account the communication from the Director of the Presidential Programme on Human Rights and International Humanitarian Law, dated 23 April 2007, which includes a description by the Ministry of Justice and the Interior of the security measures afforded to Senator Córdoba,*

*Recalling that Senator Córdoba was kidnapped and held by the paramilitary group *Autodefensas Unidas de Colombia* (AUC) between 21 May and 4 June 1999, and that an arrest warrant was issued on 26 June 2002 for Mr. Iván Roberto Duque Gaviria, alias Ernesto Báez, who is one of the representatives of the paramilitary groups in the negotiations with the authorities and is held in the high-security prison of Itagui; he was heard on 12 June 2006 as part the preliminary proceedings in this case; on 13 July 2006 the Attorney General confirmed the detention order served on him,*

*Recalling that an attempt was made on Ms. Córdoba's life in January 2003; and that the three persons arrested were all acquitted on 5 March 2005,*

*Recalling also that, in her March 2007 report on the human rights situation in Colombia (A/HRC/4/48), the United Nations High Commissioner for Human Rights stated that "substantial efforts are still needed to overcome impunity" and that she "strongly hopes that the implementation of the policy of combating impunity will lead to concrete results in the investigation and punishment of human rights violations",*

1. *Thanks* the Director of the Presidential Programme on Human Rights and International Humanitarian Law for the information provided;
  2. *Notes* that extensive security measures are in place for Senator Córdoba; *trusts* that, in consultation with her, the authorities will regularly assess their effectiveness and the risks she faces and, if need be, will adjust her security detail;
  3. *Trusts* that judicial proceedings against the detained presumed culprit in the kidnapping of Senator Córdoba have well advanced; *would appreciate* confirmation thereof;
  4. *Remains deeply concerned* that, more than four and a half years after the attempt on her life, none of the culprits have been brought to justice, and *calls on* the authorities to pursue this matter with the utmost urgency and diligence, in particular on Congress to implement its oversight function in order to ensure that justice is done;
  5. *Requests* the Secretary General to convey this resolution to the competent authorities and to the source;
  6. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).
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CASE No. CO/122 - OSCAR LIZCANO ) COLOMBIA  
CASE No. CO/132 - JORGE EDUARDO GECHEN TURBAY )  
CASE No. CO/133 - LUIS ELADIO PEREZ BONILLA )  
CASE No. CO/134 - ORLANDO BELTRAN CUELLAR )  
CASE No. CO/135 - GLORIA POLANCO DE LOZADA )  
CASE No. CO/136 - CONSUELO GONZALEZ DE PERDOMO )

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Oscar Lizcano, Mr. Jorge Eduardo Gechen Turbay, Mr. Luis Eladio Pérez Bonilla, Mr. Orlando Beltrán Cuéllar, Ms. Gloria Polanco de Lozada and Ms. Consuelo González de Perdomo, all former members of the Colombian Congress, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Recalling* that these six former parliamentarians were kidnapped by the Revolutionary Armed Forces of Colombia (FARC) between 5 August 2000 and 23 February 2002, and are still in FARC hands,

*Taking into account* the letter from the Colombian High Commissioner for Peace, dated 21 July 2007, highlighting the authorities' continuous efforts to promote a humanitarian agreement, including through the release, in early June 2007, of 150 imprisoned FARC members in a move that President Uribe called a unilateral goodwill gesture, but has been called a farce by FARC, and through entrusting an international commission composed of representatives of France, Spain and Switzerland with engaging in direct contacts with FARC,

*Considering* that a meeting was scheduled for 8 October 2007 in Caracas, where the Venezuelan President Hugo Chávez would meet with FARC representatives and Colombian Senator Córdoba, who has also been authorized by the Colombian Government to act for the purpose of facilitating a humanitarian agreement, but that the meeting has been postponed for want of agreement on outstanding issues,

*Recalling* that, in her March 2007 report on the human rights situation in Colombia (A/HRC/4/48), the United Nations High Commissioner for Human Rights urged "that progress be made in dialogues and negotiations between the Government and the illegal armed groups, in order to overcome the

internal armed conflict and achieve lasting peace", while urging "the illegal armed groups to free their hostages immediately and unconditionally",

*Considering* that on 27 June 2007 FARC issued a press release according to which, on 18 June 2007, 11 of the 12 Colombian provincial lawmakers (from the Cauca department) held by them had been shot dead when an unidentified military group attacked the camp where they were being held,

1. *Thanks* the High Commissioner for Peace for his cooperation and the extensive information provided;
2. *Condemns* the killing of 11 provincial parliamentarians who were held by FARC in violation of human rights norms and humanitarian law, and *trusts* that the circumstances of their killing will be elucidated without delay and that those responsible will be brought to justice;
3. *Considers* that this tragedy is also a stark reminder of the plight and uncertainty of the remaining hostages; *urges* the Government of Colombia and FARC to act with the necessary resolve to bring their efforts to reach a humanitarian agreement to a successful end; and *affirms* in this regard the important contribution that other countries can make, inter alia by offering to mediate or host direct talks for this purpose; *calls* on their parliaments to support and promote effective initiatives in this respect;
4. *Regrets* the prolonged absence of any information on action taken by the Colombian Congress in this case, in particular by the Senate Committee on Peace and a Humanitarian Agreement; and *reiterates* its wish to receive such information;
5. *Recalls* that taking hostage persons who play no active part in hostilities is explicitly prohibited under international humanitarian law, and *calls on* FARC immediately and unconditionally to release its civilian hostages and to refrain from the unlawful practice of kidnapping;
6. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).

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#### **CASE No. CO/130 - JORGE TADEO LOZANO OSORIO - COLOMBIA**

##### ***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session (Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Jorge Tadeo Lozano Osorio, a former member of the Colombian Congress, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Recalling* that Mr. Lozano was convicted and given a heavy prison sentence after fundamentally flawed proceedings without being afforded the possibility of challenging them on appeal,

*Recalling* that: in 2001 Mr. Lozano brought his case before the Inter-American Commission on Human Rights; the Executive Secretary of the Commission, which at first considered Mr. Lozano's petition inadmissible, subsequently stated in August 2002 that it would be re-examined in the light of the Commission's jurisprudence, although no information has since been forthcoming on any such action; despite assurances that the case would be raised at the Commission's 125<sup>th</sup> session in July 2006, it was not considered on that occasion and no information has been forthcoming on the outcome in this respect of its sessions since then,

*Recalling* that, on 15 December 2004, the Criminal Chamber of the Supreme Court of Justice granted Mr. Lozano parole, which effectively and formally took effect only as of 12 January 2005; *considering* that, owing to the parole, Mr. Lozano is not free to choose his place of residence within Colombia or to leave

the country, for which he has to request permission, which even when requested well in advance is apparently sometimes only granted by the time the justification for travelling abroad has become moot; similarly, his freedom of conscience, opinion and expression are reportedly implicitly limited since by legal order his conditional release prevents him from expressing opinions that may be construed as disrupting the social or institutional order or the personal honour of public servants compromised in the infringements committed against Mr. Lozano; moreover, according to the source, as a result of Mr. Lozano's critical attitude towards those who acted against him and who hold power in the political, military or paramilitary spheres in Colombia, as narrated in his recent book entitled *I accuse*, his personal safety and that of his family are at constant risk,

*Considering also* that Mr. Lozano's retirement pension was allegedly recently cut by 30 per cent by the executive authorities, which decision was upheld by the Administrative Tribunal of Bogotá in June 2007 and which, according to the source, runs counter to the principle of established rights and significantly affected his right to social security and other entitlements,

1. *Remains convinced* that full and swift consideration by the Inter-American Commission of Mr. Lozano's case is crucial to helping effectively to redress the injustice to which he has been subjected, particularly since he apparently continues to suffer its consequences, and to increasing the likelihood of his being afforded appropriate redress by the Colombian authorities;
2. *Sincerely hopes* that the Inter-American Commission, more than five years after assurances were first given that it would be re-examined, will take up the case as a matter of urgency, and *anxiously awaits* information on this point;
3. *Calls also* on the National Congress of Colombia, in carrying out its oversight function, to do everything in its power to help address any undue limitations attached to Mr. Lozano's current parole, and to look into his security situation and the alleged unlawful reduction in his pension entitlements;
4. *Requests* the Secretary General to follow up the matter with the Inter-American Commission and the National Congress of Colombia and to inform the source accordingly;
5. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).

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#### **CASE No. CO/138 - GUSTAVO PETRO URREGO - COLOMBIA**

##### ***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session (Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Gustavo Petro Urrego, a member of the Colombian Senate, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Taking into account* the communication from the Director of the Presidential Programme on Human Rights and International Humanitarian Law, dated 23 April 2007, which includes a description by the Ministry of Justice and the Interior of the security measures afforded to Senator Petro,

*Recalling* that Mr. Petro has repeatedly received death threats from paramilitary groups over a long period, and that with respect to one such threat the Commander of the *Bloque Tolima* of the *Autodefensas Unidas de Colombia* (AUC), demobilized on 22 October 2005, was identified as a suspect and heard in Court on 22 January and 12 February 2007; the investigation has been at the preliminary stage since 2004 and the prosecuting authorities have requested further evidence-taking,

*Recalling* that Mr. Petro has been a staunch and vocal critic of the Law on Peace and Justice (No. 975 of 2005) regarding the demobilization of paramilitary groups and has publicly denounced the infiltration of paramilitary groups into the political arena, and that he recently again received death threats,

*Noting* that, in her March 2007 report on the human rights situation in Colombia (A/HRC/4/48), the United Nations High Commissioner for Human Rights stated that "substantial efforts are still needed to overcome impunity" and that she "strongly hopes that the implementation of the policy of combating impunity will lead to concrete results in the investigation and punishment of human rights violations",

1. *Thanks* the Director of the Presidential Programme on Human Rights and International Humanitarian Law for the information provided and his cooperation;
2. *Notes* that extensive security measures are in place for Mr. Petro; *trusts* that, in consultation with him, the authorities will regularly assess their effectiveness and the risks he faces and, if need be, will adjust his security detail;
3. *Remains deeply concerned* at the latest death threats against Mr. Petro; *urges* the authorities to do everything in their power to identify and bring to justice the culprits as a matter of urgency since this is the only means of effectively preventing such threats and their execution in the future; *would appreciate* information on steps taken in this regard;
4. *Trusts* that judicial proceedings against the detained former paramilitary commander suspected of being behind death threats made against Mr. Petro before 2004 are well under way; *would greatly appreciate* confirmation thereof;
5. *Reaffirms* that the Colombian Congress has a special responsibility to ensure that its members can exercise their parliamentary mandate free of any threat or intimidation; *calls on* the parliamentary authorities to follow Mr. Petro's situation closely to ensure due administration of justice in his case and adequate protection for him; nevertheless *deeply regrets* the prolonged absence of any information on action taken in this regard;
6. *Requests* the Secretary General to inform the authorities and the source accordingly;
7. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).

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

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Jaime Ricaurte Hurtado González and Mr. Pablo Vicente Tapia Farinango, a member and substitute member, respectively, of the National Congress of Ecuador, who were murdered on 17 February 1999, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Taking into account* the oral report of the mission to Ecuador carried out from 18 to 20 June 2007 and which, in addition to Case EC/11 - EC/67, was also mandated to gather as detailed information as possible on the present case from the parties concerned,

*Recalling* the following:

- On 20 December 2005, after protracted criminal proceedings, Mr. Freddy Contreras Luna was sentenced to 16 years in prison for the murder of Mr. Hurtado, Mr. Tapia and their legislative assistant, and he started serving the sentence on 20 January 2006; proceedings were suspended against the other five co-accused who were at large; an appeal against the ruling is pending and was assigned, on 11 September 2006, to the Third Criminal Chamber of the Supreme Court for consideration;
- On 3 February 2007 one of the co-accused, Mr. Ponce, was arrested in the United States of America and subsequently extradited to Ecuador,

*Considering* that during the mission to Ecuador the Minister of the Interior and the Police stated the following: the Special Commission of Inquiry (CEI) had been dismantled by the previous government, but the present authorities considered that the murders of Mr. Hurtado and Mr. Tapia deserved further investigation and that a new inquiry commission would be set up in the weeks ahead; the families of the victims have been requested to suggest names for members of the commission; Mr. Ponce is standing trial and the authorities are continuing their efforts to locate and bring to justice the other suspects,

1. *Thanks* the Ecuadorian authorities, in particular the parliamentary authorities, for their efforts in receiving the mission and for the cooperation and assistance extended to it;
2. *Is pleased* that the authorities are determined to make every effort to shed light on the murders of Mr. Hurtado and Mr. Tapia, and to this end will re-establish a commission of inquiry to assist the investigation; *trusts* that the new commission has meanwhile been put in place and will receive all the resources and political support needed to operate effectively; *is convinced* that the extensive work carried out by its predecessor commission will be of great assistance, and *trusts* that the new inquiry commission will make full use of it; *would greatly appreciate* updated information in this respect;
3. *Trusts* that the authorities will ensure that the judicial proceedings against Mr. Ponce are completed diligently and in due course; *would greatly appreciate* being kept informed of the proceedings;
4. *Reaffirms* that this case cannot be fully elucidated and justice done so long as all the persons indicted as the masterminds and perpetrators of the murder remain at large and proceedings against them suspended; *is confident* that, as a result of decisive and continuous action by the authorities, the four remaining suspects, like Mr. Ponce, will soon be apprehended and stand trial; *wishes* to be kept informed of any progress in this regard and further *wishes to ascertain* whether the proceedings to date have revealed the motives for this crime;
5. *Wishes to ascertain* the stage reached in the appeal proceedings pending before the Supreme Court;
6. *Requests* the Secretary General to inform the competent authorities and the sources accordingly;
7. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).

## ECUADOR

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| CASE No. EC/11 - F. AGUIRRE CORDERO       | CASE No. EC/40 - F. J. JALIL SALMON      |
| CASE No. EC/12 - A. ALVAREZ MORENO        | CASE No. EC/41 - J. C. LOPEZ FERNANDO    |
| CASE No. EC/13 - F. ALARCON SAENZ         | CASE No. EC/42 - C. LARREATEGUI NARDI    |
| CASE No. EC/14 - N. MACIAS                | CASE No. EC/43 - I. G. MARCILLO ZABALA   |
| CASE No. EC/15 - R. AUQUILLA ORTEGA       | CASE No. EC/44 - M. MARQUEZ GUTIERREZ    |
| CASE No. EC/16 - A. E. AZUERO RODAS       | CASE No. EC/45 - C. R. MAYA MONTESDEOCA  |
| CASE No. EC/17 - E. A. BAUTISTA QUIJE     | CASE No. EC/46 - J. I. MEJIA ORBE        |
| CASE No. EC/18 - R. V. BORJA JONES        | CASE No. EC/47 - E. MONTAÑO CORTEZ       |
| CASE No. EC/19 - S. G. BORJA BONILLA      | CASE No. EC/48 - L. U. MORALES SOLIS     |
| CASE No. EC/20 - F. G. BRAVO BRAVO        | CASE No. EC/49 - T. A. MOSCOL CONTRERAS  |
| CASE No. EC/21 - M. L. BURNEO ALVAREZ     | CASE No. EC/50 - B. L. NICOLALDE CORDERO |
| CASE No. EC/22 - J. C. CARMIGNIANI GARCES | CASE No. EC/51 - A. L. NOBOA YCAZA       |
| CASE No. EC/23 - J. H. CARRASCAL CHIQUITO | CASE No. EC/52 - X. E. NUÑEZ PAZMIÑO     |
| CASE No. EC/24 - L. O. CEDEÑO ROSADO      | CASE No. EC/53 - C. G. OBACO DIAZ        |
| CASE No. EC/25 - F. A. COBO MONTALVO      | CASE No. EC/54 - L. A. PACHALA POMA      |
| CASE No. EC/26 - E. G. CHAVEZ VARGAS      | CASE No. EC/55 - J. F. PEREZ INTRIAGO    |
| CASE No. EC/27 - L. A. CHICA ARTEAGA      | CASE No. EC/56 - M. X. PONCE CARTWRIGHT  |
| CASE No. EC/28 - P. DEL CIOPPO ARANGUNDI  | CASE No. EC/57 - H. L. ROMERO CORONEL    |
| CASE No. EC/29 - M. S. DIAB AGUILAR       | CASE No. EC/58 - W. F. ROMO CARPIO       |
| CASE No. EC/30 - J. DURAN MACKLIFF        | CASE No. EC/59 - G. M. SALTOS ESPINOZA   |
| CASE No. EC/31 - E. B. ESPIN CARDENAS     | CASE No. EC/60 - G. R. SALTOS FUENTES    |
| CASE No. EC/32 - L. E. FERNANDEZ CEVALLOS | CASE No. EC/61 - M. L. SANCHEZ CIFUENTES |
| CASE No. EC/33 - P. FIERRO OVIEDO         | CASE No. EC/62 - S. E. SANCHEZ CAMPOS    |
| CASE No. EC/34 - O. P. FLORES MANZANO     | CASE No. EC/63 - A. SERRANO VALLADARES   |
| CASE No. EC/35 - A. G. GALLARDO ZAVALA    | CASE No. EC/64 - L. F. TAPIA LONBEIDA    |
| CASE No. EC/36 - M. V. GRANIZO CASCO      | CASE No. EC/65 - L. F. TORRES TORRES     |
| CASE No. EC/37 - A. X. HARB VITERI        | CASE No. EC/66 - W. VALLEJO GARAY        |
| CASE No. EC/38 - O. IBARRA SARMIENTO      | CASE No. EC/67 - N. VITERI JIMENEZ       |
| CASE No. EC/39 - J. E. ITURRALDE MAYA     |  |

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of the parliamentarians listed above, members of the Parliament of Ecuador, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Recalling* that on 7 March 2007 the Supreme Electoral Court (TSE) dismissed 57 Congress members and debarred them for one year from participating in political life, declaring that they had interfered with the electoral process by voting in favour of the two National Congress resolutions calling for the dismissal and replacement of the TSE President, for lodging in the Constitutional Court an unconstitutionality application for annulment of the call by the TSE for the referendum regarding the establishment of a Constituent Assembly, and for proposing impeachment proceedings against the four TSE members who had approved the resolution for a referendum,

*Having examined* the written report of the delegation which conducted a mission to Ecuador (CL/181/11(a)-R.2) from 18 to 20 June 2007 for the purpose of gathering further information, ascertaining the views of the competent authorities and the dismissed parliamentarians concerned, and exploring possible avenues towards a satisfactory settlement of the case,

*Taking account* of the observations supplied by the dismissed parliamentarians on 4 October 2007, which have been annexed to the mission report,

1. *Thanks* the Ecuadorian authorities, in particular the parliamentary authorities, for their efforts in receiving the mission and for the cooperation and assistance extended to it;
2. *Commends* the delegation for its work and *fully endorses* its findings and recommendations;
3. *Stresses* that parliamentary immunity with respect to opinions expressed and votes cast in parliament is a cornerstone of representative democracy and is closely protected in parliaments the world over, shielding members of parliaments from any judicial or other proceedings for any vote cast or opinion expressed in the exercise of their parliamentary mandate;
4. *Reaffirms* that the revocation of a parliamentary mandate is a serious measure which irrevocably deprives a member of parliament of the possibility of carrying out the mandate entrusted to him or her, and that it must therefore be taken in strict accordance with the law;
5. *Is deeply concerned therefore* that the 57 Ecuadorian parliamentarians were dismissed, in breach of the Constitution of Ecuador, on account of decisions they took in the exercise of their mandate;
6. *Is disturbed* that, given the closing of the case by the current Constitutional Court without any ruling on its merits and without any response to the sound arguments that were advanced by the dismissed deputies and accepted by the Court as formerly composed, they have been denied the opportunity to obtain justice; *affirms* that the Constitutional Court has a duty to rule on the substance of this case in which fundamental guarantees are at issue as it would otherwise be allowing a grave miscarriage of justice; *urges* the Court to so rule without delay in order that justice may take its course;
7. *Calls on* the authorities to ensure that the charges directly linked to their parliamentary work against 24 of the dismissed deputies will be shelved, thereby ruling out the possibility of unwarranted legal threats being pursued against them;
8. *Calls also on* the authorities to meet their obligation by doing everything possible to ensure that the attacks and incidents of harassment against the dismissed parliamentarians are fully investigated; *strongly believes* that the amply available television and video footage should greatly facilitate identification of the perpetrators; *would greatly appreciate* information on progress made in this respect;
9. *Acknowledges* that the case of the 57 dismissed parliamentarians underscores the fragility and politicization of the judicial system in Ecuador; *believes* that the National Congress should, together with the Constituent Assembly, play an important role in addressing this situation; *welcomes* therefore the proposal of the Congress President that the IPU, which is already providing Congress with technical assistance, cooperate in the constitutional reform process;
10. *Requests* the Secretary General to convey this resolution to the authorities and to the source; *also requests* him to raise the concerns in this case with the United Nations Special Rapporteur on the Independence of the Judiciary;
11. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).

## ERITREA

CASE No. ERI/01 - OGBE ABRAHA

CASE No. ERI/02 - ASTER FISSEHATSION

CASE No. ERI/03 - BERHANE GEBREGZIABEHER

CASE No. ERI/04 - BERAKI GEBRESELISSIE

CASE No. ERI/05 - HAMAD HAMID HAMAD

CASE No. ERI/06 - SALEH KEKIYA

CASE No. ERI/07 - GERMANO NATI

CASE No. ERI/08 - ESTIFANOS SEYOUM

CASE No. ERI/09 - MAHMOUD AHMED SHERIFFO

CASE No. ERI/10 - PETROS SOLOMON

CASE No. ERI/11 - HAILE WOLDETENSAE

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of the parliamentarians listed above, former members of the Parliament of Eritrea, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Recalling* the decision adopted by the African Commission on Human and Peoples' Rights on this case at its 34<sup>th</sup> session, finding the State of Eritrea to be in breach of several fundamental rights enshrined in the African Convention on Human and Peoples' Rights, to which Eritrea is a party, and calling for their immediate release and compensation for their arbitrary detention,

*Noting* that it has not been informed of any new developments and that the case is at a standstill,

1. *Condemns* the prolonged inhumane incommunicado detention of the former parliamentarians concerned in flagrant breach of their fundamental rights under the Constitution of Eritrea and under the African Charter on Human and Peoples' Rights, to which Eritrea is a party;
2. *Is appalled* by the total lack of interest from the Eritrean authorities in addressing these concerns, even minimally by providing information on the detainees' whereabouts and health to appease the suffering of their family members; and *reaffirms* that no argument whatsoever can justify the violations in this case, and once again *urges* the authorities to put an end to this egregious situation by releasing the former parliamentarians concerned forthwith;
3. *Is convinced* that the worldwide parliamentary community, in particular those parliaments from countries of the region and with privileged links with Eritrea, can play an important role in pressing for their release; *appeals once again* to these parliaments and the authorities of the African Union, the African Parliamentary Union and the Pan-African Parliament to do everything in their power to reach this objective and thus to ensure compliance with the decision of the African Commission on Human and Peoples' Rights in this case;
4. *Maintains its wish* to conduct an on-site visit since it remains convinced that such a visit would help settle this case;
5. *Requests* the Secretary General to take any action which may be conducive to progress in this case;
6. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).

**CASE No. HOND/02 - MIGUEL ANGEL PAVON SALAZAR - HONDURAS**

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Miguel Angel Pavón Salazar of Honduras, who was murdered in January 1988, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Recalling* that one of the suspects of Mr. Pavón's murder died during Hurricane Mitch and the other, Mr. Jaime Rosales, was extradited from the United States in August 2003; he was acquitted of the murder by a lower court, but the judgment was quashed on appeal and, on 16 June 2006, he was sentenced to 20 years' imprisonment; an application for judicial review of that judgement is still pending before the Supreme Court,

1. *Regrets* that no information has been provided as to any decision the Supreme Court may meanwhile have taken on that application challenging Mr. Rosales's conviction;
2. *Requests* the Secretary General once again to contact the competent authorities and the source with a view to obtaining such information;
3. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).

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**CASE No. LEB/01 - GIBRAN TUENI - LEBANON**

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Gibran Tueni, a member of the National Assembly of Lebanon, publisher and editor of *An-Nahar* newspaper and an outspoken critic of the activities of the Syrian Arab Republic and its allies in Lebanon, who was killed in a car bomb attack on 12 December 2005, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Recalling* that, in its resolution 1644 (2005), the United Nations Security Council authorized the International Independent Investigation Commission entrusted with investigating former Lebanese Prime Minister Hariri's murder to devote part of its capacity to the task of extending technical assistance to the Lebanese authorities with regard to 14 cases of attempted assassination, assassination and bombing carried out in Lebanon since 1 October 2004, including the murder of Mr. Tueni,

*Noting* that, in its eighth report submitted to the United Nations Security Council on 12 July 2007, the International Independent Investigation Commission states that the Lebanese authorities continue to respond fully and expeditiously to its requests for assistance and that its findings suggest a possible link between the group claiming responsibility for the killing of Mr. Hariri and the group saying that it carried out the attacks on Mr. Tueni,

*Recalling* that: soon after Mr. Tueni's assassination, the National Assembly associated itself with the court action taken by the public prosecutor; on 15 June 2006 the Minister of Justice, with the approval of the Supreme Judicial Council, designated an investigating judge in the case; *recalling* that, according to the leader of the Lebanese delegation to the 116<sup>th</sup> Assembly of the IPU (April-May 2007), the national investigating authorities were closely cooperating with the international investigation, which has precedence over the national investigation,

*Recalling* that on 6 February 2007 the United Nations signed an agreement with Lebanon, the Director-General of the Ministry of Justice signing on behalf of the Lebanese Republic, to set up the Special Tribunal for Lebanon that would have concurrent jurisdiction with the national courts, and would try those alleged to be responsible for Mr. Hariri's assassination and for any other attacks since October 2004 which are "connected in accordance with the principles of criminal justice and are of a nature and gravity similar to the attack of 14 February 2005"; that according to the United Nations Secretary-General, it was now for the competent Lebanese authorities to take the steps necessary under the Lebanese Constitution for the approval and ratification of the agreement; *recalling* that, according to the leader of the Lebanese delegation to the 116<sup>th</sup> Assembly of the IPU, everyone in Lebanon and all political parties are in favour of establishing such a tribunal,

*Considering* that the current political deadlock in Lebanon has prevented the parliament from sitting and from taking any decision with regard to the establishment of the tribunal, but that attempts are being made to reconvene parliament in late October 2007,

1. *Remains confident* that, thanks to the extensive expertise of and resources available to the International Independent Investigation Commission, its continuous efforts, along with the full assistance of the Lebanese investigating authorities, will elucidate the murder of Mr. Tueni and lead to identification of the culprits;
2. *Believes* that the National Assembly can play an important role in the pursuit of justice in this case, particularly by permitting the speedy establishment of the Special Tribunal for Lebanon; *calls therefore on* the National Assembly to make every effort to contribute to settling the present crisis so as to remove the obstacles preventing it from fulfilling this role;
3. *Requests* the Secretary General to convey this resolution to the Speaker of the National Assembly of Lebanon;
4. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).

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#### CASE No. LEB/02 - WALID EIDO - LEBANON

##### ***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session (Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Having before it* the case of Mr. Walid Eido, a member of the National Assembly of Lebanon and an outspoken critic of the Syrian Arab Republic and its allies in Lebanon, who was assassinated together with his son, two bodyguards and four other individuals when a car bomb exploded in Beirut on 13 June 2007, which has been the subject of a study and report of the Committee on the Human Rights of Parliamentarians following the Procedure for the treatment by the Inter-Parliamentary Union of communications concerning violations of the human rights of members of parliament,

*Taking note* of the report of the Committee on the Human Rights of Parliamentarians, which contains a detailed outline of the case (CL/181/11(a)-R.1),

*Considering* that the murder of Mr. Eido follows a number of high-profile political assassinations that have taken place in Lebanon following former Lebanese Prime Minister Rafik Hariri's assassination in February 2005,

*Considering* that, in its resolution 1644 (2005), the United Nations Security Council authorized the International Independent Investigation Commission looking into Prime Minister Hariri's murder to devote part of its capacity to extending technical assistance to the Lebanese authorities with regard to other high-profile assassination attempts, assassinations and bomb attacks carried out in Lebanon, and *noting* that on 14 June 2007, pursuant to a request from the Lebanese Prime Minister to the United Nations Secretary-General, the Commission was mandated to provide technical assistance to the Lebanese authorities in their investigation into the attack on Mr. Eido,

*Noting* that, in its eighth report, submitted to the Security Council on 12 July 2007, the Commission states that its work to date with the Lebanese authorities regarding Mr. Eido's murder has enabled it to ascertain several items of interest and that it will pursue its work in this connection, inter alia by investigating any possible links with Rafik Hariri's murder,

*Considering* that, on 6 February 2007, the United Nations signed an agreement with Lebanon for the establishment of a Special Tribunal for Lebanon that would have concurrent jurisdiction with the national courts and would try those alleged to be responsible for Mr. Hariri's assassination and for any other attacks since October 2004 which are "connected in accordance with the principles of criminal justice and are of a nature and gravity similar to the attack of 14 February 2005"; according to the United Nations Secretary-General, it is now for the competent Lebanese authorities to take the steps necessary under the Lebanese Constitution for the approval and ratification of the agreement,

*Considering* that the current political deadlock in Lebanon has prevented the parliament from sitting and from taking any decision with regard to the establishment of the tribunal, but that attempts are being made to reconvene parliament in late October 2007,

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

1. *Is shocked* at the murder of Mr. Eido, which it *strongly condemns*;
  2. *Is deeply concerned* at the consequences of the murder of Mr. Eido, which, considered together with the string of assassinations of other high-profile and outspoken politicians, confirms that at this important juncture in Lebanon, the exercise of freedom of expression is at great risk and constitutes a serious deterrent for other parliamentarians to speak out on critical issues;
  3. *Is pleased* that the International Independent Investigation Commission has been mandated to provide assistance to the Lebanese investigating authorities in this case, and *trusts* that, thanks to its expertise and resources available, its efforts, along with the full assistance of the Lebanese investigating authorities, will elucidate the murder of Mr. Eido and lead to identification of the culprits;
  4. *Affirms* that the murder of a parliamentarian stands as a threat to the institution of parliament and, in the final analysis, to the people it represents, and that parliaments therefore have a special responsibility to ensure that such crimes do not go unpunished; *is convinced* that the establishment of the Special Tribunal for Lebanon would make a vital contribution to dispensing justice in this case; *calls on* the National Assembly and the parliamentary authorities to make every effort to help resolve the present political crisis in order to facilitate the necessary decisions; *wishes to ascertain* what steps are being taken in this regard;
  5. *Requests* the Secretary General to convey this resolution to the Speaker of the National Assembly of Lebanon;
  6. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).
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**CASE No. MAL/15 - ANWAR IBRAHIM - MALAYSIA**

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Anwar Ibrahim, a member of the House of Representatives of Malaysia at the time of the submission of the complaint, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Recalling* that Mr. Anwar Ibrahim, was dismissed from his post as Deputy Prime Minister and Finance Minister and arrested in September 1998 on charges of corruption (abuse of office) and sodomy; he was found guilty on both counts and sentenced, in April 1999 and August 2000, respectively, to a total of 15 years' imprisonment; while the Federal Court rejected his appeals against the conviction in the corruption case, in September 2004, it quashed the conviction in the sodomy case and ordered Mr. Ibrahim's release as he had already served his sentence in the corruption case; as a result of the conviction in the latter case, he will be prevented from holding office in political parties or standing for election until April 2008,

*Considering* in this connection that legislative elections might be held in Malaysia before that date,

*Recalling* further the following: owing to serious doubts about the fairness of the judicial proceedings against Mr. Ibrahim, it has declared its support for a petition submitted by a group of Malaysian citizens to the King of Malaysia requesting a full pardon for Mr. Ibrahim, as such a pardon would restore his political rights; while the authorities have affirmed that, for such a pardon to be considered, Mr. Ibrahim himself must submit a petition, his lawyers have argued that there is nothing in the law to prevent a third party from submitting a pardon petition; Mr. Ibrahim does not wish to submit a pardon petition since this would be tantamount to an admission of guilt,

1. *Reaffirms* its belief that Mr. Ibrahim's trials and conviction were based on a presumption of guilt, and that he should therefore be granted a pardon so as to enable him once again fully to participate in the political life of his country, in particular in legislative elections which may be held before the expiry of his debarment from exercising his political rights;
2. *Reiterates* therefore its full support of a pardon for Mr. Anwar Ibrahim;
3. *Requests* the Secretary General to inform the Malaysian authorities competent in this matter accordingly and *requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).

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#### **CASE No. MON/01 - ZORIG SANJASUUREN - MONGOLIA**

##### ***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session (Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Zorig Sanjasuuren, a member of the Parliament of Mongolia who was murdered in October 1998, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Recalling* the following: the investigation into the murder of Mr. Zorig Sanjasuuren in October 1998 has been unavailing so far; during the mission of the Committee on the Human Rights of Parliamentarians to Mongolia in August 2001, the investigative authorities stated that foreign expertise in criminology would help them make progress; following contacts with the parliaments of Germany, Japan and the United Kingdom - the countries which the Mongolian authorities had identified as the ones which they would like to provide the assistance - the Mongolian authorities agreed to send the necessary official request for technical assistance in this respect to the competent authorities of those countries; *considering* that, by letter dated 1 August 2007, the Prime Minister of Mongolia sent an official request to his counterparts in Germany, Japan and the United Kingdom,

*Recalling* also that, on 7 August 2006, the Speaker of the State Great Hural set up a working group to "acquaint itself with the investigation into Mr. Zorig's murder and to provide it with the necessary assistance and support",

1. *Is very pleased* that the official request for technical assistance with the investigation of Mr. Zorig's murder has now been sent and *hopes* that the Mongolian authorities will receive a positive reply as quickly as possible;
  2. *Requests* the parliaments of Germany, Japan and the United Kingdom to follow up on this matter as a matter of urgency with their competent authorities so that the necessary assistance can be provided as quickly as possible;
  3. *Trusts* that the parliamentary working group will closely follow developments in this regard and *would appreciate* being kept informed of its work;
  4. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).
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## MYANMAR

### Parliamentarians reportedly still serving their sentences:

CASE No. MYN/04 - KHIN MAUNG SWE  
CASE No. MYN/13 - SAW NAING NAING  
CASE No. MYN/35 - SAW HLAING  
CASE No. MYN/60 - ZAW MYINT MAUNG  
CASE No. MYN/104 - KYAW KHIN  
CASE No. MYN/118 - THAN NYEIN  
CASE No. MYN/119 - MAY WIN MYINT

CASE No. MYN/215 - AUNG SOE MYINT  
CASE No. MYN/236 - KHUN HTUN OO  
CASE No. MYN/237 - KYAW SAN  
CASE No. MYN/238 - KYAW MIN  
CASE No. MYN/241 - KHIN MAUNG WIN  
CASE No. MYN/242 - KYAW KYAW

### Parliamentarians arrested during government crackdown on mass protests in the autumn of 2007:

CASE No. MYN/243 - FU CIN SHING THANG  
CASE No. MYN/244 - HTAUNG KHO HTAN  
CASE No. MYN/245 - MYINT THEIN  
CASE No. MYN/246 - HLA PE  
CASE No. MYN/247 - KYAW KHAING  
CASE No. MYN/248 - TIN AUNG AUNG  
CASE No. MYN/249 - BALA

CASE No. MYN/250 - HLA THEIN  
CASE No. MYN/251 - MAUNG MAUNG THAN  
CASE No. MYN/252 - MYAT HLA  
CASE No. MYN/253 - HAN ZAW  
CASE No. MYN/254 - THAN LWIN  
CASE No. MYN/255 - HLA AUNG

### Parliamentarians who died in custody:

CASE No. MYN/53 - HLA THAN  
CASE No. MYN/55 - TIN MAUNG WIN  
CASE No. MYN/72 - SAW WIN

CASE No. MYN/83 - KYAW MIN  
CASE No. MYN/131 - HLA KHIN  
CASE No. MYN/132 - AUN MIN

### Parliamentarians assassinated:

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

*Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)*

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of the above-mentioned members-elect of the Pyithu Hluttaw (People's Assembly) of the Union of Myanmar, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Taking into account* the extensive and regular information provided by the sources since its last session,

*Recalling* its long-standing concerns about:

- The complete disregard of the results of the election of 27 May 1990, in which the National League for Democracy (NLD) won 392 of the 485 seats;
- The continuous elimination from the political process of many parliamentarians-elect by various means, including arbitrary arrest, detention and sentencing under laws infringing basic international human rights standards, and pressure to resign from the NLD and so relinquish their status as elected members of parliament; as a result, 13 parliamentarians-elect remain imprisoned, whose detention in some instances has been continuously extended without their ever having been presented in court, such as in the case of Dr. May Win Myint, Dr. Than Nyein, both of whose health, together with that of U Kyaw San, remains highly precarious;
- The reconvening of the National Convention on the basis of the same blueprint for a unitary, military-dominated State which had guided the Convention when it was first set up in 1993,

*Considering*, with regard to the National Convention which finished its work in early September 2007, that its delegates were hand-picked by the authorities and virtually under house arrest when they met in the tightly guarded camp in Nyaunghnapin, surrounded by military bases; that parliamentarians-elect comprised a mere 1.11 per cent of the delegates; that nine pro-democracy political parties representing 90.9 per cent of parliamentary seats remained excluded; that under Order 5/96 political debate and free discussion were banned, including any questioning or criticizing of the Convention itself,

*Recalling* the many parliamentary initiatives throughout the world in favour of the parliamentarians-elect and the promotion of democracy in Myanmar, in particular the work of the ASEAN Inter-Parliamentary Caucus on Myanmar; *recalling also* the developments to ensure a strengthened and continuous involvement of the United Nations Security Council in the question of Myanmar,

*Considering* that in August and September 2007 widespread protests were held in Myanmar against the military regime; that, however, by the beginning of October 2007, the regime's increased use of force, multiple arrests, heavy military presence and an information blackout put an effective stop to the protests; that parliamentarians-elect Fu Cin Shing Thang, Mr. Htaung Kho Htan, Mr. Myint Thein, Mr. Hla Pe, Mr. Kyaw Khaing, Mr. Tin Aung Aung, Mr. Bala, Mr. Hla Thein, Mr. Maung Maung Than, Mr. Myat Hla, Mr. Han Zaw, Mr. Than Lwin and Dr. Hla Aung were all arrested in the context of the government's crackdown along with, according to Myanmar State media, some 2,000 other people; that some 700 persons have reportedly been released after signing a pledge not to take part in any future rallies,

*Considering* that, on 2 October 2007, at the end of a specially convened session for this purpose, the United Nations Human Rights Council adopted a resolution expressing deep concern at the latest events in Myanmar, and requested the Special Rapporteur on the human rights situation in Myanmar to assess the current human rights situation and to monitor the implementation of its resolution, inter alia by seeking an urgent visit to Myanmar; that in their statement of 28 September 2007 the Foreign Ministers of the Association of Southeast Asian Nations (ASEAN) urged Myanmar to desist from the use of violence and to seek a political solution; that the United Nations Secretary-General, Mr. Ban Ki-moon, stated on 5 October 2007 on the occasion of a briefing to the United Nations Security Council by his Special Envoy, Mr. Ibrahim Gambari, on the results of his official visit to Myanmar that "Myanmar needs to take major steps towards democratizing, protecting human rights and accelerating its national reconciliation process", calling the authorities' use of force against peaceful demonstrators "abhorrent and unacceptable",

*Considering* that Myanmar State media reported on 4 October 2007 that the Myanmar leadership had agreed to meet Ms. Aung San Suu Kyi if she fulfilled certain conditions,

*Acknowledging* lastly that in response to the violent crackdown on peaceful dissent, the 117<sup>th</sup> Assembly approved an emergency item regarding this situation,

1. *Condemns* the authorities' violent and wide-scale repression of peaceful protests in Myanmar through killings, ill-treatment, and scores of arbitrary arrests of protesters, including those of 13 parliamentarians-elect, whose whereabouts in many cases remain unknown;
  2. *Strongly urges* the authorities to release unconditionally those arrested forthwith, to refrain from further repressing dissent, to lift restrictions on human rights, and to end the harassment of political activism;
  3. *Affirms* that as a result of the crackdown the people of Myanmar are deprived of their only peaceful means to promote change in the country, given that their basic right to be represented by persons of their choosing, which they exercised more than 17 years ago, has never been respected;
  4. *Considers* in this regard that, in outright defiance of the democratic aspirations of the people of Myanmar, the outcome of the National Convention only serves to prolong and legitimize military rule; *stresses once again* that any transition towards democracy will fail so long as it is not genuinely free, transparent and reflective of the people's will; *urges* the authorities to engage in a genuine dialogue with those elected in the 1990 elections and to release forthwith the 13 parliamentarians-elect who continue to languish in prison;
  5. *Remains convinced* that strong action by the international community is crucial to helping bring about their release and to respect of democratic principles in Myanmar; *is heartened* by the international outcry and response to recent events in Myanmar, and *encourages* the Member Parliaments of the IPU, in particular China and India as neighbouring countries, to pursue and, given the seriousness of the current situation in Myanmar, to strengthen their national, regional and international initiatives in support of these objectives; *would greatly appreciate* being kept informed in this regard;
  6. *Requests* the Secretary General to convey this resolution to the authorities and to all other parties concerned;
  7. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).
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#### **CASE No. PAK/16 - MAKHDOOM JAVED HASHMI - PAKISTAN**

##### ***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session (Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Makhdoom Javed Hashmi, a member of the National Assembly of Pakistan, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Recalling* that Mr. Hashmi, leader of the Alliance for the Restoration of Democracy, was arrested on 29 October 2003 on the ground that he had circulated an allegedly forged letter written in the name of Pakistani army officers, bearing the stamp of the Army General headquarters and criticizing the army and its leadership; that at the close of a trial held in prison he was found guilty of all charges (defaming the government and the army, forgery and incitement to forgery) and sentenced on 12 April 2004 to a 23-year prison term which, as the sentences run concurrently, amounts to seven years of imprisonment; that on 24 April 2004 Mr. Hashmi lodged an appeal against the judgment which is still pending,

*Recalling further* that his petition for suspension of sentence was first dismissed by the High Court on 24 February 2005 and the decision was upheld by the Supreme Court on 9 October 2006; *considering* that, upon a petition for review, the Supreme Court, on 3 August 2007, "reviewed and recalled" its earlier decision and suspended the conviction and sentences of Mr. Hashmi pending his appeal and ordered his release on bail; the Court based its decision on the fact that, taking account of the time he had

already spent in prison and remissions, Mr. Hashmi had served almost the entire sentence, that it was not certain whether his appeal would be heard in the near future, and on a procedural flaw in the first-instance court proceedings; Mr. Hashmi resumed his parliamentary activity on 6 August 2007, but has recently resigned from the National Assembly together with other opposition members of parliament in protest against the candidature of outgoing President Musharaff in the forthcoming presidential elections,

1. *Notes with satisfaction* that the Supreme Court suspended Mr. Javed Hashmi's conviction and sentence pending his appeal and that he was released;
  2. *Recalls* the duty of the judicial authorities to dispense justice without delay and that justice delayed is justice denied; *urges* them therefore to schedule without further delay the hearing of Mr. Hashmi's appeal, which has now been pending for three years without a single hearing having taken place;
  3. *Decides* to send an observer to the appeal proceedings and *requests* the Secretary General to take the necessary measures at the appropriate time;
  4. *Requests* the Secretary General to inform the authorities and the sources accordingly;
  5. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).
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**CASE No. PAL/02 - MARWAN BARGHOUTI - PALESTINE / ISRAEL**

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Marwan Barghouti, an incumbent member of the Palestinian Legislative Council, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Referring also* to the expert report on Mr. Barghouti's trial by Mr. Simon Foreman (CL/177/11(a)-R.2),

*Recalling* that Mr. Barghouti was sentenced on 6 June 2004 by the Tel Aviv District Court, whose jurisdiction he did not recognize, to five life sentences and two 20-year prison terms, which he is currently serving in an Israeli prison,

1. *Reaffirms*, in the light of the compelling legal arguments put forward in Mr. Foreman's report, on which the Israeli authorities have not provided observations, that Mr. Barghouti's trial did not meet the fair trial standards which Israel, as a State Party to the International Covenant on Civil and Political Rights, is bound to respect;
2. *Reaffirms further*, in the light of the expert report, that Mr. Barghouti was transferred to Israel in breach of the Fourth Geneva Convention and the Oslo Accords; consequently *once again urges* the Israeli authorities to transfer Mr. Barghouti to the custody of the Palestinian authorities;
3. *Deplores* the lack of cooperation from the Israeli parliamentary authorities in this important matter and their failure to respond to its repeated requests for the Committee to be permitted to pay a private visit to Mr. Barghouti;
4. *Requests* the Secretary General to raise this matter not only with the Israeli parliamentary authorities but also with the competent governmental and administrative authorities;
5. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).

**CASE No. PAL/04 - HUSSAM KHADER - PALESTINE / ISRAEL**

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Hussam Khader, a former member of the Palestinian Legislative Council, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Recalling* that:

- Mr. Hussam Khader was arrested on 17 March 2003 at his home in Balata refugee camp by the Israeli Defence Forces and was charged with (i) performance of a service for an unauthorized organization, (ii) an attempt to wilfully cause death, and (iii) failure to prevent three offences; at the court hearing of 4 September 2005, at which an IPU trial observer was present, Mr. Khader, on the basis of a plea bargain, confessed to three of the charges as amended, none of which imply any personal involvement in violent acts; the Military Court of Samaria convicted him accordingly; a plea bargain was also reached regarding the sentence, and on 27 November 2005 the judge sentenced him to seven years' imprisonment and a period of parole of five years, with 12 months' imprisonment should he break his parole, starting from the day of his release;
- The IPU trial observer, Mr. Simon Foreman, concluded that Mr. Khader "has not, since his arrest [in March 2003], had the benefit of compliance with the international rules of fair trial";
- Mr. Khader was subjected to cruel, inhuman and degrading treatment while in detention and no convincing evidence to the contrary has been submitted by the Israeli authorities;
- Mr. Khader's conditions of detention have reportedly worsened since April 2006, affecting in particular his right to receive visits, letters and medical care; during the past months Mr. Khader's mother has reportedly not been given permission to visit her son for security reasons; his brother, Mr. Ghassan Khader, had to go to the Ministry of Interior to prove that he was his brother and submitted his papers twice but has had no answer for over two years, and Mr. Khader's family occasionally receives letters that he mailed but usually months after they were posted; in August 2007, all prisoners in the Beer Shiva prison where he is held were reportedly under a "punishment regime", meaning that all visits were banned for a month, and prisoners went on a hunger strike for a few days,

*Considering* that in July 2007 the Government of Israel released 255 Palestinian prisoners belonging to Fatah "who have no blood on their hands"; that, however, Mr. Hussam Khader was not among them; *noting* in this respect that the Secretary General, on learning of the Government's intention to release Palestinian prisoners, sent a special request to the Speaker of the Knesset, appealing to her on the IPU's behalf to ensure that Mr. Khader would be on this list and that, in response, the Speaker, in a letter dated 24 July 2007 and conveyed to the IPU Secretariat in September 2007, stated that Mr. Hussam Khader could unfortunately not be included in the release of the Fatah members, and undertook to ask the competent authorities to look into the matter again,

1. *Thanks* the Speaker for her reply, but *is nevertheless very concerned* that Mr. Khader, who clearly meets the criteria for release set by the Israeli authorities as he has "no blood on his hands", was not among those released despite the numerous appeals the IPU has made in favour of his release; *trusts* that the Speaker of the Knesset will make every effort to draw the attention of the competent authorities to Mr. Khader's situation and to press upon them the IPU's urgent appeal for his release;
2. *Firmly restates* in this respect its conviction, in the light of Mr. Foreman's report on Mr. Khader's trial, that Mr. Khader has not enjoyed a fair trial, without which there can be no fair establishment of guilt;

3. *Reaffirms* that the Israeli authorities have a duty under the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), to which Israel is a State Party, to investigate the evidence given in court by Mr. Khader and the main prosecution witness that they were tortured and ill-treated; and once again *urges* the Knesset to exercise its oversight powers to ensure compliance with Israel's obligations under CAT;
  4. *Remains deeply concerned* at Mr. Khader's conditions of detention, with regard in particular to his extremely limited visiting rights; and *recalls* in this respect Rule 37 of the United Nations Standard Minimum Rules for the Treatment of Prisoners, which stipulates that "prisoners shall be allowed [...] to communicate with their family and reputable friends at regular intervals, both by correspondence and by receiving visits";
  5. *Reiterates its wish* to ascertain why his mother would constitute a security risk and thus have been prevented from visiting him; also *reiterates its wish* to receive detailed information on Mr. Khader's conditions of detention and state of health;
  6. *Reiterates its wish* that a Committee member be permitted to pay Mr. Khader a private visit;
  7. *Requests* the Secretary General to convey its concerns in this case to the parliamentary and the competent governmental and administrative authorities;
  8. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).
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**CASE No. PAL/05 - AHMAD SA'ADAT - PALESTINE/ISRAEL**

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Ahmad Sa'adat, elected in January 2006 to the Palestinian Legislative Council, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Referring* to the expert report of Mr. Simon Foreman (CL/177/11(a)-R.2) on the trial of Mr. Marwan Barghouti, which contains a detailed chapter on the legality of the transfer of Palestinian citizens to Israeli territory,

*Recalling* the following evidence on file as provided by the sources:

- Mr. Sa'adat, General Secretary of the Popular Front for the Liberation of Palestine (PFLP), was arrested on 15 January 2002 by the Palestinian General Intelligence Service and later transferred to President Arafat's compound in connection with the killing of Mr. Rehavam Zeevi, the Israeli Minister of Tourism, on 17 October 2001, for which the PFLP had claimed responsibility. However, he was not formally charged. On 29 March 2002, the Israeli Defence Forces attacked the compound and placed it under siege for one month to obtain the delivery of Mr. Sa'adat and five others accused of Mr. Zeevi's killing. The siege was lifted on 1 May 2002 in a deal (the Ramallah Agreement) whereby the six Palestinians detained in the compound were taken to a Jericho prison, where they remained in detention, the prison being monitored by United Kingdom and United States observers.
- Acting upon a petition for Mr. Sa'adat's release, the Palestinian High Court of Justice requested the Palestinian General Intelligence Service to bring evidence against him, and ordered his release as the Service failed to do so. On 4 June 2002, however, the Palestinian Cabinet decided that he should not be released owing to Israeli threats to assassinate him.
- Between December 2005 and March 2006, the British authorities repeatedly told the Palestinian Authority that the situation in which the independent monitors were working in the Jericho jail failed to respect the Ramallah Agreement and that they would be withdrawn if the

situation was not remedied. Early in the morning of 14 March 2006, they were indeed withdrawn. According to the source, Israeli Defence Forces arrived at the jail 20 minutes later and proceeded to abduct Mr. Sa'adat and other inmates. Mr. Sa'adat was transferred to an Israeli jail.

- In late April 2006, the Israeli authorities dropped the charge against Mr. Sa'adat of involvement in Mr. Zeevi's murder after the Attorney General decided that there was insufficient evidence to try him for the murder; however, 19 other charges of security-related offences have been brought against Mr. Sa'adat, who will reportedly be tried in a West Bank military court; to date, this has reportedly not been the case and indeed no charges are said to be currently pending against Mr. Sa'adat,

*Noting* that in July 2007 the Government of Israel released 255 Palestinian prisoners "who have no blood on their hands"; that Mr. Sa'adat was nevertheless not released,

1. *Deeply regrets* that Mr. Sa'adat, who according to the information made available to it is at present not even charged with any offence, was not among those who were released;
2. *Deplores* the failure of the Israeli parliamentary authorities to respond to its requests for information on Mr. Sa'adat's situation and their lack of cooperation; *can only interpret* this as disregard for the serious human rights concerns it has expressed in this case;
3. *Reaffirms its strong belief* that Mr. Sa'adat's abduction and transfer to Israel was not related to the murder charge, but rather to Mr. Sa'adat's political activities as PFLP General Secretary, since he was abducted and detained by the Israeli authorities on a murder charge that was dropped, soon after his transfer, for lack of evidence; *emphasizes* in this respect that Mr. Sa'adat has been sought by the Israeli authorities ever since Mr. Zeevi's murder in January 2002, and that consequently they have had more than four years to prepare the case and gather all the necessary evidence;
4. *Affirms* that Mr. Sa'adat's abduction from a Palestinian prison and his transfer to Israeli territory was moreover in breach of the Fourth Geneva Convention and the Oslo Accords and that he should therefore be transferred to Palestinian territory forthwith;
5. *Remains alarmed* that he may be detained in the absence of any charges, and *notes* that the Israeli authorities have not refuted these allegations; *affirms* that such a situation would constitute a clear violation of Mr. Sa'adat's right to liberty, which the Israeli authorities, as a State Party to the International Convention on Civil and Political Rights (ICCPR), are bound to respect, and that under Article 9, paragraph 5, any person arbitrarily detained has an enforceable right to compensation;
6. *Urges* the Israeli authorities either to release Mr. Sa'adat forthwith or to charge him immediately with a recognizable criminal offence and try him without delay before an independent tribunal fully in compliance with the fair trial guarantees which Israel, as a State Party to the ICCPR, is bound to respect;
7. *Reiterates its wish to ascertain* Mr. Sa'adat's conditions of detention, in particular the access he has to his lawyer, family and friends, and to medical treatment;
8. *Reiterates its wish* for the Committee to be permitted to pay Mr. Sa'adat a private visit;
9. *Requests* the Secretary General to inform the Israeli authorities accordingly, inviting them once again to provide the requested information;
10. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).

PALESTINE/ISRAEL

CASE No. PAL/16 - OMAR MATAR  
(aka OMAR ABDEL RAZEQ)

CASE No. PAL/17 - NAYEF AL-ROJOUR

CASE No. PAL/18 - YASER MANSOOR

CASE No. PAL/19 - HUSNY AL-BURIENY

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

CASE No. PAL/21 - IMAD NAWFAL

CASE No. PAL/22 - ANWAR ZBOUN

CASE No. PAL/23 - MAHMOUD AL-KHATEEB

CASE No. PAL/24 - ABDULJABER AL-FUQAHA

CASE No. PAL/25 - KHALED YAHYA

CASE No. PAL/26 - KHALED SULAIMAN

CASE No. PAL/27 - NASER ABDULJAWAD

CASE No. PAL/28 - MUHAMMAD ABU-TEIR

CASE No. PAL/29 - AHMAD 'ATTOUN

CASE No. PAL/30 - MUHAMMAD TOTAH

CASE No. PAL/31 - IBRAHIM SAED ABU SALEM

CASE No. PAL/32 - BASEM AHMED ZAARER

CASE No. PAL/33 - IBRAHIM MOHAMED DAHBOOR

CASE No. PAL/34 - MOHAMED MAHER BADER

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

CASE No. PAL/36 - FADEL SALEH HAMDAN

CASE No. PAL/37 - ALI SALEEM ROMANIEN

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

CASE No. PAL/39 - REYAD ALI EMLEB

CASE No. PAL/41 - REYAD MAHMOUD RADAD

CASE No. PAL/42 - KALI MUSA RBAE

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

CASE No. PAL/44 - WAEL MOHAMED ABDEL RUMAN

CASE No. PAL/45 - MAHMOUD IBRAHIM MOSLEH

CASE No. PAL/46 - AHMED ABDEL AZIZ MUBARAK

CASE No. PAL/47 - HATEM QAFEESHEH

CASE No. PAL/48 - MAHMOUD AL-AMAHI

CASE No. PAL/49 - ABDERRAHMAN ZAIDAN

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of the above-mentioned parliamentarians, all of whom were elected to the Palestinian Legislative Council (PLC) in January 2006, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), which contains a detailed account of the circumstances of the arrest, conditions of detention and trial hearings under way against them and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Recalling* the following information on file:

- The parliamentarians concerned were elected on the Change and Reform ( Hamas ) list in the January 2006 elections to the Palestinian Legislative Council; most of them were arrested at 2 a.m. on 29 June 2006 in the occupied West Bank, along with more than 30 ministers and mayors; on 25 September 2006 a military appeal court in the West Bank overturned an order for their release on bail issued on 12 September 2006 by the Ofer military tribunal, and they have remained in detention since;
- On 30 June 2006 the Israeli Interior Minister revoked the East Jerusalem residence permits of Mr. Muhammad Abu-Teir, Mr. Ahmad Attoun and Mr. Muhammad Totah, who is also the Palestinian Minister of Jerusalem Affairs, on the grounds that although they were deemed to be residents of the State of Israel and therefore obliged to pay allegiance to the State of Israel, their actions, namely membership in the PLC, proved that their allegiance was to the Palestinian Authority;
- The arrests and withdrawal of residence permits came in the context of Israeli military operations in the Gaza Strip to obtain the release of Gilad Shalit, an Israeli soldier kidnapped on 25 June 2006 in a cross-border attack on Israeli military installations, which the Israeli Government blames on Hamas and the Palestinian Authority, and which both entities refute;
- Mr. Abderrahman Zaidan was released on bail of US\$ 12,000, after spending one month in detention; Mr. Ahmad Mubarak, Mr. Fat'hy Qara'wi and Mr. Hatem Qafeesheh, who had been arrested previously and released, were again seized by the Israeli Defence Forces in connection with Gilad Shalit's kidnapping,

*Recalling further* the following information provided by the Deputy Speaker of the PLC and members of the Palestinian delegation to the 116<sup>th</sup> IPU Assembly (April/May 2007):

- the charges brought against the parliaments concerned are membership, leadership and action on behalf of a terrorist organization and the underlying argument is as follows: you are a PLC member, elected on the Change and Reform list supported by Hamas, which is a terrorist organization, hence you are a member of a terrorist organization and, as a member of parliament, assuming a leadership role; the parliamentarians concerned are tried by military courts mainly in the West Bank, sometimes also inside prison; they do not recognize the competence of the court to try them; the trial hearings, which are not public, are constantly postponed; lawyers have limited access to court files since prosecution material is often declared secret and, in this case, they are not given a copy of the charges; the court proceedings are usually as follows: the accused PLC member is brought into the courtroom and put in a cage; when the judge enters they are asked to stand up, which they refuse to do, and are then ordered out of court, which puts an end to the hearing; some of them have reportedly been asked to bear witness against their colleagues to testify that the latter had been elected on the Change and Reform list; if they refuse they are sentenced to two months' imprisonment for contempt of court; according to the Israeli so-called Tamir law, if there are two witness statements against a person, that person can be charged as accused by the witness and no further statement from him or her is needed; in a conversation with the lawyers of the parliamentarians concerned, the military prosecutor stated in March 2007 that he intended to ask for a sentence of 42 months' imprisonment, which, since at the time they had already been in detention for six months, would have amounted to serving their entire legislative term of four years;
- the parliamentarians concerned are held in several prisons inside Israel, usually located far from their homes (for example, the three parliamentarians from Jenin are held in the Negev); the procedures upon arrest and the conditions of detention, including in the case of the parliamentarians concerned, are as follows: upon arrest, detainees are strip-searched, including an inner-body search; during interrogation, they are usually handcuffed and tied to the chair; when being moved to the interrogation room, they have to wear darkened ski glasses;
- upon arrest and during the interrogation period, detainees, including the PLC members concerned, are kept in solitary confinement in small cells with no access to newspapers or TV; once the interrogation period is over, they are often held together with one or two other prisoners in small cells which are usually equipped with one water tap but with little water running, TV and sometimes a toilet; there is no fresh air and only ventilation, no sun and always dim light, and cells are insulated in such a way that no outside noise can be heard; prisoners are deprived of their watches, so that the body clock no longer works; as regards visiting rights, only first kin relatives (including wives) are allowed to visit them, but permission is not always granted; more generally, prison visits are difficult because the PLC members concerned are held in prisons in Israel and a special permit to enter Israel is required, which is difficult to obtain; they have access to a limited choice of newspapers and TV channels; the parliamentarians concerned reportedly do not receive the medical care they require; Palestinian or other Arab doctors face many obstacles to being able to examine them; the delivery of letters, books and medicaments is prohibited by the Israeli authorities or unjustifiably delayed,

*Recalling* that, in her letter of 22 August 2006, the Speaker of the Knesset stated that the "indirect acceptance by the Palestinian Government of responsibility" for the abduction of Cpl. Gilad Shalit on 25 June 2006 and the murder of two Israeli soldiers, and the demand for an exchange of prisoners were clear proof that Hamas was chiefly concerned, not for the welfare of the Palestinian nation, but to apply its policy of terrorism against Israel; in this respect, she stated, there was no distinction between the political echelons of the organization and its military branch, the Izzadin al-Qassam Brigade; until the Hamas-led government began to engage actively and openly in terrorism, by firing Kassam rockets and kidnapping an Israeli soldier, Israel had refrained from taking any direct action against Hamas so as to give the organization the opportunity to change its approach and meet the three basic conditions set by the Quartet; however, as soon as Hamas terrorists, with the backing of the Hamas-led government, chose to continue their active engagement against the State of Israel, Israel began to take steps to act against Hamas in order to protect its citizens from attack; this included the arrest of members of Hamas, which had long been designated a terrorist organization and was therefore an unlawful organization; suspects, including the parliamentarians in question, were arrested in order to ascertain their membership of Hamas and indict them for their involvement in other terrorist acts; according to the Speaker, the arrests were part of a routine criminal investigation into a suspected criminal offence, in this case membership, leadership and action on behalf of a terrorist organization,

*Recalling* that on 30 June 2006, the Israeli Interior Minister revoked the East Jerusalem residence permits of Mr. Muhammad Abu-Teir, Mr. Ahmad Attoun and Mr. Muhammad Totah on the grounds that they were deemed to be residents in the State of Israel and, therefore, obliged to pay allegiance to the State of Israel; but that nonetheless their actions - membership of the PLC - proved otherwise and indicated that their allegiance was to the Palestinian Authority; an appeal against the decision is pending before the Supreme Court; *referring* in this respect to the amicus curiae brief introduced by two human rights organizations before the court in which they argue the following: the Minister's decision violates the constitutional right of the parliamentarians to continue to live in their place of residence and homeland without the threat of expulsion, as well as their right to family life by preventing them from continuing to live together in East Jerusalem without the danger of separation; moreover, residency of Palestinians is essentially determined by birth and not by immigration and that they never acquired the status of immigrants, for which reason their status was never made conditional on any term and that there is therefore no justification for its cancellation; the amicus curiae brief also stresses that the issue entails a particularly complex point because of East Jerusalem's status as an occupied territory and the status of its residents as protected citizens; moreover, the State of Israel has recognized under the Oslo Accords that the Palestinian residents of the eastern part of Jerusalem are part of the Palestinian people in the West Bank and the Gaza Strip, for which reason Israel permitted them to vote and to stand in the election to the PLC; only after the parliamentarians concerned were elected, and because the election results were not welcomed by the Government of Israel, did it decide to cancel their residency status, thus severely violating their rights,

1. *Deplores* the failure of the Israeli parliamentary authorities to respond to the IPU's repeated requests for information on the situation of the parliamentarians concerned and their lack of cooperation; *can only interpret* this as disregard for the serious human rights concerns the IPU has consistently expressed in this matter;
2. *Notes* that there has been nothing thus far likely to encourage it to change its position that the arrest and detention of the members of parliament concerned is quite unrelated to any criminal activity on their part - unless being elected in a free and fair election is considered a crime - and that their arrest and continuing detention are consequently arbitrary and violate their fundamental right to freedom;
3. *Remains deeply concerned* that the arrests not only prevent the parliamentarians concerned - a third of the elected Change and Reform parliamentarians - from carrying out the mandate for which they were elected, but also greatly prejudices the right of the Palestinian people to be represented by persons of their choice;
4. *Urges therefore* the Israeli authorities to release them forthwith, or to bring founded and recognizable charges of criminal activity against them and try them in open court fully respecting international fair trial standards;
5. *Remains deeply concerned* - in the absence of any official information on this point - at their conditions of detention and the lack of appropriate medical care; and *urges* the Israeli authorities to respect the United Nations Standard Minimum Rules for the Treatment of Prisoners and to provide the persons concerned with the medical care they require;
6. *Reiterates its wish* for the Committee to be permitted to pay them a private visit;
7. *Fears* that the withdrawal of the residence permits of Mr. Muhammad Abu-Teir, Mr. Ahmad Attoun and Mr. Muhammad Totah, rather than being founded in law, is a politically motivated decision; *notes* that an appeal against that decision is pending before the Supreme Court; *is confident* that the proceedings before the Supreme Court will lead to the prompt restoration of their resident permits;
8. *Requests* the Secretary General to convey the IPU's concerns in this case to the competent Israeli authorities;
9. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).

**CASE No. PAL/40 - ABDEL AZIZ DWEIK - PALESTINE / ISRAEL**

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring to the case of Mr. Abdel Aziz Dweik, Speaker of the Palestinian Legislative Council (PLC), as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),*

*Noting that Mr. Dweik has remained in detention since his arrest during the night of 5 to 6 August 2006 by the Israeli Defence Forces, which came in the context of the kidnapping of an Israeli soldier, that he is accused of being a member of a terrorist organization and assuming a leadership role in it; but that no trial is taking place as hearings are constantly postponed,*

*Noting further that Mr. Dweik is said to be held in deplorable conditions and denied access to the medical care he needs,*

1. *Deplores the failure of the Israeli parliamentary authorities to respond to the IPU's repeated requests for information on Mr. Dweik's situation and its lack of cooperation; can only interpret this as disregard for the serious human rights concerns the IPU has consistently expressed in this matter;*
2. *Notes that there is nothing which would enable it to change its position that Mr. Dweik's arrest and current detention are quite unrelated to any criminal activity on his part - unless being elected in a free and fair election is considered a crime - and that his arrest and continuing detention are consequently arbitrary and violate his fundamental right to freedom;*
3. *Reaffirms, moreover, that Mr. Dweik's arrest and continuing detention not only prejudice the right of the Palestinian citizens who elected him to be represented by the person of their choice, but also constitute an affront to the Palestinian Legislative Council itself, whose authority the Speaker symbolizes;*
4. *Urges therefore the Israeli authorities to release Mr. Dweik forthwith, or to bring founded and recognizable charges of criminal activity against him and try him in open court fully respecting international fair trial standards;*
5. *Remains deeply concerned - in the absence of any official information on this point - at Mr. Dweik's conditions of detention and the lack of appropriate medical care; and urges the Israeli authorities to respect the United Nations Standard Minimum Rules for the Treatment of Prisoners and to afford Mr. Dweik without further delay the medical care he needs;*
6. *Reiterates its wish for the Committee to be permitted to pay Mr. Dweik a private visit;*
7. *Requests the Secretary General to convey the IPU's concerns in this case to the competent Israeli authorities;*
8. *Requests the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).*

CASE No. PHI/01 - CRISPIN BELTRAN	) PHILIPPINES
CASE No. PHI/02 - SATURNINO OCAMPO	)
CASE No. PHI/03 - JOEL VIRADOR	)
CASE No. PHI/04 - TEODORO CASIÑO	)
CASE No. PHI/05 - LIZA MAZA	)
CASE No. PHI/06 - RAFAEL MARIANO	)

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Crispin Beltran, Mr. Saturnino Ocampo, Mr. Joel Virador, Mr. Teodoro Casiño, Ms. Liza Maza and Mr. Rafael Mariano, all members of the House of Representatives of the Philippines at the time of the facts, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Referring* to the Committee's report on its mission to the Philippines (CL/181/11(a)-R.3) carried out from 18 to 21 April 2007 and *noting* that that neither the authorities nor the sources have made comments on it,

*Recalling* the following:

- In February 2006, charges of rebellion were brought against the parliamentarians concerned; they had been prepared by the Inter-Agency Legal Action Group, established by President Arroyo in January 2006 to prepare cases of rebellion and sedition against suspected enemies of the State; while Mr. Beltran was arrested on 25 February 2006, albeit on inciting-to-sedition and not rebellion charges, which were brought only later against him, the other five parliamentarians concerned were able to seek the protective custody of the House of Representatives, which they were granted on 27 February 2006; when the charges, which meanwhile had been amended, were dismissed by the court on 4 May 2006, the five parliamentarians left the House; however, Mr. Beltran remained in detention on the pretext that rebellion was a "continuing crime" and a non-bailable offence; on 11 May 2006, a new rebellion case, largely based on the previous one, was brought against them; it was stayed upon a Status Quo Order issued by the Supreme Court on 5 June 2006;
- On 16 February 2007, a multiple murder charge was brought against Representative Ocampo on the ground that, in the mid-1980s, he had allegedly given orders to execute military spies within the Communist Party of the Philippines (Leyte murder case); Mr. Ocampo was arrested on 16 March 2007 and released on bail by the Supreme Court on 3 April 2007 pending the Court's decision on his petition for certiorari and prohibition; Mr. Ocampo strongly refutes the accusation, pointing out among other things that at the time in question he was in fact in military detention and that the testimony on which the charges are based is perjured;
- In January 2007, a disqualification case was brought against the political parties of the parliamentarians concerned on the basis of yet another murder case (Nueva Ecija case) whereby the parliamentarians concerned, apart from Mr. Beltran, had conspired and planned the liquidation of the supporters of another political party, Akbayan, an accusation which they strongly refute as lies and false allegations,

*Considering* the following new developments:

- On 1 June 2007, the Supreme Court dismissed the rebellion charges against the parliamentarians concerned, concluding that "the obvious involvement of political considerations in the actuations of respondent Secretary of Justice and respondent prosecutors brings to mind an observation we made in another equally politically charged case. We reiterate what we stated then, if only to emphasize the importance of maintaining the integrity of criminal prosecutions in general and preliminary investigations in particular. We cannot emphasize too strongly that prosecutors should not allow, and should avoid, giving the impression that their

noble office is being used or prostituted, wittingly or unwittingly, for political ends ... "; on 12 June 2007 the Government filed a motion for reconsideration of the Court's decision, which the Supreme Court, on 2 July 2007, "resolved to deny with finality"; the Court also ordered Congressman Beltran's release, which order was executed on 10 July 2007;

- On 1 June 2007, that is to say after the 14 May 2007 legislative elections, the Commission on Elections (COMELEC) dismissed for "lack of merit" the disqualification cases filed against Bayan Muna, Anakpawis and Gabriela Women's Party; however, the murder case against Representatives Ocampo, Maza, Casiño and Mariano, which was the basis of the - dismissed - disqualification petitions is still under way; in July 2007 the prosecutor of Nueva Ecija in charge of the case ordered them to file their counter-affidavits, which they did in August 2007 along with petitions for a clarification hearing,

*Considering* that the Supreme Court has not yet ruled either on the petition for certiorari seeking to set aside the decision of the prosecution finding probable cause against Representative Ocampo in the multiple murder case pending before the Regional Leyte trial court or on the petition for the issuance of a temporary restraining order to enjoin and restrain the Department of Justice and Police from conducting further proceedings in this case,

*Considering* that, contrary to the information provided to the delegation during its on-site mission that the inciting-to-sedition case against Representative Beltran was quashed in 2006 (mission report 2.2.6), the case is reportedly still pending in court,

*Considering lastly* that Representatives Ocampo, Casiño, Maza and Beltran were re-elected in May 2007,

1. *Thanks* the delegation for the written report and *fully endorses* its concluding remarks;
2. *Notes with satisfaction* the dismissal of the rebellion case and the disqualification cases brought against the political parties of the parliamentarians concerned, and *is pleased* that Mr. Crispin Beltran has now been released and resumed his parliamentary activity;
3. *Notes with concern*, however, that the Commission of Elections (COMELEC) ruled on the disqualification case only once the elections were over; *fears* that the uncertainty thus created may have influenced voters' decisions, and *invites* therefore COMELEC to consider reviewing its procedure in disqualification cases so as to enable it to decide on disqualification petitions well in advance of the elections and thus to rule out any doubts as to the qualification of electoral contenders;
4. *Notes* that the multiple murder case against Mr. Ocampo is still pending, and *is confident* that the Supreme Court will rule as quickly as possible on the petitions pending before it in this matter;
5. *Notes also* that the murder charges in Nueva Ecija brought against Representatives Ocampo, Maza, Casiño and Mariano are being pursued, and *notes* in this respect further that COMELEC disregarded these charges as the basis for a petition to disqualify the persons concerned and their parties in the May 2007 elections; *is confident* that, in dealing with this case, the prosecution and judicial authorities will comply with their duty not to proceed with any case on the basis of mere political considerations, and *wishes* to be kept informed of the proceedings in this case, including, if appropriate, through the services of a trial observer;
6. *Is concerned* that the inciting-to-sedition case against Representative Beltran may still be pending before court, and *wishes to receive* clarification in this respect;
7. *Decides* to close the further examination of this case as far as the rebellion case is concerned; *requests*, however, the Committee to follow closely the other proceedings which are still under way and to report to it at its next session, to be held during the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).

**CASE No. RW/06 - LEONARD HITIMANA - RWANDA**

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Léonard Hitimana, a member of the Transitional National Assembly of Rwanda dissolved on 22 August 2003, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Taking account* of the information provided by the President of the Senate of Rwanda at the hearing held on the occasion of the 117<sup>th</sup> Assembly,

*Recalling* the following: Mr. Léonard Hitimana disappeared during the night of 7 to 8 April 2003, the day before he was to refute in parliament the accusations of fomenting ethnic division levelled by a parliamentary inquiry commission in a report against his party in which his name was mentioned,

*Recalling* that, while the sources believe that he was abducted by the Rwandan intelligence service, the authorities, for their part, have stated their belief that Mr. Hitimana fled to a neighbouring country and were very optimistic that he would soon be located, as had been the case with Brigadier General Emmanuel Habyarimana and Colonel Barthazar Ndengeyinka; *considering* that the President of the Senate, at the aforesaid hearing, reiterated this thesis while affirming it to be most unlikely that Mr. Hitimana's disappearance had anything to do with his imminent statement in parliament,

*Recalling* that in October 2005 the Speaker of the Chamber of Deputies referred Mr. Hitimana's case to the National Human Rights Commission, which had already assumed jurisdiction on its own initiative; *recalling also* the letter from the Commission's President to the Speaker of the Chamber of Deputies dated 20 April 2007, in which she provides an update of the state of the investigation, which still continues, and stresses that the national police has been working diligently and fulfilled their obligation, which is one of efforts, not results; *considering* that, according to the President of the Senate, the Parliament has been in regular contact with the Human Rights Commission, which continues to follow the matter closely, and that the investigations are continuing,

*Recalling finally* that witnesses, who have requested their identity to remain confidential for fear of reprisals, reportedly saw Mr. Hitimana in October 2004, handcuffed in a secret detention facility in Kigali held by the Rwandan intelligence service; *considering* that according to the President of the Senate no such secret detention facilities exist in Rwanda and that more precise information was required to pursue this lead,

1. *Thanks* the President of the Senate for his cooperation and for the observations provided;
2. *Remains deeply concerned* that four and a half years after Mr. Hitimana disappeared he has still not been located, and that the investigations have yet to produce leads as to his whereabouts;
3. *Strongly believes* that, were he living abroad, the fact would certainly have come to light in the significant time that has elapsed since he disappeared, as in the case of those who left Rwanda shortly before Mr. Hitimana's disappearance and whose whereabouts were soon established;
4. *Reaffirms* that, so long as Mr. Hitimana has not been found, the suspicion remains of an enforced disappearance, which with the passage of time can only grow stronger; *considers* in this respect that the timing of his disappearance and the allegation regarding Mr. Hitimana's secret detention have to be taken into account since they suggest a possible explanation and motive;
5. *Calls on* the authorities, particularly parliament, to take all necessary measures to ensure that the investigation into Mr. Hitimana's disappearance explores every possibility; *would greatly appreciate* receiving further information in this regard;
6. *Requests* the Secretary General to convey this resolution to the authorities and the sources;
7. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).

## SRI LANKA

CASE No. SRI/12 - JAYALATH JAYAWARDENA  
CASE No. SRI/50 - G. PONNAMBALAM  
CASE No. SRI/51 - SELVARAJAH KAJENDREN  
CASE No. SRI/52 - S. JAYANANDAMOORTHY  
CASE No. SRI/54 - SIVANATHAN KISSHOR

CASE No. SRI/55 - T. KANAGASABAI  
CASE No. SRI/56 - K. PATHMANATHAN  
CASE No. SRI/57 - T. KATHIRAMAN  
CASE No. SRI/58 - P. ARIYANETHRAN  
CASE No. SRI/59 - C. CHANDRANEHRU

### *Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session (Geneva, 10 October 2007)*

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of the parliamentarians listed above, incumbent members of the Parliament of Sri Lanka, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Taking account* of the information provided by the Ministry of Disaster Management and Human Rights and forwarded by the Permanent Mission of Sri Lanka to the United Nations Office at Geneva on 5 October 2007 and of the meeting the Committee had with the head of the Sri Lankan delegation at the session it held during the 117<sup>th</sup> Assembly,

*Recalling* that with the exception of Dr. Jayalath Jayawardena, who is a member of the opposition United National Party (UNP) but perceived to be a supporter of the Tamil Tigers of Eelam (LTTE), all the other members of parliament concerned belong to the Tamil National Alliance, and that they were the targets of death threats, attempts on their lives or attacks on their homes, and *noting* more particularly the following information on file:

- Dr. Jayawardena has reportedly received death threats; a website described him as a supporter of the Tamil Tigers of Eelam (LTTE) and official threat assessment reports, most recently in March 2007, apparently state that his life is under threat and recommend appropriate security for him; he is currently afforded two home guards and eight security personnel who, however, cannot travel with him as he has not been provided with a back-up vehicle and necessary radio equipment; he filed an application in the Court of Appeal to direct the authorities to afford him these security measures, but the matter has yet to be heard;
- On two occasions, most recently on 2 May 2006, two individuals entered Mr. Ponnambalam's home threatening a maid with a firearm while questioning her about his whereabouts; he lodged a complaint and investigations revealed that the individuals were in civilian clothes and spoke with local accents in the Tamil language; the motorcycle used was neither of the police nor of the armed forces; inquiries are continuing;
- Mr. Kajendren's office was attacked on several occasions, most recently in May 2006, reportedly by Sri Lankan Army personnel; a witness who reportedly gave testimony has been shot dead; the authorities stated that they were unaware of this; at present no new leads are being followed, but the investigation remains open;
- Mr. Kanagasabi, Mr. Jeyanandamoorthy, Mr. Pathmanathan, Ms. Kathimaran, Mr. Ariyanetran and Mr. Chandranehru received telephone death threats on 19 November 2006 and raised this matter with the Speaker; however, according to the Ministry of Disaster Management and Human Rights, they have not lodged a complaint; any such complaint would be duly investigated; in addition, Mr. Jeyanandamoorthy is reportedly continuously being threatened by the Karuna Group; his house was attacked on 21 July 2006 when rocket-propelled grenades were thrown into the premises; an investigation was instituted and remains open, but no new leads are being followed; as to Mr. Chandranehru, he was attacked during a visit to his constituency in June 2007, reportedly by a member of the Karuna group; an investigation has been instituted and facts were reported to the Magistrates Court, where the case was to be called on 9 October 2007; he has been allocated additional security staff;

- On 29 October 2006, Mr. Kisshor's private residence was attacked with five hand-grenades at about 10 p.m.; investigations are under way but no new leads are being followed at present; Mr. Kisshor's security detail has been increased,

*Noting* that President Rajapakse reportedly declared publicly that the TNA parliamentarians were employing LTTE members as staff, who have therefore now also come under threat, making it increasingly difficult for those parliamentarians to recruit staff,

*Considering* that, according to the sources, many of the TNA parliamentarians concerned regularly leave Sri Lanka fearing for their safety, only returning for parliamentary sessions, and that some of them cannot use their parliamentary offices in their constituencies for security reasons; that, moreover, they cannot freely express themselves in parliament as they are reportedly being continuously interrupted by fellow parliamentarians,

*Considering lastly* that, at the meeting he had with the Committee, the leader of the Sri Lankan delegation extended an invitation to the Committee to send a mission to Sri Lanka to gather on the spot first-hand information from the competent authorities, civil society organizations and the parliamentarians concerned themselves on their situation,

1. *Thanks* the leader of the Sri Lankan delegation for the invitation extended to the Committee to conduct an on-site mission;
2. *Believes* that the many cases now before the Committee involving serious threats to the security of members of the Sri Lankan Parliament indeed warrant such a mission, and *requests* the Committee to make arrangements for such a mission to be carried out as soon as possible;
3. *Thanks* the Minister of Disaster Management and Human Rights for the information provided on the stage reached in the investigations which are under way, but *notes* with regret the lack of any tangible results; *insists* that the number and magnitude of these threats and attacks require thoroughgoing investigations, particularly since other TNA members have already been assassinated;
4. *Reaffirms* in this context that impunity only encourages the repetition of crime and undermines the rule of law and respect for human rights;
5. *Remains deeply concerned* at the pattern of grave harassment of members of parliament belonging to the TNA, which not only prevents them from carrying out their parliamentary mandate effectively, and thus deprives their electors of representation in parliament, but also puts their lives at constant risk;
6. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008) in the light of such information as its mission will have gathered.

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**CASE No. SRI/48 - D.M.S.B. DISSANAYAKE - SRI LANKA**

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. D.M.S.B. Dissanayake, a member of the Parliament of Sri Lanka at the time of the events, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Recalling* the following: on 7 December 2004, the Supreme Court of Sri Lanka found Mr. Dissanayake, then an opposition member of the Sri Lankan Parliament, in contempt of court for his criticism of an advisory opinion given by the Court, and sentenced him to two years' rigorous imprisonment;

he served his sentence until, in early February 2006, President Rajapakse remitted the remaining portion of his sentence; Mr. Dissanayake lost his parliamentary seat and, in addition, as a result of his conviction will be barred from voting and standing in elections for a period of seven years,

*Recalling also* the serious concerns it has expressed regarding the fairness of the proceedings against Mr. Dissanayake, given that he had strongly criticised the Chief Justice and signed a motion for his removal from office and that the Chief Justice was nevertheless hearing the case in question, and that, moreover, the judgment was not open to judicial review,

*Recalling* that it has consequently called on the President of Sri Lanka to grant Mr. Dissanayake a full pardon, and that on the occasion of the Secretary General's visits to Sri Lanka in November 2006 and March 2007, he raised this request with President Rajapakse, who promised to examine it in a positive light; *noting* that, according to a communication from the Secretary General of the Parliament of Sri Lanka dated 29 August 2007, the Presidential Secretariat had informed the Parliament that the IPU's request for a pardon for Mr. Dissanayake was being considered by the President,

*Considering* that, at the meeting he had with the Committee during the 117<sup>th</sup> Assembly, the leader of the Sri Lankan delegation invited the Committee to conduct an on-site mission regarding the Sri Lankan cases it is examining, including that of Mr. Dissanayake, so as to enable it to gather on the spot first-hand information from the competent authorities, the parliamentarians concerned and other appropriate sources,

1. *Thanks* the leader of the Sri Lankan delegation for the invitation extended to the Committee to conduct an on-site visit, believing that it may contribute to a settlement of this case, and *requests* the Committee to make arrangements for such a mission to be carried out as early as possible;
2. *Can only meanwhile reiterate its deep concern* that Mr. Dissanayake will be prevented from voting and standing in elections owing to a highly questionable verdict and sentence, neither of which, in violation of basic fair trial standards, is open to judicial review;
3. *Reaffirms* that, in making the offending statement, Mr. Dissanayake was merely exercising his freedom of speech, and *recalls* that both common law jurisprudence and human rights doctrine amply demonstrate that freedom of speech must be the overriding value where contempt of court is concerned;
4. *Consequently reiterates its call* on the President of Sri Lanka to grant Mr. Dissanayake a pardon so as to enable him, if not to resume his parliamentary mandate, at least to vote and stand in elections, thereby redressing the injustice suffered by Mr. Dissanayake as a result of the contempt of court proceedings; and *expresses the hope* that the President will give its plea due consideration even before the mission goes ahead;
5. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).

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

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Joseph Pararajasingham, assassinated on 24 December 2005, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Taking note* of the information provided by the Ministry of Disaster Management and Human Rights, forwarded by the Permanent Mission of Sri Lanka to United Nations Office at Geneva on 5 October 2007,

*Recalling* that Mr. Pararajasingham, a prominent member of parliament belonging to the Tamil National Alliance (TNA), was shot dead on 24 December 2005 during the Christmas Eve Mass in St. Mary's Church in Batticaloa by unidentified gunmen in the presence of some 300 persons; his wife was also struck by two bullets and taken to hospital in critical condition; that St. Mary's Church is located in a high-security zone between two military checkpoints and, at the time of the murder, additional security forces were on duty and the church was reportedly surrounded by military personnel, which means that the culprits could only have escaped with the complicity of the security forces; that soon after the murder Mr. Pararajasingham's family and TNA parliamentarians reportedly gave President Rajapakse the names of three suspects, but no action has been taken against them; they are (i) Kaluthavalai Ravi, a member of the Karuna group, (ii) Kalai (EPDP) and (iii) Sitha alias Pradeep, head of the Karuna intelligence; that the witnesses who identified the latter are now reportedly abroad for fear of their lives,

*Noting* that the Karuna group, a breakaway group of the Liberation Tigers of Tamil Eelam (LTTE) is widely believed to be cooperating with and enjoying the support of the Sri Lankan Armed Forces,

*Recalling further* that investigations started immediately after the shooting and that the authorities have provided the following information in this regard:

- The priest who was playing the organ made a statement to the Criminal Investigation Department (CID) to the effect that he could identify one of the assailants, whom he also described; no one else gave the investigators any particulars of the assailants;
- Inquiries revealed that the two assailants had used two handguns, and six empty 9 mm casings were found at the scene; they were sent, through the courts, to the government analysts to determine whether they could serve as evidence in identifying the group responsible for the assassination;
- In July 2006, the police took into custody two members of the Armed Forces suspected of involvement in the assassination; an identification parade was held on 16 August 2006 but witnesses, including the main eyewitness, failed to make a positive identification and they were released for lack of evidence; after having been discharged from the proceedings by the Court, they were handed over to the Military Police and received some minor punishment for breach of military discipline;
- The area of the murder was once dominated by the Karuna group, and that group and the LTTE had fought for dominance of the area; this has led to a situation where there is less public cooperation for fear of reprisals; in view of the public's failure to come forward with any evidence, the CID has reached a deadlock in the investigation, which is nevertheless continuing; in order to address the problem of witnesses, a draft bill on Witness Protection has been drawn up and is before the Government for consideration,

*Recalling further* that President Rajapakse has set up a national commission of inquiry to look into cases of grave human rights violations, including the case of Mr. Pararajasingham, in addition to an International Independent Group of Eminent Persons (IIGEP) to observe the proceedings of the National Commission; *considering* that both the National Commission of Inquiry and the IIGEP have started to function and held joint meetings in February, May and August 2007, but that the case of Mr. Pararajasingham is not among the first three cases that the National Commission of Inquiry has chosen to examine; *considering* also that, in addition to this, pursuant to the Commission of Inquiry Act, President Rajapakse appointed two Commissioners to "inquire into and obtain information in respect of the circumstances relating to the assassination of Mr. Pararajasingham, the manner in which the investigation was carried out and whether it was adequate and impartial and to make recommendations" (Official Gazette 1459/17 of 23 August 2006),

*Considering* that, at the meeting the Committee held with the leader of the Sri Lankan delegation to the 117<sup>th</sup> Assembly, he invited the Committee to carry out an on-site mission to gather first-hand information on the cases concerning members of the Sri Lankan parliament, including the case of Mr. Pararajasingham,

*Bearing in mind* that Sri Lanka is a State Party to the International Covenant on Civil and Political Rights and is thus bound to guarantee the right to life, which entails the obligation for the State to conduct a diligent, effective and thorough investigation into any murder in order to identify the culprits and bring them to justice,

1. *Thanks* the leader of the Sri Lankan delegation for the invitation extended to the Committee to carry out an on-site mission to Sri Lanka; *considers* that such a mission might indeed enable the Committee to gain a better understanding of the investigations carried out; and *requests* the Committee to make the necessary arrangements for the visit to go ahead as quickly as possible;
2. *Also thanks* the Minister of Disaster Management and Human Rights for his cooperation and the information provided;
3. *Notes with deep concern* the total absence of any tangible progress in the investigation almost two years after the crime was committed, particularly since individuals whose names were provided to the authorities as possible perpetrators have so far not been called for questioning;
4. *Believes* that the National Commission of Inquiry established by the President of Sri Lanka can make an important contribution to shedding light on Mr. Pararajasingham's murder and combating impunity in the country, provided it has the means to carry out its work efficaciously and with the necessary independence; *reaffirms nevertheless* that the establishment of the Commission of Inquiry in no way relieves the authorities of their duty to pursue the investigation vigorously in this case and to explore all existing leads in order to identify the perpetrators and instigators of this crime;
5. *Notes* that, in addition to the National Commission of Inquiry and IIGEP, a special Commission consisting of two persons was set up with the sole task of looking into Mr. Pararajasingham's case; and *has no doubt* that the on-site mission will be able to gather detailed information in this respect;
6. *Is pleased* that a draft bill on witness protection is under consideration, and *can only hope* that it will soon be adopted by Parliament and implemented;
7. *Is convinced* that solving the murder of Mr. Pararajasingham is also essential to building such trust and confidence within Sri Lankan society as is indispensable to progress in a peace process;
8. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly (Cape Town, April 2008), in the light of such information as will have been gathered during the mission.

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

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Nadarajah Raviraj, a member of the Parliament of Sri Lanka who was assassinated on 10 November 2006, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Recalling* the following:

- Mr. Raviraj, a member of parliament for Jaffna and a leading member of the Tamil National Alliance (TNA) was shot dead in Colombo on the morning of 10 November 2006 along with his security officer while travelling in his vehicle along Elvitigalla Mawatha, a prominent public highway within the city of Colombo; one assailant stopped traffic on the road while another sprayed bullets from a T.56 rifle at Mr. Raviraj and his bodyguard; they then both fled from the scene on a motorcycle; security personnel were reportedly on duty at several points along the highway, including the immediate vicinity of the crime scene;

- According to the information provided by the Criminal Investigation Department (CID) in a report dated 20 June 2007, investigations led to a previous owner of the motorcycle, and through him to four suspects, two of whom, Matagaweera and Jayasuriya, have been taken into custody while the other two, Ravindra and Arul, have not yet been apprehended; Matagaweera and Ravindra are brokers with whose help the motorcycle was sold to one Arul who was living at the time in the house of Jayasuriya, a former soldier who, after being dismissed from the Army, worked as a private security officer for a former parliamentarian belonging to the Eelam People's Democratic Party who is now living in Switzerland; Arul is the nephew of the latter and former LTTE member whom Jayasuriya had been asked by the parliamentarian to protect;
- At the Government's request, a team of investigators from New Scotland Yard, consisting of five investigators, forensics and telephone analysis experts arrived in Sri Lanka on 4 January 2007 and stayed until 14 January 2007. According to the CID report, the team was extremely satisfied with the CID's handling of the investigation given the difficulties, such as pursuing the alleged culprits who flee into LTTE areas; the team found that the telephone intelligence compiled by them showed links between Mr. Raviraj and the identified suspects; the CID is awaiting a detailed report from Scotland Yard on the forensic findings; the progress of the investigation is being reported by the CID to the Magistrates Court which is dealing with this case;
- According to the same CID report, inquiries revealed further that before his assassination Mr. Raviraj had given an interview to the *Asian Tribune* in which he was highly critical of LTTE leader Prabhakaran; moreover, Mr. Raviraj was once the acting Mayor of Jaffna at a time when the LTTE had assassinated his two predecessors, and during that period he had received death threats; with regard to the article in the *Asian Tribune*, one of the sources stressed that the *Asian Tribune* was a well-known anti-LTTE and anti-TNA website and that the article in question was dated 14 October 2006, nearly one month before Mr. Raviraj was killed; the source also voiced strong doubts about the genuineness of the interview as no particulars are given of where and with whom it took place.

*Noting* that Mr. Raviraj is the second Tamil member of parliament to be assassinated within the last year and that several others receive death threats; *noting* also that the murder seems to be one of a growing number of killings of Tamil activists and human rights defenders, all of which remain unpunished to date,

*Recalling* that President Rajapakse set up a National Commission of Inquiry to look into cases of grave human rights violations in addition to an International Independent Group of Eminent Persons (IIGEP) to observe the proceedings of the National Commission; that joint meetings were held in February, May and August 2007; that, at President Rajapakse's request, the National Commission has decided to include the murder of Mr. Raviraj in its mandate; that, however, his case is not among the first cases which the Commission is investigating,

*Considering* that, at the meeting the Committee had with the leader of the Sri Lankan delegation to the 117<sup>th</sup> Assembly, he invited it to carry out an on-site mission to Sri Lanka to gather first-hand information on the Sri Lankan cases currently before it, including that of Mr. Raviraj, from the competent authorities and other parties,

*Bearing in mind* that Sri Lanka is a State Party to the International Covenant on Civil and Political Rights and is thus bound to guarantee the right to life, which entails the obligation for the State to carry out a diligent, effective and thorough investigation into any murder in order to identify the culprits and bring them to justice,

1. *Thanks* the leader of the Sri Lankan delegation for the invitation extended to the Committee to carry out an on-site mission to Sri Lanka; *believes* that such a mission would indeed enable the Committee to gather more detailed information and to share its concerns with the competent authorities; and *requests* the Committee to make the necessary arrangements for such a mission to go ahead as early as possible;

2. *Notes with satisfaction* the progress that has been made in the investigation and wishes to ascertain whether the expected report from Scotland Yard has meanwhile been received;
  3. *Is convinced* that solving the murder of Mr. Raviraj is essential to building such trust and confidence within Sri Lankan society as is indispensable to progress in a peace process;
  4. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008), in the light of such information as will have been gathered during the on-site visit.
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#### TURKEY

CASE No. TK/39 - LEYLA ZANA  
CASE No. TK/41 - HATIP DICLE  
CASE No. TK/42 - ZÜBEYİR AYDAR  
CASE No. TK/51 - ORHAN DOĞAN<sup>1</sup>  
CASE No. TK/52 - SELİM SADAK

CASE No. TK/53 - NİZAMETTİN TOĞUÇ  
CASE No. TK/55 - MEHMET SİNÇAR  
CASE No. TK/57 - MAHMUT KİLİNÇ  
CASE No. TK/59 - ALİ YİĞİT  
CASE No. TK/62 - REMZİ KARTAL

#### ***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session (Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of the above-mentioned parliamentarians, former members of the Grand National Assembly of Turkey, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Recalling* the following: Ms. Zana, Mr. Dicle, Mr. Dogan and Mr. Sadak were sentenced in December 1994 to a 15-year prison term for membership in an armed organization; on 26 June 2001, the European Court of Human Rights ruled that they had not enjoyed a fair trial; a retrial opened in March 2003 before the Ankara State Security Court, which on 21 April 2004 upheld the conviction and the sentence, again without respecting fair trial guarantees; on 9 June and 14 July 2004, the Cassation Court (Yargıtay) ruled that Ms. Zana, Mr. Dicle, Mr. Dogan and Mr. Sadak had not received a fair trial, and ordered their release and retrial; in March 2007, the 11<sup>th</sup> High Criminal Court of Ankara sentenced them to seven years and six months' imprisonment under Article 5 of Law 3713 and Article 314 (2) of the Turkish Penal Code; the former parliamentarians concerned have filed a petition with the Cassation Court against that ruling; that second retrial, too, reportedly failed to respect the fair trial standards set by the European Court of Human Rights, in particular the fact that important exonerating evidence had been destroyed,

*Considering* that, according to media reports, on 20 May 2007 the Yargıtay Prosecutor summoned the political party to which the four former parliamentarians referred to above now belong, the Party for a Democratic Society (DTP), to strike their names from its electoral roll for the legislative elections of 22 July 2007 because of their conviction and sentencing, and that this was indeed done; that, however, there was reportedly no legal basis for this decision for the following reason: under Article 11, paragraph 5, of the Law on Political Parties, persons convicted by a high court of final instance of membership in a terrorist organization may not become members of a political party; however, the conviction of the former parliamentarians concerned has not become final since an appeal before the Cassation Court is still pending; moreover, under Article 53, paragraph 2, of the Criminal Code, persons convicted of crimes may not exercise their political rights until they have served their sentence, which is the case here since they had already served 10 years of imprisonment while their current sentence is seven years and six months, which means that they have already served it,

*Recalling* that Mr. Sinçar was assassinated in September 1993 and that this crime has remained unpunished to date; that Mr. Aydar, Mr. Toğuç, Mr. Kiliñç, Mr. Yigit and Mr. Kartal, all of whom fled abroad in 1994, were subsequently accused of separatism and are liable to arrest should they return to Turkey; that, according to the parliamentary authorities, the separatism charges are related to activities they carried out while in exile and that no information to the contrary has been submitted to the Committee,

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<sup>1</sup> Mr. Orhan Dogan died on 29 June 2007.

1. *Deeply regrets* that Ms. Zana, Mr. Dicle and Mr. Sadak were debarred from standing in the legislative elections apparently on doubtful legal grounds;
  2. *Notes* that the court has now delivered a sentence of seven years and six months against them, but that they served a total of 10 years in prison; *considers* therefore that they were arbitrarily deprived of their right to liberty for two and a half years, and are therefore entitled to compensation under Article 5, paragraph 5, of the European Convention on Human Rights, which guarantees the right to compensation for illegal detention, and/or Article 50 providing for "just satisfaction" in the event of a breach of one of the rights enshrined in the Convention;
  3. *Fears* that its longstanding concerns in this case about respect for fair trial guarantees have still not been put to rest, given that the judgment handed down by the 11<sup>th</sup> High Criminal Court of Ankara may again be the outcome of a flawed trial since important evidence had been destroyed and could therefore not be taken into account; *reiterates its wish* to receive a copy of the judgment in question;
  4. *Trusts* that the Court of Cassation (Yargıtay) will give due consideration to the concerns raised by the petitioners in this regard; *wishes* to be kept informed of the proceedings;
  5. *Notes* that, according to the authorities, the charges which are still pending against Mr. Aydar, Mr. Toguç, Mr. Kiliç, Mr. Yigit and Mr. Kartal are unrelated to their former parliamentary activities; *decides*, in the absence of any further communication from the source regarding their situation, to close the examination of their case;
  6. *Reiterates its wish* to ascertain whether any investigation is still under way to identify and bring to justice those responsible for the murder of Mr. Sinçar, and *recalls* that ample evidence exists which should enable the authorities, given the necessary resolve, to elucidate his murder;
  7. *Requests* the Secretary General to convey this resolution to the newly elected parliamentary authorities and to the sources.
  8. *Requests* the Committee to continue examining this case and report to it at its next session, to be held during the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).
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#### ZIMBABWE

CASE No. ZBW/19 - ROY BENNETT

CASE No. ZBW/20 - JOB SIKHALA

CASE No. ZBW/21 - TICHAONA MUNYANYI

CASE No. ZBW/25 - TENDAI BITI

CASE No. ZBW/27 - PAUL MADZORE

CASE No. ZBW/37 - TUMBARE MUTASA

CASE No. ZBW/38 - GILBERT SHOKO

CASE No. ZBW/44 - NELSON CHAMISA

***Resolution adopted unanimously by the IPU Governing Council at its 181<sup>st</sup> session  
(Geneva, 10 October 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Roy Bennett, Mr. Job Sikhala, Mr. Tichaona Munyanyi, Mr. Tendai Biti, Mr. Paul Madzore, Mr. Tumbare Mutasa, Mr. Gilbert Shoko and Mr. Nelson Chamisa of Zimbabwe, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/181/11(a)-R.1), and to the resolution adopted at its 180<sup>th</sup> session (May 2007),

*Taking into account* the communication from the Speaker of the House of Assembly dated 31 July 2007 forwarding a report from the Police General Headquarters dated 17 July 2007, and his letter of 19 September 2007, received on 9 October,

*Considering* the following information on file:

- Mr. Biti and Mr. Chamisa, along with many others attempting, according to the sources, to participate in a prayer meeting were arrested in Harare on 11 March 2007, taken to the police station and severely beaten; according to the information provided by the delegation of Zimbabwe to the 116<sup>th</sup> Assembly of the IPU (April-May 2007), the assault on the

- parliamentarians and others was debated in parliament and a motion was moved to call upon the government and the police force to investigate the incident; it was debated for two days; according to the police report of 17 July 2007, the meeting was in fact part of a defiance campaign of the Movement for Democratic Change (MDC) and was illegal;
- On 18 March 2007, Mr. Chamisa was attacked by eight men, reportedly security agents, at Harare International Airport on his way to attend the meetings of the committees of the ACP-EU Joint Parliamentary Assembly in Brussels; Mr. Chamisa suffered severe injuries as a result; at the hearing held during the 116<sup>th</sup> Assembly of the IPU, Mr. Mugabe, a member of the Zimbabwe delegation, stated that he himself had insisted publicly on the need for an investigation; however, in its report of 17 July 2007, the police state that Mr. Chamisa was being uncooperative as he has not lodged a complaint despite several invitations to do so; such a complaint was necessary in the case of assault for the police to be able to start an investigation;
  - On 28 March 2007, Mr. Madzore was arrested at his home on allegations of petrol bombing several police stations in Harare and possessing firearms; he was reportedly tortured in police custody and subsequently moved to a private hospital, where he was put on a life-support system; the police, however, moved him forcibly back to his remand prison cell in Harare and refused him medical treatment; as a result, Mr. Madzore collapsed twice in his prison cell, thereby further exacerbating concerns about his health; on 13 April 2007, High Court judge Tedi Karwi refused his application for bail, reportedly on the orders of the Minister for Home Affairs, who issued a certificate of denial on security grounds; according to the police report of 17 July 2007, Mr. Madzore was mainly responsible for the series of petrol bombings earlier this year and intended to go to South Africa for military training in insurgency, banditry and terrorism to train MDC youths in this respect; the charges against Mr. Madzore were withdrawn before plea and he was released in August 2007;
  - Mr. Sikhala was tortured while in detention from 14 to 16 January 2003; the police, while initially announcing progress in the investigation, later stated that they had found it difficult to proceed with the case because of Mr. Sikhala's failure to cooperate, although he had provided detailed information and even given names; the matter is before the High Court under reference HC/645/03; Mr. Sikhala was rearrested on 11 March 2007 in the same circumstances as Mr. Chamisa and Mr. Biti, and taken to a police station; he was released several hours later;
  - Mr. Munyanyi was ill-treated in October 2002 while being held on a murder charge which was later dropped before plea; a medical certificate was issued attesting to the injuries he sustained; at the 115<sup>th</sup> Assembly, the Zimbabwean delegation stated that Mr. Munyanyi, who is no longer a member of parliament, had himself "abandoned the matter" and that the case was no longer being pursued;
  - In August 2003, Mr. Tumbare Mutasa brought a lawsuit against the authorities for the injuries he suffered during an alleged assault on him by riot police in March 2003; an investigation was opened but later closed after Mr. Mutasa died of natural causes;
  - According to information provided by the police in September 2003, while there is no record of Mr. Shoko having been assaulted on 22 March 2003, an investigation had been opened into an attack on his house on 1 April 2002, regarding which Mr. Shoko had lodged a complaint; according to information provided by the Speaker of the House of Assembly, Mr. Shoko has died, which in Zimbabwean law has the effect of extinguishing the proceedings instituted in this case;
  - Several court rulings ordering Mr. Bennett's farm to be vacated were not executed, a matter which, according to the authorities, has become moot pursuant to Constitutional Amendment 17, whereby all farmland in Zimbabwe now belonged to the State and anybody who wished to utilize it had to apply for and be granted a lease agreement; in October 2004, charges of contempt of parliament proceedings were brought against him and he was sentenced to one year in prison with hard labour and was thus prevented from standing in the March 2005 legislative elections; in early 2006, Mr. Bennett was forced to flee the country for fear his life and has since been granted political asylum in South Africa,

Considering that, in his letter of 19 September 2007, the Speaker stated that Mr. Munyanyi and Mr. Mutasa were no longer members of parliament, for which reason the authorities felt the Committee was not competent and that, moreover, owing to the separation of powers, as Speaker he had no authority, mandate or capacity to investigate human rights abuses,

Bearing in mind that Zimbabwe is a State Party to the International Covenant on Civil and Political Rights and therefore bound to respect the prohibition of torture and ill-treatment and the rights to liberty and security of the person guaranteed in its Articles 7 and 9, respectively,

1. *Thanks* the Speaker of the House of Assembly and the Zimbabwean Police for the information provided; *deplores*, however, the fact that none of the parliamentary documents regarding parliamentary action with regard to the incident of 11 March 2007 and the attack of 18 March 2007 on Mr. Chamisa which the Zimbabwean delegation to the 116<sup>th</sup> IPU Assembly undertook to provide, in particular the motion that was filed, has been forthcoming;
2. *Wishes to clarify* in this respect that no one has ever asked the parliament to investigate human rights abuses itself, but that the IPU has consistently called on the parliament of Zimbabwe to exercise one of its essential functions as a parliament, which is to oversee the government and the executive to ensure that they comply with their duties; it is in the exercise of this function that parliament is entitled to inquire into action taken by the law enforcement agencies to ensure that crimes, including those committed by law enforcement officials themselves, are duly investigated and perpetrators brought to justice;
3. *Reaffirms* that the treatment inflicted by the police on Mr. Biti, Mr. Chamisa and many others constitutes a gross human rights violation, irrespective of whether or not the meeting was authorized or was a prayer meeting or not; *remains shocked* at the absence of any immediate action taken against the responsible police officers, who must be known and should have immediately been brought to justice and punished in accordance with the law; *urges* the parliament once again to exercise its oversight function to ensure that the police officers responsible for this gross human rights violation are held to account without further delay;
4. *Remains deeply concerned* at the attack perpetrated against Mr. Chamisa on 18 March 2007; *urges* parliament once again to exercise its oversight function to ensure that a thorough investigation is conducted into the attack, and *stresses* in this respect that Mr. Mugabe, according to his own statement, has insisted on the need for such an investigation; *is unaware* of anything in Zimbabwean law to prevent the police from investigating an attack of this nature which is in the public domain; *believes*, moreover, that the failure of the Zimbabwean police to investigate attacks on opposition supporters may well dissuade victims from lodging complaints;
5. *Is relieved* to learn that Mr. Madzore has been released and *deplores* the fact that he was arrested, ill-treated and detained for five months in the absence of any credible evidence against him, as shown by the withdrawal of the case against him before plea; *recalls* that the authorities have a duty to investigate any allegation of torture, and *wishes to ascertain* any action taken in this regard;
6. *Deplores* the failure of the authorities to conduct a full and thorough inquiry into the torture to which Mr. Sikhala was subjected in January 2003, although evidence was submitted to them which would have enabled them to identify those responsible;
7. *Stresses* that it is precisely such failures by the authorities to investigate torture allegations that encourage police and other security officials to resort to torture and other human rights violations, as amply demonstrated by the cases in question;
8. *Is bound to note with the utmost concern* that in none of the cases in question have the State authorities, in particular police and prosecutorial authorities, complied with their constitutional duties, and nor has parliament exercised its oversight function effectively; on the contrary, law enforcement agencies have been allowed to continue torturing and ill-treating even members of parliament with complete impunity; *can only once again reiterate its pressing appeal* to the parliament to assume its oversight function and to use the means of action at its disposal to ensure that the law enforcement authorities fulfil their duties;

9. *Points out once again, with respect to Mr. Bennett, that the adoption of Constitutional Amendment 17 does not alter the fact that several court judgments ordering that Mr. Bennett's farm be vacated as early as 2002 have not been executed, thus subjecting him to a grave injustice, and reiterates its wish to receive the observations of the authorities on the allegation that not a single farm belonging to parliamentarians of the ruling party has been acquired by the State under the terms of Constitutional Amendment 17;*
10. *Reiterates also its wish to receive a copy of the Supreme Court ruling regarding Mr. Bennett's petition to have the contempt of parliament proceedings against him declared null and void, and Section 16 of the Parliamentary Privileges, Powers and Immunities Act declared unconstitutional, and believes that more than one year after it was handed down that the ruling must exist in writing;*
11. *Would appreciate receiving a copy of the legal provision stipulating that proceedings in criminal matters are extinguished in the case of decease of the victims; and clarifies with regard to the Speaker's remarks concerning Mr. Munyanyi and Mr. Mutasa that the alleged human rights violation of which they were victims occurred while they were members of parliament, for which reason the Committee remains competent to continue examining their cases;*
12. *Requests the Secretary General to convey this resolution to the authorities, once more inviting them to provide the requested information;*
13. *Requests the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 118<sup>th</sup> Assembly of the IPU (Cape Town, April 2008).*

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