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**ELEVENTH PARLIAMENT  
(FOURTH SESSION)**

**REPORT OF THE 134<sup>TH</sup> ASSEMBLY OF THE INTER-  
PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS  
HELD IN LUSAKA, ZAMBIA  
(MARCH 17 - 23, 2016)**

PARLIAMENT OF KENYA  
PARLIAMENT BUILDINGS  
NAIROBI.

JUNE, 2016

## FOREWORD

Hon. Members,

The Inter-Parliamentary Union (IPU), the world organization of Parliaments, is a global forum for parliamentary dialogue, co-operation and action. The Union advances democracy and assists Parliaments and parliamentarians throughout the world to fulfill their mandates. The IPU facilitates parliamentary debate, dialogue and cooperation and also promotes and defends democracy and the rule of law while assisting Parliaments in coping with an ever growing international agenda relevant to their duties.

As the focal point for worldwide parliamentary dialogue since 1889, the IPU works towards peace and cooperation among peoples and for the solid establishment of representative institutions. Specifically, the IPU aims at-

- a) Fostering contacts, coordination and the exchange of experience among Parliaments and parliamentarians of all countries;
- b) Considering questions of international interest and express its views on such issues with the aim of bringing about action by Parliaments and their members;
- c) Contributing to the defence and promotion of human rights, which are universal in scope and respect for which is an essential factor of parliamentary democracy and development; and
- d) Contributing to better knowledge of the working of representative institutions and to the strengthening and development of their means of action.

The IPU Assembly is the principle statutory body that expresses the views of the Inter Parliamentary Union on political issues. It brings together parliamentarians to study international problems and make recommendations for parliamentary and governmental action. The Assembly meets twice a year and is held each time in a different country, providing participants with an opportunity to see various national realities.

Other statutory organs of the IPU are the Governing Council, the Executive Committee, the Meeting of Women Parliamentarians, the Forum of Young Parliamentarians and the IPU Secretariat. The IPU works through Committees, working groups and special purpose *ad-hoc* bodies. The following bodies are currently in place-

- i) Standing Committee on Peace and International Security;
- ii) Standing Committee on Sustainable Development, Finance and Trade;
- iii) Standing Committee on Democracy and Human Rights;
- iv) Standing Committee on United Nations Affairs;
- v) Committee on Human Rights of Parliamentarians;
- vi) Committee on Middle East Questions;
- vii) Group of Facilitators for Cyprus;
- viii) Committee to Promote Respect for International Humanitarian Law;
- ix) Advisory Group on HIV/AIDS and Maternal, Newborn and Child Health;
- x) Committee on Women Parliamentarians;
- xi) Gender Partnership Group; and
- xii) The Forum for Young Parliamentarians;

The IPU supports the efforts of the United Nations, whose objectives it shares, and works in close co-operation with it. The Union also co-operates with regional inter-parliamentary organizations, as well as with international intergovernmental and non-governmental organizations which are motivated by the same ideals.

Hon. Members,

The 134<sup>th</sup> IPU Assembly and related meetings was held in Lusaka, Zambia, from March, 17 to 23<sup>rd</sup>, 2015. The Kenyan Delegation comprised the following Members:-

- 1) The Hon. Sen. David Ekwee Ethuro, EGH, MP;
- 2) The Hon. David Pkosing Losiaku, MP;
- 3) The Hon. Sen. Catherine Mukiite Nabwala, MP;
- 4) The Hon. Sen. Mutula Kilonzo Junior, MP
- 5) The Hon. Sarah Paulata Korere, MP;
- 6) The Hon. Steven Kariuki, MP;
- 7) The Hon. Sen. Naisula Lesuuda, OGW, MP;
- 8) Hon. John Nyagah Muchiri, MP;
- 9) Hon. Rachel Ameso Amolo, MP; and
- 10) Mr. Jeremiah Nyegenye, Clerk of the Senate.

Hon. Members,

The Parliament of Kenya is well represented in the IPU. During the 133<sup>rd</sup> IPU Assembly, the Speaker of the Senate of Kenya, Sen. David Ekwee Ethuro, EGH, MP was elected to the Executive Committee, for a term of four years. The Executive Committee is a 15-member Committee that oversees the programmes of the IPU. Hon. David Pkosing, MP is a member of the Standing Committee on Democracy and Human Rights and while Sen. Catherine Mukiite Nabwala, MP is a member in the Standing Committee on United Nations Affairs.

In addition, Sen. Mutula Kilonzo Junior, MP was elected to the position of co-Rapporteur to the Standing Committee on Democracy and Human Rights on the topic, *The freedom of women to participate in political processes fully, safely and without interference: Building partnerships between men and women to achieve this objective* where the Committee will debate and propose a Resolution to the IPU at its 135<sup>th</sup> Assembly.

Hon. Members,

During the 134<sup>th</sup> Assembly and its related meetings, members of the Kenyan delegation were actively involved in the deliberations of the Assembly and its Committees that greatly enriched the resolutions and outcomes that were arrived at.

Meetings of the 134<sup>th</sup> Assembly included:

- 1) The Assembly: *General Debate*: where members were provided with an opportunity to exchange views on ways of reviving the interest of the younger generation in the functioning of parliaments;
- 2) The Standing Committee on Peace and International Security, where members deliberated on a draft resolution under the topic *Terrorism: The need to enhance global cooperation against the threat to democracy and individual rights*;
- 3) The Standing Committee on Democracy and Human Rights, where the Committee deliberated in an interactive debate, the subject of its next resolution *The freedom of women to participate in political processes fully, safely and without interference: Building partnerships between men and women to achieve this objective*;

- 4) The Standing Committee on United Nations Affairs, where the Committee commented on the new process of selection of the new United Nations Secretary General and institutional arrangements made for the implementation of the Sustainable Development Goals
- 5) The Standing Committee on Sustainable Development, Finance and Trade, where the Committee deliberated on its resolution entitled *Ensuring lasting protection against destruction and deterioration for the tangible and intangible cultural heritage of humanity*.

Hon. Members,

On behalf of the Kenyan delegation, I wish to take this opportunity to thank you for bestowing upon us the important task of representing Kenya in one of the most important fora in the associations of Parliaments.

Hon. Members,

Article 7 of the IPU Statute mandates member Parliaments to submit the resolutions of the IPU within their respective Parliaments, *in the most appropriate form; to communicate them to the Government; to stimulate their implementation and to inform the IPU Secretariat, as often and fully as possible, particularly in its annual reports, of the steps taken and the results obtained.*

In accordance with Article 7 of the Statutes of the IPU, it is my pleasure and humble duty to submit this report, highlighting the proceedings and resolutions of the 134<sup>th</sup> Assembly of the Inter-Parliamentary Union and Related Meetings to Parliament for debate and necessary action.

Thank you.



**THE HON. DAVID PKOSING LOSIAKU, MP**  
**MEMBER OF THE DELEGATION**





Inter-Parliamentary Union

For democracy. For everyone.

## TABLE OF CONTENTS

	<u>Page(s)</u>
<b>Meetings and other activities</b>	
134 <sup>th</sup> Assembly	
1. Inaugural ceremony .....	4
2. Election of the President .....	4
3. Participation .....	5
4. Emergency item .....	5
5. Debates and decisions of the Assembly and its Standing Committees .....	7
6. Concluding sitting .....	11
198 <sup>th</sup> session of the Governing Council	
1. Membership and Permanent Observers of the IPU .....	11
2. Financial results for 2015 .....	12
3. Financial situation .....	12
4. Cooperation with the United Nations system .....	13
5. Implementation of the IPU Strategy for 2012-2017 and preparation of the revised Strategy .....	13
6. Recent specialized meetings .....	14
7. Reports of plenary bodies and specialized committees .....	14
8. Future inter-parliamentary meetings .....	14
9. Amendments to the Statutes and Rules .....	14
273 <sup>rd</sup> session of the Executive Committee .....	15
Meeting and Coordinating Committee of Women Parliamentarians .....	16
Subsidiary bodies of the Governing Council	
1. Committee on the Human Rights of Parliamentarians .....	17
2. Committee on Middle East Questions .....	18
3. Group of Facilitators for Cyprus .....	18
4. Committee to Promote Respect for International Humanitarian Law .....	18
5. Gender Partnership Group .....	19
6. Advisory Group on HIV/AIDS and Maternal, Newborn and Child Health .....	19
7. Forum of Young Parliamentarians of the IPU .....	20

Other events

1. Meeting of the Presidents of the Geopolitical Groups .....	21
2. Panel discussion on <i>Leading by example on climate change: A lighter carbon footprint for parliaments</i> .....	21
3. Side event on <i>Preventing child and forced marriage: Making the global health goals a reality for girls</i> .....	22
4. Side event on <i>Reducing nuclear threats – the role of parliamentarians</i> .....	22
5. IPU-UNAIDS field visit by the Advisory Group on HIV/AIDS and Maternal, Newborn and Child Health .....	22

**Elections, appointments and membership of the IPU**

Elections and appointments

1. Executive Committee .....	23
2. Vice-Presidents of the IPU .....	23
3. Vice-President of the Executive Committee .....	23
4. Sub-Committee on Finance .....	23
5. Bureau of Women Parliamentarians .....	23
6. Gender Partnership Group .....	24
7. Committee on the Human Rights of Parliamentarians .....	24
8. Committee on Middle East Questions .....	24
9. Group of Facilitators for Cyprus .....	24
10. Committee to Promote Respect for International Humanitarian Law .....	24
11. Board of the Forum of Young Parliamentarians of the IPU .....	24
12. Bureaux of the Standing Committees .....	24
13. Rapporteurs to the 135 <sup>th</sup> and 136 <sup>th</sup> Assemblies .....	25

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

Membership of the IPU .....	27
-----------------------------	----

**Agenda, resolutions and other texts of the 134<sup>th</sup> Assembly**

Agenda .....	28
--------------	----

Outcome Document of the General Debate on <i>Rejuvenating democracy, giving voice to youth</i> .....	29
--	----

Subject items

• Resolution: <i>Terrorism: The need to enhance global cooperation against the threat to democracy and human rights</i> .....	32
• Resolution: <i>Ensuring lasting protection against destruction and deterioration for the tangible and intangible cultural heritage of humanity</i> .....	36

Emergency item

• Results of the roll-call vote on the requests for the inclusion of an emergency item in the agenda of the Assembly .....	42-43
• Resolution: <i>Giving an identity to the 230 million children without a civil status: One of the major challenges of the humanitarian crisis in the 21<sup>st</sup> century</i> .....	44

Presidential Statement .....	46
------------------------------	----

Reports of the Standing Committees

• Report of the Standing Committee on Democracy and Human Rights .....	47
• Report of the Standing Committee on United Nations Affairs .....	49



## Reports, decisions, resolutions and other texts of the Governing Council

### Reports, decisions and other texts

• Cooperation with the United Nations system: List of activities undertaken by the IPU from 15 October 2015 to 15 March 2016 .....	53
• Report of the Committee on Middle East Questions .....	56
• Report of the Committee to Promote Respect for International Humanitarian Law ....	57
• Report of the Gender Partnership Group .....	60
• Report of the Advisory Group on HIV/AIDS and Maternal, Newborn and Child Health .....	62
• Report of the Forum of Young Parliamentarians of the IPU .....	63
• Parliamentary Action Plan on Climate Change .....	64
• Guidelines relating to voluntary contributions to the IPU .....	75
• Report on the PaperSmart initiative .....	76
• Amendments to the Statutes and Rules of the IPU .....	77

### Future meetings

• Future meetings and other activities .....	80
• Agenda of the 135 <sup>th</sup> Assembly .....	82
• List of Permanent Observers .....	83

### Decisions concerning the human rights of parliamentarians

• Twelve parliamentarians of Cambodia .....	85
• Mr. Anwar Ibrahim, of Malaysia .....	90
• Nineteen parliamentarians of Malaysia .....	94
• Mr. Zorig Sanjasuuren, of Mongolia .....	97
• Mr. Jatuporn Prompan, of Thailand .....	100
• Mr. Ratu Naiqama Lalabalavu, of Fiji .....	103
• Thirty-four parliamentarians of the Democratic Republic of the Congo .....	106
• Mr. Amilcar de Jesús Pop, of Guatemala .....	110

# 134<sup>th</sup> Assembly

## 1. Inaugural ceremony

The inaugural ceremony took place at the Government Complex on Saturday, 19 March 2016 at 7.30 p.m., with H.E. the President of the Republic of Zambia, Mr. Edgar Chagwa Lungu, in attendance.

**Mr. Patrick Matibini, Speaker of the National Assembly of Zambia**, stressed that strong parliaments were essential to democratic development and welcomed the IPU's work in that area. The theme of the 134<sup>th</sup> Assembly provided an opportunity to harness the energy and potential of young people and to help them participate fully in social, political and economic life, thus providing the right stimulus to create the leaders of tomorrow. It was vital to overcome the barriers to youth participation and tackle the chronic underrepresentation of young people in political institutions. The Assembly also enabled IPU Members to identify action to be taken, share experiences and best practices, and ensure that young people's voices were better heard in the democratic process.

**Mr. Saber Chowdhury, President of the Inter-Parliamentary Union**, thanked the hosts, stressing the truly diverse character of Zambia. Speaking on the theme of the Assembly, he noted that youth disillusionment lay at the heart of a range of challenges currently facing the world. It was up to parliaments to regain young people's trust, inspire them to enter politics and convince them that their voices counted. It was essential to modernize the democratic system, and to overcome legislative and socioeconomic barriers to youth participation. The IPU was playing its role in tackling those problems through standards-setting and advocacy work.

He paid tribute to the late Zambian President Michael Sata, who had been a great champion of the IPU and who had served on its Executive Committee. President Sata had invited the Organization to hold the current Assembly in Zambia. The IPU President asked all the participants to observe a minute of silence in memory of the late President.

He welcomed new and returning IPU Members, Associate Members and Permanent Observers, and drew attention to the revised IPU Strategy, due to be adopted at the 135<sup>th</sup> Assembly in Geneva. In order to ensure that the Sustainable Development Goals (SDGs) were met, parliaments had to be fit for purpose. The IPU was helping to achieve that objective through seminars, workshops and capacity-building initiatives, including the development of a self-assessment toolkit. The IPU also strove to innovate and take measures to reduce the carbon footprint of parliaments and the Organization.

**H.E. Edgar Chagwa Lungu, President of the Republic of Zambia**, welcomed the delegates to Zambia and said that his country was honoured to host the 134<sup>th</sup> Assembly. He described Zambia's journey from a single-party State to a multi-party democratic system and stressed its deep commitment to democracy, peace and good governance. Those principles were reflected in Zambia's regional peacekeeping role, its interaction with like-minded States and membership of international organizations and forums, such as the IPU. The path to hosting the 134<sup>th</sup> Assembly had begun in 2012, when the late President Sata had expressed an interest in Zambia hosting the event.

Strong parliaments contributed to strong democracies. They needed to reflect the hopes, aspirations and concerns of all citizens, including young people. Zambia was committed to engaging young people, who formed the majority of the population, and had implemented a range of measures, including programmes developed as part of the African Youth Decade 2009–2018 and its own national youth policy, to create a generation of skilled, enlightened and empowered young people.

Nevertheless, in addition to empowering young people, it was also essential to provide the necessary guidance and support to equip them to handle responsibility and power.

There was a need to move from words to deeds, and the 134<sup>th</sup> IPU Assembly provided an opportunity to translate ideas into action. Echoing the words of former UN Secretary-General, Mr. Kofi Annan, President Lungu stressed that young people should be at the forefront of global change and wished the 134<sup>th</sup> Assembly every success in its deliberations.

## 2. Election of the President

The first plenary sitting of the 134<sup>th</sup> IPU Assembly opened at the Mulungushi International Conference Centre (MICC) in Lusaka in the morning of Sunday 20 March, with the election of Mr. P. Matibini, Speaker of the National Assembly of Zambia, as President of the Assembly.

### 3. Participation

Delegations from 126 Member Parliaments took part in the work of the Assembly<sup>1</sup>:

Afghanistan, Albania, Algeria, Andorra, Angola, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chile, China, Comoros, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Egypt, Equatorial Guinea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Guinea, Guinea-Bissau, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Israel, Italy, Japan, Jordan, Kenya, Kuwait, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Palestine, Panama, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovenia, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Thailand, Timor-Leste, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Zambia and Zimbabwe.

The following six Associate Members also took part in the Assembly: the Arab Parliament, the East African Legislative Assembly (EALA), the Interparliamentary Assembly of Member Nations of the Commonwealth of Independent States (IPA CIS), the Latin American Parliament (Parlatino), the Parliament of the Central African Economic and Monetary Community (CEMAC) and the Parliament of the Economic Community of West African States (ECOWAS).

Observers comprised representatives of: (i) the United Nations system: the United Nations, Food and Agriculture Organization of the United Nations (FAO), the Office of the United Nations High Commissioner for Refugees (UNHCR), the Partnership for Maternal, Newborn and Child Health (PMNCH), the Joint United Nations Programme on HIV/AIDS (UNAIDS), the United Nations Development Programme (UNDP), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), the United Nations Office on Drugs and Crime (UNODC), UN Women, the World Health Organization (WHO); (ii) the International Organization of Supreme Audit Institutions (INTOSAI); (iii) the African Union, the League of Arab States; (iv) the ACP-EU Joint Parliamentary Assembly (JPA), the African Parliamentary Union (APU), the Arab Inter-Parliamentary Union (AIPU), the Forum of Parliaments of the International Conference on the Great Lakes Region (FP-ICGLR), the Global Organization of Parliamentarians against Corruption (GOPAC), the Maghreb Consultative Council, the Pan African Parliament, Parliamentarians for Nuclear Non-proliferation and Disarmament (PNND), the Parliamentary Assembly of the Black Sea Economic Cooperation (PABSEC), the Parliamentary Assembly of the Mediterranean (PAM), the Parliamentary Assembly of Turkic-Speaking Countries (TurkPA), the Parliamentary Assembly of the Union of Belarus and Russia, the Parliamentary Union of the OIC Member States (PUIC), the Southern African Development Community Parliamentary Forum; (v) the Global Fund to Fight Aids, Tuberculosis and Malaria; (vi) Socialist International; (vii) the Geneva Centre for the Democratic Control of Armed Forces (DCAF), the International Committee of the Red Cross (ICRC) and the International Institute for Democracy and Electoral Assistance (International IDEA).

Of the 1,227 delegates who attended the Assembly, 634 were members of parliament. Those parliamentarians included 36 Presiding Officers, 38 Deputy Presiding Officers and 190 women (29.9%).

### 4. Emergency item

#### (a) Choice of an emergency item

On 20 March 2016, the President informed the Assembly that the following four requests for the inclusion of an emergency item had been proposed:

- *Completing the process for international recognition of a viable, independent and sovereign Palestinian State, with East Jerusalem as its capital: The role of parliaments (Morocco);*
- *Human trafficking: An act of terrorism, a grave violation of human rights and human dignity, and a threat to regional and international peace and security (Sudan);*

<sup>1</sup> For the complete list of IPU Members, see page 27

- *Parliamentary powers in democracies and the importance of the oversight function* (Bolivarian Republic of Venezuela);
- *Giving an identity to the 230 million children without a civil status: One of the major challenges of the humanitarian crisis in the 21<sup>st</sup> century* (France and Uruguay).

The delegations of Morocco and the Bolivarian Republic of Venezuela withdrew their proposals before the vote.

The Assembly proceeded with a roll-call vote on the two remaining items (see pages 42-43). The proposal put forward jointly by France and Uruguay was adopted and added to the agenda as Item 8.

(b) Debate on the emergency item

*Giving an identity to the 230 million children without a civil status: One of the major challenges of the humanitarian crisis in the 21<sup>st</sup> century* (Item 8)

The debate on the emergency item was held in the morning of 21 March 2016 with Ms. N. Motsamai, Speaker of the National Assembly of Lesotho, in the chair.

Before the debate, Ms. L. Dumont (France), co-author of the joint proposal, made a brief presentation on the emergency item. She reminded parliamentarians of alarming figures: more than 230 million children under five years of age were without an identity. She urged parliamentarians to work with their respective governments to establish a better registration system for children, provide free birth certificates and allocate adequate funds for civil registries in the national budget. She underscored the need to facilitate the registration process for all citizens regardless of where they lived.

Subsequently, three speakers took the floor during the debate, from Belgium, Mexico and the United Arab Emirates. They reiterated that all children, particularly those affected by war and conflict, should be duly registered so they could enjoy all their rights throughout their lives. One delegate referred to the "IPU-UNICEF Parliamentary workshop on the right to identity: Promoting universal birth registration in Latin America and the Caribbean", held in Lima, Peru, in June 2013. She reminded IPU Members that parliamentarians at that workshop had agreed to work for universal birth registration.

Other delegates emphasized that special attention was needed for children in situations of conflict, war or living in foreign countries following forced migration. One delegate underscored the urgent need to enact legislation on naturalization so that children without an identity could enjoy their rights in the country where they lived. He added that such legislation should not discriminate against children based on race, ethnicity or religion but rather ensure that each State provided the necessary protection to all people on its territory. Another delegate underscored the importance for all children, while awaiting their registration, to receive the necessary help and assistance. Children without an identity often also became stateless, an important issue that the IPU had been working on. He suggested that the matter of children without a civil status should go beyond the emergency item of the current Assembly and be dealt with by another IPU event or body.

The other co-author of the proposal, Mr. R. Martínez Huelmo (Uruguay), underscored that parliamentarians should not just debate but take necessary actions through legislation and disseminate their ideas throughout the world.

Before concluding the debate, the Chair expressed the hope that the emergency item resolution would lead to concrete actions by parliaments that would help children to regain the rights of which they were deprived.

The Assembly referred the emergency item to a drafting committee composed of representatives of Bahrain, Canada, Cote d'Ivoire, France, Iceland, Iran (Islamic Republic of), Malaysia, Mexico, United Republic of Tanzania and Uruguay.

(c) Adoption of the resolution on the emergency item

On 22 March, the Assembly unanimously adopted the resolution on the emergency item.

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

### (a) General Debate: *Rejuvenating democracy, giving voice to youth*

#### High-level segment

The General Debate was introduced by a number of high-level speakers, including the Speaker of the National Assembly of Zambia, who emphasized the importance of youth participation in decision-making at the national level. He affirmed the need to promote youth-led structures in parliament and to empower young parliamentarians. Youth participation at all levels of governance would strengthen accountability and support the implementation of international commitments. He also underlined the importance of providing both a gender and a youth perspective to the work of parliament.

Ms. M. Mensah-Williams, Speaker of the National Council of Namibia and President of the IPU Coordinating Committee of Women Parliamentarians, argued that, to remain relevant, democracies should be constantly renewed through greater inclusiveness and representation. Both women and young people under 30 were underrepresented. In particular, women were often prevented from exercising their political rights because of challenges such as gender stereotyping and discrimination. In order to open up parliament to young women, the status quo must be changed, existing practices questioned and barriers lifted. The message that politics was for everyone should be promoted. The seeds of political empowerment should be planted at an early age for young girls and boys. Parliaments needed to change the way they worked in order to become more gender-sensitive. One way to achieve that was through a review of their processes, infrastructures, working cultures and operational environments. In such challenging times, the answer was more democracy, not less.

Mr. V. Gapsys (Lithuania), a member of the Board of the Forum of Young Parliamentarians of the IPU, drew attention to the paradox between the increasing development of democratic institutions and the decreasing confidence that the public and young people had in them. To address that paradox, democracies needed to adapt to a digital world that had changed the way people lived and communicated. Parliaments should use those technologies to bridge the offline and online worlds and to bring democracy closer to the people. Young people were instrumental in bringing about that change for the good of all people. However, a number of obstacles stood in their way. Youth representation in parliaments was lacking and young people felt frustrated by a system that they felt did not speak for them. The IPU had been at the forefront of addressing those shortcomings, but it was time to go further. The Forum of Young Parliamentarians of the IPU had made recommendations on how to remedy the situation, such as by increasing youth representation and empowering young people to engage in politics more effectively. Young people wanted to engage and both young and old should work together to translate that aspiration into a more democratic course for everyone.

Ms. A. King (New Zealand), in her capacity as Acting President of the Standing Committee on Democracy and Human Rights, underscored that young parliamentarians should be better represented in parliament. Parliamentarians of all ages should play a role in breaking down barriers to promote inclusiveness. In a rapidly changing world with an emerging digital era, qualifications students earned today would be obsolete by 2025. Young people already faced growing pressures, including insecurity, violence, joblessness, poverty and educational disparity. The unsavoury mix of disillusionment, alienation and distrust that was developing among young people had been accompanied by an inability of parliaments to urgently address those concerns. Young people wanted transparency and oversight, both to fight corruption and to help implement fair, equitable and sustainable development. Some positive work was already underway, such as the establishment of youth parliaments, the promotion of civic education and the increasing use of social media and online tools to reach out to new audiences. However, more was needed. Ms. King described how young people had collectively engaged on social media during and after a tragic earthquake in New Zealand, and stressed that young people should be allowed to take up more responsibilities for the public good.

Mr. A. Alhendawi, the UN Secretary-General's Envoy on Youth, drew attention to a number of mistaken assumptions. He said that persons under 30 years of age now comprised the majority of the world population. As such, young people were not only the future, but also the present. Politicians should not be working for youth as a favour. Instead, they should be capitalizing on young people's qualities to support existing political institutions. Young people were not a liability, but rather an incredible opportunity. He objected to the belief that all extremists were young, and argued instead that young people were the victims of extremism. Moreover, young people were neither lazy nor apathetic. The reason for youth disengagement was that political processes were unattractive and needed to adapt to the digital era. He highlighted achievements made in the technology sector to illustrate the point that

young people were ready to lead: they had been leading in Silicon Valley and other high-tech centres for some time. Investing in youth was a requirement and proper account must be taken of the needs of young women. In sum, young people were the key driving force that could bring about democratic rejuvenation.

Ms. Y. Chaka Chaka, Artist and UN Goodwill Ambassador for the Roll Back Malaria Partnership, cautioned against standing idle while efforts were being made both to empower young men and women and to protect children from disease. Young people were disenfranchised and many countries experienced a brain drain they could ill-afford due to lack of opportunities. No decisions about young people should be taken without including young people in those decisions. More generally, politicians needed to be more accessible to all people. Politics should not be about corruption or self-interest but about empowering the people. Young people were going to change democracy but more young people still needed to be represented in political institutions. The young and the older generations needed to work together by complementing each other and, above all, respecting one another. She concluded that there would be no wealth without health and education.

The debate also featured special presentations by Mr. V. Nayak, a young student who had worked as a digital constituency manager for the 2012 Barack Obama presidential campaign in the United States of America, and Ms. C. Phiri, a young boxing champion from Zambia.

Mr. V. Nayak discussed the need for politics to be brought to young people where they were and in a way that appealed to them. His experiences as a digital programmes manager had served that very purpose. He described aspects of his work which had involved developing online tools designed to engage young people on social media and encourage them to spread their views. Digital technologies could act as vehicles to enhance youth engagement. Mr. Nayak encouraged parliamentarians to use those tools to conduct online petitions, virtual town halls and live streaming. However, digital communications were not enough on their own. A new, more authentic way of doing politics was also needed, which would speak to young people today. To further increase the political participation of young people, the age of eligibility to vote and run for office should be lowered.

Ms. C. Phiri presented her own personal experiences from growing up as a young girl in poverty in Lusaka to becoming a world-renowned boxing champion. Her experience underlined the importance of hard work and determination. She emphasized that education and sports were critical elements in the empowerment of young people, as they embodied principles that were of higher, longer-lasting value than material objects. She left the audience with an inspiring message that self-discipline, time management and focus were key factors that had enabled her to overcome poverty and become a sports icon.

During the three days of debate, representatives of 95 Member Parliaments, four Associate Members and six Permanent Observers spoke on the theme. The debate provided them with an opportunity to exchange views on ways of reviving the interest of the younger generation in politics in general and the functioning of parliaments in particular. The experience of the debate at the IPU Assembly in Lusaka was ample proof that the IPU was on its way to opening up to new times and new themes.

In the afternoon of 22 March, the Assembly heard an address by the Foreign Minister of Zambia, Mr. H. Kalaba, who commended the IPU for placing emphasis on the need to rejuvenate politics, mentioning that Zambia could in many ways serve as an example. Zambia was committed to giving its young people a voice in politics and in society in general. That was evidenced by the young faces seen among the Cabinet Ministers and Members of Parliament. On its paths towards sustainable development and the achievement of the SDGs, the country was keen to draw inspiration from best practices in other countries in terms of good governance, transparency and inclusiveness.

In light of the terrorist attacks that had occurred the previous day in Brussels, the IPU President read out a statement on 22 March condemning the attacks and all forms of terrorism. The Assembly subsequently endorsed the statement (see page 46).

#### (b) Standing Committee on Peace and International Security

The Standing Committee on Peace and International Security held four sittings from 20 to 22 March, with its President, Mr. R. Tau (South Africa) in the chair. At its first sitting, the Committee considered an explanatory memorandum and draft resolution entitled *Terrorism: The need to enhance global cooperation against the threat to democracy and individual rights*, jointly drafted by the co-Rapporteurs Ms. C. Guittet (France) and Mr. K. Hari Babu (India). It also considered 95 proposed amendments to the draft resolution submitted by 17 Member Parliaments and the Meeting of Women Parliamentarians.

Approximately half of the proposed amendments were approved and many sub-amendments were also accepted.

At the sitting on 22 March, the Committee adopted the revised text by consensus. The delegation of India expressed a reservation on the use of the expression "right to a private life".

The draft resolution was submitted to the Assembly, meeting in plenary, on the afternoon of 23 March and was adopted by consensus. The title of the resolution was amended by the Assembly to: *Terrorism: The need to enhance global cooperation against the threat to democracy and human rights*. The delegation of India reiterated its reservation.

Elections to the Bureau were held at the fourth and final sitting of the Committee. The three vacant posts were filled. Elections for the posts of President and Vice-President of the Committee were then held. Ms. L. Rojas (Mexico) was elected President of the Committee and Mr. D. Pacheco (Portugal) was elected Vice-President.

The Bureau met on 21 March to discuss the Committee's next subject item and future work programme. Four subject items had been received by the deadline and were discussed by the members of the Bureau. The Bureau decided to propose to the Committee the topic submitted by the delegation of the Russian Federation albeit with a substantially revised title. The Committee agreed that, at the 136<sup>th</sup> Assembly, its draft resolution would be entitled *The role of parliament in the prevention of external interference in the internal affairs of sovereign States*. That proposal was subsequently approved by the Assembly.

The Bureau agreed to focus its work at the 135<sup>th</sup> IPU Assembly on two types of activities: an expert panel on the theme chosen by the Committee for debate and one (or two) panel discussion(s) on the theme(s) of the remaining proposals.

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

The Standing Committee on Sustainable Development, Finance and Trade held three sittings from 20 to 22 March, with its Vice-President, Mr. O. Hav (Denmark) and Bureau member Ms. N. Marino (Australia), in the chair. The Standing Committee had before it an explanatory memorandum and draft resolution, entitled *Ensuring lasting protection against destruction and deterioration for the tangible and intangible cultural heritage of humanity*, jointly prepared by the co-Rapporteurs, Mr. A. Destexhe (Belgium) and Mr. H. Kouskous (Morocco). It also had before it 169 proposed amendments to the draft resolution submitted by 16 Member Parliaments.

The Committee first heard a presentation of the draft resolution by the co-Rapporteurs and then held a short debate. A total of 17 speakers took the floor. The Standing Committee then proceeded to consider the proposed amendments in two plenary sittings. The co-Rapporteurs endeavoured to merge as many amendments as possible.

At its final sitting on 22 March, the Standing Committee unanimously adopted the consolidated draft. The Committee agreed that Mr. A. Cissé (Mali) would present the draft resolution to the Assembly.

The draft resolution was submitted to the Assembly at its plenary sitting in the afternoon of 23 March and was adopted unanimously.

At its final sitting and at the proposal of the Bureau, the Standing Committee adopted its next subject item, *Promoting enhanced international cooperation on the SDGs, in particular on the financial inclusion of women as a driver of development*. The Committee approved the nomination of Ms. G. Cuevas (Mexico) and Ms. P. Mahajan (India) as co-Rapporteurs.

In terms of the work plan for the 135<sup>th</sup> Assembly, the Committee approved the proposal of the Bureau to organize a debate on the subject item as well as a panel discussion on the theme, *The role of parliaments in countering the activities of vulture funds*.

Lastly, the Committee elected the Bureau as proposed by the geopolitical groups. It also elected Ms. S. Tioulong (Cambodia) as its President and Mr. A. Cissé (Mali) as its Vice-President (see page 25).

(d) Standing Committee on Democracy and Human Rights

The Standing Committee on Democracy and Human Rights held two sittings on 21 and 22 March 2016 with its Acting President, Ms. A. King (New Zealand) in the chair.

At its first sitting, the Committee approved the nomination of the two co-Rapporteurs for its next resolution, Ms. S. Lines (Australia, replacing Ms. L. Markus) and Mr. M. Kilonzo Junior (Kenya). The co-Rapporteurs participated in an interactive debate on the subject of the Committee's next resolution, *The freedom of women to participate in political processes fully, safely and without interference: Building partnerships between men and women to achieve this objective*. They were joined on the panel by Mr. N. Erskine-Smith (Canada), Ms. M. Azer Abdelmalak (Egypt) and Mr. J. Zangpo (Bhutan). Thirty-two delegates took part in the debate, including 18 women and 14 men (see full report on page 47). The Chair invited all members to submit their written inputs for the draft resolution by 10 April.

At its second sitting, the Committee held a debate on *Open Parliaments: Building an association on accountability* with Ms. L. Rojas (Mexico), Mr. N. Evans (United Kingdom), Mr. C. Chauvel (UNDP) and Mr. D. Swislow (National Democratic Institute) serving as panellists. Twenty-three parliamentarians participated in the debate, of whom 18 were men and five were women (see full report on page 48).

At its second sitting, the Committee held elections for the vacant seats on its Bureau. The Asia-Pacific Group nominated Mr. P. Wangchuk (Bhutan) and the Twelve Plus Group nominated Mr. J. Lácio (Portugal). Both nominations were approved by the Committee. Four more vacant posts remained unfilled. After the Committee sitting, the Asia-Pacific Group submitted the candidature of Mr. A.Y. Desai (India) to fill one of the vacancies. That nomination would be submitted to the Committee at the 135<sup>th</sup> Assembly.

The Acting President informed the Committee that the geopolitical groups had jointly agreed that the next President of the Committee would be from the African Group. As the nomination for the post of President had not yet been received, the election of the next President would be deferred to the 135<sup>th</sup> Assembly. The vacant post for the Vice-President would be filled at the same time.

(e) Standing Committee on United Nations Affairs

During the first sitting of the Committee, members commented on the new process for the selection of the United Nations Secretary-General, as outlined in a detailed background note prepared by the IPU Secretariat.

The Committee heard presentations from Ms. Y. Terlingen, a representative of the *1 for 7 Billion Campaign*, working to change the selection process; Mr. K. Kosachev (Russian Federation); and Ms. G. Ortiz (Mexico) and a member of the Committee's Bureau.

The participants asked the IPU to transmit the following three questions to all candidates running for the position of UN Secretary-General:

- The 2030 Agenda for Sustainable Development will be successful if members of parliament are involved in developing national action plans, monitoring implementation, and aligning budgets and legislation with the Agenda. As United Nations Secretary-General, would you advocate for parliamentary engagement in the implementation of the new 2030 Agenda and associated Sustainable Development Goals (SDGs) among Member States?
- Numerous UN General Assembly resolutions and UN Secretary-General reports recommend a strong relationship between the United Nations and national parliaments, as well as with the IPU. As UN Secretary-General, what specific actions would you take to strengthen these relationships at the global and national levels to more effectively serve the people?
- As representatives of the people, parliamentarians want to ensure a more democratic process for the selection of the UN Secretary-General. What role can parliamentarians, through the IPU (the world organization of parliaments), play in this process?

At the second sitting, the Committee was briefed on the institutional arrangements for the implementation of the SDGs. Mr. L. Borbely (Romania), Ms. P. Torsney and Mr. A. Motter (IPU Secretariat) and Mr. C. Chauvel (UNDP), made presentations on the topic.

It was agreed that each first annual session of the Standing Committee would henceforth be utilized to: (i) take stock of global progress on the SDGs (UN reports); (ii) prepare parliaments for the voluntary national reviews by the High-Level Political Forum on Sustainable Development; (iii) encourage parliaments to perform a self-assessment of their capacity to implement the SDGs and share best practices.



The Standing Committee on United Nations Affairs met on 22 March. Mr. A. Romanovich (Russian Federation) was elected to the Bureau, as was Ms. A.R. Albasti (United Arab Emirates) and Mr. A.F.I. Al-Mansour (Sudan). Mr. Al-Mansour became Vice-President of the Committee, replacing Mr. M. El Hassan Al Amin (Sudan).

## 6. Concluding sitting

At its final sitting in the afternoon of 23 March, the Assembly had before it the results of the work of the Standing Committees, as well as the Outcome Document of the General Debate, *Rejuvenating democracy, giving voice to youth*.

Following the presentation of the reports of the Standing Committees and the adoption of the resolutions, the President of the Assembly invited Ms. G. Kokorwe, Speaker of the National Assembly of Botswana, and Mr. O. Yanar, a young member of parliament from Finland, to present the Outcome Document of the General Debate (see page 29). Representing both sexes, senior parliamentary leaders and young parliamentarians, majority leaders as well as minorities in parliament and in society, they gave a powerful testimony to the outcome of the very rich and substantive Assembly proceedings. They called on all participants to follow up on the specific recommendations from the Outcome Document and to report back to the IPU on progress made.

The Assembly concluded with statements from the representatives of the geopolitical groups: Mr. K. Al Maawali (Oman) on behalf of the Arab Group, Ms. A. Rasheed (Maldives) on behalf of the Asia-Pacific Group, Mr. R. León (Chile) on behalf of the Group of Latin America and the Caribbean, Mr. P. Mahoux (Belgium) on behalf of the Twelve Plus Group, and Mr. P. Nzengue Mayila (Gabon) on behalf of the Africa Group. They expressed their immense satisfaction with the Assembly, which had culminated in tangible and topical outcomes, as well as their deep appreciation for the warm hospitality and excellent arrangements provided by the host country, Zambia.

The IPU President reiterated his thanks to the Zambian hosts for ensuring the success of the Assembly, to the IPU Members and partners for their constructive contributions and engagement, as well as to the IPU Secretariat and support staff for their dedication and hard work.

The Speaker of the National Assembly of Zambia, summing up the results of the Assembly, thanked all the participants for their active involvement and declared the 134<sup>th</sup> Assembly closed.

# 198<sup>th</sup> session of the Governing Council

## 1. Membership and Permanent Observers of the IPU

At its sitting on 20 March, the Governing Council approved requests for reaffiliation from the Parliaments of Egypt and Comoros, as well as a request for affiliation from the Parliament of Guyana. The Council also approved a request for associate membership from the Interparliamentary Assembly of Member Nations of the Commonwealth of Independent States (IPA CIS), formerly a Permanent Observer. The overall membership of the IPU was thus raised to 170 parliaments and 11 Associate Members.

The Council also approved a request for permanent observer status from the Forum of Parliaments of the International Conference on the Great Lakes Region (FP-ICGLR). An updated list of Permanent Observers of the IPU can be found on page 83.

The Council was apprised of the situation of certain parliaments and took note of relevant recommendations adopted by the Executive Committee with regard to each of them. The Council approved the decision to remove Burkina Faso and Haiti from the list of countries to be closely monitored as the transitional period had ended in the former case and a fully functioning parliament was in place in the latter. It decided to continue to monitor developments in Burundi and engage with the parliament. Regarding the Central African Republic, the Council decided to continue to monitor the situation closely until the transitional period had been completed. It also decided to follow developments closely in the Democratic Republic of the Congo. As for Libya, it decided to keep monitoring the situation and expressed the hope that the current peace talks would reach a successful conclusion. Now that a bicameral parliament was in place in Madagascar, the Council considered that the IPU should provide support to it. As parliamentary elections were scheduled to take place in the Syrian Arab

Republic on 14 April, the Council decided to continue to closely monitor the situation and engage with the parliament. Regarding Thailand, the Council decided to continue to monitor the situation through direct contacts with the National Legislative Assembly. It also decided to keep a close eye on the situation in Venezuela, express its solidarity with the parliament and dispatch an on-site mission to the country. The Council decided to keep the situation in Yemen under review and requested updates from Members (see relevant section on Executive Committee on page 15).

## 2. Financial results for 2015

The Governing Council considered the Financial Report and Audited Financial Statements for 2015. The Financial Statements had been prepared in full compliance with the International Public Sector Accounting Standards (IPSAS). The accounts of the IPU and the closed Pension Fund were again consolidated into a single set of financial statements.

The financial results for 2015 were introduced by Mr. R. del Picchia (France), Chair of the Sub-Committee on Finance, who conveyed the External Auditor's positive impression of the financial statements and internal controls. Although the IPU had recorded a reduction in its net assets of CHF 494,596, that was due in part to losses on investments in a challenging global environment. The closed Pension Fund remained a risk which was, however, well managed and fully provided for in the accounts. As a result, the balance of the Working Capital Fund now stood at CHF 8.6 million at year-end, of which CHF 6.6 million represented available funds and the balance represented IPSAS accounting adjustments. Although nominally reduced in 2015, the Fund had since been built up from CHF 4.5 million in 2010.

The Internal Auditors' report was presented by Mr. D. Pacheco (Portugal) who said that the accounts accurately portrayed the financial situation of the IPU at 31 December 2015 and complied with all current standards and rules. The External Auditor had expressed no reservations on the Financial Statements and had made only one recommendation, which had already been implemented by the Secretariat. The deficit for the year should be addressed in future through more effective measures, which might include increasing income through assessed contributions and voluntary funding. Expenses were carefully controlled and had already been reduced. He had no doubt that the Secretariat would address the financial challenges in an effective manner.

Voluntary funding had continued to increase in 2015, although at a less-than-anticipated rate. In his report on the state of extrabudgetary resources, the IPU Secretary General announced new donations made by Canada and the Federated States of Micronesia in addition to those made by China, Equatorial Guinea, United Arab Emirates, Irish Aid, the Partnership for Maternal, Newborn and Child Health (PNMCH), the Swedish International Development Cooperation Agency (Sida), UNDP, the World Health Organization (WHO) and Worldwide Support for Development (WSD - Japan).

Notwithstanding increased financial risks typical of uncertain times, the Organization's financial standing was strong. It was clear, however, that the IPU's assessed contributions could no longer be reduced each year and that an appropriate balance needed to be struck between core and voluntary funding. The IPU President applauded the initiative of the United Arab Emirates to include in the parliamentary budget a special line earmarked for assistance to the IPU above and beyond the regular statutory contribution, and also welcomed in-kind assistance.

The Governing Council approved the Secretary General's financial administration of the IPU and the financial results for 2015. It also endorsed new guidelines relating to voluntary contributions (see page 75).

## 3. Financial situation

The Governing Council received an overview of the IPU's financial situation at 31 January 2016 and noted that the financial position was sound. The overall level of expenditure was on track at 101 per cent of the year-to-date budget. Arrears in assessed contributions amounted to CHF 537,000, with 37 Members having overdue accounts. Two Members (Congo and Honduras) were at risk of suspension if no payments were received before the next session in October 2016. Several new sources of voluntary funding were announced, supplementing the generous support provided by existing donors.

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

The Council took note of the activities undertaken by the IPU in cooperation with the United Nations system since the previous IPU Assembly held in October 2015 (see full list of activities on page 53). The Secretary General drew attention to the far-reaching partnership between the IPU and the United Nations on a wide range of issues. In particular, he referred to the 2016 edition of the annual Parliamentary Hearing at the United Nations, which had focused on the world drug problem and had been organized as a contribution to the UN General Assembly Special Session on Drugs. The deliberations of the Parliamentary Hearing had been frank and substantive, resulting in a number of concrete recommendations.

New cooperation had been initiated with the UN Security Council on the implementation of Resolution 1540 relating to the non-proliferation of weapons of mass destruction among non-State actors. The issue was gaining prominence in the context of escalating acts of terrorism and violent extremism. A regional Seminar for African Parliaments had been held in Côte d'Ivoire in February 2016, the first in a series of related activities. Close cooperation was also being pursued in terms of mobilizing parliaments on the implementation of the 2030 Sustainable Development Agenda, with a series of regional seminars already having been held or in the pipeline, including the South Asian Speakers' Summit (Dhaka, January 2016), the regional Seminar for Central and Eastern Europe (Bucharest, April 2016) and the regional Seminar for Central and Latin America (Panama, November 2016).

The Secretary General informed the Council of the status of consultations on the new Cooperation Agreement between the IPU and the United Nations, which would reflect progress over the past 20 years and place the institutional relationship between the two organizations on a stronger footing. Based on the IPU submission of April 2015 (further to the decision of the IPU Governing Council) and the response from the United Nations, a new text was currently under consideration, with the expectation that a substantively improved agreement would be ready for signature by the UN and the IPU Secretaries General in the course of 2016. As recommended by the Executive Committee, the Agreement would be accompanied by a letter from the UN Secretary-General underscoring the strategic importance of the UN-IPU partnership, as well as a letter from the IPU Secretary General clarifying that joint activities and initiatives with budget implications for the IPU would be subject to approval by the IPU governing bodies.

#### 5. Implementation of the IPU Strategy for 2012-2017 and preparation of the revised Strategy

The Secretary General briefed the Council on the implementation of the IPU Strategy for 2012-2017, which would conclude in December 2016. As the first IPU Strategy of its kind, it had certainly proved its worth. Among numerous examples of how the IPU was working on practical implementation of the Strategy in 2016, the Secretary General referred to the ongoing preparation of the second edition of the Global Parliamentary Report and mentioned the PaperSmart Initiative approved by the Executive Committee at its session in Lusaka (see page 76).

With reference to Strategic Objective 5 of the current Strategy, which dealt with the building of parliamentary support for international development goals, the IPU President presented the draft Parliamentary Action Plan on Climate Change. The Plan was designed to accompany the Paris Agreement adopted at the COP21/CMP11 session in Paris in December 2015 and was meant to serve as a policy directive offering a medium- to long-term vision of IPU objectives and priorities in the field of climate change and related areas of sustainable development. Bearing in mind that broad consultations on the preliminary draft of the Action Plan had been carried out during the 133<sup>rd</sup> IPU Assembly (Geneva, October 2015), as well as at the Parliamentary Meeting on climate change organized by the IPU in Paris in December 2015, the Council approved the Parliamentary Action Plan on Climate Change (see page 64).

The Secretary General informed the Council of the ongoing work on the preparation of a revised IPU Strategy, a preliminary draft of which had been prepared by the IPU Secretariat and examined by the Executive Committee at its session in Lusaka. The revised Strategy should take stock of developments since 2012, reflect the findings included in the mid-term review carried out in 2014, and be based on the outcomes of the 2015 World Conference of Speakers of Parliament and the UN Summit, which had adopted the SDGs in September 2015. The Council took note of the fact that a preliminary draft of the revised IPU Strategy had been posted on the IPU website and was open for comments and observations by IPU Members. Relevant inputs should be submitted to the IPU Secretariat by 15 July 2016.

## 6. Recent specialized meetings

The Governing Council took note of the results of the Conference on *Ensuring everyone's right to nationality: The role of parliaments in preventing and ending statelessness* ([http://www.ipu.org/cnl-e/198/7\(a\)-r1.pdf](http://www.ipu.org/cnl-e/198/7(a)-r1.pdf)); the Parliamentary Meeting on the occasion of the UN Climate Change Conference COP21/CMP11 ([http://www.ipu.org/cnl-e/198/7\(b\)-r1.pdf](http://www.ipu.org/cnl-e/198/7(b)-r1.pdf)); the Annual Parliamentary Hearing at the United Nations ([http://www.ipu.org/cnl-e/198/7\(c\)-r1.pdf](http://www.ipu.org/cnl-e/198/7(c)-r1.pdf)); the Seminar for African parliaments on the implementation of United Nations Security Council resolution 1540 ([http://www.ipu.org/cnl-e/198/7\(d\)-r1.pdf](http://www.ipu.org/cnl-e/198/7(d)-r1.pdf)); the Parliamentary Meeting on the occasion of the 60<sup>th</sup> session of the UN Commission on the Status of Women ([http://www.ipu.org/cnl-e/198/7\(e\)-r1.pdf](http://www.ipu.org/cnl-e/198/7(e)-r1.pdf)); the South Asian Speakers' Summit on Achieving the Sustainable Development Goals ([http://www.ipu.org/cnl-e/198/7\(f\)-r1.pdf](http://www.ipu.org/cnl-e/198/7(f)-r1.pdf)); and the Third Global IPU Conference of Young Parliamentarians (<http://www.ipu.org/splz-e/youngMP16.htm>).

## 7. Reports of plenary bodies and specialized committees

At its sitting on 23 March, the Governing Council took note of the reports on the activities of the Committee on Middle East Questions (see page 56); the Group of Facilitators for Cyprus (see page 18); the Committee to Promote Respect for International Humanitarian Law (see page 57); the Gender Partnership Group (see page 60); the Advisory Group on HIV/AIDS and Maternal, Newborn and Child Health (see page 62); the Meeting of Women Parliamentarians (see page 16); and the Forum of Young Parliamentarians of the IPU (see page 63).

The Council also heard the report of the Committee on the Human Rights of Parliamentarians and approved seven decisions submitted by the latter (see pages 85 to 110), noting the reservations expressed by the delegations of Cambodia, Malaysia and Thailand concerning the cases in their respective countries.

## 8. Future inter-parliamentary meetings

Following the recommendation of the Executive Committee, which had been apprised of the positive findings of the on-site mission to Dhaka (Bangladesh) carried out by officials of the IPU Secretariat in January 2016, the Governing Council confirmed the decision to hold the 136<sup>th</sup> IPU Assembly in Dhaka from 1 to 5 April 2017.

The Council was reminded of the invitation received from the Parliament of the Russian Federation to host the 137<sup>th</sup> IPU Assembly in St. Petersburg in September/October 2017. The invitation had been duly considered by the Executive Committee, which authorized the IPU Secretary General to dispatch a technical assessment mission to St. Petersburg not later than the end of May 2016. In so deciding, the Executive Committee was cognisant of the fact that the Foreign Minister of the Russian Federation had provided written assurances that all delegates and observers invited by the IPU to the 137<sup>th</sup> IPU Assembly would be duly granted entry visas by the Russian authorities. In conformity with established practice, the Parliament of the Russian Federation had also undertaken to cover additional costs resulting from holding the second Assembly of the year outside Geneva.

Following an exchange of views, the Council accepted in principle the invitation of the Parliament of the Russian Federation to host the 137<sup>th</sup> IPU Assembly in St. Petersburg, provided that all logistical requirements were met. Should the findings of the assessment mission conclude that the Russian Federation was in a position to host the Assembly, the authorities would be given the go-ahead to start planning, including preparation of the budget for the event. A decision would be formally taken by the Council at its next session, to be held in Geneva in October 2016.

## 9. Amendments to the Statutes and Rules

In conformity with the IPU Statutes, the Governing Council approved a series of amendments to the Rules of the Meeting of Women Parliamentarians (see pages 77). Henceforth, the Meeting would be called the "Forum of Women Parliamentarians", while its Coordinating Committee would be called the "Bureau of Women Parliamentarians".

The Council agreed that relevant editorial changes would also have to be made in the text of the IPU Statutes.

## 273<sup>rd</sup> session of the Executive Committee

The Executive Committee held its 273<sup>rd</sup> session in Lusaka on 17, 18 and 22 March 2016. The President of the IPU chaired the meetings. The following members took part in the session: Ms. F. Benbadis, replacing Ms. Z. Drif Bitat (Algeria), who was no longer a parliamentarian, on 22 March; Ms. L.C.R. José replacing Ms. C. Cerqueira (Angola), who was no longer a parliamentarian; Mr. A. Lins (Brazil) on 22 March; Mr. R. del Picchia (France); Mr. K. Jalali (Islamic Republic of Iran); Mr. S. Suzuki (Japan); Mr. D.E. Ethuro (Kenya), Ms. M. Mensah-Williams (Namibia) in her capacity as President of the Meeting of Women Parliamentarians on 18 and 22 March; Mr. N. Schrijver (Netherlands); Ms. G. Eldegard (Norway); Mr. K. Kosachev (Russian Federation); Mr. A. Jasem Ahmed replacing Mr. R.M. K. Al Shariqi (United Arab Emirates), who was no longer a parliamentarian; Mr. I. Liddell-Grainger (United Kingdom); Mr. D. Vivas (Bolivarian Republic of Venezuela) on 22 March; and Mr. Tran Van Hang (Viet Nam). Ms. A. Habibou (Niger) was absent.

At its sitting on 17 October, the Executive Committee examined two requests for reaffiliation from the Parliaments of Comoros and Egypt and one request for affiliation from the Parliament of Guyana. It recommended that the Council approve all three requests.

The Executive Committee examined the situation of certain parliaments and made specific recommendations on each to the Governing Council on Burkina Faso, Burundi, Central African Republic, Democratic Republic of the Congo, Haiti, Libya, Madagascar, Syrian Arab Republic, Thailand, Venezuela and Yemen (see relevant section under Governing Council on page 11).

The Executive Committee recommended that a request from the Interparliamentary Assembly of the Member Nations of the Commonwealth of Independent States (IPA CIS) to upgrade its status from Permanent Observer to Associate Member be approved by the Governing Council. It also recommended that observer status be granted to the Forum of Parliaments of the International Conference on the Great Lakes Region (FP-ICGLR).

The Executive Committee heard the report of the Sub-Committee on Finance. The Sub-Committee had met on 16 March to prepare and facilitate the Executive Committee's consideration of financial and budgetary matters. It had carefully examined all the financial documents and had been pleased to note that the IPU's accounts were again fully IPSAS-compliant. While net assets had decreased by CHF 494,596 due to a combination of factors such as a difficult investment environment and the continued liability on the IPU closed Pension Fund, the Executive Committee noted that the IPU was in a sound financial position overall.

The Sub-Committee had noted with satisfaction the higher level of voluntary contributions from a broad range of new and existing donors. It looked ahead to preparations for the 2017 budget, taking into account the revised IPU Strategy. Following the series of substantial decreases in IPU Members' assessed contributions over the past five years, the Sub-Committee on Finance believed that this trend could not continue if the IPU were to pursue its mission without jeopardizing its independence. The Sub-Committee examined reports on the Financial Statements, the External Auditor's Report, the Financial Situation and the report on the mobilization of voluntary funding. It recommended that the Executive Committee approve the audit report and the Secretary General's financial administration for 2015, as well as the 2015 Financial Results.

In addition, the Executive Committee adopted an updated set of guidelines relating to voluntary contributions to the IPU that had been carefully reviewed and recommended by the Sub-Committee on Finance. It also examined a proposal to establish a Parliamentary Solidarity Fund to encourage the parliaments of small island developing States (SIDS) to join the IPU and support their participation in statutory IPU meetings. It decided to revert to the matter at its next session in October 2016, when a revised proposal taking into account the comments of members would be produced.

In connection with the implementation of the IPU Strategy for 2012-2017, the Secretary General briefed the Executive Committee on the status of the second edition of the Global Parliamentary Report, which would be launched in the second half of 2016. The report would deal with parliament's power to hold government to account. Surveys and interviews had been conducted at the 134<sup>th</sup> Assembly.

The Secretary General informed the Committee of the IPU's drive to become greener in line with global concern for the environment and climate change as encapsulated in the IPU's PaperSmart Initiative. An overall reduction of 20-25 per cent of paper had already been implemented, in addition to a number of other measures, such as a print-on-demand service at the current Assembly and an application for mobile devices that would be available starting from the 135<sup>th</sup> Assembly.

The Executive Committee examined the draft IPU Strategy for 2017-2021. It agreed that the draft should be shared with the geopolitical groups and the wider membership and remain open for written input until the deadline of 15 July 2016. It entrusted the Secretariat with collating contributions and fine-tuning the document for adoption at the 135<sup>th</sup> Assembly in October.

The members held extensive discussions on the draft Cooperation Agreement with the United Nations. They concluded that overall, the new agreement represented a considerable improvement over the previous one. It did not entail any further cost implications for the IPU and referred to a "strategic partnership" between the two organizations. The members welcomed the idea of a letter of interpretation from the UN Secretary-General to give greater importance to the instrument and/or one from the IPU Secretary General clarifying that joint initiatives with budget implications would be subject to approval by the IPU governing bodies. They recommended that the current draft serve as a basis for further negotiations with the United Nations before its final adoption later in 2016.

In light of the positive mission report produced by the IPU assessment team following its on-site visit to Dhaka, the Executive Committee recommended that the Council approve the holding of the 136<sup>th</sup> Assembly in Dhaka. The IPU President informed the members that the Russian Parliament had selected the city of St. Petersburg to host the second Assembly of 2017. Taking into account the written visa assurances provided by the Russian Foreign Minister, it recommended that an assessment mission be carried out to St. Petersburg and that the provisional green light be given to the prospective hosts to proceed with preparations based on the findings of the mission.

The Secretary General informed the Executive Committee of staff developments. Ms. S. Varturk, Executive Assistant to the Secretary General, had been promoted from the G5 to the G6 grade and Mr. A. Afouda, Project Officer, had been promoted to the P3 (Programme Officer) grade. As part of the restructuring of the Language Service, Mr. H. Compagnion, a French and Canadian national, had been appointed to the post of Senior French Reviser.

Lastly, the members of the Executive Committee appointed the six Vice-Presidents of the IPU as follows: Mr. D.E. Ethuro (African Group); Mr. A. Jasem Ahmed (Arab Group); Mr. S. Suzuki (Asia-Pacific Group); Mr. K. Kosachev (Eurasia Group); Mr. A. Lins (Group of Latin America and the Caribbean); and Mr. I. Liddell-Grainger (Twelve Plus Group). They also appointed Mr. I. Liddell-Grainger as the Vice-President of the Executive Committee.

## Meeting and Coordinating Committee of Women Parliamentarians

The twenty-third Meeting of Women Parliamentarians took place on 19 and 22 March 2016. It brought together 98 delegates from 72 countries and representatives from various international organizations.

Ms. N. Luo (Zambia), Member of Parliament and Minister of Gender and Child Development, presided over the Meeting. She, the Speaker of the National Assembly of Zambia and the IPU President delivered welcome addresses.

Ms. M. Mensah-Williams, President of the IPU Coordinating Committee of Women Parliamentarians, summed up the work of the Committee carried out at its 36<sup>th</sup> session held in Geneva in October 2015, and at the first sitting of the Committee's 37<sup>th</sup> session held on the morning of 19 March 2016. The rapporteur of the Gender Partnership Group, Ms. G. Eldegard (Norway), briefed the Meeting on the work of the Group.

As a contribution to the Assembly, participants considered, from a gender perspective, the draft resolution on the agenda of the Standing Committee on Peace and International Security, *Terrorism: The need to enhance global cooperation against the threat to democracy and individual rights*. One of the co-Rapporteurs of the Standing Committee, Ms. C. Guittet (France), opened the discussion.

The participants were divided into two groups, which dealt with the issue from two different angles. Group 1 focused on the theme *Protection of the individual rights of women and girls in the context of terrorism and violent extremism: Freedom from violence and discrimination*. Group 2 addressed the question of *Global cooperation to prevent terrorism and violent extremism: Women's and girls' empowerment as a means of action*.

The two groups highlighted that terrorism and violent extremism had a strong and differentiated impact on women and girls through the use of sexual violence, abduction and trafficking of women and girls for the purpose of sexual slavery and sexual exploitation.

Participants stressed the need to focus on prevention and devise mechanisms tailored to the needs of women and girl survivors of terrorism. In addition, the discussions highlighted the crucial role of women in preventing radicalization that could lead to terrorism and the recruitment of young people by terrorist groups.

The proposed amendments to the draft resolution of the Standing Committee on Peace and International Security were subsequently all incorporated into the resolution.

In order to contribute to the General Debate of the 134<sup>th</sup> Assembly, women parliamentarians discussed, from a gender perspective, the theme of the General Debate, *Rejuvenating democracy, giving voice to youth*.

Participants discussed the particular challenges young women faced in politics, such as gender stereotypes and discriminatory norms that tended to confine women to the private sphere; inequality between men and women in accessing resources and sharing family and professional responsibilities; and the lack of commitment by leaders and political parties to open up to women, especially young women.

Participants highlighted the need to challenge existing practices and stereotypes and to build the confidence and capacity of women and girls to take up leadership roles and engage in politics from an early age.

The Meeting of Women Parliamentarians adopted proposed amendments to its Rules and those of the Coordinating Committee of Women Parliamentarians and proceeded with the renewal of half of the seats of regional representatives.

The Meeting also elected the new Bureau on the proposal of the Coordinating Committee. Ms. M. Mensah-Williams (Namibia) was re-elected as President, and Ms. M. André (France) and Ms. N. Al Kharoosi (Oman) were elected First and Second Vice-Presidents respectively.

## Subsidiary bodies of the Governing Council

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

Mr. A.B.M.F.K. Chowdhury (Bangladesh), President, Ms. M. Kiener Nellen (Switzerland), Vice-President, Mr. J.P. Letelier (Chile), Mr. B. Mbuku-Laka (Democratic Republic of the Congo) and Mr. B. Fabritius (Germany) took part in the Committee's 150<sup>th</sup> session, which was held from 18 to 21 March 2016. Ms. F. Koofi (Afghanistan), Mr. A. Alaradi (Bahrain), Mr. A.A. Gueye (Senegal) and Ms. A. Clwyd (United Kingdom) were unable to attend.

During the session, the Committee held 11 hearings with delegations and complainants to enhance its understanding of the cases before it and convey its concerns. It examined 39 cases relating to the situation of 143 parliamentarians in 14 countries. Of those cases, 34 per cent concerned parliamentarians from Africa, 29 per cent parliamentarians from Asia, 16 per cent parliamentarians from the Middle East and North Africa, 15 per cent parliamentarians from the Americas and 6 per cent parliamentarians from Europe. One case concerning a parliamentarian from the South Pacific region was also examined. Thirteen per cent of cases involved women, and nearly 70 per cent opposition members. While freedom of expression was a matter of direct or indirect concern in most cases, the violations most frequently considered by the Committee during the session were, in descending order, lack of due process in proceedings against parliamentarians, abusive revocation or suspension of the parliamentary mandate, arbitrary arrest and detention, violation of freedom of assembly and association, acts of torture, ill-treatment and other acts of violence inflicted on parliamentarians.

The Committee submitted eight decisions to the Governing Council for adoption concerning the following countries: Cambodia, Democratic Republic of the Congo, Fiji, Guatemala, Malaysia, Mongolia and Thailand.

The Committee also examined cases concerning parliamentarians from other countries. It decided that there was no need to submit decisions to the Governing Council at that point, since its existing concerns remained valid for most of them and it required more extensive information to reach a decision in the others.

## **2. Committee on Middle East Questions**

The Committee held two sittings, on 19 and 22 March. Ms. D. Pascal Allende (Chile), President, Mr. R. Nordqvist (Denmark), Ms. C. Guittet (France), Ms. N. Motsamai (Lesotho), Mr. A.N.M. Al-Ahmad (Palestine) and Mr. F. Muri (Switzerland) attended both sittings; Mr. R. Munawar (Indonesia) and Mr. N. Shai (Israel) only attended the sitting on 22 March.

The President of the Committee gave an overview of the recent visit to the region by its delegation, which had provided the members with a better understanding of the situation in the region and an enhanced perspective of the reality on the ground. In particular, the delegation had been struck by the positive and constructive atmosphere and the readiness of all parties to work together and create conditions that were conducive to peace. The members of the Committee adopted the report of the visit and made a number of proposals for follow-up.

The Committee received a video message from the co-founder of the Synchrotron-light for Experimental Science and Applications in the Middle East (SESAME), a major international research institute based in Jordan that aimed to bring people from the Middle East together through science.

The Committee adopted the draft terms of reference for the roundtable on water, an event that sought to identify how water technology could best be used to advance peaceful cooperation. It agreed that the roundtable, the first in a series of projects of peace, would be held at a Dead Sea venue in Jordan in late May or early June 2016.

At its second sitting, the general situation in the Middle East and the implications for the work of the Committee were considered. The representative of the United Nations Office on Drugs and Crime (UNODC) presented the agency's work in the region, highlighting the important role of parliamentarians in addressing terrorism. He confirmed the commitment of UNODC to strengthen its partnership with the IPU.

In view of the current situation of multiple conflicts in the whole region, members concluded that the expanded mandate of the Committee was justified. In response to a comment from the IPU President, the Committee reiterated its commitment to promoting parliamentary diplomacy within and outside the region as an instrument for building trust.

## **3. Group of Facilitators for Cyprus**

The Group of Facilitators for Cyprus met on 20 March 2016. The meeting was attended by one Facilitator, Mr. P. Van Den Driessche (Belgium), two members of the House of Representatives of the Republic of Cyprus and four representatives of the Turkish-Cypriot political parties.

The parties appreciated the opportunity to engage in continued dialogue and expressed resolute support for a solution that would benefit all Cypriots, in particular the next generation. They expressed strong support for the current talks, which they hoped would soon lead to a lasting and viable solution for the unification of Cyprus based on a bizonal, bicomunal federation and political equality, in accordance with the relevant UN resolutions and the values and principles of the European Union.

## **4. Committee to Promote Respect for International Humanitarian Law**

The Committee met on 20 March 2016. The meeting was chaired by its President, Mr. S. Owais (Jordan). Representatives from the International Committee of the Red Cross (ICRC), the Office of the United Nations High Commissioner for Refugees (UNHCR) and the World Humanitarian Summit Secretariat also took part.

The Committee discussed the plight of the 4.7 million Syrian refugees. It also received information about the global refugee situation, which accounted for 15.1 million refugees and 10 million internally displaced persons, and heard that funding for support to refugees and host countries remained challenging and insufficient.

The Committee highlighted the importance of monitoring the situation in and related to Syria and other areas of the world. It drew attention to the need to focus on the root causes of insecurity and reasons why people were compelled to flee their countries, and reiterated the importance of raising awareness



of the plight of refugees and of addressing misconceptions and stereotypes. The Committee agreed to carry out an on-site mission to Greece and/or Lebanon to examine the situation of refugees and their needs, as well as those of the host countries.

The Committee was briefed on the outcome document of the Conference on *Ensuring everyone's right to nationality: The role of parliaments in preventing and ending statelessness*, co-organized by the Parliament of South Africa, the IPU and UNHCR, and took note of four recommendations. Members agreed to continue to raise awareness of statelessness, take action in their own countries and encourage action in others. Progress would be reported at the Committee's next session in October 2016 in Geneva.

The ICRC briefed the Committee on recent initiatives and outcomes of recent meetings. The Committee invited parliaments to note the four resolutions adopted at the 32<sup>nd</sup> International Conference of the Red Cross and Red Crescent.

The Committee discussed the World Humanitarian Summit to be held in May 2016 in Turkey and agreed that it was important for the IPU to take part in that event. The parliamentary community should be mobilized to encourage States to make ambitious commitments at the Summit, whose outcome should be discussed at the 135<sup>th</sup> IPU Assembly.

## 5. Gender Partnership Group

The Gender Partnership Group met on 18 and 22 March 2016. The Group comprised Mr. D.E. Ethuro (Kenya), Ms. M. Mensah-Williams (Namibia), Mr. Tran Van Hang (Viet Nam) and Ms. G. Eldegard (Norway). Ms. Eldegard was elected Chair of the Group.

The Group compared the composition of the delegations present at the 134<sup>th</sup> IPU Assembly with that of previous statutory meetings. As at 22 March, 190 of the 634 delegates (29.9%) at the Assembly were women (see page 61). That figure was 2.6 percentage points lower than the equivalent figure recorded in Geneva (October 2015) and 1.9 percentage points higher than the equivalent figure at the Hanoi Assembly (March 2015). The Group expressed its wish to see the proportion of women at IPU Assemblies increase further.

Of the 126 parliamentary delegations present, 120 were composed of at least two delegates. Of those, 19 were composed exclusively of men (15.8%). The all-male delegations were from the parliaments of the following States: Albania, Andorra, Bahrain, Bulgaria, Comoros, Democratic People's Republic of Korea, Haiti, Kuwait, Lebanon, Luxembourg, Malta, Mauritius, Micronesia (Federated States of), Qatar, Republic of Korea, San Marino, Serbia, Somalia and South Sudan. Six delegations were subject to sanctions at the Assembly for being represented exclusively by men three or more times in a row: Haiti, Malta, Mauritius, Micronesia, Qatar and Somalia.

The Group continued its review of the Statutes and Rules of the IPU to ensure that they enshrined a harmonized and consistent standard of gender equality. In that respect, it noted differences in the requirements relating to the participation of women in IPU bodies. It was noted that the minimum requirement for women's participation in the Executive Committee – 20 per cent – was the lowest within IPU committees and working groups. The Group decided to recommend that that minimum be raised to 30 per cent. It also decided to study mechanisms to ensure that the responsibility to achieve that target was shared among the various geopolitical groups that were part of the Executive Committee.

The Group conducted its regular examination of the situation of parliaments with no women members. On 22 March, the Group held a dialogue with the delegation of the Federated States of Micronesia. In view of the elections to be held in March 2017, the Group engaged in a dialogue with Micronesia to gain a better understanding of the challenges faced by women and discuss possible strategies for achieving progress.

The Group welcomed the commitment expressed by the delegation of Micronesia in support of change. It encouraged the delegation to reflect on strategies for enhancing women's representation in parliament and reiterated the IPU's willingness to provide support where possible.

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

The Advisory Group met on 19 March; seven out of 10 members were present. Representatives of the World Health Organization (WHO), the Joint United Nations Programme on HIV/AIDS (UNAIDS) and the Global Fund to Fight AIDS, Malaria and Tuberculosis also attended. The Group elected its new President, Mr. F. Ndugulile (United Republic of Tanzania).

The Advisory Group discussed recent progress, as well as future areas of engagement, strategic priorities and opportunities. It agreed to consider revising its mandate so as to continue to provide strong support to the IPU's work on health. The Group reaffirmed its vision for health, namely that no one should be left behind and that everyone everywhere should have access to quality services without fear of harm or discrimination.

Its priority would be to advocate for strengthened and evidence-based legislation to reduce barriers to better health; enhanced oversight of the implementation of legislation, particularly with respect to the most vulnerable groups; and resource mobilization. The Group would seek to strengthen the commitment of all parliamentarians to promote improved health, including with respect to marginalized populations and services that were sometimes politically sensitive. It would work to encourage members of parliament to engage communities and citizens in efforts, in particular to seek an end to harmful and discriminatory practices such as child marriage and female genital mutilation. The Advisory Group would also prioritize supporting research on legislation to obtain a better understanding of successful and less successful measures, and to ensure that interventions in countries were evidence-based.

The Advisory Group decided to review the 2012 IPU resolution on *Access to health as a basic right: The role of parliaments in addressing key challenges to securing the health of women and children*. It would propose possible ways of aligning the text with the SDGs and the Global Strategy for Women's, Children's and Adolescents' Health.

## 7. Forum of Young Parliamentarians of the IPU

The Forum met on 20 March 2016. It was chaired by Ms. M. Dziva (Zimbabwe), acting President, in her capacity as the youngest member of the Board to be present at the 134<sup>th</sup> Assembly.

The Forum was attended by 60 participants, of whom 37 per cent were women. The average age of the participants was 37.4 years.

Two new representatives were elected to the Board of the Forum: Mr. S.S. Alremeithi (United Arab Emirates) for the Arab Group, to replace Mr. F. Al-Tenaiji, who was no longer a member of parliament; and Mr. A.U. Damirbek (Kyrgyzstan) for the Eurasia Group. Two Board seats remained vacant, both for women members, from the Twelve Plus and Eurasia Groups respectively.

The deliberations focused on the theme of the General Debate of the 134<sup>th</sup> Assembly *Rejuvenating democracy, giving voice to youth*. The Forum welcomed the theme, which had been chosen at an important time for parliaments as well as for young parliamentarians. For the members of the Forum, rejuvenating democracy was about increasing the number of young members in parliaments and about better involving young people in democratic processes and political affairs.

As only 1.9 per cent of members of parliament across the world were aged under 30, the key steps to increase youth participation were identified as: setting up statutory quotas for young people, lowering the age of eligibility for parliamentary office and limiting the number of terms that members of parliament could serve. Parliaments needed to communicate with young people in the places where they were already present, such as on social media and in universities. Politicians had to act as role models by being authentic and honest towards young citizens and by opening the way for other young people. Youth councils, youth parliaments and youth organizations should galvanize more interaction and cooperation between parliamentarians and young people.

The Forum agreed to enhance its action on youth participation by strengthening partnerships with international and regional institutions. That action would include carrying out awareness-raising campaigns and capacity-building activities at the national level, taking the lead in the definition of youth participation targets and further monitoring the level of progress towards greater youth representation in parliament.

Increasing youth participation in the IPU's work was also on the Forum's agenda. The Forum decided to prepare a proposal on how to ensure greater participation of young members of parliament in IPU delegations. That proposal would be submitted to the governing bodies for consideration.

Participants had been informed about the revised IPU Strategy for 2017–2021, and had welcomed the inclusion of youth empowerment among its objectives. It confirmed the IPU's place as a leader on the issue of young people in politics. The Forum recommended that youth empowerment be a stand-alone objective in the revised Strategy. Too often, the issue of youth was associated with other themes, whereas it should be considered as an independent area of political work.

## Other events

### 1. Meeting of the Presidents of the Geopolitical Groups

On the morning of 19 March, the IPU President met with the Presidents of the Geopolitical Groups to discuss the implementation of IPU reform and outstanding issues relating to the work of the IPU.

The IPU President informed the Group of the discussions that had already taken place in the Executive Committee on the revised IPU Strategy. A draft of the revised Strategy was then presented in detail by the IPU Secretary General. The draft under consideration was based on the current IPU Strategy, entitled *Better Parliaments, Stronger Democracies*. It took stock of developments since 2012 and the mid-term review of 2014, as well as the outcomes of the Fourth World Conference of Speakers of Parliament and of the 2015 UN Summit that had adopted the SDGs. The Executive Committee had considered that the preliminary draft was a very good basis for the revised Strategy: it was clear and concise and focused on priority areas of work. The Presidents of the Geopolitical Groups expressed their appreciation and shared their own suggestions and thoughts. It was agreed that the draft Strategy would be circulated to all IPU Members, with an invitation to submit any suggested input by 15 July, either directly to the Secretariat, or to the respective Groups, which would then submit consolidated input, based on the responses they had received. A revised text would be prepared by the IPU Secretariat, with a view to adopting the final version at the 135<sup>th</sup> Assembly in October 2016.

The Presidents of the Geopolitical Groups also considered the issue of the distribution of the posts of Presidents of the IPU Standing Committees in light of the various criteria that had been identified at the previous meeting in October 2015. Those criteria were: rotation and gender balance, equitable distribution of IPU leadership positions among the broader IPU membership, attested experience, support from the parliament of which the candidate was a member, ability to work in one of the official languages of the IPU, and a certain national and international prominence. Further to consultations, it was agreed that the Standing Committee on Peace and International Security would be chaired by the Group of Latin America and the Caribbean, the Standing Committee on Sustainable Development, Finance and Trade would be chaired by the Asia-Pacific Group, and the Standing Committee on Democracy and Human Rights would be chaired by the African Group. The Presidents confirmed that they would consult their respective Groups and put forward the best possible candidates.

At the end of their meeting, the Presidents discussed the need to further enhance implementation of IPU decisions and resolutions, in particular those relating to the 2030 Agenda. A draft toolkit for parliamentarians on the SDGs had been prepared for the 134<sup>th</sup> Assembly. All delegations would be invited to provide their input and suggestions.

### 2. Panel discussion on *Leading by example on climate change: A lighter carbon footprint for parliaments*

The panel discussion, jointly organized by the IPU and the Association of Secretaries General of Parliaments (ASGP), was held on 23 March. It was moderated by Mr. J. Headley (Expert, Parliamentary Facilities Management), and saw the participation of Ms. M.G.M.M. Imenda (Zambia), Mr. R. Plot (Director General, Israeli Knesset), Mr. S. Chayen (Sustainability Coordinator, Israeli Knesset), and Mr. O. Yanar (Finland), as panellists.

The participants examined how parliaments and parliamentarians could significantly improve their institutional and individual environmental performance and set an example of responsible environmental management. The panel discussion noted that in some parliaments, positive experience in enhancing efficiencies with regard to the use of water, electricity and paper in parliament already existed. That resulted in a reduced carbon footprint, a changed organizational culture and long-term financial savings. It would be useful to adopt a strategy that embraced both a bottom-up and a top-down approach for implementation of institutional measures ensuring political will, as well as buy-in from the staff implementing carbon-reduction policies. The importance of making the most of opportunities arising from clear and strong political will from leaders was also emphasized. The panel noted that cross-party caucuses facilitated enhanced parliamentary influence and oversight over environmental policy, including with regard to conservation. Parliamentarians must lead by example through their own activities, such as using public transport, building public awareness and taking action. Parliamentarians were instrumental in bringing the issue of climate change closer to the people, including through social media and in their daily interaction with the public.

### **3. Side event on *Preventing child and forced marriage: Making the global health goals a reality for girls***

On 20 March, the IPU, WHO and PMNCH jointly organized a side event to discuss what measures parliaments could take to operationalize the Global Strategy for Women's, Children's and Adolescents' Health, specifically in relation to the health of teenagers and child, early and forced marriage. Special attention was paid to the role of parliaments in reviewing legislation and ensuring appropriate enforcement at the country level within a holistic approach to improving the health, education, and socioeconomic status of young women and girls.

Moderated by Dr. I. Askew, Director of the WHO Department of Reproductive Health and Research, the panel included Mr. F. Ndugulile (Tanzania), Chair of the IPU Advisory Group on HIV/AIDS and Maternal, Newborn and Child Health; Mr. H. Millat (Bangladesh); Ms. P. Locatelli, (Italy); Ms. M. Tsehiau, UNAIDS Country Director in Zambia; and Ms. N. Simamuna, a Representative of PMNCH.

Ms. N. Luo (Zambia), Minister of Gender and Child Development, outlined what had been done in Zambia to address the issue of child, early and forced marriage. Comments from the floor included perspectives from European countries where, although rates remained low, child, early and forced marriage was practised within certain communities.

The IPU and WHO presented the first findings of their joint study on child, early and forced marriage legislation in 37 countries in the Asia-Pacific region. The study analysed how key issues were provided for within different types of legislation, including the minimum age of marriage, the absence of exceptions to the minimum age, mandatory birth and marriage legislation and spousal consent. The study also identified the strengths and weaknesses of different types of legislation.

### **4. Side event on *Reducing nuclear threats – the role of parliamentarians***

The side event was organized by the IPU and Parliamentarians for Nuclear Non-proliferation and Disarmament (PNND). It focused on parliamentary action designed to reverse rising tensions between nuclear powers and to decrease the risks of nuclear weapons being used accidentally, intentionally, by miscalculation or through unauthorized access. It was chaired by Mr. R. Tau (South Africa) and included opening presentations by Ms. L. Rojas (Mexico), Ms. M. Kiener Nellen (Switzerland) and Mr. N. Stott (Institute for Security Studies, South Africa).

Some participants considered that both parliamentarians and the general public should be informed about the major risks of a nuclear catastrophe, and that it might be helpful to organize screenings of the film *The Man Who Saved the World*. Others observed that, with sufficient backing from parliamentarians and civil society, the new diplomatic process underway in Geneva for multilateral nuclear disarmament and the High-Level Meeting of the UN General Assembly on Nuclear Disarmament in 2017-2018 could result in the next multilateral nuclear disarmament agreement. Parliamentarians should support common security approaches to conflicts between nuclear-armed States, including through the United Nations and the Organization for Security and Co-operation in Europe, as well as by establishing additional zones that were free of nuclear weapons.

### **5. IPU-UNAIDS field visit by the Advisory Group on HIV/AIDS and Maternal, Newborn and Child Health**

Members of the Advisory Group from Bangladesh, Lesotho, Rwanda, Sweden, Switzerland and the United Kingdom participated in the field visit in the morning of 21 March. Lusaka is one of the 13 cities in the world that is fast-tracking access to HIV treatment, with particular emphasis on the prevention of mother-to-child transmission (MTCT) of HIV.

The Mayor of Lusaka, Mr. George Nyendaw, accompanied the members to the Chiasa Health Centre, which was partly funded by the United States President's Emergency Plan for AIDS Relief (PEPFAR). Ms. M. Tsehiau, UNAIDS Country Director, took the group on a tour of the facility. The clinic provided family planning services, prenatal care, including HIV testing, and postnatal care, including male circumcisions. Manuals had also been produced for midwives and community members.

The group then visited the Muhlingile Women's Organization, which helped individuals get tested, obtain drugs and remain on treatment, and worked to reduce stigma and encourage people to support their neighbours and family members.

The final stop on the itinerary was the Civic Centre, where the Mayor stated his personal commitment to the MTCT scale-up programme, which had been run very successfully.

## Elections and appointments

### 1. Executive Committee

The Governing Council elected the following two new members of the Executive Committee:

- Ms. F. Benbadis to complete the term of Ms. Z. Drif Bitat (Algeria), who was no longer an MP, until October 2018.
- Mr. A. Jasem Ahmed to complete the term of Mr. R.M.K. Al Shariqi (United Arab Emirates), who was no longer an MP, until April 2017.

### 2. Vice-Presidents of the IPU

The Executive Committee elected the following six Vice-Presidents for a one-year term ending in April 2017:

- *African Group*: Mr. D.E. Ethuro (Kenya)
- *Arab Group*: Mr. A. Jasem Ahmed (United Arab Emirates)
- *Asia-Pacific Group*: Mr. S. Suzuki (Japan)
- *Eurasia Group*: Mr. K. Kosachev (Russian Federation)
- *Group of Latin America and the Caribbean*: Mr. A. Lins (Brazil)
- *Twelve Plus Group*: Mr. I. Liddell-Grainger (United Kingdom)

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

The Executive Committee elected one of the IPU Vice-Presidents, Mr. I. Liddell-Grainger (United Kingdom), as the Vice-President of the Executive Committee for a one-year term ending in April 2017.

### 4. Sub-Committee on Finance

The Executive Committee appointed:

- Mr. A. Jasem Ahmed to replace Mr. R.M.K. Al Shariqi (United Arab Emirates) for the remainder of the latter's term ending in April 2017.
- Ms. A. Habibou (Niger) for a two-year term ending in March 2018.
- Mr. A. Lins (Brazil) for a two-year term ending in March 2018.

The Sub-Committee elected Mr. R. del Picchia (France) as its Chair.

### 5. Bureau of Women Parliamentarians

#### President

Ms. M. Mensah-Williams (Namibia)

#### First Vice-President

Ms. M. André (France)

#### Second Vice-President

Ms. N. Al Kharoosi (Oman)

#### *African Group*

- Ms. F. Adedoyin (Nigeria) was elected as a member for a four year term ending in March 2020.
- Ms. A. Woldeamayyat (Ethiopia) was elected as a member for a four-year term ending in March 2020.

#### *Arab Group*

- Ms. H. Al Helaissi (Saudi Arabia) was elected as a member for a four-year term ending in March 2020.

- Ms. M. Azer Abdelmalak (Egypt) was elected as a member for a four-year term ending in March 2020.
- Ms. N. Al Kharoosi (Oman) was elected as a member for a two-year term ending in March 2018.

*Asia-Pacific Group*

- Ms. S. Sirivejchapun (Thailand) was elected as a member for a four-year term ending in March 2020.

*Eurasia Group*

- Ms. L. Gumerova (Russian Federation) was elected as a member for a four-year term ending in March 2020.

*Group of Latin America and the Caribbean*

- Ms. E. Mendoza Fernández (Plurinational State of Bolivia) was elected as a member for a four-year term ending in March 2020.

*Twelve Plus Group*

- Ms. S. Atallahjan (Canada) was elected as a member for a four-year term ending in March 2020.
- Ms. P. Locatelli (Italy) was elected as a member for a four-year term ending in March 2020.

## **6. Gender Partnership Group**

Mr. D.E. Ethuro (Kenya), Ms. M. Mensah-Williams (Namibia), Mr. Tran Van Hang (Viet Nam) and Ms. G. Eldegard (Norway) were appointed to the Group. Ms. Eldegard was elected Chair of the Group.

## **7. Committee on the Human Rights of Parliamentarians**

The Governing Council elected Ms. D. Solorzano (Bolivarian Republic of Venezuela) as a Committee member for a five-year term ending in April 2021.

## **8. Committee on Middle East Questions**

The Governing Council elected Ms. C. Guittet (France) as a titular member for a four-year term ending in March 2020 and Mr. M. Al Muhrizi (United Arab Emirates) as a substitute member for a four-year term also ending in March 2020.

## **9. Group of Facilitators for Cyprus**

The Governing Council elected Mr. J. De Matos Rosa (Portugal) as a Facilitator.

## **10. Committee to Promote Respect for International Humanitarian Law**

The Governing Council elected Mr. A.C. Duval (Mauritius) for a four-year term ending in March 2020 and Ms. M. Haj Hassan Osman (Sudan) for a four-year term ending in March 2020.

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

Mr. S.S. Alremeithi was elected for the Arab Group, to complete the term of Mr. F. Al-Tenajji (United Arab Emirates), who was no longer a member of parliament for a one-year term ending in March 2017 and Mr. A.U. Damirbek (Kyrgyzstan) was elected for the Eurasia Group for a one-year term ending in March 2017.

## **12. Bureaux of the Standing Committees**

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

### Standing Committee on Peace and International Security

- Ms. L. Rojas (Mexico) was elected as President for a two-year term ending in March 2018, eligible for another two-year term as a member.
- Mr. D. Pacheco (Portugal) was elected as Vice-President for a two-year term ending in March 2018.
- Ms. B. Amongi (Uganda) was elected for a two-year term ending in March 2018, eligible for another two-year term.
- Mr. K. Albakkar (Jordan) was elected for a two-year term ending in March 2018, eligible for another two-year term.

Standing Committee on Sustainable Development, Finance and Trade

- Ms. S. Tioulong (Cambodia) was elected President for a two-year term ending in March 2018.
- Mr. A. Cissé (Mali) was elected as Vice-President for a two-year term ending in March 2018.
- Ms. J. Mhlanga (Zimbabwe) was elected for a two-year term ending in March 2018, eligible for another two-year term.
- Mr. A. Hussain Adam (Sudan) was elected for a two-year term ending in March 2018, eligible for another two-year term.
- Ms. Z. Greceanii (Republic of Moldova) was elected for a two-year term ending in March 2018, eligible for another two-year term.
- Ms. L. Gumerova (Russian Federation) was elected for a two-year term ending in March 2018, eligible for another two-year term.
- Ms. T. Lindberg (Sweden) was elected for a two-year term ending in March 2018, eligible for another two-year term.

Standing Committee on Democracy and Human Rights

- Mr. P. Wangchuk (Bhutan) was elected for a two-year term ending in March 2018, eligible for another two-year term.
- Mr. J. Lação (Portugal) was elected for a two-year term ending in March 2018, eligible for another two-year term.

Standing Committee on United Nations Affairs

- Mr. A.-F.I. Al-Mansour (Sudan) was elected Vice-President for a two-year term ending in March 2018.
- Ms. A.R. Albasti (United Arab Emirates) was elected for a two-year term ending in March 2018, eligible for another two-year term.
- Mr. A. Romanovich (Russian Federation) was elected for a two-year term ending in March 2018, eligible for another two-year term.

**13. Rapporteurs to the 135<sup>th</sup> and 136<sup>th</sup> Assemblies**

The Standing Committee on Peace and International Security appointed Mr. K. Kosachev (Russian Federation) and Ms. K. Koutra-Koukouma (Cyprus) as co-Rapporteurs for the subject item *The role of parliament in the prevention of external interference in the internal affairs of sovereign States*.

The Standing Committee on Sustainable Development, Finance and Trade appointed Ms. G. Cuevas (Mexico) and Ms. P. Mahajan (India) as co-Rapporteurs for the subject item *Promoting enhanced international cooperation on the SDGs, in particular on the financial inclusion of women as a driver of development*.

The Standing Committee on Democracy and Human Rights appointed Ms. S. Lines (Australia, replacing Ms. L. Markus) and Mr. M. Kilonzo Junior (Kenya) as co-Rapporteurs for the subject item *The freedom of women to participate in political processes fully, safely and without interference: Building partnerships between men and women to achieve this objective*.

## Media and communications

Eight press releases were issued and four press conferences were held in relation to the Third IPU Global Conference of Young Parliamentarians and the 134<sup>th</sup> Assembly. About 180 media personnel were accredited to the Assembly, predominantly from Zambian media.

Initial media monitoring on the Assembly from limited open-source content on websites showed that a minimum of about 2,500 online articles and blogs mentioning IPU and the 134<sup>th</sup> Assembly were posted in a two-week period with 2,000 of them on websites, Facebook and blogs that have more than 4.1 billion unique visitors combined. The articles covered the various themes of the Assembly, as well as bilaterals between delegations.

Media interviews were carried out by parliamentarians, the IPU President and Secretary General, the IPU Director of Communications and special guests with broadcasters, newspapers and agencies such as Associated Press, Associated Press Television News, Reuters, Channel Africa, UN Radio, South Africa Broadcasting Corporation, Voice of America and many Zambian media outlets.

A live Twitter feed using the #IPU134 hashtag was displayed intermittently in the plenary and some meeting rooms. Social media monitoring between 23 February and 24 March showed there were 7,061 posts using #IPU134 by nearly 2,800 users. These tweets reached nearly 29.5 million accounts and left 85.6 million impressions. Not only were the figures the highest ever recorded at IPU, they also represented a very significant increase in social media outreach from previous Assemblies. The geographic spread of tweets was extensive, with only a few countries in Africa, Central Asia and Latin America not engaged.

IPU was mentioned on Twitter through its handle @IPUparliament in 3,850 tweets in the same time frame, reaching more than 20 million accounts, with the potential of reaching 46.1 million more accounts. Again, these figures were the highest ever recorded for an event. The Twitter activity around the 134<sup>th</sup> Assembly and the Young MPs Conference led to about 500 new followers to the @IPUparliament account in two weeks.

The #youngMPs twitter handle also performed well. There were more than 1,500 posts by 456 users, reaching nearly 2.8 million accounts and leaving 6.7 million impressions.

Flickr was again used to distribute photos of the Assembly to media and the participants.

During the Assembly, three new publications were launched – *The Annual Report 2015, Women in Parliament 2015: The year in perspective* and *Youth participation in national parliaments 2016*.



## Membership of the IPU<sup>1</sup>

### Members (170)

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

### Associate Members (11)

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

<sup>1</sup> At the closure of the 134<sup>th</sup> Assembly

## Agenda, resolutions and other texts of the 134<sup>th</sup> Assembly

1. Election of the President and Vice-Presidents of the 134<sup>th</sup> Assembly
2. Consideration of requests for the inclusion of an emergency item in the Assembly agenda
3. General Debate on *Rejuvenating democracy, giving voice to youth*
4. Terrorism: The need to enhance global cooperation against the threat to democracy and individual rights  
(*Standing Committee on Peace and International Security*)
5. Ensuring lasting protection against destruction and deterioration for the tangible and intangible cultural heritage of humanity  
(*Standing Committee on Sustainable Development, Finance and Trade*)
6. Reports of the Standing Committees
7. Approval of the subject items for the Standing Committee on Peace and International Security and the Standing Committee on Sustainable Development, Finance and Trade for the 136<sup>th</sup> Assembly and appointment of the Rapporteurs
8. Giving an identity to the 230 million children without a civil status: One of the major challenges of the humanitarian crisis in the 21<sup>st</sup> century

## **Outcome Document of the General Debate on Rejuvenating democracy, giving voice to youth**

*Endorsed by the 134<sup>th</sup> IPU Assembly  
(Lusaka, 23 March 2016)*

As an international organization, as national parliaments and as individual representatives of the people, we are driven by our belief in democracy.

We understand democracy as both a set of values and as a system of institutions that puts those values into practice. At the most fundamental level, we believe that everyone has the right to be heard, and that all voices carry equal weight. Our primary responsibility as parliamentarians is to serve the people and deliver policies and legislation that address their needs and interests.

We understand that there is no single model of democracy. A country's institutions evolve from its particular history, culture and traditions. Equally, we unequivocally reaffirm that the principles of democracy are universal. We reaffirm the core values of democratic parliaments. Those values are about:

- seeking to be representative of the country's social and political diversity;
- being open to our citizens and transparent in the conduct of parliamentary business;
- ensuring accessibility and accountability to our citizens; and
- performing our work effectively.

We underline that the practices of democracy must constantly change with the times, so that they reflect the societies that nourish them.

Today, our democracies face key challenges. We are challenged to restore and strengthen public confidence in the institutions of democracy. The perception of disconnect, corruption and inauthenticity undermines our institutions and the image of politics and politicians. Voter turnout in elections has tended to decrease over time, especially among young people. Barriers to democracy, and the tendency for any part of the population to turn their backs on our institutions, are a concern to us all. Statistically, young people are least likely to vote and are increasingly disengaged from formal political processes.

This lack of engagement cannot be attributed to apathy. Young people use many different platforms to engage in democracy, such as social media, youth organizations and in some cases, protests and unrest. Rather, political institutions have too often failed to open up to young people. Our institutions have not kept up with the fast-changing and increasingly interconnected world into which young people have been born.

More than half of the world today is under 30 years of age. As today's young people become tomorrow's adult population, we run the risk of failing to address their growing disengagement. Over time, that failure threatens to undermine the very legitimacy of our governments and parliaments. We must act now.

We note with satisfaction that in the 2030 Agenda, governments recognize that peace, justice and strong institutions are essential for achieving the Sustainable Development Goals. We have long held that belief. We can and must do more to ensure that parliaments live up to the core values that we have defined for ourselves. We believe that the 2030 Agenda cannot be achieved without inclusively harnessing the power of all parts of our societies. Harnessing the dynamism of young people is a top priority as they will be the prime beneficiaries of the Agenda's results. The 2030 Agenda for Sustainable Development now provides an opportunity to renew momentum for strengthening the institutions of democracy.

Our response to rising extremism must be based on more democracy, not less. Radicalism can only be defeated if we give young people the opportunities they deserve. We must stand firm in our beliefs and not be tempted into undemocratic responses to the challenges facing us.

**It is time to take action for a democratic renaissance. And we can start rejuvenating democracy today by giving voice to youth.** Citizens of all ages have a role to play in rejuvenating democracy. However, young people are now the majority of the world population. They are critical thinkers, change makers and bearers of fresh ideas. That is why we are convinced that young people are ideally placed to be the key agents of a democratic renaissance. We therefore need to make sure that we give voice to youth and that we are ready and able to hear that voice.

Increasing youth participation is a key element of giving voice to youth which will rejuvenate democracy. We are concerned that only 1.9 per cent of the world's parliamentarians are aged under 30. We recognize that we have a duty to create an enabling environment that guarantees young people's participation and galvanizes their leadership. We acknowledge that no decision about youth should be taken without youth. That is why we pledge to increase youth representation in parliament. And that is why we need to link up with youth, both formally and informally. We must reach out to them where they are - on social media platforms, in schools, universities and public spaces. We reaffirm with renewed vigour our commitment to implement the 2010 IPU resolution *Youth participation in the democratic process* by enhancing young people's connection to the world of politics and facilitating their political representation.

**Rejuvenating democracy is about ensuring that everyone is included.** Our governments must be based on the will of the people and be accountable to the people for their actions. Healthy institutions of democracy must ensure that power is not concentrated in the hands of the few. Inclusion is necessary not only to ensure that the rights of people are continuously respected and fulfilled, but also to bring all people closer to political institutions and ensure that we make better policy.

Through inclusive parliaments, citizens can shape their democracies according to their own circumstances and better contribute to the make-up of the societies of today and tomorrow.

**Rejuvenating democracy is also about adapting our parliaments to our time.** It is about rethinking their processes, so as to respond to evolving social and individual needs. By being gender-sensitive in their composition, structures and work, our parliaments can adapt better to the growing evolution of men and women's roles in society and in the family. Gender-sensitive parliaments have great benefits, in particular to young women and men parliamentarians, as no one should sacrifice their personal life to engage in politics today.

**Rejuvenating democracy is about modernizing the functioning of our institutions.** Opening up to new technologies makes it possible to usher in a new era of democracy 2.0. The exponential increase in the use of modern technologies and social media, and in access to information has changed the ways that citizens participate. Our parliaments must open up to the online world in their structures and mechanisms, so as to adapt to the expanded space and time of modern communication, interaction and participation.

**Rejuvenating democracy is about changing the way politics is done.** Citizens rightly expect the highest levels of integrity from us and our institutions. Change will be driven by clean politics, transparent procedures, and anti-corruption policies and laws. They should be implemented by all of us. By honestly fulfilling our mandate as representatives of the people, we will contribute to rebuilding the weakened trust in us and our institutions. We will make our democracies better and stronger if we keep our electoral promises, remain accessible to our citizens, act responsibly, transparently and accountably, and inspire young people through our words and actions.

**Rejuvenating democracy is also about delivering for a better future.** The voices of future generations need to be included in our political debates and processes. We need to ensure that our posterity has a better quality of life than we do, and can live a healthy life on a healthy planet. We therefore need to make sure that our deliberations and decisions embody the needs of tomorrow's generations.

At this 134<sup>th</sup> Assembly, many innovative proposals for strengthening democracy and engaging young people have been put forward. We encourage governments and parliaments to experiment with new ideas that could make the institutions of democracy more responsive to the people.

We pledge to rejuvenate democracy including by taking action to:

- Renew and refresh the profile of people who hold political office, so that parliaments and other decision-making bodies are more inclusive of society's social and political diversity;

- Enhance youth representation in our parliaments, including by considering the adoption of quotas, revisiting age restrictions to run for political office, building party political support, entrusting young MPs with leadership positions, and promoting young MPs as role models for other young people; particular attention should be given to the specific situation and needs of young women;
- Reform our parliamentary processes and internal policies to make them more sensitive to the needs of younger women and men, including by considering the adoption of anti-harassment policies, reforming parental leave, and implementing proxy voting;
- Promote the use of modern technologies to enhance transparency and accountability; use innovations such as online petitions, virtual hearings and submissions, and online interactions and voting to bring citizens, and young people in particular, into the parliamentary process;
- Establish specialized parliamentary committees on youth and networks of young parliamentarians to consolidate youth perspectives into parliamentary work; open up parliamentary deliberations to young people, including through regular parliamentary hearings and consultations, as well as through linking up with youth parliaments and councils, student associations and youth NGOs;
- Ensure that political empowerment is promoted in school curricula through civic education and practical initiatives, such as mock parliaments, mock voting and political debating; invest in youth parliaments and councils for young people below the voting age and enhance youth participation in politics by lowering the voting age;
- Include young representatives in international fora and deliberations, in particular at the IPU, by systematically including at least one young man or young woman member in delegations;
- Use the International Day of Democracy (15 September) to celebrate the successes of democracy and face up to its challenges.

It is our duty to rejuvenate democracy to meet the needs and aspirations of future generations. In doing so, we must harness the creativity, energy and enthusiasm of our citizens, particularly of young men and women. We cannot wait for another generation to act. The time to act is now.

## Terrorism: The need to enhance global cooperation against the threat to democracy and human rights

*Resolution adopted by consensus\* by the 134<sup>th</sup> IPU Assembly  
(Lusaka, 23 March 2016)*

The 134<sup>th</sup> Assembly of the Inter-Parliamentary Union,

*Recalling* the resolutions adopted by the UN General Assembly and Security Council on combating terrorism, in particular Security Council resolutions 1373 (2001), 1624 (2005), 2129 (2013), 2170 (2014), 2178 (2014), 2199 (2015), 2253 (2015), General Assembly resolution 60/288 of 8 September 2006 on the UN Global Counter-Terrorism Strategy and follow-up resolutions, and the UN Secretary-General's Plan of Action to Prevent Violent Extremism, as well as IPU resolutions adopted by the 116<sup>th</sup> Assembly (Nusa Dua, Bali, 2007), the 122<sup>nd</sup> Assembly (Bangkok, 2010) and the 132<sup>nd</sup> Assembly (Hanoi, 2015), all of which underscore the need for cooperation in the fight against terrorism,

*Also recalling* the resolutions adopted by the UN Security Council on women, peace and security, in particular resolution 2242 (2015) which recognizes "the differential impact on the human rights of women and girls of terrorism and violent extremism" and the use of sexual and gender-based violence as "a tactic of terrorism", and calls for the increased participation of women in multilateral processes on counter-terrorism and countering violent extremism,

*Reaffirming* that its primary objective is to contribute to the maintenance of international peace and security in accordance with the Charter of the United Nations and *underscoring* that any counter-terrorism measures taken must be in accordance with that Charter and international law, international human rights law, and in particular the International Covenant on Civil and Political Rights, international refugee law and international humanitarian law, as applicable,

*Noting* the absence of a universally agreed definition of terrorism at the international level,

*Considering nevertheless* that this gap should not be an obstacle to concerted action by the international community to combat terrorist activities and organizations, provided that States have at their disposal national laws containing clear and precise definitions of terrorist acts according to the definitions in international counter-terrorism conventions and protocols as adopted by the UN Security Council, and punish those acts,

*Also considering* that international cooperation in combating terrorism in keeping with UN General Assembly and Security Council resolutions can only be effective if parliaments adopt a series of legislative and financial measures aimed at preventing terrorism and criminalizing terrorist acts and their glorification, as well as terrorist propaganda,

*Convinced* that those measures should also make it possible to prosecute the perpetrators, accomplices and supporters of terrorist acts, prevent the movement of terrorist fighters, monitor the activities of persons suspected of terrorist activity and cut off the means of financing terrorist organizations,

*Concerned* by the possible nexus between terrorism, transnational organized crime and illicit activities such as document fraud, drug trafficking, arms trafficking, human trafficking, sexual exploitation, the pillage of historical sites, the sale of antiquities, the looting of natural resources and money laundering,

*Also concerned* by the growing use of information and communication technologies (ICTs), including the Internet and social networks by terrorist organizations to exchange information, plan and carry out attacks and spread their propaganda,

\* The delegation of India expressed a reservation on the expression "right to a private life".

*Underscoring* the need to take measures aimed at eliminating conditions that are conducive to the spread of terrorism, some of which take root within society, such as poverty, scarce basic services, gender discrimination, social inequality and exclusion, and a sense of injustice, which provide terrorist organizations with a fertile breeding ground for recruitment, especially among young people,

*Also underscoring* that the status of children must always, and in particular in the context of terrorism, be taken into account and considered from the angle of the development and the rights of the child, as set forth in the UN Convention on the Rights of the Child,

*Considering* that the implementation of social and educational measures likely to prevent the emergence of extremist behaviours that can lead individuals towards terrorism – or put an end to such behaviours – is indispensable in the fight against terrorism,

*Concerned* that individuals who have been listed globally as terrorists by the United Nations are not being prosecuted by UN Member States and are still moving around freely,

1. *Calls upon* individuals to refrain from using religion, religious heritage and culture to commit terrorist acts, as this fuels religious and cultural prejudice;
2. *Calls for* the establishment of cultural dialogue aimed at preventing extremism and combating terrorism, which would seek to reach a meeting of minds between different cultures based on intellectual and cultural insights, and to ensure coordinated global efforts to combat extremism and terrorism;
3. *Also calls for* the spreading of tolerance and moderation and *underscores* the need for legislative and executive actions to combat hatred, against ethnic and religious minorities in all countries, and to provide the necessary protection for places of worship, as well as due respect for holy books and religious symbols;
4. *Emphasizes* the absolute need for enhanced international cooperation and the promotion of inter-parliamentary information exchange, in order to effectively tackle terrorism and dismantle terrorist networks;
5. *Urges* parliaments to adopt measures to prevent the commission, planning and funding of any kind of terrorist act against any State, irrespective of motives;
6. *Calls for* the funding of education programmes, as well as community and civil society initiatives – in particular those benefiting youth and women's empowerment – that are designed to avoid the development of extremist behaviour that could lead individuals to take part in terrorist acts and that are also designed to help build a culture of tolerance and peace in our societies;
7. *Also calls for* the funding of what are known as counter-narrative campaigns, designed to counteract the propaganda of terrorist organizations, including on social networks and the Internet as well as in schools and religious institutions;
8. *Strongly urges* parliaments to require providers to be responsible in their approach to the largest communication platform of our era, to facilitate notice-and-takedown procedures, to pass on patently criminal content to law enforcement agencies when that is appropriate, and after an examination of the legal issues based on the criteria of the rule of law, thus allowing effective criminal prosecution;
9. *Also urges* parliaments to exchange good practices, and legal and technical knowledge, both pre-emptively in order to fight against the radicalization of certain individuals within the population, and reactively to ensure that individuals are de-radicalized;
10. *Recommends* that criminal legislation relating to terrorist acts or activities are clearly and precisely drafted to ensure that legal proceedings and international coordination in the fight against terrorism are effective, and *highlights* that fundamental and the principles of fair criminal proceedings on the basis of due process must be guaranteed, particularly with regard to freedom of movement, freedom of conscience and religion, protection from arbitrary arrest, the right to a private life and the right to be presumed innocent;

11. *Also recommends* that criminal legislation regarding terrorist acts be applied to minors in a manner which accounts for their capacity for rehabilitation, particularly with respect to sentencing;
12. *Requests* parliaments to criminalize not only acts of terrorism, as defined by UN Security Council resolutions, but also the planning both to commit such acts and to assist or facilitate, whether by act or omission, the commission of such acts, and also to bring into their legislation an obligation to either prosecute or extradite for prosecution individuals charged with terrorist acts or activities;
13. *Considers* it essential to also criminalize the recruitment and training of terrorists and their supporters as well as the incitement to commit acts of terrorism, particularly through rallies, virtual social networks or more generally through the use of the Internet, while also ensuring that any measures taken are proportional to the threat, taking particular account of any attempts to impair freedom of expression and human rights;
14. *Requests* parliaments to criminalize the intentional development, maintenance or hosting of websites which have been identified as terrorist sites and which, directly or indirectly, intentionally support terrorist activities, as well as to criminalize the intentional downloading of documents or programmes of a terrorist nature with the aim of committing terrorist crimes;
15. *Also requests* parliaments to criminalize the act of travelling abroad, or attempting to do so, in order to commit or assist in committing a terrorist act, to participate in, provide or receive terrorism-related training, to facilitate the movement of terrorist fighters, to recruit terrorist fighters or to train or assist in training terrorists;
16. *Strongly recommends* that legal measures be identified to stop social benefits for individuals who have gone abroad to support or become terrorist fighters;
17. *Requests* parliaments to authorize the competent authorities responsible for the prevention, detection, investigation or prosecution of terrorist offences or serious crimes to collect data about airline passengers before they travel, and to place an obligation on airlines and travel agents to provide, in advance and in electronic format, information about passengers and their travel documentation;
18. *Also requests* parliaments to allow the administrative authorities to confiscate the travel documents of terrorist fighters (by temporarily withdrawing, suspending or confiscating their passports or travel documents, including for minors) or to allow any measure that enables their travel arrangements to be cancelled as a matter of urgency;
19. *Further requests* that parliaments authorize measures for their State's electronic national security system to be connected to I-24/7, the global police communications system, and to the databases of the International Criminal Police Organization (INTERPOL), and allocate the necessary funds to do so;
20. *Calls on* parliaments to review their legislation in order to prevent any financial aid or support from being provided to terrorist fighters and to criminalize the financing of terrorism;
21. *Recommends* in that regard that legal provision be made for the possibility, first, to rapidly freeze assets and bank accounts used or intended to be used by terrorists, their accomplices or supporters; second, to prohibit the transfer or raising of funds which are intended to directly or indirectly assist terrorist fighters, their accomplices or supporters or by terrorist organizations; and third, to facilitate information exchange on financial transactions and movements of funds between States, including through exchange protocols established either by recognized international organizations such as INTERPOL or through bilateral agreements;
22. *Notes* the need to provide States with the financial, human and legal resources to enable relevant authorities to place under surveillance terrorist organizations and persons who might commit or support terrorist acts, in order to bring to justice terrorist fighters, their accomplices or supporters, or to arrest them before they take action;



23. *Calls on* parliaments to promote international cooperation between security forces, intelligence services and customs and immigration authorities, including by centralizing and coordinating information exchange, authorizing the swift ratification of extradition treaties concluded between the States of origin, transit and destination of terrorist fighters, and by monitoring the effectiveness of their implementation on the basis of legally binding agreements relating to compliance with the rule of law and data protection standards, in order to prevent the abuse of immigration and asylum law for the purposes of terrorism;
24. *Requests* parliaments to develop national legislation, supported by appropriate financing, that would allow the victims of terrorist acts to exercise their right to redress against those who have provided financial or logistical support to terrorists, as well as legislation, supported by adequate resources, that would establish a mechanism to assist and support victims, taking into account the specific needs of women and girl victims;
25. *Urges* parliaments to increase their efforts to reduce poverty; to combat discrimination against unemployed people, particularly young unemployed people, in order to ensure access to quality education for boys and girls and to basic services for all; and to combat racism as well as all forms of discrimination, particularly when based on unemployment, gender and social inequality, which provide a fertile breeding ground for the spread of terrorism;
26. *Welcomes* the initiative of the UN Secretary-General, *takes note* of his Plan of Action to Prevent Violent Extremism, and *encourages* parliaments to ensure that it is successfully implemented, in parallel with efforts made as part of the UN 2030 Agenda for Sustainable Development, in particular Goal 16;
27. *Urges* parliaments to commit to the empowerment of women as a means of preventing and combating terrorism in all its forms, in particular by securing the full participation of women and youth in decision-making and their economic independence;
28. *Requests* the IPU to promote inter-parliamentary information exchange and cooperation, and to facilitate dialogue among practitioners and parliamentarians, by establishing a forum where parliamentarians and UN counter-terrorism-related bodies could interact, with a view to sharing, at global and regional levels, good practices on confidence-building measures that are conducive to peace, international stability and security, and ensuring women's and young people's full participation in such efforts, with due consideration for the sovereignty of each State.

# Ensuring lasting protection against destruction and deterioration for the tangible and intangible cultural heritage of humanity

*Resolution adopted unanimously by the 134<sup>th</sup> IPU Assembly  
(Lusaka, 23 March 2016)*

The 134<sup>th</sup> Assembly of the Inter-Parliamentary Union,

*Recalling* that several UNESCO Conventions already provide an international legal framework for the protection of heritage,

*Also recalling* the working paper on "Ensuring lasting protection against destruction and deterioration for the tangible and intangible cultural heritage of humanity", which highlights the need for further mechanisms to protect this legacy, and which also mentions the nine main challenges referred to below,<sup>1</sup>

## **Armed conflict and terrorism**

*Noting* that, in situations of armed conflict, there is an almost systematic destruction of cultural heritage, whether as collateral damage or intentional destruction,

*Recalling* that the Convention for the Protection of Cultural Property in the Event of Armed Conflict (the 1954 Hague Convention) and its two Protocols already provide for the protection of cultural property in the event of armed conflict and are an integral part of international humanitarian law,

*Regretting* that too few States have ratified those instruments, particularly the Second Protocol, which includes provisions in particular for preventive measures to protect cultural heritage and to enhance that protection,

*Strongly condemning* all acts of intentional destruction of cultural heritage, and *recalling* that Article 8.2 of the Rome Statute of the International Criminal Court defines such destruction, under certain circumstances, as a war crime, while Article 15 of the Second Protocol to the 1954 Hague Convention considers it an offence,

## **Looting, illicit trafficking and funding terrorism**

*Recalling* that looting and illicit trafficking of cultural items are widespread in countries where there is a rich archaeological heritage and where there is either a weak legal and institutional framework or where these activities are considered a significant source of income, and *emphasizing* the importance of international parliamentary cooperation to combat theft, smuggling and trade in cultural heritage, as well as the funding of terrorism, and the need to enact appropriate laws prohibiting such acts,

*Also recalling* that United Nations Security Council resolution 2199 (2015), as well as other relevant Security Council and IPU resolutions, establish a direct link between illicit trafficking of cultural items and the funding of terrorism,

*Underscoring* the need to ensure that there is a mechanism in place to adequately protect underwater cultural heritage against intensive and systematic looting premised on the logic that those who first discover underwater heritage automatically become its owner,

## **Mass tourism**

*Convinced* that cultural heritage constitutes a unique tourist attraction and that mass tourism can be both promising for economic development and damaging for our heritage,

*Emphasizing* the need to evaluate cultural heritage assets against sustainable development evaluation standards,

<sup>1</sup> <http://www.ipu.org/conf-f/133/2cmt-DESTEXHE.pdf>

*Noting* that mass tourism can have adverse impacts on parts of our heritage that are ill-suited to deal with such large numbers of visitors,

*Recalling* that tourists have a duty to maintain and preserve our common heritage, which should help to create visiting conditions that allow each and every one to respect that heritage and at the same time avoid using it inappropriately or untowardly,

*Also recalling* that the necessary balance between encouraging tourism and preserving cultural heritage can only be struck by ensuring the development of "sustainable tourism and conservation practices,"

### **Population growth and urbanization**

*Noting* that population growth and concentration lead to urbanization policies that are likely to seriously damage heritage and its surrounding environment,

*Considering* that spatial planning must be integrated into a sustainable and balanced development approach that reconciles socioeconomic development, in particular regarding tourism, and the conservation and protection of historical and natural heritage,

### **Enhancing awareness**

*Recognizing* the importance of raising awareness from an early age among individuals and communities about the importance of preserving our cultural heritage, so as to trigger a process of assuming responsibility for prevention of deterioration and destruction that jeopardize our cultural heritage,

*Also recognizing* the value of developing scientific research and postgraduate studies in the field of urban heritage, so as to train national cadres and create a comprehensive database of urban heritage, which would include all related data and studies, along with efforts to educate the public and raise awareness of urban heritage, its importance and need for its development,

### **Conservation of heritage**

*Insisting* on the imperative that must prevail in the choice of restoration techniques and materials used, as well as the qualification and training of persons entrusted with undertaking such work, so as to prevent any restoration company from causing irreversible damage to heritage or works of art,

*Considering* the positive role that the conservation and restoration of heritage can play in fostering nations' understanding of their history and identity and, through recognition of humanity's common heritage, mutual respect among peoples and recognition of the diversity and equal dignity of the world's cultures,

### **Globalization**

*Also considering* that one of the effects of globalization is the standardization and homogenization of all facets of heritage, which particularly threatens the safeguarding of intangible cultural heritage,

### **Climate change and pollution**

*Recognizing* that climate change, natural disasters and man-made disasters can have a negative impact on tangible, intangible and underwater cultural heritage,

*Considering* that strengthening efforts deployed to protect and conserve humanity's natural and cultural heritage is part of the targets of the Sustainable Development Goals, to be achieved by 2030 (SDGs target 11.4) adopted by the Member States of the United Nations (UN) in 2015, and *expressing the wish* to implement what was agreed at the UN Climate Change Conference in Paris,

### **Nominations for the World Heritage List**

*Recalling* that greater protection can be provided to items declared and listed as national heritage, and that States should be made aware of that fact,

*Underscoring* the need to protect heritage as a whole, whether listed or not, against common threats,

*Recognizing* the importance of cultural heritage as a strategic resource to ensure sustainable development, and *convinced* that efforts aimed at safeguarding cultural heritage should be fully integrated into development plans, policies and programmes at all levels,

*Welcoming* the work already done in response to those threats by UNESCO as well as by all international, national and local bodies and organizations as well as natural and legal persons working in the field of cultural heritage,

*Recalling* that, in order to avoid duplication, all the legal instruments relating to heritage should constitute a coherent whole rather than merely exist in parallel,

*Considering* that parliaments have important powers to lead, legislate and oversee government action in order to enable the recommendations below to be effectively implemented,

#### **Armed conflict and terrorism**

1. *Urges* States to become party to and incorporate into their national legal framework the 1954 Hague Convention and its two Protocols as applicable;
2. *Encourages* parliaments to adopt comprehensive regulations that provide for measures to protect cultural property in cases of armed conflict, disaster or emergency situation;
3. *Requests* parliaments to ensure that all parties to armed conflict respect cultural property in accordance with the rules of international humanitarian law and the legal framework established by conventions governing cultural matters that they have ratified;
4. *Recommends* the establishment of mechanisms needed to systematically prosecute the perpetrators of acts of destruction of cultural heritage and *also recommends* that intentional acts of destruction should be defined as a war crime, according to Article 8.2 of the Rome Statute and in line with United Nations Security Council resolution 2199, and similarly the Geneva Conventions and their Additional Protocols, as applicable;
5. *Emphasizes* in this regard the importance of developing a framework for cooperation with international criminal justice bodies and of facilitating the development of inter-State judicial cooperation procedures, which is essential for the prosecution of the perpetrators of the most serious crimes;
6. *Encourages* parliaments to advocate for greater efforts to be made in training staff at museums and other institutions in which cultural heritage is kept so that, in times of war, natural disaster or major emergency, they are able to determine the priorities and modalities for protecting and keeping it safe as a matter of urgency;
7. *Invites* parliaments to legislate in order to anticipate situations of potential armed conflict, by establishing an inventory and an emergency plan for the storage or evacuation of tangible heritage and for the protection of built heritage;
8. *Proposes* to include the protection of cultural and historical sites in multilateral peacekeeping operations;

#### **Looting, illicit trafficking and funding terrorism**

9. *Calls upon* States to become party to the 1970 UNESCO Convention<sup>2</sup>, the Convention on the Protection of the Underwater Cultural Heritage (2001), and the UNIDROIT Convention (1995) and to transpose the provisions of these instruments into the national legal framework;<sup>3</sup>
10. *Recommends* that parliaments ensure that States keep an inventory of all significant heritage in the broadest sense, to record the entire inventory on microfiche and/or CD-ROM and to keep several secure copies;

<sup>2</sup> Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970).

<sup>3</sup> UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects (1995).

11. *Also recommends* that, on the basis of the inventory, that conditions be created to ensure that regular studies are conducted and that complaints of looting can be followed up;
12. *Invites* parliaments to establish a national body to combat trafficking in cultural property whose mandate would extend to looting within countries' national borders and on the high seas;
13. *Requests* each parliament to ensure that records are established for professional art dealers, which should indicate the origin of the items they purchase;
14. *Strongly urges* parliaments to recommend that all necessary efforts, including the establishment of special police and customs units be made to combat the theft of and suppress illicit trafficking in cultural property;
15. *Encourages* parliaments to support all bilateral or international cooperation initiatives in collaboration with Interpol and the World Customs Organization;
16. *Also encourages* parliaments to advocate for the effective implementation of United Nations Security Council resolution 2199, which establishes linkages between the illicit trafficking of cultural objects and the funding of terrorism;
17. *Invites* parliaments to adopt legislation or administrative mechanisms consistent with the practical tool entitled "Basic Actions Concerning Cultural Objects Being Offered for Sale Over the Internet" developed by UNESCO with Interpol and the International Council of Museums;
18. *Recommends* that parliaments, especially those of importing countries, advocate for a monitoring system to be established, which would relate to the movement of cultural property and which would include a system of export certificates, without which it would constitute a criminal offence for cultural property to be moved out of a country of origin or moved into another country;
19. *Also recommends* that urgent measures be adopted to prohibit imports when the heritage of a State Party is seriously threatened by intense looting of archaeological and ethnological materials;

#### **Mass tourism**

20. *Invites* parliaments to take appropriate action in order to establish a system to regulate the numbers of tourists, using a daily visitor quota with time slots, after first having determined the cultural heritage to which such a system should apply;
21. *Encourages* the more systematic establishment of protection perimeters to prevent permanent or long-term damage to the country's physical, cultural and environmental heritage;
22. *Requests* parliaments to consider the possibility of limiting the number of people visiting national museums and the most frequently visited sites, so as to both protect heritage and maintain the quality of visits;
23. *Invites* parliaments to engage in consultations with museum authorities and other authorities in charge of cultural heritage in order to ensure that they are not only pursuing economic goals, but also doing all they can to ensure the quality of visits, the protection of objects and awareness of the cultural heritage on exhibit;
24. *Also invites* parliaments to establish policy and guidelines for sustainable tourism development, which will also look into the issue of tourist guards/police among others and, in particular, language training;

#### **Population growth and urbanization**

25. *Further invites* parliaments to insist that impact assessments be systematically carried out in their respective countries wherever projects alter the environment that surrounds cultural heritage and to adopt legislative provisions aimed at establishing a protective perimeter around the most striking monuments and the creation of protected zones in neighbourhoods that stand out for their historical or esthetical character;

26. *Endeavours* to ensure respect for and enhanced recognition of cultural heritage in society, in respective educational systems and policies;

#### **Enhancing awareness**

27. *Strongly recommends* that awareness-raising efforts be made in relation to the respect for and protection of heritage in school curricula and military training programmes;
28. *Invites* parliaments to promote public awareness-raising events, such as heritage days, and to encourage all public and private initiatives that form part of the International Day for Monuments and Sites dedicated to World Heritage on 18 April;
29. *Encourages* parliaments to draft and adopt national information plans on historical heritage, including training and information activities;
30. *Invites* parliaments to promote citizen participation in the process of managing heritage in line with the strategy of the Council of Europe Framework Convention on the Value of Cultural Heritage for Society (the Faro Convention);
31. *Requests* that parliaments insist on the implementation of preventive and protective measures when heritage is in danger in parallel with measures aimed at restoring and/or repairing of cultural property;
32. *Invites* parliaments to ensure that background information is made available to citizens on tangible, intangible and underwater cultural heritage located in their countries;

#### **Conservation of heritage**

33. *Encourages* parliaments to do everything possible to foster and organize high-level training on the conservation and protection of cultural heritage in all its forms, and facilitate capacity-building activities for their safeguarding;
34. *Also encourages* parliaments to promote the regular maintenance of the heritage of their country;
35. *Further encourages* States to adopt legislation to protect historical monuments and the most striking buildings from a historical or architectural point of view; such legislation would make their demolition, displacement or restoration subject to authorization by the authorities responsible for the protection of historical monuments; it would also ensure that the overall management of the work is entrusted to certified professionals based on their skills; it would authorize the administrative authority to oblige the property owner to undertake the necessary work in order to conserve the monument, in exchange for the State's participation in the restoration costs;
36. *Calls upon* parliaments to foster the development of training for technicians and experts in the conservation and restoration of tangible and intangible assets that make up cultural heritage, as well as to promote programmes, scholarships and international forums for the exchange of knowledge and discussion on topical issues related to cultural heritage;
37. *Also calls upon* parliaments to ensure that, where large-scale restoration projects occur, they receive automatic support from networks of national and international experts, including governmental organizations, educational and research institutions, and the private sector, so that an assessment can be made of best techniques to be used;

#### **Climate change and pollution**

38. *Recommends* that consultations with experts take place, including with specialists in cultural heritage and traditional construction techniques, in order to plan for climate change and its effects on cultural heritage, as well as to include traditional knowledge and techniques in conservation plans;
39. *Also recommends* that parliaments do the needful to ensure that consultations on the impact of climate change on cultural property also take into account external factors linked to lifestyle, such as pollution, which compound the primary impacts and thus cannot be disregarded;
40. *Encourages* the establishment both of national listed heritage assessments and of potential climate-change-related risks in order to take measures to limit them;

41. *Calls for* enhanced awareness-raising activities all over the world so as to prevent harmful environmental practices in order to mitigate the effects of climate change and protect heritage;

#### **Nominations for world heritage lists**

42. *Encourages* efforts to raise the awareness of the authorities of each country about the potential interests of registering elements of cultural heritage located inside their borders on the UNESCO World Heritage List and therefore include, in their Tentative Lists, the names of those properties which they consider to be cultural and/or natural heritage of outstanding universal value;
43. *Urges* parliaments to do everything possible to assess whether, in accordance with the Second Protocol to the 1954 Hague Convention, certain segments of heritage should benefit from higher levels of protection;
44. *Strongly urges* States to become party to the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage (2003) as well as the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005) to fully complement the set of the international standard-setting instruments dedicated to the safeguarding of cultural heritage and diversity;
45. *Recommends* that parliaments encourage their governments to support other countries by providing them, where necessary, with assistance in training in and awareness-raising about the importance of conserving cultural property, what steps to take with regard to UNESCO and exchange of good practices related to the protection of cultural property;
46. *Also recommends* that parliaments remind their governments that registering cultural property on the UNESCO List should be motivated by objective criteria and be limited to those assets that present a real and universal heritage interest, without any concern for the geographical balance of properties between countries or continents or political considerations, without which this List would risk becoming endless and would lose its initial purpose.

**Giving an identity to the 230 million children without a civil status:  
one of the major challenges of the humanitarian crisis in the 21<sup>st</sup> century**

**Results of the roll-call vote on the request of the delegations of France and  
Uruguay for the inclusion of an emergency item**

**Results**

Affirmative votes.....	938	Total of affirmative and negative votes...	995
Negative votes.....	57	Two-thirds majority .....	663
Abstentions.....	206		

Country	Yes	No	Abst.	Country	Yes	No	Abst.	Country	Yes	No	Abst.
Afghanistan		Absent		Haiti	11			Poland	15		
Albania		Absent		Hungary	13			Portugal	13		
Algeria			15	Iceland	10			Qatar	4		4
Andorra	10			India	10			Republic of Korea	Absent		
Angola	12			Indonesia	Absent			Romania	10		
Australia	14			Iran (Islamic Republic of)	18			Russian Federation	20		
Austria	12			Israel	12			Rwanda			12
Bahrain	10			Italy	17			San Marino	Absent		
Bangladesh	20			Japan	20			Sao Tome and Principe	5	5	
Belarus	Absent			Jordan	12			Saudi Arabia			14
Belgium	13			Kenya			15	Senegal	10		
Benin	10			Kuwait	7		4	Serbia	10		
Bhutan	Absent			Latvia	11			Seychelles			10
Bolivia	12			Lebanon	Absent			Sierra Leone	Absent		
Botswana			11	Lesotho	11			Singapore	Absent		
Brazil	Absent			Libya		10		Slovenia	Absent		
Bulgaria	Absent			Liechtenstein	Absent			South Africa			17
Burkina Faso	Absent			Lithuania	11			Spain	15		
Burundi	Absent			Luxembourg	Absent			Sri Lanka	Absent		
Cambodia	13			Madagascar	14			Sudan		15	
Cameroon	13			Malawi	Absent			Suriname	10		
Canada	15			Malaysia	Absent			Sweden	12		
Chile	13			Maldives	Absent			Switzerland	12		
China	23			Mali	13			Thailand	18		
Comoros	10			Malta	Absent			Timor-Leste	11		
Côte d'Ivoire	13			Mauritania			10	Togo	Absent		
Cuba	13			Mauritius	9			Tunisia	Absent		
Cyprus	10			Mexico	20			Turkey	11		7
Czech Republic	13			Micronesia (Fed. States of)	Absent			Uganda		13	
DR of the Congo	10		7	Monaco	Absent			Ukraine	Absent		
DPR of Korea	Absent			Morocco	15			United Arab Emirates	11		
Denmark	12			Mozambique			13	United Kingdom	18		
Egypt	15	4		Namibia	11			United Republic of Tanzania	10		
Equatorial Guinea	10			Nepal	Absent			Uruguay	11		
Estonia	11			Netherlands	13			Venezuela	15		
Ethiopia			19	New Zealand	11			Viet Nam	19		
Fiji	Absent			Nigeria		10		Zambia			13
Finland	12			Norway	Absent			Zimbabwe			13
France	18			Oman			11				
Gabon			11	Pakistan	21						
Germany	19			Palestine	11						
Ghana	Absent			Panama	10						
Guinea	Absent										
Guinea-Bissau	11										

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



## Human trafficking: An act of terrorism, a grave violation of human rights and human dignity, and a threat to regional and international peace and security

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

#### Results

Affirmative votes .....	761	Total of affirmative and negative votes .....	941
Negative votes .....	180	Two-thirds majority .....	627
Abstentions .....	260		

Country	Yes	No	Abst.	Country	Yes	No	Abst.	Country	Yes	No	Abst.
Afghanistan		Absent		Haiti	11			Poland			15
Albania		Absent		Hungary	7		6	Portugal	13		
Algeria	15			Iceland		10		Qatar	8		
Andorra			10	India	10			Republic of Korea	Absent		
Angola	12			Indonesia	Absent			Romania		10	
Australia			14	Iran (Islamic Republic of)	18			Russian Federation			20
Austria	12			Israel		12		Rwanda	12		
Bahrain	10			Italy			17	San Marino	Absent		
Bangladesh	20			Japan	20			Sao Tome and Principe	5	5	
Belarus		Absent		Jordan	12			Saudi Arabia	14		
Belgium		13		Kenya	15			Senegal	10		
Benin			10	Kuwait	11			Serbia			10
Bhutan		Absent		Latvia			11	Seychelles	10		
Bolivia	12			Lebanon	Absent			Sierra Leone	Absent		
Botswana	11			Lesotho			11	Singapore	Absent		
Brazil		Absent		Libya	10			Slovenia	Absent		
Bulgaria		Absent		Liechtenstein	Absent			South Africa	17		
Burkina Faso		Absent		Lithuania			11	Spain	5		10
Burundi		Absent		Luxembourg	Absent			Sri Lanka	Absent		
Cambodia	13			Madagascar	14			Sudan	15		
Cameroon	13			Malawi	Absent			Suriname	10		
Canada		15		Malaysia	Absent			Sweden		12	
Chile			13	Maldives	Absent			Switzerland	3		9
China	18		5	Mali	13			Thailand	18		
Comoros	10			Malta	Absent			Timor-Leste	11		
Côte d'Ivoire	13			Mauritania	10			Togo	Absent		
Cuba	13			Mauritius	9			Tunisia	Absent		
Cyprus	5		5	Mexico	8	12		Turkey	7		11
Czech Republic	13			Micronesia (Fed. States of)	Absent			Uganda	13		
DR of the Congo	7		10	Monaco	Absent			Ukraine	Absent		
DPR of Korea		Absent		Morocco	15			United Arab Emirates	11		
Denmark		12		Mozambique	13			United Kingdom		18	
Egypt	19			Namibia	11			United Republic of Tanzania	10		
Equatorial Guinea	10			Nepal	Absent			Uruguay		11	
Estonia			11	Netherlands		13		Venezuela	15		
Ethiopia	19			New Zealand	3		8	Viet Nam	19		
Fiji		Absent		Nigeria	10			Zambia	13		
Finland			12	Norway	Absent			Zimbabwe	13		
France		18		Oman	11						
Gabon	11			Pakistan			21				
Germany		19		Palestine	11						
Ghana		Absent		Panama			10				
Guinea		Absent									
Guinea-Bissau	11										

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

## Giving an identity to the 230 million children without a civil status: One of the major challenges of the humanitarian crisis in the 21<sup>st</sup> century

*Resolution adopted unanimously by the 134<sup>th</sup> IPU Assembly  
(Lusaka, 23 March 2016)*

The 134<sup>th</sup> Assembly of the Inter-Parliamentary Union,

*Alarmed* by the existence, according to UNICEF estimates, of more than 230 million children under five years of age without a legal identity because they were not registered at birth and by the fact that one in every seven children registered in the world does not have a birth certificate attesting to his/her legal identity,

*Observing* that without a civil status, these children are severely hampered throughout their lives (unable to go to school, vote, marry, receive welfare benefits, inherit, etc.) and fall victim to trafficking (illegal adoption, prostitution and criminal networks), which is further exacerbated in situations of humanitarian crisis,

*Considering* that having a reliable, comprehensive and lasting civil registry is a necessary prerequisite for drawing up credible electoral lists and, as a consequence, the legitimacy of electoral processes,

*Concerned* about the “black holes” in statistics caused by the absence of registration of these children, which disrupts the planning and the management of public services for children,

*Recalling* different provisions and instruments under international law, in particular:

- Article 24, paragraph 2, of the International Covenant on Civil and Political Rights adopted on 16 December 1966 by the UN General Assembly,
- Article 7, paragraph 1 of the Convention on the Rights of the Child adopted by the UN General Assembly on 20 November 1989,
- Goal 16 of the Sustainable Development Goals, which the IPU fully supports, including target 16.9, “By 2030, provide legal identity for all, including birth registration”,
- the Geneva Conventions of 1949 and their Protocols, especially the Fourth Convention relative to the Protection of Civilian Persons in Time of War,
- the 1977 Protocol relating to the Protection of Victims of International Armed Conflicts,

*Also alarmed* by the tremendous impact of humanitarian crises, particularly in situations of conflict, on the most vulnerable groups, especially women and children,

*Convinced* of the absolute need to fully meet the needs of those children in terms of assistance and protection through the mandates of peacemaking, peacekeeping and peacebuilding operations,

1. *Calls on* parliaments to request their governments to put in place measures to inform parents of the need to register children at birth and remove all barriers to the registration of children in registry offices regardless of nationality, race, ethnicity, language, religion or social status;
2. *Requests* parliaments to adopt laws to ensure the issuance of birth certificates free of charge or, at least, to reduce to a minimum the cost of birth registration;
3. *Calls for* registry offices to be set up as close as possible to homes by distributing them throughout the country with as a wide coverage as possible;
4. *Recommends* that parliaments take measures to allow women to register births;
5. *Calls for* support for the implementation of applications for mobile devices that allow authorized persons (e.g. midwives, village leaders and school principals) to register births;

6. *Invites* parliaments to promote campaigns on regularizing the status of children without a legal identity through roving public hearings that move from village to village;
7. *Calls on* parliaments ensure adequate funding for civil registry, including moving towards the digitization of registration where possible;
8. *Urges* in particular parties to armed conflict to respect schools and hospitals and to provide unrestricted access for humanitarian assistance and to give humanitarian personnel all the facilities required to carry out their work;
9. *Calls on* governments and parties to conflict to meet their obligations in conformity with international law, including international human rights law and international humanitarian law, in particular the obligations set forth in the 1949 Geneva Conventions and their Additional Protocols of 1977 and 2005;
10. *Strongly urges* the IPU to commit to monitoring developments on this issue.

## Presidential Statement

*Endorsed by the 134<sup>th</sup> IPU Assembly  
(Lusaka, 23 March 2016)*

We, Member Parliaments of the Inter-Parliamentary Union, utterly condemn the terrorist attack today in Brussels. Once again, many innocent lives have been lost and scores of people have been wounded. This wanton act of violence is unconscionable.

What has happened today is another brutal assault on democracy and core human values. We convey our deepest condolences to the families of the victims, and express our solidarity with the people and authorities of Belgium.

We are gravely concerned by the escalation in acts of violent extremism which have killed more than 140,000 people since 2001.

We call for urgent action to counter the growing number of people being drawn towards such cowardly and despicable acts and for all political leaders to work together to find effective means of safeguarding the lives of their citizens.

IPU also urges all community leaders to clearly and actively engage with their followers in order to promote peace, democratic engagement, and respect for human life. Recourse to all forms of violence must be condemned outright. Alternative and peaceful means of political expression must be found.

We at IPU pledge to do our utmost to better engage all groups in society in our social and political processes. We will work to make our parliaments more representative so that all voices and concerns are addressed in the one institution where political differences can be resolved through discussion and negotiation.

Tomorrow, this Assembly will be adopting a resolution on the need to enhance global cooperation on terrorism in order to counter the threat to democracy and individual rights. The attack today has underlined in the most tragic way possible the critical relevance and timeliness of this resolution. We must all make sure that after leaving Lusaka, we take resolute and effective action to counter this global menace by following up on commitments made here.

## Report of the Standing Committee on Democracy and Human Rights

*Noted by the 134<sup>th</sup> IPU Assembly  
(Lusaka, 23 March 2016)*

**Summary of the debate *The freedom of women to participate in political processes fully, safely and without interference: Building partnerships between men and women to achieve this objective.***

On Tuesday, 21 March 2016, the Standing Committee on Democracy and Human Rights held an interactive debate on the freedom of women to participate in political processes and how genuine partnership between women and men could contribute to that objective. The debate was a preparatory step towards a resolution that would be adopted on that subject at the 135<sup>th</sup> IPU Assembly. The debate was launched by an introductory presentation on the latest findings of the IPU on women's participation in parliaments, followed by a question and answer session with five panellists. The panellists were the resolution's co-Rapporteurs, Ms. S. Lines (Australia) and Mr. M. Kilonzo Junior (Kenya), as well as Mr. N. Erskine-Smith (Canada), Ms. M. Azer Abdelmalak (Egypt) and Mr. J. Zangpo (Bhutan). The session was chaired by Ms. A. King (New Zealand), Acting President of the Committee.

Participants addressed the obstacles to women's participation in politics and called for a paradigm shift within parliaments, political parties and society at large. Discriminatory stereotypes and patriarchal culture were still a predominant feature in many countries. Social norms and traditional roles were frequently invoked to suggest that politics was not a good career option for women. Political parties were concerned about whether seats were winnable with women candidates, and male politicians worried about losing access to elected positions. Reconciling family and political life was difficult and could make a political career less attractive to women. Women in politics were often the target of abuse on social media.

Quotas had had a determining effect in increasing the number of women in parliament in many countries. Quotas were only effective when they were adequately designed and implemented, and when there were strong incentives for political parties to respect them. Quotas and laws alone could not change a culture. Yet the increased presence of women in parliament was providing more role models for young women interested in politics and was contributing to changing mentalities.

Participants proposed many avenues for expanding women's political participation. Education was a vital first step to challenging stereotypes and discrimination. Parliaments and parties were increasingly aiming for parity between men and women in elected positions. Political parties needed to commit to gender equality, including in leadership roles. Parties also needed to demonstrate those commitments through their actions. There were signs that young party members and political activists were more favourable to gender equality; they needed to be encouraged and mentored.

Financial support for women candidates and for women parliamentarians to travel with their young children would lower some of the barriers to a political career. Cross-party agreement that women should be members of parliamentary committees in all policy areas, including "hard" areas such as defence and public finances, would help to change the current imbalance.

Penalties must be imposed against all attempts to intimidate women, whether in parliament, in their constituency or on social media. Parliaments needed to ensure a zero-tolerance culture towards violence, harassment and the intimidation of women by, for example, adopting a code of conduct or a policy on sexual harassment. Women parliamentarians were already starting to speak out about instances of harassment, and should be encouraged to do so without fear or shame.

For many years, the onus to work for gender equality had been placed on women alone. "Women should vote for women" was an often-repeated phrase. Young women had been told that they could do anything, but without any accompanying support from men. Gradually, the conceptual framework was shifting towards a genuine partnership between men and women that favoured gender equality. Men had to come forward and be vocal advocates for gender equality as well as women. It was noted that this was still a new idea in many countries, but it was happening, and it was the future.

### **Report on the interactive debate *Open Parliaments: Building an association on accountability***

At its sitting on 22 March, the Standing Committee on Democracy and Human Rights held a debate entitled *Open Parliaments: Building an association on accountability*. Acting President Ms. A. King (New Zealand) was in the chair. The panellists were Ms. L. Rojas (Mexico), Mr. N. Evans (United Kingdom), Mr. C. Chauvel (United Nations Development Programme) and Mr. D. Swislow (National Democratic Institute). A further 23 parliamentarians spoke from the floor.

Participants unanimously made the case for greater openness in parliament. The first Global Parliamentary Report had noted that: public trust in parliament was low; citizens expected parliamentarians to account for their actions more regularly than ever before; and because of their very nature, parliaments were resilient and able to adapt to society's needs.

It was observed that openness was no longer a choice, it was a necessity. Greater openness helped to break down perceived barriers between parliaments and citizens. Openness and transparency were the preconditions for citizens to be able to hold parliaments and their representatives to account for their actions. They helped to make parliament more effective overall, by facilitating greater public participation in parliament's work.

Participants shared numerous examples of initiatives to promote greater openness. Mexico had adopted a law on transparency that was prepared in partnership with a range of stakeholders, including those from civil society. In the United Kingdom, e-petitions automatically triggered a debate in parliament on the subject of the petition once a certain number of signatures had been reached. The Government Assurances Committee in Ghana broadcast its public hearings. It received submissions via text message and WhatsApp, so that the public could be involved in holding the Government to account for the promises it had made.

The movement towards greater openness was supported and catalysed by organizations such as the Open Government Partnership (OGP). OGP had been launched in 2011 to provide an international platform for domestic reformers committed to making their governments more open, accountable, and responsive to citizens. Since then, OGP had grown from 8 to 69 participating countries. In all of those countries, government and civil society were working together to develop and implement ambitious open government reforms through action plans.

A Legislative Openness Working Group had been created within OGP in 2013 by parliaments and civil society organizations. Lessons learned included: the need for parliament and government to have separate action plans; for the commitment to openness to come not just from individual parliamentarians, but from the institution of parliament; and for that commitment to have ongoing multiparty support. The space for parliaments within OGP remained limited, but there were signs of change as more parliaments adopted action plans.

There had been an increasing number of examples of successful collaboration between parliaments and civil society organizations in terms of making parliamentary data available in reusable formats. Those examples built on the momentum of the Declaration on Parliamentary Openness. A network of civil society organizations had made the Declaration in 2012, and it had since been endorsed by parliaments including those of Serbia and Peru.

It was noted that openness in parliament was necessary but not sufficient. Citizens would not become interested in talking to parliament simply because additional communications channels were available. Greater openness encouraged more trust, but was not enough on its own. Parliaments needed to work on a range of fronts to strengthen relations with citizens and build trust. A free press and other core elements of democratic society were also vital.

## Report of the Standing Committee on United Nations Affairs

*Noted by the 134<sup>th</sup> IPU Assembly  
(Lusaka, 23 March 2016)*

The President of the Committee, Mr. A. Avsan (Sweden) opened the session and welcomed the participants.

Referring to the first two items on the agenda, Mr. Avsan invited the Committee to adopt the report of the previous session at the 133<sup>rd</sup> Assembly and elect three new members to the Bureau following nominations received by the geopolitical groups: Mr. A. Romanovich (Russian Federation), Ms. A.R. Albasti (United Arab Emirates), and Mr. A.-F.I. Al-Mansour (Sudan).

Mr. Romanovich, having had to return to his country, was introduced by Mr. K. Kosachev as a former member of the Bureau, also from the Russian Federation. Ms. Albasti talked about her work with women and domestic violence and her interest in international affairs, particularly peacekeeping. Mr. Al-Mansour was absent.

Mr. Avsan proceeded to introduce the two sessions on the programme, which he chaired.

### Session 1: **Interactive debate on the new election process for the UN Secretary-General.**

**Ms. G. Ortiz**, President of the Legislative Studies Committee (Senate of Mexico), and member of the Bureau of the IPU Committee on United Nations Affairs; **Mr. K. Kosachev**, Chairman of the Foreign Affairs Committee, Council of the Federation, Russian Federation; and **Ms. Y. Terlingen**, Representative of the *1 for 7 Billion Campaign*

This session provided members with an opportunity to comment on a new appointment process for the selection of the United Nations Secretary-General as outlined in a Secretariat background note. The note traced the history of the appointment process over 70 years of the United Nations and showed that most of the applicable rules were derived by practice and not from the UN Charter. It was possible for member States to change these rules by a resolution of the General Assembly.

As part of the ongoing reform process of the United Nations, a large number of Member States had demanded that the appointment of the UN Secretary General be more transparent and inclusive of the entire membership, through the General Assembly, and not confined to the 15-member Security Council where five permanent members (the P5 with veto power) held most of the decision-making authority. A more democratic selection process would help ensure the impartiality of the office-holder and empower him or her to act as a true representative of the "peoples" referred to in the UN Charter.

The background note proposed seven questions for discussion on the qualifications for the post of UN Secretary-General, the renewability of the term of office, and considerations for gender balance and regional representation. Most importantly, the note invited reflection on the key question of whether the General Assembly should hold a real election and not be limited to approving the one candidate recommended by the Security Council. That would require the Security Council to submit to the General Assembly more than one name.

Elaborating further, Ms. Terlingen gave a detailed presentation of a new appointment process the General Assembly had adopted in resolution 69/321 of September 2015. Mr. Kosachev and Ms. Ortiz acted as respondents to her presentation. The following 15 delegations contributed comments and questions: Bangladesh, Bahrain, Bolivia (Plurinational State of), Burkina Faso, Canada, Cuba, Kenya, Morocco, the Netherlands, Portugal, Uganda, South Africa, United Kingdom, United Arab Emirates and Zambia.

Ms. Terlingen noted that while the new appointment process represented a step in the right direction, it did not go far enough. She noted two important innovations: first, government-nominated candidates must submit their curricula vitae to the President of the General Assembly and all must be posted online; second, the General Assembly can convene informal public hearings with the candidates. The new process also more explicitly than ever invites woman candidates to come forward and stresses the need to consider gender diversity in that process, which so far had always led to the appointment of men only.

From the standpoint of the *1 for 7 Billion campaign* (an umbrella organization of 750 civil society organizations), the new rules should limit the mandate of the UN Secretary-General to a single non-renewable term (possibly extended to seven years) in order to enhance the political independence of the UN Secretary-General from the P5 and other key members whose support he/she needed to be re-elected. Most of all, the rules should allow the General Assembly to hold a vote on a slate of at least two nominations from the Security Council.

Ms. Terlingen said, "the UN Secretary General represents the conscience of the world and plays an important role in helping Member States rise above their national interests". It is important that his or her selection be as inclusive and representative as possible. To that end, she suggested that parliamentarians should play a role in the process by: holding debates on the qualifications required for the post; by helping identify qualified candidates; by scrutinizing the eventual nominations; by proposing questions to be asked of the candidates at the hearings of the General Assembly; by insisting that the office-holder be free to appoint his/her cabinet based on merit alone (i.e., not as patronage appointments); by advocating a single term of office; and by insisting that the Security Council submit more than one recommendation to the General Assembly, thus making the process more democratic.

In his response, Mr. Kosachev cautioned that any changes to the current system must be carefully considered bearing in mind the long-term consequences. The new process for 2016, which would lead to the appointment of a new UN Secretary-General effective January 2017, was not the only window of opportunity to effect change. For Mr. Kosachev, the mandate of the UN Secretary-General as defined in the Charter was primarily of an administrative nature, as head of the Secretariat. The UN Secretary-General's political functions were very limited and subject to guidance from the General Assembly. From that standpoint, it was not aberrant for the UN Secretary-General to be dependent on the membership instead of being empowered to act alone.

According to Mr. Kosachev, regional rotation of the post of UN Secretary-General was welcome so that the whole world would eventually be represented in the position. Gender balance was also welcome, provided the best qualified person was chosen in the end. On the question of term limits, Mr. Kosachev disagreed with the argument that a single term was more empowering than two consecutive terms. On the key question of whether the P5 members of the Security Council should retain the power to veto a nomination, Mr. Kosachev argued that the system was much more constraining than people thought because it forced the P5, and indeed the whole membership of the Security Council, to reach a consensus.

Ms. Ortiz remarked on the discussion from the gender perspective of the selection process. She welcomed the fact that more Member States were supportive of women candidates and hoped that would lead to a woman being elected for the first time in 2016. While noting that the Security Council's control of the process was undemocratic, Ms. Ortiz expressed concern that the gender composition of the Security Council was another issue that needed to be addressed. If the Council was to remain in control of the selection, and if the selection was equally open to women and men, then the Council itself needed to be reformed to ensure gender parity. A male-dominated Council was less likely to select a woman candidate than one in which women were equally represented.

In the ensuing debate, a few participants expressed general satisfaction with the status quo while most expressed support for further democratization of the appointment process. Those interventions clearly signalled that the selection process must become transparent and involve all Member States, not just those who sat on the Security Council, and reinforced the view that the UN Secretary-General was accountable to the more representative General Assembly. Two interventions went further, recommending that the process should end with a vote by the General Assembly on more than one candidate, as was the practice at the IPU. Three participants supported the idea of a single, non-renewable term.

The participants expressed strong support for women candidates to be considered. One intervention specifically suggested that the focus should not be limited to inviting women candidates but more importantly to making sure a woman was actually elected. Several UN agencies had been or were being led by women and there was no question as to the availability of highly qualified women to take on the top job of UN Secretary-General. To ensure gender balance in the outcome of the selection process, one delegate suggested that a gender "rotation" should be instituted so that the post would alternate between a man and a woman (i.e. admitting only male candidates or only female candidates on each occasion).



Participants underscored that parliaments should have a role in the selection process. Several speakers expressed support for many of Ms. Terlingen's recommendations, particularly the idea that parliaments should hold debates on their governments' nominees and even submit their own proposals. A specific suggestion was that parliaments needed to support the UN Secretary-General in his/her efforts to implement key administrative reforms that were required to strengthen the United Nations.

Concluding the debate, participants asked the IPU to transmit the following three questions to all candidates in the running in 2016:

1. Agenda 2030 will be successful if members of parliament are involved in the development of their national action plans, in monitoring implementation, and in aligning budgets and legislation to the agenda. As UNSG, will you advocate among Member States for parliamentary engagement in the implementation of the new 2030 Agenda and attendant SDGs?
2. Numerous UN General Assembly resolutions and UN Secretary-General reports recommend a strong relationship between the United Nations and national parliaments, as well as with the IPU. As UN Secretary-General, what specific actions would you take to strengthen these relationships at the global and national levels to more effectively serve the people?
3. As representatives of the people, parliamentarians want to ensure a more democratic UN Secretary-General selection process. How do you think parliamentarians, through the IPU, as the world organization of parliaments, can have a role in this process?

#### Session 2: Briefing on the institutional arrangements for the implementation of the Sustainable Development Goals

**Mr. L. Borbely**, Chairman of the Foreign Affairs Committee, Chamber of Deputies of Romania;  
**Ms. P. Torsney**, Head of the Office of the Permanent Observer of the IPU to the United Nations;  
**Mr. A. Motter**, Senior Adviser for Economic and Social Affairs, IPU; **Mr. C. Chauvel**, Parliamentary Adviser, Democratic Governance Group, UNDP.

Following a decision of the Bureau at the October 2015 session, the overarching aim of the session was to provide the Committee with a structure enabling it to work as the IPU's main body for a regular review of SDGs implementation over the next 15 years. The panel presented various approaches and elaborated on concrete suggestions.

After presenting an overview of various new or established review mechanisms, Mr. Motter described the entry points for parliaments to engage in SDGs implementation at three levels: national, regional and global. At the national level, a key role for parliaments was to deepen national ownership of the goals and to ensure a national plan to localize the goals were firmly in place. Key to the accountability role of parliaments was the fact that their governments presented to them an annual report of progress on the implementation of the plan. At the global level, he noted that parliaments had an opportunity to contribute to the work of the new High-Level Political Forum (HLPF) on sustainable development that would be the main UN hub for an annual global progress review. Among other things, parliaments should participate in national voluntary reviews and join their national delegations to HLPF sessions.

An initial step all parliaments could take towards implementation was to adopt a motion or a resolution on the SDGs. Mr. Avsan introduced a template resolution the IPU has prepared. He noted that the parliaments of Mali and Trinidad and Tobago had already adopted resolutions and encouraged all delegations to follow suit. He reported that several members of the Bureau, such as those from Canada, Sudan, Morocco, Norway and Sweden, had pledged to table a resolution in 2016.

The IPU was gearing up to help parliaments institutionalize the SDGs. Ms. Torsney provided one illustration in the form of a self-assessment toolkit the IPU intended to publish in May. She invited interested members to provide feedback to her on the toolkit, which was still in draft form. The delegations of Mali and Lesotho expressed an interest in being part of that exercise.

Exploring the regional level of implementation and review, Mr. Borbely highlighted the case of the Eastern European region. His parliament was host to a regional conference on the SDGs in 2015 and would again convene a meeting in April 2016. He noted how all SDG-related processes presented an opportunity to strengthen parliaments' accountability role. In his parliament, the sub-committee on sustainable development would play a key role in mainstreaming the SDGs in the committee system, thus strengthening policy coherence. He urged the IPU to integrate the SDGs in its new five-year strategy and to focus on assisting parliaments in institutionalizing the SDGs in their day-to-day work.

For his part, Mr. Chauvel outlined how the United Nations was gearing up to help parliaments implement the SDGs at the country level. He recalled that the 2030 Agenda rested on open, inclusive and participatory reporting, a people-centred approach, and evidence-based support. He noted that there was strong agreement in principle that parliaments were a key stakeholder in implementation, along with civil society and other actors, but that would not translate automatically into action to engage or support the parliaments. Proactive efforts would be required. Some of the impetus would need to come from citizens themselves. The United Nations would retool the existing My World survey facility so that people could use it to provide feedback on government policy and services directly to their members of parliament.

The following delegations participated in the debate: Cuba, France, Kenya, Mali, Morocco, South Africa, Thailand, United Arab Emirates and Zimbabwe. They elaborated on some of the points made by the panel with further ideas and suggestions. Several comments in particular pointed to the need to strengthen parliaments to allow them to play a strong role in implementation. Two interventions elaborated on the role of the national sustainable development plan as the centrepiece of implementation in each country.

It was agreed that each spring session of the Committee on United Nations Affairs would henceforth be utilized to perform three basic tasks: to take stock of global progress on the SDGs (UN reports); to prepare concerned parliaments for the voluntary national reviews to the HLPF; to prompt parliaments to perform a self-assessment of their capacity to implement the SDGs and to showcase best practices.

## Cooperation with the United Nations system

### List of activities undertaken by the IPU from 15 October 2015 to 15 March 2016

*Noted by the IPU Governing Council at its 198<sup>th</sup> session  
(Lusaka, 23 March 2016)*

#### United Nations

The annual **Parliamentary Hearing** at the United Nations, jointly organized with the President of the General Assembly, took place on 8 and 9 February. The hearing was entitled *The world drug problem: Taking stock and strengthening the global response*. It was designed to make a contribution to a Special Session of the General Assembly on drugs (UNGASS 16) in April this year. A mix of MPs, Permanent Representatives, UN officials and civil society experts took part in panel discussions. The report of the hearing is an official document for UNGASS 16.

Consultations on a new **cooperation agreement** between the two organizations continued on the basis of a new draft that takes into account comments received by the UN Department of Legal Affairs. The Deputy Secretary General of the United Nations, Mr. Jan Eliasson, was personally involved in facilitating a timely conclusion to ongoing consultations in view of the 2016 resolution of the UN General Assembly *Interaction between the United Nations, national parliaments and the Inter-Parliamentary Union*.

As part of the process leading up to the **UN General Assembly resolution on interaction with parliaments and the IPU**, expected in May or June, the IPU Secretary General and his team continued consultations about and provided input for the preparation of the UN Secretary-General's report that will provide the background to the resolution. The IPU provided a consolidated list of activities between the UN and IPU covering the two years since the UN Secretary-General's report in 2014. A working lunch to hear the views of Permanent Representatives on ways to strengthen the UN-IPU relationship was held on 10 February.

On 1–2 February, six members of the IPU Forum of Young Parliamentarians participated in the 2016 session of the **Youth Forum** that takes place every year under the aegis of the Economic and Social Council. This year's session highlighted the youth-related targets of the new Sustainable Development Goals (SDGs) as well as the role of young people in facilitating the implementation of the SDGs at the national level.

There has been regular coordination with the Office of the UN Secretary-General's Envoy on Youth. The Envoy will take part in the IPU's Third Global Conference of Young Parliamentarians on 16 and 17 March in Lusaka, Zambia.

In January, the IPU President agreed to join the new High-Level Advisory Group of the UN Secretary General on **Every Woman, Every Child**, the long-running global initiative to support women's, adolescents' and children's health.

With funding from the UN Office for Disarmament Affairs, the IPU organized a seminar for African parliaments on the implementation of **UN Security Council resolution 1540**. It raised awareness of the resolution as the linchpin of international action against the proliferation of weapons of mass destruction (WMDs), particularly in the light of the growing terrorist threats from non-State actors. It also helped to strengthen parliaments' ability to assess the risk of WMDs and identify avenues of parliamentary action aimed at lowering risk in the region. The seminar took place in Abidjan, Cote d'Ivoire, on 22 and 23 February.

The IPU contributed to the agenda and preparations for the third symposium of the UN **Development Cooperation Forum** which will be held in Brussels on 6–8 April. The meeting will focus on development cooperation issues that pertain specifically to the Least Developed Countries. It will also review the results of the Forum's survey on mutual accountability for development cooperation to which IPU members contributed in fall 2015.

The IPU worked with the **Global Partnership for Effective Development Cooperation**. Together with UNDP and OECD, the Partnership organized parliamentary focal points on development cooperation. It also began preparations for its second High-Level Meeting that will take place in Kenya in November.

In November 2015, the IPU submitted its response to a UN questionnaire on the **global monitoring process for the new SDGs**. This was the IPU's contribution to the report of the UN Secretary-General on that subject. Discussions were held with officials in the Department for Economic and Social Affairs, in order to organize a parliamentary contribution to the UN High-level Political Forum on sustainable development, which will meet in New York in July.

The IPU worked closely with UN partners (such as the UN Development Programme, World Health Organization and Economic and Social Commission for Asia and the Pacific) in the context of the **South Asian Speakers' Summit on the SDGs** (Dhaka, Bangladesh, 30–31 January). This will be followed by a regional Seminar on the SDGs for the parliaments of Central and Eastern Europe, to be held in Bucharest, Romania, on 18–19 April.

The IPU cooperated with the Economic and Social Commission for Western Asia and the Economic Commission for Africa in building parliamentary capacity to implement UN Security Council resolution 1325 on women, peace and security (UNSC 1325) in Arab countries. A series of four training workshops for parliamentarians, parliamentary staff and representatives of national women's machineries were held in Tunis and Amman from November 2015 to February 2016.

#### **UNOG / USA Mission: International Geneva Gender Champions Initiative**

In November 2015, the IPU Secretary General joined the International Geneva Gender Champions Initiative, led by the UN Office in Geneva (UNOG) and the United States Mission to the UN and Other International Organizations in Geneva. The initiative enables champions among the heads of Geneva-based international organizations and diplomatic missions to commit to ensuring that there are women in all debates and events happening in Geneva (the Geneva Gender Panel Parity Pledge); this complements two additional commitments made by UNOG and the United States Mission on their work to promote gender equality.

#### **OHCHR – CEDAW Committee**

At the 133<sup>rd</sup> IPU Assembly in October 2015, two members of the Committee on the Elimination of Discrimination against Women (CEDAW) took part in several sessions of the Meeting of Women Parliamentarians. The contributions of the members, Ms I. Jahan and Ms. L. Nadaraia, were designed to highlight CEDAW's approach to the protection of migrant women (particularly those who seek asylum due to gender-related persecution), as well as to highlight the links between CEDAW and UNSC 1325.

The IPU prepared reports on parliaments' involvement in the CEDAW reporting process and women's political participation in the States reporting to the 62<sup>nd</sup> and 63<sup>rd</sup> CEDAW sessions, held in October 2015 and February 2016 in Geneva.

Working group meetings were also held between CEDAW members and the IPU's Gender Partnership Programme during CEDAW sessions. The meetings discussed various aspects of the parliamentary oversight of CEDAW, and shared information on efforts to link up the post-2015 development agenda with the CEDAW Convention.

#### **UN Development Programme**

Work progressed on the second edition of the **Global Parliamentary Report**, published jointly with UNDP. A joint call for written input was issued in October 2015, and a survey questionnaire for parliaments was developed. An expert group meeting was held in February 2016 to discuss the structure and content of the Report, based on the results of the survey and other data collected. The Report is due to be launched by the end of 2016.

The IPU continued to work closely with UNDP country offices, providing capacity-building programmes to national parliaments. Over the past six months, these programmes have been run in Afghanistan, Myanmar and Tunisia. Of particular note was the IPU-UNDP support programme to the parliament of Myanmar, where parliamentary elections were successfully held in November 2015.

In November, the UNDP Administrator and the IPU Secretary General formally invited all UN system agencies to adhere to the **Common Principles for Support to Parliaments**, following which the Principles were endorsed by the United Nations Population Fund (UNFPA), the United Nations Entity for Gender Equality and the Empowerment of Women (UN WOMEN), the United Nations Conference on Trade and Development (UNCTAD), and the Joint United Nations Programme on HIV and AIDS (UNAIDS). The Principles aim to ensure the best possible results from assistance and other external support provided to parliaments worldwide.

## OHCHR

In October 2015, a new **Handbook for Parliamentarians on migration** was published by the IPU and its partners; the International Labour Organization (ILO) and the UN Office of the High Commissioner for Human Rights (OHCHR). Handbook no.24, *Migration, human rights and governance*, discusses migration issues and provides tools and policy responses to address the international movement of people. To mark the launch of the handbook, ILO and OHCHR assisted the IPU in developing and implementing a campaign to raise awareness among MPs about key international treaties on migration, and to mobilize those MPs to promote their ratification and implementation.

The IPU Committee on the Human Rights of Parliamentarians, which examines allegations of violations of the human rights of MPs, continued to work closely with OHCHR and its field offices in order to help progress individual cases currently before the Committee.

The IPU and OHCHR advanced towards finalizing a joint compilation of good practices of parliamentary involvement in the work of the UN Human Rights Council, particularly in its Universal Periodic Review.

## Office of the UN High Commissioner for Refugees (UNHCR)

A conference on statelessness was held in Cape Town on 26–27 November. It was co-organized by the IPU, the Parliament of South Africa and UNHCR, and entitled *Ensuring Everyone's Right to Nationality: The Role of Parliaments in Preventing and Ending Statelessness*. The meeting identified parliamentary strategies to support UNHCR's campaign to end statelessness within 10 years through a 10-point Global Action Plan.

## UNAIDS

**A High-Level Meeting of the UN General Assembly** to review global commitments on HIV/AIDS is scheduled for June 2016. In support of the meeting, the IPU and UNAIDS began work to provide a parliamentary contribution, including a possible briefing for MPs attending the meeting. UN General Assembly Resolution 70/228, adopted in December 2015, specifically invites the IPU to contribute to the meeting.

New IPU-UNAIDS **guidelines on ways to speed up HIV treatment** were published in October 2015. *Fast-tracking HIV treatment: Parliamentary action and policy options*, defines a range of measures open to parliaments, which aim to ensure that all citizens with HIV have access to treatment.

## UNICEF

In October, the IPU and UNICEF organized a **parliamentary seminar on malnutrition** in the region of the Southern Africa Development Community. The Namibian Parliament hosted the event. The meeting recognized the critical importance of food and nutrition security to economic development, to the survival and healthy growth of children, and to breaking intergenerational cycles of poverty. Participating MPs underscored their commitment to ensure that necessary laws and budgets were in place, to scrutinize government policies more closely, and to further galvanize parliamentary action to tackle high malnutrition rates.

## UN WOMEN

In cooperation with UN Women, the annual **parliamentary meeting on the occasion of the 60<sup>th</sup> session of the Commission on the Status of Women** took place on 15 March 2016 in New York. The meeting tracked the main theme of the Commission's session: the links between women's empowerment and sustainable development, with a focus on the power of legislation. A parliamentary side event was held on 14 March about the implementation of UNSC 1325 in Arab countries.

UN Women and the IPU also launched a joint project of support to the Turkish Grand National Assembly. The project, entitled *Gender Equality in Political Leadership and Participation in Turkey*, was launched in Ankara on 7 December 2015. It aims to support political leadership and the participation of women in Turkey by using the transformative capacity of parliament. The project is being implemented in partnership with the Committee on Equal Opportunity for Women and Men of the Grand National Assembly.

The IPU, UN Women, the UN Development Programme, the National Democratic Institute for International Affairs and the International Institute for Democracy and Electoral Assistance supported the organization of two e-discussions. One was on the role of parliaments in implementing UNSC 1325 in Arab countries; the other was called *Parliamentary Oversight of Gender Equality* and was hosted by iKNOWpolitics.org.

### **World Health Organization (WHO)**

The IPU successfully implemented a funding agreement with WHO for 2015. Under the agreement, the two organizations assisted parliaments in countries most affected by maternal and child mortality to develop legal frameworks and improve accountability for results. The agreement also produced a comprehensive study on the impact of legislation on child marriage rates in the Asia-Pacific region, as well as a number of activities aimed at community engagement on the issue. Consultations on a new agreement started towards the end of 2015. The IPU and WHO also started preparations for the first-ever parliamentary side event at the World Health Assembly. The 69<sup>th</sup> WHA will take place in May in Geneva.

### **World Meteorological Organization (WMO)**

The IPU and WMO held a series of consultations with a view to concluding a Memorandum of Understanding. The Memorandum would provide a formal framework for joint activities aimed at strengthening parliaments' capacities to tackle the threat of climate change. In his address to the Parliamentary Meeting organized by the IPU on the side-lines of the COP21/CMP11 meeting in Paris, the WMO Secretary-General underscored the importance of basing legislative action on the findings of climate science.

### **World Trade Organization (WTO)**

In advance of the 10<sup>th</sup> WTO Ministerial Conference (Nairobi, December 2015), the IPU stepped up its campaign to expedite parliaments' ratifications of the WTO Trade Facilitation Agreement (TFA). The TFA focuses on improving border procedures and on updating antiquated customs rules. By the end of 2015, over 60 WTO members had formally accepted the TFA.

The need to increase the efficiency of the parliamentary oversight of multilateral trade negotiations was reiterated by the Steering Committee of the Parliamentary Conference on the WTO at its session in Brussels in February 2016. The plenary session of the Conference will take place on WTO premises in June 2016.

### **UNFCCC**

On 5 and 6 December 2015, at the time of the UN Climate Change Conference (COP21/CMP11) in Paris, the IPU and the French Parliament jointly organized a Parliamentary Meeting. It was a resounding success and reaffirmed the leading role of the IPU as the convenor of parliamentary events held in conjunction with annual UNFCCC sessions. This fact was acknowledged by the UN Secretary-General himself, when he addressed the inaugural session of the Parliamentary Meeting. Among other guest speakers were the heads of OECD, UNEP, UNESCO, WMO and IPCC.

The Outcome Document of the Parliamentary Meeting made clear that legislators were conscious of their own share of responsibility for the effective implementation of the Paris Agreement adopted by UNFCCC Parties at COP21, including at the stage of its ratification, acceptance or approval. To provide a comprehensive legislative response to climate change and complement the Paris Agreement with concrete action, the IPU has prepared a Parliamentary Action Plan on Climate Change.

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## **Report of the Committee on Middle East Questions**

*Noted by the IPU Governing Council at its 198<sup>th</sup> session  
(Lusaka, 23 March 2016)*

The President of the Committee, Ms. D. Pascal Allende, opened the meeting with a brief overview of the recent visit to the region by a delegation from the Committee. The visit had provided the delegation with a better understanding of the situation in the region and broadened its perspective of the reality on the ground. The report of the visit reflected the solid commitment to peace that the delegation had encountered at all its meetings. The atmosphere in which the visit took place had been very positive and constructive. All parties at the meetings were open to frank discussions and demonstrated a readiness to work together and to create conditions which were conducive to peace.

The delegation's report was well received by the Committee on account of its balanced and fair reflection of the visit and discussions. Following clarifications on certain points, the members of the Committee adopted the report and made a number of proposals for follow-up. The meeting was conducted in a friendly, respectful atmosphere with all members showing a genuine desire to work together in the context of the IPU to create a conducive environment for peace.

The proposal for projects of peace was introduced with a video message from Professor H. Schopper, co-founder of SESAME, the Middle East's first major international research institute based in Jordan. SESAME had been created under the auspices of UNESCO and aimed to bring together people from the Middle East through science as a confidence-building measure. The philosophy of a round table approach for projects of peace and coexistence had emerged from the Committee's discussions and reflections over the past years. That sectorial parliamentary cooperative approach was based on investing in projects that turned elements of war and conflict, like water, food and health care, into elements of coexistence and peace. The Committee's discussions regarding the projects of peace led to a unanimous endorsement of the project's approach and an agreement that the first event would be a round table on water. The draft terms of reference were considered by the Committee. The purpose of the round table would be to identify how water could best be used, through the services of water technologies, to advance peaceful cooperation. The round table would bring together policy makers and experts with the requisite technical knowledge.

At its second sitting, the Committee discussed the general situation in the Middle East following the Secretary General's report. The report had provided a pessimistic outlook for a region that was experiencing a great deal of conflict because of internal and external events. In view of the current situation, the members concluded that the expanded mandate of the Committee was relevant. The IPU President stressed that point in his contribution to the debate. He called on parliaments within and outside the region to be more active in promoting parliamentary diplomacy. It was an invaluable tool for helping to build trust, and trust was a crucial element for peace in the region. The Members agreed with this view and restated their commitment to the expanded mandate of the Committee.

The UNODC Chief of Section at the Terrorism Prevention Branch, Mr. M. Miedico, presented his organization's work in the region, highlighting the important role that parliaments had to play in addressing terrorism. He said that parliaments were vested with a responsibility to promote democracy, human rights, peace and international security. They were also involved in the fight against terrorism through the ratification of counter-terrorism conventions and protocols, the criminalization of offences in line with international standards, the implementation of operational and regulatory frameworks, as well as through exercising due oversight, and addressing conditions conducive to terrorism. He confirmed that UNODC was committed to strengthening its partnership with the IPU.

The Committee agreed that the first round table would be held at a Dead Sea venue in Jordan in late May or early June, following consultations by the Secretariat, and in line with the terms of reference that the Committee had adopted during its discussions. The Committee also considered a preliminary proposal to do away with the distinction between titular and substitute members. The Secretariat was tasked with looking into the implications of that proposed change to the Committee's Rules.

Participants: Ms. D. Pascal-Allende (Chile), Mr. A.N.M. Al-Ahmad (Palestine), Ms. C. Guittet (France), Ms. N. Motsamai (Lesotho), Mr. F. Mürli (Switzerland), Mr. R. Nordqvist (Denmark), Mr. R. Munawar (Indonesia), and Mr. N. Shai (Israel).

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## Report of the Committee to Promote Respect for International Humanitarian Law

*Noted by the IPU Governing Council at its 198<sup>th</sup> session  
(Lusaka, 23 March 2016)*

1. The Committee to Promote Respect for International Humanitarian Law met on Sunday 20 March 2016. Representatives of the International Committee of the Red Cross (ICRC), the Office of the United Nations High Commissioner for Refugees (UNHCR) and the World Humanitarian Summit Secretariat also attended. The meeting was chaired by its president, Mr. S. Owais from Jordan.

## Refugee protection, internally displaced persons and statelessness: Cooperation with UNHCR

### Refugee protection

2. The Committee discussed the plight of Syrian refugees after five years of conflict. The refugee crisis was growing in magnitude with each passing day. According to UNHCR figures for 2016, there were more than 4.7 million Syrian refugees (over 2.6 million in Turkey; over 1 million in Lebanon; over 600,000 in Jordan; over 100,000 in Egypt; and over 28,000 in North Africa). Over 100,000 refugees and migrants had already arrived by sea in 2016; 41 per cent were Syrians.
3. A UNHCR survey showed that 94 per cent of the Syrians arriving in Greece had made the perilous journey by sea to escape conflict and violence in Syria. Eighty-five per cent of Syrians interviewed had been internally displaced before their journey to Greece. Nearly 87 per cent were travelling with family members. Funding for support to refugees and host countries remained challenging and insufficient.
4. UNHCR also provided information on the refugee situation more globally. Of the 15.1 million refugees worldwide, some 4.1 million refugees, mainly from Somalia, Burundi, the Central African Republic and the Democratic Republic of the Congo were hosted in sub-Saharan Africa, and almost 10,000,000 were internally displaced. Many African countries, including Zambia, had welcomed large numbers of asylum seekers and refugees for decades, in spite of the low levels of funding available to address refugee situations on the continent. Zambia, in particular, had implemented an ambitious and generous local integration programme, under which former refugees from Angola and Rwanda were offered land and a legal residence permit to remain in Zambia, which was noteworthy.
5. During its discussions, the Committee highlighted the importance of monitoring the situation related to Syria and other areas of the world. It drew attention to the need to focus on the root causes of situations that led to insecurity and people fleeing their countries. It reiterated the importance of raising awareness of citizens as well as politicians of the plight of refugees and of addressing misconceptions and stereotypes. It was important to clarify the distinction between refugees and migrants. It was recalled that refugees were persons who had fled their country and homes because their security could no longer be ensured by the State; migrants left their country and homes for want of better opportunities, albeit in situations that could be as dramatic (poverty, hunger etc.).
6. The Committee called on:
  - the international community to continue helping host countries organize their response to the refugee influx with due regard for the protection needs of refugees and for international treaties;
  - members of the international community to continue to provide funding for refugee relief and to host countries, as very few pledges had materialized and funding had not come through;
  - the IPU to pursue efforts to monitor the situation and to mobilize the parliamentary community in that regard.
7. The Committee also agreed to carry out an on-site mission to Greece and/or Lebanon to examine the situation of refugees and their needs, as well as those of the host countries.
8. The Committee received a draft copy of the handbook for parliamentarians on refugee protection prepared by UNHCR and the IPU. It would review the draft with a view to finalizing the text by its next session in October.

### Statelessness

9. The Committee was briefed on the outcome document of the Conference on *Ensuring Everyone's Right to Nationality: The Role of Parliaments in Preventing and Ending Statelessness*, co-organized by the Parliament of South Africa, the IPU and UNHCR. That global conference had taken place in November 2015 in Cape Town and brought together some 120 participants from 39 parliaments as well as representatives of national and international organizations.
10. The Committee recalled that every individual had the right to a legal connection with a State. Citizenship not only provided people with a sense of identity, it also entitled individuals to the protection of a State and to fundamental civil and political rights. Citizenship was the right to have rights. That right was also recognized in Sustainable Development Goal 16, which included as a target the provision of a legal identity for all by 2030.



11. The Committee took note of four main recommendations:

- Parliaments and members of parliament needed to review their national legislation to ensure consistency with international standards on the prevention and resolution of statelessness;
- Parliaments needed to engage in legislative reform to address any identified gaps or challenges, including any discrimination on the basis of race, ethnicity, religion, or gender, thereby helping to prevent statelessness;
- The parliamentary community should engage more strongly in the UNHCR *#IBelong* campaign and contribute to the Global Plan of Action to End Statelessness by 2024.
- An informal group of members of parliament should be set up with the support of the IPU and UNHCR to champion the *#IBelong* campaign.

12. Members agreed to continue to raise awareness of statelessness, take action in their own countries and encourage action in other countries. They would report back on progress made at their next session in October 2016 in Geneva.

#### **International Humanitarian Law: Cooperation with the ICRC**

13. The ICRC representative briefed the Committee on the latest developments regarding the joint ICRC-IPU publication *Handbook for Parliamentarians: Respect for International Humanitarian Law*. The Handbook had been finalized and should be ready for presentation at the 135<sup>th</sup> IPU Assembly in October 2016.

14. The ICRC briefed the Committee on recent initiatives and outcomes of recent meetings. Those had included an expert consultation to discuss the legal profession and international humanitarian law, with a view to enhancing the institutional capacity of States, more specifically the legal sector, in dealing with and applying international humanitarian law. The consultation was the first of its kind to be conducted at the international level and to be specifically targeted towards the legal sector. Issues discussed included:

- The ways in which the legal sector had contributed, and could contribute, to the interpretation, clarification, enforcement, and development of international humanitarian law;
- The role of the legal sector in post-conflict and transition settings;
- The relation between courts from different jurisdictions (military and civilian courts) in applying and enforcing international humanitarian law;
- The formal training on international humanitarian law received by judges and other legal professionals ( who delivered that training and in what context).

Two workshops in Côte d'Ivoire and Mexico would be organized as follow up.

15. At the end of the year, the ICRC would be hosting the Fourth Universal Meeting of National Committees on International Humanitarian Law, which would bring together all national actors working in international humanitarian law (national committees, State representatives, representatives of regional/international organizations active in the field and academic experts.). The ICRC had also recently concluded the 32<sup>nd</sup> International Conference of the Red Cross and Red Crescent (8-10 December 2015), which had adopted four resolutions on: 1) strengthening international humanitarian law protecting persons deprived of their liberty; 2) strengthening compliance with international humanitarian law; 3) health care in danger; and 4) sexual and gender-based violence. The Committee invited parliaments to take note of those resolutions.

#### **World Humanitarian Summit**

16. The Committee discussed the World Humanitarian Summit to be held in May 2016 in Turkey. The Summit, organized by the United Nations, would seek to: reaffirm commitment to humanity and humanitarian principles; take action and commit to enabling countries and communities to prepare for and respond to crises and be more resilient to shocks; and share best practices that helped to save lives around the world, placing affected people at the centre of humanitarian action and alleviating suffering.

17. The World Humanitarian Summit would focus on five core responsibilities:

1. Global leadership to prevent and end conflicts
2. Uphold the norms that safeguard humanity
3. Leave no one behind
4. Change people's lives – From delivering aid to ending need
5. Invest in humanity

18. Side events would also be organized on specific themes. Although it was too late to organize a side event on the role of parliaments, the Committee agreed that it was important for the IPU to take part in the Summit. It agreed that there should be parliamentary follow-up of the outcome of the Summit, which should be discussed at the 135<sup>th</sup> IPU Assembly in Geneva. It was also important to mobilize the parliamentary community to encourage States in order to make ambitious commitments at the summit.

## Report of the Gender Partnership Group

*Noted by the IPU Governing Council at its 198<sup>th</sup> session  
(Lusaka, 23 March 2016)*

1. The Gender Partnership Group met on 18 and 22 March 2016. The Group comprised Mr. D.E. Ethuro (Kenya), Ms. M. Mensah-Williams (Namibia), Mr. Tran Van Hang (Viet Nam) and Ms. G. Eldegard (Norway). Ms. Eldegard was elected chair of the Group.
2. The Group compared the composition of the delegations present at the 134<sup>th</sup> IPU Assembly with that of previous statutory meetings. As at 22 March, 190 of the 636 delegates (29.9%) at the Assembly were women (see following page). That figure was 2.6 percentage points lower than the equivalent figure recorded in Geneva (October 2015) and 1.9 points higher than the number of women delegates present in Hanoi (March 2015). Those figures were an average percentage. The Group expressed its wish to see the proportion of women at IPU Assemblies increase further.
3. Of the 126 delegations present, 120 were composed of at least two delegates. Of those, 19 were composed exclusively of men (15.8%). The all-men delegations were from the parliaments of the following States: Albania, Andorra, Bahrain, Bulgaria, Comoros, Democratic People's Republic of Korea, Haiti, Kuwait, Lebanon, Luxembourg, Malta, Mauritius, Micronesia (Federated States of), Qatar, Republic of Korea, San Marino, Serbia, Somalia and South Sudan. Six delegations were subject to sanctions at the Assembly for being represented exclusively by men three or more times in a row: Haiti, Malta, Mauritius, Micronesia (Federated States of), Qatar and Somalia.
4. The Group continued its review of the Statutes and Rules of the IPU to ensure that they enshrined a harmonized and consistent standard of gender equality. In that respect, it noted differences in the requirements relating to the participation of women in IPU bodies. According to the Rules, 20 per cent of the elected members of the Executive Committee had to be women, whereas at least 30 per cent of the Standing Committee Bureaux members had to be women (or men). Gender parity was the goal of several other bodies. The Group noted that the minimum requirement of 20 per cent women in the Executive Committee was the lowest within IPU committees and working groups. It decided to recommend that the limit be raised to 30 per cent. It also decided to study mechanisms to ensure that the responsibility to achieve that target was shared among the various geopolitical groups that were part of the Executive Committee.
5. The Group conducted its regular examination of the situation of parliaments with no women members. On Tuesday, 22 March, the Group held a dialogue with the delegation of the Federated States of Micronesia. Micronesia has a 14-member Congress. No woman has ever been elected to Congress since it was set up in 1979. In view of the elections to be held in March 2017, the Group engaged in a dialogue with Micronesia to gain a better understanding of the challenges faced by women and discuss possible strategies for achieving progress.
6. Asked for its views on the reason for the absence of women in Congress, the delegation explained that changing mindsets took time. There were no formal limitations to women's participation. The absence of political parties made it difficult to implement targeted measures to support women candidates. Geography was another challenge as Micronesia is composed of over 600 islands. But the delegation informed the Group that there had been progress in past years, as women were better represented in national-level and state-level administrations and in higher education. Women's groups also had a national-level platform from which to voice their concerns.
7. With respect to the possibility of implementing quotas for women, the delegation explained that there had been attempts to introduce additional reserved seats for women, but proposed legislation to achieve that objective had not been successful. One of the reasons was that women's groups did not agree with the approach. However, a Bill to introduce quotas was still under consideration.

8. The Group was encouraged by the commitment that the delegation expressed in support of change. It encouraged the delegation of Micronesia to reflect on strategies for enhancing women's participation in parliament and reiterated the IPU's willingness to provide support, where possible.

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### Status of participation of women delegates at the 134<sup>th</sup> Assembly of the IPU (at 22 March 2016)

#### Composition of delegations at the last eight IPU statutory meetings (October 2012 - present)

Meeting	Total delegates	Total/percentage of women delegates		Total delegations	Total/percentage of all-male delegations (2 or more)		Total all-female delegations (2 or more)	Total single-sex delegations (2 or more)	Total single-member delegations (male and female)
		Women	Percentage		Men	Percentage			
Lusaka (at 22 March)	636	190	29.9	126	19	15.8	0	19	6
Geneva (10/15)	647	210	32.5	133	12	9.9	2	14	12
Hanoi (03/15)	675	189	28.0	128	16	13.7	1	17	11
Geneva 14 (10/14)	717	229	31.9	145	18	12.9	1	19	6
Geneva 14 (03/14)	705	214	30.4	145	16	11.9	2	18	11
Geneva 13 (10/13)	539	168	31.2	132	16	13.2	2	18	11
Quito (03/13)	619	202	32.6	118	9	8.3	2	11	9
Quebec (10/12)	624	175	28.0	129	15	13.0	2	17	14
Kampala (04/12)	607	180	29.7	120	14	12.5	0	14	8

#### Single-sex, multi-member delegations present in Lusaka (status on 22 March 2016)

N°	Country	Lusaka 16			Geneva 15			Hanoi 15			Geneva 10/14			Geneva 03/14			Geneva 13			Quito 13			Quebec 12		
		Women MPs	Men MPs	total	Women MPs	Men MPs	total	Women MPs	Men MPs	total	Women MPs	Men MPs	total	Women MPs	Men MPs	total	Women MPs	Men MPs	total	Women MPs	Men MPs	total	Women MPs	Men MPs	total
1	Albania	0	3	3	1	2	3	0	1	1	1	2	3	1	3	4	1	2	3	absent			absent		
2	Andorra	0	2	2	3	1	4	absent			2	0	2	1	1	2	1	0	1	2	1	3	3	0	3
3	Bahrain	0	3	3	3	6	9	3	3	6	3	1	4	4	4	8	3	2	5	2	4	6	3	3	6
4	Bulgaria	0	2	2	absent			0	3	3	absent			absent			absent			absent			1	2	3
5	Comoros	0	2	2	suspended			suspended			suspended			suspended			suspended			suspended			suspended		
6	DPR Korea	0	4	4	absent			0	4	4	absent			absent			absent			absent			absent		
7	Haiti	0	2	2	0	2	2	0	2	2	0	3	3	1	6	7	0	3	3	0	3	3	0	5	5
8	Kuwait	0	7	7	1	7	8	0	7	7	0	5	5	0	7	7	0	5	5	2	6	8	absent		
9	Lebanon	0	2	2	1	3	4	absent			1	4	5	1	3	4	1	3	4	absent			absent		
10	Luxembourg	0	2	2	absent			0	3	3	absent			absent			absent			absent			absent		
11	Malta	0	2	2	absent			0	2	2	0	2	2	0	2	2	0	2	2	absent			absent		
12	Mauritius	0	3	3	0	3	3	absent			0	1	1	1	2	3	0	3	3	absent			absent		
13	Micronesia	0	3	3	0	4	4	0	3	3	0	2	2	absent			0	1	1	0	3	3	0	3	3
14	Qatar	0	2	2	0	2	2	0	4	4	0	5	5	0	2	2	0	1	1	0	3	3	0	1	1
15	Republic of Korea	0	3	3	2	5	7	1	2	3	1	3	4	2	2	4	1	3	4	2	2	4	1	6	7
16	San Marino	0	3	3	2	2	4	1	1	2	0	4	4	1	3	4	1	3	4	1	2	3	absent		
17	Serbia	0	2	2	1	3	4	absent			2	2	4	absent			absent			2	1	3	2	1	3
18	Somalia	0	2	2	absent			absent			absent			0	3	3	0	1	1	suspended			suspended		
19	South Sudan	0	2	2	0	2	2	absent			1	2	3	1	1	2	absent			absent			0	1	1

**Single-member delegations present in Lusaka (status on 22 March 2016)**

N°	Country	Lusaka 16			Geneva 15			Hanoi 15			Geneva 10/14			Geneva 03/14			Geneva 13			Quito 13			Quebec 12		
		Women MPs	Men MPs	total	Women MPs	Men MPs	total	Women MPs	Men MPs	total	Women MPs	Men MPs	total	Women MPs	Men MPs	total	Women MPs	Men MPs	total	Women MPs	Men MPs	total	Women MPs	Men MPs	total
1	Benin	0	1	1	1	5	6	absent			1	4	5	1	4	5	1	4	5	1	3	4	1	5	6
2	Libya	0	1	1	absent			absent			0	3	3	1	3	4	absent			absent			absent		
3	Mauritania	0	1	1	3	0	3	2	0	2	0	3	3	3	4	7	absent			absent			1	7	8
4	Panama	0	1	1	1	3	4	1	3	4	1	2	3	absent			1	4	5	1	5	6	1	3	4
5	Romania	0	1	1	1	6	7	0	5	5	1	4	5	1	3	4	1	4	5	1	3	4	1	2	3
6	Tunisia	1	0	1	1	0	1	absent			absent			2	2	4	absent			absent			1	2	3

## Report of the Advisory Group on HIV/AIDS and Maternal, Newborn and Child Health

*Noted by the IPU Governing Council at its 198<sup>th</sup> session  
(Lusaka, 23 March 2016)*

The IPU Advisory Group met on 19 March with seven out of ten members in attendance. It was pleased to have been joined by technical partners from the World Health Organization (WHO), the Joint United Nations Programme on HIV/AIDS (UNAIDS) and the Global Fund to Fight AIDS, Malaria and Tuberculosis. The Group elected its new president, Mr. F. Ndgulile, Member of Parliament for Tanzania.

The Advisory Group discussed its future areas of engagement, strategic priorities and opportunities, focusing on areas in which the IPU could make a strong impact. The Group agreed to consider revising its mandate so that it could continue to provide strong support to the IPU's work on health.

The Group's vision for health was that no one should be left behind and that everyone everywhere should have access to quality services without fear of harm or discrimination. In order to achieve that goal, it should continue to focus on the most vulnerable and marginalized populations, namely women, children and adolescents, and also men who had sex with men, sex workers and intravenous drug users.

The Advisory Group would also prioritize supporting research on legislation to better understand what worked and what did not, and to be sure that interventions in countries were evidence based. Its priority would be to advocate for strengthened and evidence-based legislation, better oversight of implementation of that legislation, particularly in regard to the most vulnerable, and associated resource mobilization. The Group would work to further strengthen the commitment of parliamentarians everywhere to deal with such issues, including those that were sometimes politically sensitive. It would work to equip and encourage members of parliament to engage their communities and citizens in their efforts, particularly those seeking to end harmful and discriminatory practices like child marriage and female genital mutilation.

The members of the Advisory Group were fully committed to the task but required the support of all IPU members in taking forward that ambitious vision. In 2012, the IPU Assembly had adopted a landmark resolution on *Access to health as a basic right: The role of parliaments in addressing key challenges to securing the health of women and children* that had since inspired many parliamentarians to take action in their countries. The Advisory Group would look at that resolution and propose an addendum to the Governing Council with a view to strengthening the text further and aligning it with the Sustainable Development Goals and the Global Strategy for Women's, Children's and Adolescents' Health.

In addition to the meeting, the Advisory Group held two activities during the Assembly to engage IPU members in its important work. On 20 March it had held a side event on *Preventing child and forced marriage: Making the global health goals a reality for girls* that IPU had been pleased to organize jointly with WHO and the Partnership for Maternal, Newborn and Child Health. The event had shown that practices like child marriage remained an obstacle to the full achievement of better health for

adolescents and children, including in developed countries, and highlighted the role that legislation and parliamentarians could play, as part of a holistic approach, to fight such practices. The Group had been pleased at the very strong commitment shown from so many countries towards ending those harmful practices.

On 21 March, in partnership with UNAIDS, the Group had visited health facilities that provided services to women living with HIV. The prevalence of HIV in Zambia stood at 13.6 per cent and the epidemic continued to ravage the country and many others in the region. Access to life-saving treatment in sub-Saharan Africa remained out of reach for more than 50 per cent of people living with HIV, with women and children particularly affected. Lusaka was one of 13 cities in the world fast-tracking access to HIV treatment, and the Group had been honoured to meet so many children born free of the virus to HIV-positive mothers. An AIDS-free world was within reach and the role of parliamentarians was to make that goal a reality for all. The Advisory Group looked forward to working with all IPU members to realize that vision.

## Report of the Forum of Young Parliamentarians of the IPU

*Noted by the IPU Governing Council at its 198<sup>th</sup> session  
(Lusaka, 23 March 2016)*

The Forum of Young Parliamentarians met on Sunday, 20 March 2016. Some 60 participants attended, of whom 37 per cent were women. The average age of the participants was 37.4 years. Compared to the Assemblies held in 2015, the number of participants had remained static even though the Third IPU Conference of Young Parliamentarians had taken place in Lusaka a few days before the 134<sup>th</sup> Assembly. However, with a 12 percentage point increase, the number of young women parliamentarians had progressed considerably. The meeting was chaired by Ms. M. Dziva (Zimbabwe), acting President, as the youngest member of the Board of the Forum present at the 134<sup>th</sup> Assembly.

Two new representatives were elected to the Board of the Forum: Mr. S.S. Alremeithi (United Arab Emirates) for the Arab Group, to replace Mr. F. Al-Tenajji who was no longer a member of parliament, and Mr. A.U. Damirbek (Kyrgyzstan) for the Eurasia Group. Two Board seats remained vacant, both for women members (Twelve Plus Group and Eurasia Group).

The deliberations focused on the Forum's contribution to the work of the 134<sup>th</sup> Assembly, in particular the general debate on rejuvenating democracy, giving voice to youth. The Forum welcomed the choice of such a timely and important theme for parliaments as well as for young parliamentarians. It had been unanimous in considering that rejuvenating democracy was about increasing the number of young members in parliaments and about better involving young people in democratic processes and political affairs.

The Forum had recognized the need for legal reforms to increase youth participation in parliament, such as legislated quotas for young people, lowering the age of eligibility for parliamentary office and limiting the number of terms for members of parliament. It had also agreed that parliaments needed to reach out to youth using the platforms where young people were active, such as social media and universities. It was also important for politicians to act as role models by being authentic and honest towards young citizens and to open the way for other young people, including in their political parties. The Forum had also agreed that its role as a link between young people and political institutions was key and that support and cooperation involving youth councils, parliaments and organizations were required. Inter-parliamentary cooperation within the IPU was particularly useful, serving to reinforce networking and the sharing of experience, and inspire joint action. Participants agreed to channel their contributions to the general debate through their respective delegations.

Participants agreed to speed up the Forum's efforts to increase youth participation in parliaments, by:

- Enhancing partnerships: the Forum aimed to reinforce partnership at the international level with the UN Secretary-General's Envoy on Youth and to build more partnerships at regional levels.
- Expanding action: the Forum sought to implement awareness-raising campaigns and capacity-building activities at the national level, and to build more linkages with young leaders from different sectors.

- Defining a youth target: the Forum considered that it was now time to identify a target for youth participation in national parliaments, and was convinced that the IPU was the most legitimate organization to take the lead in setting such a target. The Forum had decided to launch a series of consultations among young members of parliament, parliamentary and government officials, youth associations and organizations, as well as international organizations and agencies to that effect.
- Monitoring progress and challenges: the Forum had decided to include country reporting sessions in its agenda, and more time should be allocated for its meetings at IPU Assemblies. The monitoring conducted by the IPU on youth participation in national parliaments was highly useful for informing global and national action. The Forum suggested including data and information on the re-election of young members of parliament in the next survey on youth participation in national parliaments. It would also be important to analyse the effect of a limited number of terms for members of parliaments on youth participation.
- Strengthening the Forum's visibility: the Forum had also decided to further publicize its work and achievements by producing brochures and pamphlets that members could use in their respective countries to promote the Forum in parliament and reach out to young people and decision-makers.

The Forum also considered means to enhance youth participation at the IPU and agreed on the following:

- It considered that every member of parliament was a member of the IPU; the Forum would therefore like to explore the possibility of reaching out directly to young members of parliament to involve them in its activities.
- It was time to include young members of parliament in all delegations; the Forum would prepare a proposal on the means to ensure the participation of young members of parliament to be submitted to the governing bodies for consideration.

Participants had been informed about the IPU Strategy for 2017–2021, and had welcomed the inclusion of youth empowerment among its objectives. That important step confirmed the IPU's leadership on youth in politics.

In its deliberations, the Forum had agreed to request that youth empowerment should be a stand-alone objective in the new Strategy. It had recognized that women's participation, as championed by the IPU, had achieved many inspiring successes. Youth participation however, had its own particular challenges. All too often, youth was associated with other themes, such as sport, education or vulnerable groups. The young parliamentarians believed that youth constituted an independent area of political work. They therefore urged the IPU to consider young people's issues without associating them with any other issues and, in so doing, to remain the leader in changing patterns on youth participation and in promoting youth empowerment, as it had been in the past.

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## **Parliamentary Action Plan on Climate Change Scaling up Climate Action by Parliaments and the IPU**

*Endorsed by the IPU Governing Council at its 198<sup>th</sup> session  
(Lusaka, 23 March 2016)*

### **Part 1. Introduction / Summary**

#### **The threat**

Climate change is one of the greatest threats to global prosperity and development. Due to human emissions of greenhouse gases, the international community is on a warming trajectory that will leave the world irrevocably changed. Such a pathway risks unmanageable sea-level rise and a vastly different climate, including devastating heat waves, persistent droughts and unprecedented floods. The foundations of human societies, including food and health security, infrastructure, and ecosystem integrity, would be in jeopardy; the most immediate impact would be on the poor and vulnerable.

## The international response

As parliamentarians from around the world, we reaffirm the urgent need to reduce global greenhouse gas emissions in order to limit global average temperature rise to well below 2° Celsius from pre-industrial levels and to pursue efforts to limit the temperature increase to 1.5° Celsius above pre-industrial levels, recognising that this would significantly reduce the risks and impacts of climate change<sup>1</sup>. The response to that need is based on the new international instrument, known as the Paris Agreement, supplemented by national legislation, policies and regulation combined with regional and subnational action. The United Nations Framework on Climate Change (UNFCCC), under whose auspices the Paris Agreement was adopted, is one of three interlinked international processes to have adopted significant decisions in 2015, all of which, to be effective, must be complementary and mutually reinforcing.

**"It is important [...] to encourage parliamentarians to support the implementation of disaster risk reduction by developing new or amending relevant legislation and setting budget allocations." [...] "The Inter-Parliamentary Union and other relevant regional bodies and mechanisms for parliamentarians, as appropriate, [should] continue supporting and advocating disaster risk reduction and the strengthening of national legal frameworks".**

*Sendai Framework for  
Disaster Risk Reduction 2015 - 2030*

First, in March, the Third United Nations World Conference on Disaster Risk Reduction adopted the Sendai Framework for Disaster Risk Reduction for 2015-2030. It calls on the IPU and other organizations to continue to support and advocate for the strengthening of relevant national legal frameworks.

Second, in September, Heads of State and Government meeting in New York adopted the United Nations General Assembly resolution "Transforming our world: the 2030 Agenda for Sustainable Development", which included a set of Sustainable Development Goals (SDGs) to succeed the Millennium Development Goals and specifically recognized the essential role of parliaments in their realization.

**"We acknowledge also the essential role of national parliaments through their enactment of legislation and adoption of budgets and their role in ensuring accountability for the effective implementation of our commitments".**

*Outcome document of the UN Summit  
for the adoption of the post-2015  
development agenda*

Finally, in December, the 21<sup>st</sup> Conference of the Parties to the UNFCCC (COP21) and the 11<sup>th</sup> Meeting of the Parties to the Kyoto Protocol (CMP11) adopted a new universal carbon-emissions cutting regime, – The Paris Agreement- to be applied from 2020 onwards.

## The role of legislators

To be credible, effective and legally enforceable, these international agreements must be transposed into national legislation, supported by appropriate budget allocation and robust oversight of government performance. This puts parliaments at the heart of the response to climate change.

Parliaments are not only well placed to scrutinize how governments are responding to national and international climate change issues, but can also hold their executives to account over their actions, or lack thereof. Furthermore, parliamentarians bridge the gap between constituents, governments and decisions made at the global level.

National legislation and international agreements are mutually reinforcing. Ahead of the 2015 Paris climate change negotiations, national legislation helped to create the conditions for a more ambitious international agreement by demonstrating what was possible. After 2015, national laws are required to maximize effective implementation of the commitments and contributions made by governments in Paris.

<sup>1</sup> See COP Decision FCCC/CP/2015/L.9 Annex ("The Paris Agreement"), Article 2.

Well-informed climate legislation can bring significant national and local co-benefits, including strengthened energy security, improved health, reduced disaster risk, increased access to sustainable energy, investment in clean and domestic energy sources, the creation of high-quality jobs and better air quality.

As parliaments consider the legislative response to the Paris Agreement, there is much experience on which to draw. *The 2015 Global Climate Legislation Study*<sup>2</sup> covered 98 countries and the EU, which are together responsible for 93% of global greenhouse gas emissions. The Study showed that there were 804 climate change-related laws and policies at the end of 2014. This total has risen from only 54 laws and policies in 1997, and 426 in 2009 when the Copenhagen Accord was agreed. Fifty-eight countries have "framework legislation"<sup>3</sup>, encouraging a strategic approach to climate policy. Importantly, studies show that climate legislation is politically neutral; there is no difference between left-wing and right-wing governments in terms of their inclination to pass climate legislation<sup>4</sup>.

Despite this legislative progress, there remains a large gap between the current cumulative level of ambition and the necessary commitments to ensure the 2°C limit is not breached.

As the United Nations Environment Programme (UNEP) *Emissions Gap Report 2015*<sup>5</sup> states, "The emissions gap between what the full implementation of the unconditional INDCs contribute and the least-cost emission level for a pathway to stay below 2°C, is estimated to be 14 GtCO<sub>2</sub> e (range: 12-17) in 2030 and 7 GtCO<sub>2</sub> e (range: 5-10) in 2025. When conditional INDCs are included as fully implemented, the emissions gap in 2030 is estimated to be 12 GtCO<sub>2</sub> e (range: 10-15) and 5 GtCO<sub>2</sub> e (range: 4-8) in 2025." Clearly, to reach the target of 1.5° Celsius, the gap is wider.

There are also gaps in the adaptation response. The *2014 UNEP Adaptation Gap Report*<sup>6</sup> states: "The adaptation gap can be defined generically as the difference between actually implemented adaptation and a societally set goal, determined largely by preferences related to tolerated climate change impacts, and reflecting resource limitations and competing priorities." Finance, technology and knowledge are three key determinants for realizing adaptation potential, making it possible to reduce risks and impacts in the short and long term. All three determinants are not yet sufficiently available.

The gaps in the international response to climate change are why this Action Plan is so important. Parliamentarians must be empowered to translate climate issues from the local to the national and international levels and vice versa.

### The Action Plan

This Parliamentary Action Plan on Climate Change focuses on parliaments' role in strengthening the international response to climate change. The Plan should be viewed in the context of the Sendai Framework for Disaster Risk Reduction, specifically targets (a) to (d), and the SDGs, and every effort should be made to ensure the legislative responses to the three United Nations processes are consistent and mutually reinforcing.

The Action Plan has been designed to:

- Guide parliamentarians and parliaments (including their reporting structures and systems) as they respond to the Paris Agreement to ensure that the legislative response to climate change is both nationally appropriate and consistent with the aims of the UNFCCC;
- Illustrate and communicate the broad progress that has been made and make accessible the deep experience already available;
- Suggest and develop mechanisms for effective oversight of government;

<sup>2</sup> Nachmany et al, 2015, "The 2015 Global Climate Legislation Study – A Review of Climate Change Legislation in 99 countries"

<sup>3</sup> "Framework Legislation" is defined as "a law or regulation with equivalent status, which serves as a comprehensive, unifying basis for climate change policy, which addresses multiple aspects or areas of climate change mitigation or adaptation (or both) in a holistic, overarching manner."

<sup>4</sup> Fankhauser et al, 2014, "Domestic dynamics and international influence: What explains the passage of climate change legislation?". See URL: <http://www.lse.ac.uk/GranthamInstitute/wp-content/uploads/2014/05/Wp156-Domestic-dynamics-and-international-influence-what-explains-the-passage-of-climate-change-legislation.pdf>

<sup>5</sup> UNEP 2015. The Emissions Gap Report 2015. United Nations Environment Programme (UNEP), Nairobi

<sup>6</sup> UNEP 2014. The Adaptation Gap Report 2014. United Nations Environment Programme (UNEP), Nairobi



- Recommend methods of engagement to strengthen links between the executive and legislative branches of government and between parliaments and civil society on the climate change agenda.

The Action Plan identifies four key action areas for legislators and four for the IPU, and makes recommendations about their delivery.

#### Expected outcomes

- By end of 2016: A comprehensive review of the existing national legislative response in each member country to climate change, in order to assess its consistency with the Paris Agreement and the related goals of the Sendai Agreement and SDGs. That review should include an institutional mapping and effectiveness assessment.
- By end of 2017: Where appropriate, parliaments should put forward amendments to existing legislation and develop new legislation, to ensure that their legislative base is nationally appropriate and consistent with the Paris Agreement.
- By end of 2017: Implementation of robust mechanisms to monitor performance of governments towards delivery of their national and international obligations.
- By end of 2017: Introduction of mechanisms to strengthen links between the executive and legislative branches of government.
- By end of June 2018: Ratification, acceptance, approval or accession of the Paris Agreement, as appropriate.

## Part 2. Key action areas for legislators and the IPU

### FOR LEGISLATORS

**Action Area 1.** Ensuring all efforts and measures are taken to establish a national legislative response to climate change that is consistent with national climate goals and the Paris Agreement. On mitigation, this means legislation must be in line with the aim of limiting global average temperature rise to well below 2° Celsius above pre-industrial levels; and on adaptation, minimizing and managing national climate risk through existing or new tools and mechanisms, including risk assessment and modelling, national disaster loss databases and early warning systems.

**Action Area 2.** Accelerating the ratification and implementation of the Doha Amendment to the Kyoto Protocol and promoting rapid ratification, acceptance, approval or accession of the Paris Agreement by the end of June 2018 at the latest.

**Action Area 3.** Strengthening oversight of national and international commitments, including government implementation of national legislation and enhancing transparency and accountability of climate action and reporting.

**Action Area 4.** Improving consistency and complementarity between national climate legislation and other societal goals, including poverty reduction, disaster risk reduction, improving access to energy, gender equality and protecting ecosystems.

### FOR THE IPU

**Action Area 1.** Raising awareness of climate change among parliamentarians and building cross-party support for addressing national climate risk.

**Action Area 2.** Promoting and facilitating the showcasing of good practice on legislation and oversight.

**Action Area 3.** Strengthening the link between legislators and the United Nations, including facilitating greater interaction between legislators and senior officials from UN processes and championing greater access to UN negotiations for legislators.

**Action Area 4.** Supporting stronger links between legislators and relevant civil society organisations.

## I. ACTION AREAS FOR LEGISLATORS IN DETAIL

**Action Area 1.** Ensuring all efforts and measures are taken to establish a national legislative response to climate change that is consistent with national climate goals and the Paris Agreement. On mitigation, this means legislation must be in line with the aim of limiting global average temperature rise to well below 2° Celsius from pre-industrial levels; and on adaptation, minimizing and managing national climate risk through existing or new tools and mechanisms, including risk assessment and modelling, national disaster loss databases and early warning systems.

There is no 'one size fits all' approach. Legislation must be nationally appropriate and take into account factors such as economic structure, stage of development, exposure to climate risk, legislative culture, public opinion and political leadership. As well as setting the framework for national policies and measures, legislation should also be used to stimulate subnational action.

### Recommendations on process

1. Detailed audit of existing climate-related legislation to understand the current legislative base and to identify gaps;
2. Where appropriate, make amendments to existing legislation to ensure consistency with climate goals, including NDCs, the Sendai Framework and SDGs, and terminology;
3. Consider whether new legislation is needed.

### Recommendations on the content of national legislation

An effective legislative response to climate change consists of several layers:

1. **Information:** the basis for decision making;
2. **Targets:** setting the trajectory towards a long-term goal;
3. **Policies:** developing robust policies and measures to implement the targets, addressing country-specific challenges and stimulating subnational action;
4. **Institutional arrangements:** facilitating the formulation, delegation and oversight of implementation; and
5. **Finance:** enabling implementation of policies to meet the targets and fulfilling international obligations on climate finance, where appropriate.

## 1. INFORMATION

This basic layer is the foundation that informs targets and policies. It should be updated regularly and systematically, and be based on international accounting standards.

- Mitigation: a greenhouse gas inventory, supported and maintained by compulsory, timely, systematic reporting of greenhouse gas emissions from all sectors;
- Adaptation: national disaster loss data and a periodic national risk assessment, for consideration of measures needed to adapt to climate-related risks.

## 2. TARGETS

Targets should be defined for the long term, and supported by short- and medium-term goals. It is important to set a long-term trajectory and to send a political signal that the economy will be transforming from high carbon to low carbon and managing climate risk. The combination of a long-term target with short- and medium-term targets creates credibility and minimises investor risk.

- Compulsory greenhouse gas emission reduction targets should be set following explicit debate regarding their impact on affordability and competitiveness;
- Sectoral targets should be explored (e.g. energy intensity, renewable energy, energy efficiency, access to energy, transportation, deforestation rate and emissions from agriculture);

- Following explicit debate on acceptable tolerance of risk and target reductions in vulnerability and exposure, a national adaptation plan should be formulated.

### 3. POLICIES

Policies can be set in a single framework law, or in a group of laws, regulations, decrees or binding plans, depending on the legislative culture in each country.

#### Mitigation policies – to reduce and limit emissions of greenhouse gases

- Pricing carbon (and other greenhouse gases): a uniform carbon price across all sectors is the most cost-effective way to reduce greenhouse gas emissions. That can be achieved either by taxation or by a trading scheme;
- Measures to promote innovation and deployment of efficient low-carbon technologies.
  - ✓ Economic measures to encourage deployment of existing low-carbon technologies, such as renewable energy subsidies (e.g. feed-in tariffs); differentiated vehicle taxation;
  - ✓ R&D support: promoting research and development of new low-carbon technologies;
- Measures to overcome barriers to efficiency: including spatial planning, energy efficiency standards in building regulations and appliances;
- Measures to tackle greenhouse gas emissions from land use: including the Reduced Emissions from Deforestation and Forest Degradation (REDD+) scheme and changes in agricultural practice;
- Measures to support structural change: including re-training schemes for workers, temporary compensation schemes for carbon-intensive industries and education.

#### Adaptation policies to reduce the risks and damages of climate change

- Costing risk: a requirement to include disaster risk considerations and measures in decisions concerning public and private investments
- Policies on climate-sensitive public goods: for example, reinforcement of coastal defences; natural resources and ecosystems protection; investment in adaptation-specific infrastructure (e.g. flood control); and research (e.g. on crops and medicines);
- Social protection: supporting vulnerable communities with health, food, education, shelter, public work programmes, risk insurance and emergency services to empower these communities to increase their resilience; and measures to protect and support "environmental refugees" displaced from their homes by extreme weather events, including across borders;
- Removing barriers to adaptation: for example, investment in data, information and early-warning information distribution and sharing systems; addressing market imperfections, for example constraints to insurance schemes; and working with private sector organisations to incentivise and de-risk adaptation activities.
- Creating incentives to adaptation: including spatial planning (e.g. avoiding building in risk-prone areas); building codes to ensure more durable buildings; and water pricing.

### 4. INSTITUTIONAL ARRANGEMENTS

The following institutional arrangements are important in facilitating the development, and implementation oversight of policy and legislation:

- Forming and/or maintaining an independent expert, apolitical advisory board responsible for providing transparent advice to government on the policies and measures needed to meet the mitigation and adaptation targets set out in the legislation, and requiring a formal public response by the government;
- Delegation of responsibilities to the relevant authorities, taking an inter-ministerial and multilevel approach as appropriate. For example, while energy production issues are likely to be dealt with by a central authority, many adaptation issues are likely to be localised and should be delegated to the relevant local authorities;
- Parliamentary oversight: a requirement for the minister/s responsible for climate change to report to parliament, at least annually, on the progress of the government towards the targets in the legislation and commitments under the Paris Agreement, including in relation to climate finance,, and for a full parliamentary debate;

- Including in legislation clear provisions for enforcement and monitoring;
- Ensuring interaction between legislation and relevant policy to ensure consistency and to avoid conflicting signals or incentives.

## 5. FINANCE

Securing sufficient funding for effective implementation can be aided by:

- Establishing processes for efficiently accessing international climate funds (e.g. GEF, GCF);
- Ensuring adequate funding in national budgets to implement climate change policies;
- Creating national development institutions or banks and enabling public-private partnerships to channel investment into relevant climate initiatives;
- Developed countries must ensure that they fulfil their commitments to jointly provide USD 100 billion annually by 2020 to developing countries for mitigation and adaptation.

**Action Area 2.** Accelerating the ratification and implementation of the Doha Amendment to the Kyoto Protocol and promoting rapid ratification, acceptance, approval or accession of the Paris Agreement by the end of June 2018 at the latest.

As legislators, we recognize our responsibility to support and encourage our parliaments to ratify, as soon as possible, the Doha Amendment to the Kyoto Protocol and to ratify, accept, approve or accede the Paris Agreement as soon as possible and no later than the end of June 2018 so as to ensure that the Agreement enters into force (Article 21.1 of the Paris Agreement states that the Agreement shall enter into force on the thirtieth day after the date on which at least 55 Parties to the Convention accounting for at least an estimated 55 per cent of the total greenhouse gas emissions have deposited their instruments of ratification, acceptance, approval or accession with the United Nations Headquarters in New York).

For those parliaments where ratification, acceptance, approval or accession is slow or delayed, parliamentarians should:

- Identify the reasons: for example lack of political will, administrative red tape and/or technical capacity issues, such as difficulties in drafting or implementing legislation and a lack of trained personnel to deal with ratification or accession issues; and
- Develop national policies and strategies aimed at addressing these issues and renewing a national commitment to respect and implement international obligations enshrined in the Kyoto Protocol and Paris Agreement by adopting the necessary legislative and administrative measures to operationalize at the national level the agreements made in Kyoto and Paris.

**Action Area 3.** Strengthening oversight of national and international commitments, including government implementation of national legislation and enhancing transparency and accountability of climate action and reporting.

As parliamentarians, we accept the responsibility to oversee the performance of our governments in implementing national and international climate-related commitments and domestic legislation. We commit to supporting the inclusion of robust accountability measures and transparency into national climate change legislation and to use the full range of parliamentary procedures available, including maximizing the effectiveness of Select Committees, to ensure our governments are fulfilling their obligations.

In particular, we commit to:

- Requiring the minister/s responsible for climate change and disaster risk reduction to report to parliament, at least annually, on the progress of the government towards the targets in national legislation and their international obligations, and for a full parliamentary debate;
- Holding regular meetings between cross-party groups of legislators and the minister responsible for climate change to discuss, inter alia, national positions ahead of the United Nations negotiations and, post-negotiations, to discuss outcomes and implications for national legislation and policy;

- Ensuring clear legislative provision for enforcement and monitoring, using the full suite of parliamentary procedures available;
- Ensuring public debate on the setting and periodic review of national targets on climate mitigation, adaptation and risk reduction;
- Fostering greater interaction between legislation and relevant policy to ensure consistency and to avoid conflicting signals or incentives.

**Action Area 4.** Improving consistency and complementarity between national climate legislation and other societal goals, including poverty reduction, disaster risk reduction, improving access to energy, gender equality and protecting ecosystems.

Climate change presents both threats to, and opportunities for, sustainable development. It is vital to ensure that climate change legislation and policies are consistent with, and mutually reinforcing of, legislation and policies to advance other societal goals including poverty reduction, disaster risk reduction, access to energy and gender equality.

We commit to:

- A review of existing relevant climate legislation and policies to ensure that other societal goals, in particular, the Sendai Framework for Disaster Risk Reduction, the SDGs and the IPU Plan of Action for Gender-sensitive Parliaments, are appropriately reflected;
- Take into consideration these societal goals when further developing the legislative response to climate change;

## II. ACTION AREAS FOR THE IPU IN DETAIL

**Action Area 1.** Raising awareness of climate change among parliamentarians and building cross-party support for addressing national climate risk.

There is an important role for the IPU in raising awareness of, and encouraging action on, climate change among parliamentarians from all parts of the political spectrum. This includes not only those legislators with direct responsibility for, or a natural interest in, climate change but also those with responsibilities related to critical elements of effective climate policies and legislation, including finance, energy, transport, health and disaster risk management.

The IPU commits to:

- Ensuring that climate change, in particular the response to the Paris Agreement and oversight of government commitments, is a prominent element in IPU activities and events in 2016 and beyond, including not only events and activities dedicated to climate change but also those relating to other relevant areas including finance, energy, transport, health, sustainable development and disaster risk management;
- Promoting the development of, and supporting national cross-party groups and suitable institutional architectures related to climate change (for example national committee structures) and to interaction with regional and international parliaments and parliamentary groups;
- Capacity building of parliamentarians and the parliamentary services so that a long-term perspective on climate change is adopted, irrespective of the current parliamentary structure or any subsequent changes heralded by a potential change of government.

**Action Area 2.** Promoting and facilitating the showcasing of good practice on legislation and oversight.

The IPU is as an unrivalled platform for parliamentary cooperation and its members have rich and valuable experience of designing, passing and monitoring the implementation of climate-related legislation.

Drawing on this experience, the IPU commits to:

- Develop case studies, from both developed and developing countries, showcasing good practice in climate legislation (covering mitigation, adaptation and oversight of governments), for promotion at IPU events, dissemination to members and for use by legislators in their national parliaments;
- Initiate bilateral, regional and international parliament-to-parliament engagement to facilitate the sharing of good practice.

**Action Area 3.** Strengthening the link between legislators and the United Nations, including facilitating greater interaction between legislators and senior officials from UN processes and championing greater access to UN negotiations for legislators.

Given parliaments' central role in the national and international responses to climate change, there is much value in strengthening links between the UNFCCC process and parliamentarians.

The IPU commits to:

- Promote and facilitate greater interaction between parliaments and senior officials from United Nations processes, including before, during and after the UNFCCC negotiating sessions;
- Champion greater and more consistent access to UN negotiations for parliamentarians, in particular for those with a formal responsibility for oversight on climate change; that will enable legislators to fulfill their oversight role more effectively;
- Hold parliamentary events in conjunction with annual COP/CMP sessions with a view to providing parliamentarians with first-hand information on the main issues and approaches of intergovernmental sessions and facilitating interaction with government negotiators participating in the UNFCCC process.

**Action Area 4.** Supporting stronger links between legislators and relevant civil society organisations.

Policy and legislation on climate change is stronger and more effective if it takes into consideration the views and experience of relevant civil society organizations.

The IPU commits to:

- Encourage and facilitate stronger links between parliamentarians and relevant civil society organisations on climate change and sustainable development, including environment and development NGOs, academics, youth groups, business groups and industry associations, trade unions and think-tanks; that will help to ensure civil society representation at relevant IPU events and promote the participation of parliamentarians in relevant civil society events;
- Through international, regional and national events, provide a platform for interaction between parliamentarians and the most appropriate scientific, economic, civil society and public and private sector experts.

### **Part 3. Partnerships and advocacy coalitions**

The efforts of parliamentarians and the IPU in promoting greater involvement and ambition on climate change and sustainable development can be multiplied if they work in partnership with organisations that have similar or overlapping interests.

Parliamentarians are the link between the local level and national policy and legislation. There are many impressive examples of climate action at the local and subnational levels, including from local governments, cities and regions. Parliamentarians have a role in identifying and highlighting good practice at the local level in order to inform national policies and legislation and to promote such good practice internationally through the IPU.

It is vital, therefore, that the IPU and its members proactively seek partnerships and structured dialogue with a range of actors. The IPU and its members commit to identifying new partnerships and strengthening existing collaboration with relevant organizations at the subnational, national and supra-national levels and with business and civil society.

#### **Parliamentary organizations, networks and structures**

The IPU is devoted to working closely with its traditional and new partners from among global and regional parliamentary organizations, networks and structures which focus on environmental and climate change issues, including but not exclusively:

- **IPU Associate Members and permanent observers** (Andean Parliament, Assemblée parlementaire de la Francophonie, European Parliament, Parliamentary Assembly of the Council of Europe, Parliamentary Assembly of the Mediterranean, etc.);
- **Parliamentary networks** (GLOBE International, Parliamentary Network on the World Bank and IMF, Climate Parliament, etc.).

#### **Intergovernmental and other organizations and structures**

The IPU will continue its close and mutually beneficial cooperation with intergovernmental organizations and agencies that lead the way in global efforts to provide sustainable development and combat climate change. Particular attention will be devoted to working with:

- The Secretariat of the **United Nations Framework Convention on Climate Change** (UNFCCC) as the driving force behind global climate change negotiations and the organizer of COP/CMP sessions, in which the IPU enjoys observer status in the category of intergovernmental organizations;
- The **United Nations Environment Programme** (UNEP) as the leading global environmental authority that sets the agenda and promotes the coherent implementation of the environmental dimension of sustainable development within the UN system and beyond, including in the world parliamentary community;
- **World Meteorological Organization** (WMO) as the UN system's authoritative voice on the state and behaviour of the Earth's atmosphere, its interaction with the oceans, the climate it produces and the resulting distribution of water resources;
- The **United Nations Office for Disaster Risk Reduction** (UNISDR) as the focal point for the coordination of disaster reduction activities both within and outside the UN system and as the implementing agency of the *Sendai Framework for Disaster Risk Reduction 2015-2030*, with its special provisions relating to parliaments;
- The **United Nations Development Programme** (UNDP) as the leading UN agency helping countries to meet their development aspirations and to develop policies, institutional capabilities and partnering abilities, including through multifaceted support to national legislative institutions;
- The **International Renewable Energy Agency** (IRENA) as an intergovernmental organization supporting countries in their transition to a sustainable energy future and serving as a centre of excellence and a repository of policy, technology, resource and financial knowledge on renewable energy.
- The **International Federation of Red Cross and Red Crescent Societies** (IFRC) as the world's largest humanitarian network that helps reduce vulnerabilities, strengthen resilience and foster a culture of peace around the world by improving humanitarian standards, working as partners in development, responding to disasters, and supporting healthier and safer communities.

### Local and subnational governments and authorities

National legislators, subnational governments and local authorities share the responsibility for providing adequate regulatory responses to the challenge of climate change. The IPU will step up its cooperation with:

- **ICLEI: Local Governments for Sustainability** as the world's leading association of over 1,000 metropolises, cities, and urban regions dedicated to promoting global sustainability through local action, and an IPU partner in organizing various side events at UNFCCC meetings;
- **R20: Regions of Climate Action** as a worldwide coalition of actors focused on green economic development at the subnational level, bringing together public and private partners, including legislators, with a view to converging green policies, technology and finance;
- **C40** as a network of the world's megacities committed to addressing climate change through effective collaboration, sharing knowledge and driving meaningful, measurable and sustainable climate action.

### Climate science and research institutions

In the domain of climate change, policy makers particularly depend on information and advice provided by climate science bodies. The IPU intends to broaden the scope of its cooperation with such institutions as:

- **Intergovernmental Panel on Climate Change (IPCC)** as the leading international body for the assessment of climate change, established by UNEP and WMO, with a view to providing policy makers, including legislators, with a scientific view on the current state of knowledge in climate change and its potential environmental and socio-economic impacts;
- **The Grantham Research Institute on Climate Change and the Environment** (London School of Economics and Political Science) as a world-leading centre for policy-relevant research and training on climate change and the environment, renowned for work such as the ground-breaking *Global Climate Legislation Study*;
- **International Institute for Environment and Development (IIED)** as one of the world's most influential international development and environmental policy research organizations, which builds bridges between policy and practice, including through assisting parliamentarians in their work;
- **Earth League** as an international alliance of prominent scientists from world-class research institutions, who work together to respond to pressing issues linked with climate change, depletion of natural resources, land degradation and water scarcity;
- **Environmental Law Centre** of the International Union for Conservation of Nature (IUCN) as a body assisting decision-makers with information, legal analysis, advisory services, legislative drafting, mentoring and capacity building at national, regional and global levels.

### Private sector organisations

The role of the private sector, in particular through public-private partnerships, is critical in tackling climate change. Effective legislation will reflect an understanding of the regulatory frameworks required to stimulate private sector investment to accelerate the transition to a low carbon economy. The IPU is therefore committed to strengthening existing and building new links with key private sector organisations including the:

- **World Economic Forum (WEF)**, the International Organization for Public-Private Cooperation. The Forum engages the foremost political, business and other leaders of society to shape global, regional and industry agendas.
- **World Business Council for Sustainable Development (WBCSD)**, a CEO-led organization of forward-thinking companies that galvanizes the global business community to create a sustainable future for business, society and the environment.
- **Global Sustainable Electricity Partnership (GSEP)**, a not-for-profit organisation, whose members are the world's leading electricity companies, which promotes sustainable energy development through electricity sector projects and human capacity building activities in developing and emerging nations worldwide.



## Abbreviations and basic definitions

- Adaptation - Adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects
- C40 – Cities Climate Leadership Group
- CO<sub>2</sub>e – Carbon Dioxide equivalent
- COP – Conference of the parties to the United Nations Framework Convention on Climate Change
- GCF – Green Climate Fund
- GEF – Global Environment Facility
- GLOBE – Global Legislators' Organization for a Balanced Environment
- GT – Gigatonne
- ICLEI – Local Governments For Sustainability
- IIED – International Institute for Environment and Development
- IPCC – Intergovernmental Panel on Climate Change
- MOP – Meeting of the Parties to the Kyoto Protocol
- Mitigation - Initiatives to reduce emissions of greenhouse gases
- NDC – Nationally Determined Contribution
- NGO – Non-governmental organization
- PAM – Parliamentary Assembly of the Mediterranean
- R20 – Regions 20
- REDD+ - Mitigation measures related to “Reducing Emissions from Deforestation and Forest Degradation (REDD)” that also include conservation, sustainable management of forests and enhancement of forest carbon stocks, thus REDD+
- SDGs – Sustainable Development Goals
- UNDP - United Nations Development Programme
- UNEP - United Nations Environment Programme
- UNFCCC - United Nations Framework Convention on Climate Change
- UNISDR – United Nations International Strategy for Disaster Reduction
- WMO – World Meteorological Organization

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## Guidelines relating to voluntary contributions to the Inter-Parliamentary Union

*Noted by the IPU Governing Council at its 198<sup>th</sup> session  
(Lusaka, 23 March 2016)*

The Inter-Parliamentary Union (IPU) may request and receive voluntary contributions in cash or in kind. Ultimate responsibility in respect of the acceptance or refusal of all voluntary contributions to IPU rests with the Governing Council, which will take its decisions in the best interests of IPU.

The Governing Council delegates the responsibility to accept or refuse donations to the Secretary General, who is responsible for assessing potential donors and contributions. If in doubt as to whether to accept or refuse a voluntary contribution, the Secretary General may decide to consult the Executive Committee and/or the Governing Council. The Secretary General will inform the Governing Council at each session of all new voluntary contributions mobilized since the previous session.

### Guiding Principles

In order to establish whether a proposed voluntary contribution will be in the best interests of the IPU, the following will be considered:

1. The support should contribute towards the IPU's strategic objectives.

2. The IPU must be able to deliver on the agreed outputs and objectives while complying with any agreed terms relating to the contribution (including the legal, financial, operational and reporting aspects). Specifically, the IPU will not accept contributions if the offer of support is dependent upon the fulfilment of certain conditions by the IPU and if any of the conditions run counter to the objectives of the IPU, or is regarded as unreasonable in relation to the nature of the support (in terms of its size or impact on the work of the IPU), or will divert the IPU from pursuing its objectives, policies or work priorities.
  3. The budget for the voluntary contribution should cover the cost of delivery, including the management and administrative costs that will be incurred.
  4. The cost to the IPU of accepting a contribution must not be greater than the value of the support itself, such that acceptance of the contribution would directly lead to a reduction in the net assets of the IPU.
  5. Members, office holders and staff of the IPU must derive no personal benefit (individually or collectively) from any voluntary contributions, loans or other material support offered to the IPU.
  6. The contributor's values, objectives or activities must not be, or appear to be, incompatible with IPU's values and objectives, particularly if this risks causing damage to the IPU's integrity, reputation or public image.
  7. The IPU will not accept contributions from sources whose assets are known to result from illegal activities or unethical practices.
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## Way ahead for the revised IPU Strategy for 2017-2021

### Report on the PaperSmart Initiative

*Noted by the IPU Governing Council at its 198<sup>th</sup> session  
(Lusaka, 23 March 2016)*

1. Following on from the universal and legally binding climate change agreement reached at COP21 in Paris in December 2015, the IPU has recognized the need to be in tune with the global movement on environmental protection. It has developed a Parliamentary Action Plan on Climate Change, which it will submit to the governing bodies at the 134<sup>th</sup> Assembly.
2. Already, several years ago, the IPU adopted a policy to reduce its carbon footprint inter alia by tracking official travel and reducing its consumption of paper. These efforts were inspired by successful models adopted by other international organizations. Already at the IPU Assembly in Quebec in October 2012, efforts had been made to sensitize Members to the use of new technologies and to raise their awareness about the massive consumption of paper, especially during Assemblies.
3. In recent years, the IPU Secretariat has implemented a number of measures to reduce paper consumption. For example, it no longer publishes the Summary Records of IPU Assemblies in paper format. Instead, these are posted on the IPU website. In addition, the number of paper copies of the *Results* brochure has been reduced dramatically. In preparation for Assemblies, most documents are posted in advance on the website, with limited numbers of copies made available in the rooms during the Assembly proceedings.
4. Further to these measures, paper consumption at IPU Headquarters decreased from 1,950,000 sheets in 2010 to 1 million in 2015, which consequently resulted in lower postage costs for the organization. These dropped from CHF 87,000 in 2010 to CHF 24,000 in 2015. Similarly, the quantity of paper stipulated in the Agreements signed with future host parliaments of IPU Assemblies was reduced by more than half over the same 5-year period (from the requirement of 1 million sheets of A4 paper in 2010 for the documents reproduction service to 450,000 sheets in 2015).

5. The Secretariat is taking a gradual and phased approach to a paper-smart IPU and intends to test new ideas, such as a print-on-demand service, a save-on-demand facility and a possible customized WebApp for future Assemblies that would also ensure easy access to conference documents. Starting at the 134<sup>th</sup> Assembly in Lusaka, the IPU Secretariat will also encourage Members to use some of these new technologies, while gradually changing its own working methods.
6. Already for the next Assembly in Lusaka, the IPU is sending all Executive Committee documents to members in electronic format only. Also at that Assembly, the majority of Assembly documents will be posted on the IPU website [www.ipu.org/conf-e/134agnd.htm](http://www.ipu.org/conf-e/134agnd.htm) and only a limited number of documents for the various Assembly sessions will be printed. While delegations will have access to the same quantities of documents for the Governing Council, the Assembly, the Meeting of Women Parliamentarians and Standing Committees, the actual number of documents in the sets will be reduced, as has been the case in recent Assemblies.
7. The Secretariat would like to help the Organization make further progress, building on what has already been achieved. It intends to pursue its efforts to achieve a further reduction in paper consumption in the coming years. In this endeavour, the IPU plans to study in-depth the experiences of Member Parliaments and other international organizations. In parallel, the Secretariat will need to put in place smarter and more efficient internal procedures.
8. Considering the level of resources required, the IPU will take a gradual approach to becoming paper-smart. It will start with an assessment of current needs, consumption patterns and costs. It will then phase in the recommendations of that assessment into its own working methods and future planning. The overall target is to reduce its carbon footprint through paper reduction and the use of innovative and accessible solutions, including new technologies. Implementation of new measure pursuant to the assessment would be dependent on the resources that are available or will be made available by the Governing Bodies.

## Amendments to the Statutes and Rules of the IPU

### Rules of the Meeting of Women Parliamentarians and those of its Coordinating Committee

*Amendments adopted by the IPU Governing Council at its 198<sup>th</sup> session  
(Lusaka, 23 March 2016)*

#### I. Enhancing the effectiveness of the Meeting of Women Parliamentarians and of its Coordinating Committee

##### A. Objectives of the Meeting of Women Parliamentarians

Concerned by the fact that the Meeting did not effectively serve as a platform to engage more men on gender equality issues, the members of the Coordinating Committee proposed the following amendment to Rule 2 of the Meeting of Women Parliamentarians:

**Proposal:** Add a new Rule 2 (f) in the section on Objectives of the Meeting to read:

- (f) to sensitize men to gender equality issues by encouraging their participation in the Meeting.

##### B. Coordinating Committee of Women Parliamentarians

In order to encourage sustained participation of all elected members and enhance its efficiency, as well as to align its rules with those of other IPU bodies, the Coordinating Committee suggests amending provisions in Chapter X of the Rules of the Meeting of Women Parliamentarians and in Chapters V, VI and VII of the Rules of the Coordinating Committee of Women Parliamentarians, with a view to:

- Removing the categories of titular and substitute members of the Coordinating Committee;
- Including the standard paragraph used in the rules of other bodies highlighting that parliaments are asked to ensure and support the participation of elected members to IPU bodies;

- Clarifying how a member can be temporarily replaced (for one time only);
- Clarifying the Rules related to the quorum of the Coordinating Committee.

***i. Proposed amendments to the Rules of the Meeting of Women Parliamentarians***

Chapter X (Coordinating Committee)

*Rule 31*

1. The Coordinating Committee shall be composed of the following persons:
  - (a) The women members of the Executive Committee, who shall be ex officio members during their term of office on the Executive Committee;
  - (b) The former Presidents of the Meeting of Women Parliamentarians, who shall be ex officio members for two years from the time when they chaired the Meeting;
  - (c) ~~Two~~ **Four** representatives from each of the geopolitical groups which meet on the occasion of IPU meetings; these representatives shall be elected ad personam by the Meeting of Women Parliamentarians for a four year term of office; ~~a substitute for each regional representative shall be elected at the same election;~~ a retiring member shall not be eligible for re-election for two years **and shall be replaced by a representative belonging to another IPU Member Parliament;**
  - (d) Should a regional representative ~~or a substitute regional representative~~ die, resign or lose her seat in Parliament, the Meeting of Women Parliamentarians shall proceed with the election of a replacement from the same geopolitical group; the person thus elected shall hold the office for the remainder of the term;
  - (e) Members of the Coordinating Committee may not be members in two capacities: as ex officio members and as regional representatives. A member holding both positions will lose her mandate as a regional representative to the Coordinating Committee and will be replaced in that position in accordance with the provisions of Rule 31.1 (d).
2. The regional representatives ~~and their substitutes~~ shall be elected by the Meeting of Women Parliamentarians on the proposal of women parliamentarians from the respective geopolitical groups, which must present as many candidates as there are seats to be filled. Elections to the Coordinating Committee shall be held every two years, to renew half of the Committee's membership whose four-year term has come to an end. ~~One titular and one substitute representative.~~ **The seats of two representatives** for each geopolitical group shall therefore be renewed every two years.
3. *(new)* Elected members of the Coordinating Committee shall be supported by their respective Parliaments in carrying out their function as members of the Committee. Every effort will be made to ensure their participation in IPU Assemblies for the duration of their mandate as members of the Committee.

*Rule 31(bis)*

1. Members of the Coordinating Committee who are unable to participate in a session may be replaced by other duly mandated women representatives from the same Member of the IPU, for the duration of that session only.
2. Members of the Coordinating Committee who are absent for two consecutive sessions without a valid reason may lose their seat on the Committee by a decision of the Meeting of Women Parliamentarians upon recommendation of the Committee. In such cases, a new election will be held at the next session of the Meeting of Women Parliamentarians to fill the respective vacancy.

*Rule 32*

1. After each renewal of half of the regional representatives, every two years, the Meeting of Women Parliamentarians shall, on the proposal of the Coordinating Committee, elect the President, First Vice-President and Second Vice-President of the Coordinating Committee from among parliamentarians of different regions. Any parliamentarian who is a member of the Committee may be elected to one of these three posts; ~~with regard to the regional representatives, only titular members may be so elected.~~

(...)

6. Should a Vice-President die, resign, lose her seat in Parliament **or become President of the Coordinating Committee**, the Coordinating Committee shall nominate to the Meeting of Women Parliamentarians a candidate from **among the members of the Committee** to replace her. The person thus elected shall serve as Vice-President for the remainder of the term.

ii. **Proposed amendments to the Rules of Coordinating Committee of Women Parliamentarians**

Chapter V: Deliberations - quorum - voting

*Rule 9*

The Coordinating Committee may only deliberate and take decisions considered to be valid if at least half of its members are present **irrespective of the number of Committee members present. However, a vote may take place only if at least half of the Committee members or their duly mandated replacements (Rule 31bis) are in attendance.**

Chapter VI: Report and recommendations to the Meeting of Women Parliamentarians

*Rule 13*

(...)

3. Should the appointed Rapporteur be unable to present the report, she shall be replaced by another titular or substitute member who took part in the sittings to be covered by the report. The Committee may appoint this substitute at the same time as the Rapporteur.

Chapter VIII: Adoption and amendment of the rules

*Rule 17*

1. **Subject to the provisions of Rule 9**, the Coordinating Committee shall adopt its Rules by the majority of the votes cast by the members or substitutes present at the time of voting.

(...)

II. **Enhancing the visibility of the Meeting of Women Parliamentarians and of its Coordinating Committee**

Coordinating Committee members have underscored the importance of the work done by the Meeting to ensure that gender equality issues were taken into account in IPU as well as at the global and national levels, and discussed how to increase the visibility and influence of that work. They consider that the name of the Meeting and of its Coordinating Committee may be misleading for the external eye and does not reflect the true nature and roles of these important structures.

The Coordinating Committee therefore proposes the following:

- a. Amend the name of the Meeting of Women Parliamentarians to read as follows:  
**Meeting Forum** of Women Parliamentarians  
in order to better reflect its function of being a permanent structure of women parliamentarians of the world, as well as in view of harmonizing the designation of IPU bodies of a similar nature, as is the case of the Forum of Young Parliamentarians.
- b. Amend the name of the Coordinating Committee of Women Parliamentarians to read as follows:  
**Coordinating Committee Bureau** of Women Parliamentarians  
in order to better reflect the role of the Coordinating Committee as a structure in charge of organizing the Meeting of Women Parliamentarians and carrying forward the recommendations and plans crafted by women parliamentarians.
- c. Replace the current references to the Bureau of the Coordinating Committee of Women Parliamentarians to read as follows:  
**Bureau President and Vice-Presidents**  
so as to avoid any confusion with the new designation of the Coordinating Committee as Bureau of Women Parliamentarians.

## Calendar of future meetings and other activities

Approved by the IPU Governing Council at its 198<sup>th</sup> session  
(Lusaka, 23 March 2016)

Regional seminar on <i>Parliaments and the implementation of the SDGs</i>	BUCHAREST (Romania) 18-19 April 2016
Information seminar on the structure and functioning of the Inter-Parliamentary Union for French-speaking participants	GENEVA (IPU Headquarters) 17-20 May 2016
Seminar for West African Parliaments on child labour and trafficking	ABUJA (Nigeria) Second half of May 2016
Parliamentary event at the World Health Assembly	GENEVA (WHO) May 2016
Parliamentary Meeting at the UN General Assembly High Level Meeting on HIV/AIDS	NEW YORK 7 June 2016
2016 Annual Session of the Parliamentary Conference on the WTO	GENEVA (WTO Headquarters) 13-14 June 2016
World e-Parliament Conference	VALPARAISO (Chile) 28-30 June 2016
Regional roundtable on water	DEAD SEA (Jordan) June 2016
Parliamentary session within the framework of the annual WTO Public Forum	GENEVA (WTO Headquarters) September 2016
37 <sup>th</sup> session of the Steering Committee of the Parliamentary Conference on the WTO	GENEVA (IPU Headquarters) September 2016
Interregional Seminar on Parliamentary Capacity Building and the further implementation of the Sustainable Development Goals, organised jointly by the IPU and the NPC	BEIJING (China) September-October 2016
135 <sup>th</sup> Assembly and related meetings	GENEVA (Switzerland) 23-27 October 2016
Parliamentary Meeting on the occasion of the United Nations Climate Change Conference (COP22/CMP12)	MARRAKECH (Morocco) November 2016
Parliamentary Meeting at the Second High-Level Meeting of the Global Partnership for Effective Development Cooperation	NAIROBI (Kenya) November 2016
Regional Conference of Arab Women Parliamentarians	United Arab Emirates Date to be confirmed
11 <sup>th</sup> Meeting of Women Speakers of Parliament	United Arab Emirates December 2016
Regional seminar on <i>Translating international human rights commitments into national realities: The contribution of parliament to the work of the United Nations Human Rights Council</i> (for Parliaments of the Middle East and North Africa region or of Central Asia and the Caucasus or of Central America – to be determined)	Venue and date to be confirmed
Regional seminar on migration through a human rights perspective: contribution of parliament	Venue and date to be confirmed
Regional seminar on Parliaments and the implementation of the SDGs	Latin America Venue and date to be confirmed

Regional seminar on Parliaments and the implementation of the SDGs

136<sup>th</sup> Assembly and related meetings

Regional seminar on Parliaments and the implementation of the SDGs

Parliamentary Meeting on the occasion of the 61<sup>st</sup> session of the Commission on the Status of Women

Fourth IPU Global Conference of Young Parliamentarians

Annual Parliamentary Hearing at the United Nations

Africa

Venue and date to be confirmed

DHAKA (Bangladesh)

1-5 April 2017

HUNGARY

Date to be confirmed

NEW YORK

Date to be confirmed

Venue and date to be confirmed

NEW YORK

Date to be confirmed

## Agenda of the 135<sup>th</sup> Assembly

(Geneva, 23-27 October 2016)

1. Election of the President and Vice-Presidents of the 135<sup>th</sup> Assembly
2. Consideration of requests for the inclusion of an emergency item in the Assembly agenda
3. General Debate
4. The freedom of women to participate in political processes fully, safely and without interference:  
Building partnerships between men and women to achieve this objective  
(*Standing Committee on Democracy and Human Rights*)
5. Reports of the Standing Committees on Peace and International Security; Sustainable Development, Finance and Trade; and United Nations Affairs
6. Approval of the subject item for the Standing Committee on Democracy and Human Rights at the 137<sup>th</sup> IPU Assembly and appointment of the Rapporteurs



## List of Permanent Observers

*Approved by the IPU Governing Council at its 198<sup>th</sup> session  
(Lusaka, 20 March 2016)*

United Nations

Food and Agriculture Organization of the United Nations (FAO)  
International Fund for Agricultural Development (IFAD)  
International Labour Organization (ILO)  
Office of the United Nations High Commissioner for Refugees (UNHCR)  
Partnership for Maternal, Newborn and Child Health (PMNCH)  
Joint United Nations Programme on HIV/AIDS (UNAIDS)  
United Nations Children's Fund (UNICEF)  
United Nations Conference on Trade and Development (UNCTAD)  
United Nations Development Programme (UNDP)  
United Nations Educational, Scientific and Cultural Organization (UNESCO)  
United Nations Entity for Gender Equality and the Empowerment of Women (UN Women)  
United Nations Population Fund (UNFPA)  
World Health Organization (WHO)

International Monetary Fund (IMF)

International Organization of Supreme Audit Institutions (INTOSAI)  
International Organization for Migration (IOM)  
Organization for the Prohibition of Chemical Weapons (OPCW)  
Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO)  
World Bank  
World Trade Organization (WTO)

African Union (AU)

League of Arab States  
Organization of American States (OAS)

ACP-EU Joint Parliamentary Assembly

African Parliamentary Union (APU)  
Amazonian Parliament  
Arab Inter-Parliamentary Union  
ASEAN Inter-Parliamentary Assembly (AIPA)  
Asian Parliamentary Assembly (APA)  
Assemblée parlementaire de la Francophonie  
Association of European Parliamentarians with Africa (AWEPA)  
Association of Senates, Shooras and Equivalent Councils in Africa and the Arab World (ASSECAA)  
Baltic Assembly  
Commonwealth Parliamentary Association (CPA)  
Forum of Parliaments of the International Conference on the Great Lakes Region (FP-ICGLR)  
Global Organization of Parliamentarians against Corruption (GOPAC)  
Interparliamentary Assembly on Orthodoxy (IAO)  
Inter-Parliamentary Union of the Member States of the Intergovernmental Authority on Development (IPU-IG)  
Maghreb Consultative Council  
Nordic Council  
Pan-African Parliament (PAP)  
ParlAmericas  
Parliamentarians for Nuclear Non-Proliferation and Disarmament (PNND)  
Parliamentary Assembly of the Black Sea Economic Co-operation (PABSEC)  
Parliamentary Assembly of the Community of Portuguese-speaking Countries (AP-CPLP)  
Parliamentary Assembly of the Economic Cooperation Organization (PAECO)  
Parliamentary Assembly of the Mediterranean (PAM)  
Parliamentary Assembly of the Organization for Security and Co-operation in Europe (OSCE)  
Parliamentary Assembly of Turkic-speaking Countries (TURKPA)

Parliamentary Assembly of the Union for the Mediterranean (PA-UfM)  
Parliamentary Assembly of the Union of Belarus and Russia  
Parliamentary Confederation of the Americas (COPA)  
Parliamentary Union of the Organization of Islamic Cooperation Member States (PUIC)  
Southern African Development Community (SADC) Parliamentary Forum  
World Scout Parliamentary Union (WSPU)

Amnesty International  
Global Fund to Fight Aids, Tuberculosis and Malaria  
Human Rights Watch  
Penal Reform International  
World Federation of United Nations Associations (WFUNA)

Centrist Democrat International (CDI)  
Liberal International (LI)  
Socialist International

Geneva Centre for the Democratic Control of Armed Forces (DCAF)  
International Committee of the Red Cross (ICRC)  
International Institute for Democracy and Electoral Assistance (International IDEA)  
International Federation of Red Cross and Red Crescent Societies (IFRC)

## Decisions concerning the Human Rights of Parliamentarians

### CAMBODIA

CMBD/27- Chan Cheng

CMBD/48 - Mu Sochua (Ms.)

CMBD/49 - Keo Phirum

CMBD/50 - Ho Van

CMBD/51 - Long Ry

CMBD/52 - Nut Romdoul

CMBD/53 - Men Sothavarin

CMBD/54 - Real Khemarin

CMBD/55 - Sok Hour Hong

CMBD/56 - Kong Sophea

CMBD/57 - Nhay Chamroeun

CMBD/58 - Sam Rainsy

*Decision adopted by consensus by the IPU Governing Council  
at its 198<sup>th</sup> session (Lusaka, 23 March 2016)*

The Governing Council of the Inter-Parliamentary Union,

*Referring to* five cases referred to the Committee on the Human Rights of Parliamentarians concerning the following 12 parliamentarians from the opposition Cambodian National Rescue Party (CNRP): (i) Mr. Chan Cheng; (ii) Ms. Mu Sochua, Mr. Keo Phirum, Mr. Ho Van, Mr. Long Ry, Mr. Nut Romdoul, Mr. Men Sothavarin and Mr. Real Khemarin; (iii) Mr. Sok Hour Hong; (iv) Mr. Kong Sophea and Mr. Nhay Chamroeun; and (v) Mr. Sam Rainsy, leader of the opposition; and which have been kept confidential pursuant to section 22(i) of the Rules and Practices of the Committee on the Human Rights of Parliamentarians and its Procedure for the examination and treatment of complaints, respectively since 2011 (i), 2014 (ii) and 2015 (iii, iv and v),

*Considering* the following information on file:

- Mr. Chan Cheng, a member of the National Assembly, was convicted to two years' imprisonment on 13 March 2015 after long-dormant proceedings, which were believed to have been dismissed in 2012, were suddenly re-activated in mid-2014 amid a tense political standoff between the ruling and opposition party. Mr. Chan Cheng has appealed the court ruling, which appeal is pending. He is free and able to exercise his parliamentary mandate;
- Ms. Mu Sochua, Mr. Keo Phirum, Mr. Ho Van, Mr. Long Ry, Mr. Nut Romdoul, Mr. Men Sothavarin and Mr. Real Khemarin, all members of the National Assembly, were arrested on 15 July 2014, with other opposition activists, after a demonstration calling for the reopening of the Phnom Penh protest site known as Freedom Park (or Democracy Plaza) had turned violent. They were charged as criminal instigators by a Phnom Penh court for leading an insurrectional movement, committing aggravated intentional violence and inciting others to commit an offence, and face up to 30 years in prison. They were released on bail on 22 July 2014, after the announcement of a political agreement between the Government and the opposition to end the political crisis. The investigation is still ongoing and no date has been set for the trial of the members of parliament concerned. They are free and able to exercise their parliamentary mandate;
- Mr. Sok Hour Hong, a senator, was arrested and charged after a video clip was posted on the Facebook page of the leader of the opposition, Mr. Sam Rainsy, on 12 August 2015. The video clip featured Mr. Hong discussing his views about the Vietnamese-Cambodian border, a controversial and sensitive issue in Cambodia, and showing a copy of an article

<sup>1</sup> The delegation of Cambodia expressed its reservations regarding the decision.

of a 1979 Vietnam–Cambodia treaty, providing that the border would be dissolved and re-delineated, which proved to be incorrect. On 13 August 2015, the Prime Minister of Cambodia accused the senator of treason and ordered his arrest. The senator was subsequently detained on 15 August 2015 and charged with forging a public document, using a forged public document and inciting social disorder. He could incur up to 17 years of imprisonment. His immunity was not lifted because the authorities considered that he had been arrested in *flagrante delicto*. He remains in detention, as his requests for pretrial release have been systematically rejected by the court. The trial started in October 2015 and has since been suspended on repeated occasions;

Mr. Kong Sophea and Mr. Nhay Chamroeun, members of the National Assembly, were dragged from their cars and violently beaten as they were leaving the National Assembly on 26 October 2015. An anti-opposition protest organized by the ruling party was in progress in front of the National Assembly at that time. Neither security officers of the National Assembly, nor police officers present, took any action before, during or after the assault, as shown on video clips of the incident. The assault left both members of parliament with significant injuries. The attack was condemned by the National Assembly and an investigation was initiated, leading to the arrest of three suspects in November 2015 after they reportedly confessed to being involved in the violence. However, they have not yet been held accountable and no further action has been taken against the other assailants or the instigator(s), despite complaints lodged by the members of parliament concerned and clear video records of the assault showing the identity of the attackers and the fact that they were communicating to others through walkie-talkies;

Mr. Sam Rainsy, the leader of the opposition and a member of the National Assembly, was targeted by four separate court cases between November 2015 and January 2016 (including one related to the case of Senator Sok Hour Hong for posting the video clip on his Facebook page). His immunity was not lifted, but his parliamentary mandate was revoked in connection with the first court case. He has been forced to go into exile to avoid imprisonment since November 2015,

*Taking into account* that the Committee decided at first to treat the cases as confidential in order to give an opportunity to the parties to find a solution through political dialogue, given that such dialogue resumed between the ruling Cambodian People's Party (CPP) and the CNRP following a July 2014 agreement. This agreement put an end to the 2013 post-election crisis and established a mechanism for dialogue between the two main political parties represented in parliament, known as the "culture of dialogue". While still new and fragile, the culture of dialogue has been seen by both parties as crucial to ending the past prevailing culture of violence. It has opened more space for political dialogue within the parliamentary institution and allowed the parties to achieve progress on some issues of national interest between July 2014 and mid-2015,

*Considering* that the Cambodian delegation to the 133<sup>rd</sup> IPU Assembly (Geneva, October 2015) welcomed the Committee's proposal to conduct a visit to Cambodia and that the visit was conducted from 15 to 17 February 2016 by its members, Mr. Ali A. Alaradi and Mr. Alioune Abatalib Gueye,

*Considering* that the visit had two main objectives: first, for the Committee to gain a better understanding of the cases of the 12 opposition parliamentarians concerned, and of the political and human rights context in which they occurred; second, to help promote satisfactory solutions in the cases at hand, in line with Cambodia's constitutional framework and international human rights law; that the Committee considered its visit as a "visit of last resort", after extensive time had repeatedly been given by the Committee to both parties to find negotiated solutions,

*Taking into account* that, during its visit, the delegation was able to hold most of the meetings it had requested, including with the parliamentary, executive and judicial authorities, the two main political parties, most of the parliamentarians concerned, as well as third parties such as the Cambodia Office of the United Nations High Commissioner for Human Rights (OHCHR), foreign diplomats and key representatives of civil society; that the delegation's request to visit Senator Sok Hour Hong at Prey Sar detention centre was eventually granted on the last day of its visit; and that it was able to meet with the Deputy Prime Minister and Minister of the Interior in the absence of the Prime Minister, who was abroad attending a US-ASEAN summit,

*Considering* that the final mission report will be presented to the Governing Council at its next session during the 135<sup>th</sup> IPU Assembly (October 2016), after being shared with all parties for their observations, but that the Committee wishes to share the following preliminary observations and

recommendations of the delegation – to which it has subscribed – in the absence of progress in the cases, in light of its serious underlying human rights concerns and given the further deterioration of the political situation in Cambodia in recent months:

- Lack of progress in the cases and concerns about long-standing and serious underlying human rights violations
  - The delegation found that no progress had been made in resolving any of the cases. It will report on its case-by-case specific findings in its mission report after reviewing the detailed information and documentation provided on each case and all applicable legal provisions;
  - However, the delegation found that the cases and the recent action taken against the opposition follow a long-standing pattern in Cambodia on which the Committee and the Governing Council have repeatedly pronounced themselves over the last 20 years and raise serious concerns about the protection of the fundamental rights of parliamentarians irrespective of their political affiliation. The applicable Cambodian legal framework, its compatibility with international human rights standards, but also its effective implementation in practice, are at the heart of the following recurring issues of concern, which have been largely left unaddressed by the Cambodian authorities to date:
    - Systemic violations of the right to freedom of expression and peaceful assembly (abusive and disproportionate charges triggered in response to the public expression of dissenting political views, leading to trials that are unfair or left dangling for years; disruption, prohibition, repression or use of excessive force in relation to opposition protests);
    - Serious shortcomings in the conduct of judicial proceedings that often fall below international standards of due process and fair trial, particularly in relation to the right of defence, and concerns about the lack of independence of the judicial branch and the interference of the executive;
    - The lack of protection of the fundamental rights of members of parliament (irrespective of their political affiliation) by the institution of parliament itself and other relevant authorities, which has been particularly obvious in the long-standing procedure and practice followed in relation to the lifting of parliamentary immunity and the revocation of the parliamentary mandate of opposition members of parliament;
  - The delegation found that these critical and long-standing concerns have not been addressed, despite the amendments made to some of the relevant laws and regulations in the recent past and repeated offers of technical assistance by the IPU to assist the Cambodian authorities to address these issues;
- Deterioration of the political situation and current status of the political dialogue
  - The delegation was able to confirm that the “culture of dialogue” was first suspended in August 2015 after the arrest of Senator Sok Hour Hong and then abruptly interrupted in late October 2015, following what domestic and international observers have qualified as a “crackdown on the opposition”. A series of actions were taken against the opposition following demonstrations organized in France against Prime Minister Hun Sen during his official visit to Paris on 25 October 2015. Supporters of the Prime Minister and the CPP responded to the protests in France by organizing protests in Phnom Penh on 26 October 2015 calling for the immediate resignation of Mr. Kem Sokha, the deputy leader of the CNRP and the Vice-President of the National Assembly. The delegation was told that he had been threatened and that his residence had been attacked by protesters. The police allegedly failed to intervene, despite repeated calls for help. Shortly after, Mr. Kem Sokha was removed from the position of Vice-President of the National Assembly in a vote that was boycotted by the opposition;
  - The delegation also observed that a tense political and security situation prevailed in Phnom Penh during its visit. There were persistent rumours that the opposition would be attacked in reprisal should opposition protests be organized in the United States during a US-ASEAN Summit attended by the Prime Minister. Fearing violence, Mr. Kem Sokha had requested protection measures, but his request had remained unanswered. There were fears that there would be a repeat of the incidents of October 2015. The delegation therefore raised the issue with the Deputy Prime Minister and Minister of the Interior, who was responsible for granting adequate protection measures to opposition parliamentarians

and politicians. The Deputy Prime Minister informed the delegation that he had just instructed the police to follow up on the request and take all appropriate measures. Mr. Sokha confirmed that his request had been granted and no protests or incidents subsequently occurred;

- Given the tense political situation at the time of its visit, the delegation decided to focus largely on the need for the ruling party and the opposition to resume political dialogue urgently and to continue using this framework to resolve the cases at hand. The delegation encouraged the ruling party and the opposition to reactivate and strengthen the “culture of dialogue” in view of the upcoming 2017 and 2018 elections. It observed that a stronger mechanism for political dialogue is generally needed in Cambodia, particularly to prevent the escalation of political disputes in times of tension and political dissension. Disagreements between the two main political parties, and their subsequent expression in public – be it through public statements, social media or the organization of protests – should not, in its opinion, systematically lead to renewed political crisis. A stronger and effective mechanism would contribute to creating more space for constructive political debate generally. Such debate should be inclusive, transparent and constructive. It would also prevent the parties from resorting back to old practices of issuing media statements accusing one another and initiating a repressive judicial response;
- General position of the Cambodian authorities
- The Cambodian authorities have reaffirmed that they consider that there have been no violations of human rights in the cases at hand. They have clearly stated their views that the parliamentarians concerned are guilty of the offences for which they are being prosecuted and should therefore face the consequences of their acts pursuant to the Constitution of Cambodia and in order to protect the rule of law in Cambodia. They have further expressed strong views that repressive legal action was needed to preserve peace and stability in Cambodia whenever words were spoken, written or posted on social media, which in their view risked creating social disorder or inciting unrest. References to the civil war were made extensively to justify this position, particularly in connection with the upcoming elections and the need to maintain economic growth;
- According to the authorities, judicial procedures have been triggered and it is up to the judiciary to handle the cases in accordance with Cambodian laws. Parliament and the executive branch have asserted that the settlement of the cases is a purely judicial matter. They consider that they cannot interfere pursuant to the principle of separation of powers and the independence of the judiciary;
- The Cambodian authorities have also stated that they have difficulty in seeing how the cases could be resolved as part of the culture of dialogue, as they do not consider that they fall within the political issues of national interest covered by the July 2014 agreement between the CPP and the CNRP. They have asserted that political solutions could not be promoted because they would violate the Cambodian Constitution. On the other hand, they reaffirmed that they were supportive of the resumption of political dialogue and believed that it was an important, although difficult, process;
- The Cambodian authorities, particularly the parliamentary authorities, acknowledged that existing Cambodian laws and regulations could be further reviewed and improved as long as it would be considered beneficial to the Cambodian people. The human rights parliamentary committees of the National Assembly and the Senate expressed particular interest in learning more from the experience of other countries and parliaments and about relevant international standards;
- The delegation observed that, at no point during the visit did any of the Cambodian authorities express clearly the will to resolve the cases at hand or to attempt to make progress towards a satisfactory settlement,

*Further considering* that the delegation left Cambodia with some optimism after both parties expressed their wish to resume the political dialogue, and the Deputy Prime Minister pledged to meet with the CNRP to that end; that a meeting did take place on 19 February 2016, although the cases at hand and their resolution were apparently not discussed; that, however, no further meetings were convened between the ruling and opposition party thereafter and the political dialogue remains stalled to date,

*Taking into account* that the Cambodian authorities have not shared any subsequent information or responded to the requests for updated information since the visit; that, according to recent information shared by the complainants and third parties, no further progress has been made on the cases – quite to the contrary as; (i) on 4 March 2016, the court rejected Senator Sok Hour Hong's latest appeal against his prolonged pretrial detention; the court did not address the medical issues and the concerns raised by the senator in relation to his health; it denied him pretrial release on the grounds that it would create chaos and social disorder; and (ii) yet another series of charges were brought against Mr. Sam Rainsy in early March 2016,

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

- As a party to the International Covenant on Civil and Political Rights, Cambodia is bound to respect international human rights standards, including the fundamental rights to freedom of expression, freedom of assembly, equality before the law and to a fair trial conducted by an independent and impartial court;
- Following the 2<sup>nd</sup> cycle of the universal periodic review (UPR) of Cambodia, conducted by the United Nations Human Rights Council in 2014, the Cambodian authorities accepted, inter alia, recommendations to "promote a safe and favourable environment that allows individuals and groups to exercise the freedoms of expression, association and peaceful assembly and put an end to harassment, intimidation, arbitrary arrests and physical attacks, particularly in the context of peaceful demonstrations" and "take all necessary measures to guarantee the independence of justice without control or political interference" (Report of the Working Group on the UPR of Cambodia A/HRC/26/16);
- The United Nations Special Rapporteur on the human rights situation in Cambodia observed, following her visit to Cambodia in September 2015 and in her oral report to the United Nations Human Rights Council on 29 September 2015, that there was a general consensus among civil society actors in Cambodia that the space for the peaceful exercise of these freedoms was shrinking as the country moved towards the 2017 local elections and the 2018 National Assembly elections. She pointed out that, during her mission, she had noticed widely diverging interpretations of permissible restrictions of the rights to freedom of expression, assembly and association under international human rights law, and recalled that a balance between protecting these freedoms and maintaining public order needed to be struck fairly and in accordance with international human rights law, something that she would be paying close attention to during her mandate,

*Also bearing in mind* Chapter 3 of the Constitution of Cambodia on the rights and obligations of Khmer citizens, in particular article 31, which states that "The Kingdom of Cambodia recognizes and respects human rights as stipulated in the United Nations Charter, the Universal Declaration of Human rights and the covenants and conventions related to human rights (...)" as well as article 80 and 104 which provide that members of the National Assembly and the Senate shall enjoy parliamentary immunity and that "No Member of the National Assembly shall be prosecuted, detained or arrested because of opinions expressed in the exercise of his/her duties",

1. *Thanks* the Cambodian authorities for accepting the visit and for the assistance provided to the delegation; *considers* that the conduct of the visit and the discussions that took place were a positive first step; *regrets* nevertheless that no subsequent information has been shared since by the authorities;
2. *Takes note* of the preliminary observations of the Committee on the visit; and *eagerly awaits* the final mission report at the next IPU Assembly (October 2016);
3. *Notes with deep regret* that not only has no progress yet been achieved to resolve the cases of the 12 opposition parliamentarians concerned, but that the situation of some of them has further deteriorated recently, as has the general political situation in Cambodia, given the interruption of the culture of dialogue since mid-2015;
4. *Expresses deep concern* at the serious human rights issues underlying the cases; and *urges* the Cambodian authorities, as well as all political actors in Cambodia, to find long-term solutions to these issues urgently in order to put an end to the continuous reoccurrence of similar cases in the future – not only in the interests of the institution of parliament and of individual parliamentarians – but first and foremost in the interest of the Cambodian nation as a whole; *is further convinced* that long-term solutions can only be sustainable and effective if they are in strict compliance with international human rights standards and best practices applicable in democratic parliaments;

5. *Calls on* all branches of power and all political parties to work hand in hand to ensure that:
  - (i) There is full respect for parliamentary immunity and for the parliamentary mandate conferred upon members of parliament by the Cambodian population, as well as for their rights to freedom of expression and peaceful assembly, the right to an independent judiciary and to fair judicial proceedings – including by bringing relevant legislation and regulations in line with international standards and the practices of democratic parliaments;
  - (ii) Persons who have instigated and perpetrated attacks, threats and intimidation against parliamentarians are held accountable and that, in the future, systematic protection measures are promptly granted and effectively put in place by the relevant authorities whenever parliamentarians feel under threat;
  - (iii) Ongoing judicial processes against the parliamentarians concerned are completed without undue delay in a fair, independent, impartial and transparent manner, including – when warranted by exculpatory evidence and mitigating circumstances – by decisions to drop or requalify charges, discontinue proceedings or acquit the suspects, in line with the relevant provisions of the Code of Criminal Procedure and the Constitution of Cambodia, which require respect for the presumption of innocence and the rights of the accused;
6. *Considers* that it is critical that the ruling party and the opposition resume the political dialogue towards building a stable political environment in which there is sufficient space for dissent and for the peaceful exercise of freedoms of expression, association and peaceful assembly in the context of the fast-approaching elections; *is further confident* that the resumption of a political dialogue would help the parties to find satisfactory solutions to the cases at hand;
7. *Highly values* the efforts undertaken by the Cambodian Parliament as part of the culture of dialogue; *earnestly believes* that the parliamentary institution has a special duty in upholding the rights of all its members irrespective of their political affiliation and in ensuring that these rights are also duly upheld by the executive and judiciary at all times; *encourages* the Cambodian Parliament to play a proactive role in promoting satisfactory solutions in the cases at hand and in strengthening the protection of the fundamental rights of its members in the future;
8. *Renews* its offer of technical assistance to assist the Cambodian Parliament and other relevant authorities in addressing the abovementioned issues of concern so as to strengthen parliamentary democracy and the rule of law in Cambodia; *wishes to be kept apprised* of the response of the Cambodian Parliament, as well as of future developments related to the cases of the 12 opposition parliamentarians under examination;
9. *Requests* the Secretary General to convey this decision to the competent authorities, the complainant and any third party likely to be in a position to supply relevant information;
10. *Requests* the Committee to continue examining this case and to report back to it in due course.

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## MALAYSIA

### MAL/15 - Anwar Ibrahim

*Decision adopted by consensus by the IPU Governing Council  
at its 198<sup>th</sup> session (Lusaka, 23 March 2016) <sup>2</sup>*

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Dato Seri Anwar Ibrahim, a member of the Parliament of Malaysia, and to the decision it adopted at its 197<sup>th</sup> session (October 2015),

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<sup>2</sup> The delegation of Malaysia expressed its reservations regarding the decision.



*Taking into account* the information provided by the leader of the Malaysian delegation to the 134<sup>th</sup> IPU Assembly (March 2016) and the information regularly provided by the complainants,

*Recalling* the following information on file:

- Mr. Anwar Ibrahim, Finance Minister from 1991 to 1998 and Deputy Prime Minister from December 1993 to September 1998, was dismissed from both posts in September 1998 and arrested on charges of abuse of power and sodomy. He was found guilty on both counts and sentenced, in 1999 and 2000 respectively, to a total of 15 years in prison. On 2 September 2004, the Federal Court quashed the conviction in the sodomy case and ordered Mr. Anwar Ibrahim's release, as he had already served his sentence in the abuse of power case. The IPU had arrived at the conclusion that the motives for Mr. Anwar Ibrahim's prosecution were not legal in nature and that the case had been built on a presumption of guilt;
- Mr. Anwar Ibrahim was re-elected in August 2008 and May 2013 and became the de facto leader of the opposition *Pakatan Rakyat* (The People's Alliance);
- On 28 June 2008, Mohammed Saiful Bukhari Azlan, a former male aide in Mr. Anwar Ibrahim's office, filed a complaint alleging that he had been forcibly sodomized by Mr. Anwar Ibrahim in a private apartment complex. The next day, when it was pointed out that Mr. Anwar Ibrahim, who was 61 at the time of the alleged rape and suffering from a bad back, was no physical match for a healthy 24-year-old, the complaint was revised to claim homosexual conduct by persuasion. Mr. Anwar Ibrahim was arrested on 16 July 2008 and released the next day. He was formally charged on 6 August 2008 under section 377B of the Malaysian Criminal Code, which punishes "carnal intercourse against the order of nature" with "imprisonment for a term which may extend to 20 years" and whipping. Mr. Anwar Ibrahim pleaded not guilty to the charge and, in addition to questioning the credibility of the evidence against him, pointed to several meetings and communications that took place between Mr. Saiful and senior politicians and police before and after the assault to show that he was the victim of a political conspiracy;
- On 9 January 2012, the first-instance judge acquitted Mr. Anwar Ibrahim, stating that there was no corroborating evidence to support Mr. Saiful's testimony, given that "it cannot be 100 per cent certain that the DNA presented as evidence was not contaminated". This left the court with nothing but the alleged victim's uncorroborated testimony and, as this was a sexual crime, it was reluctant to convict on that basis alone;
- On 7 March 2014, the Court of Appeal sentenced Mr. Anwar Ibrahim to a five-year prison term, ordered that the sentence be stayed pending appeal, and set bail at 10,000 ringgits;
- On 10 February 2015, the Federal Court upheld the conviction and sentence, which Mr. Anwar Ibrahim is currently serving in Sungai Buloh Prison in Selangor. As a result of the sentence, he will not be eligible to run for parliament for six years after he has completed his sentence, i.e. until July 2027,

*Recalling* the report of the IPU observer, Mr. Mark Trowell, QC, (CL/197/11(b)-R.2), who attended most of the hearings in the case in 2013 and 2014 and the final hearing on 10 February 2015, the rebuttal of his report by the authorities and the response to the rebuttal by Mr. Trowell; *recalling also* the report of the Committee delegation (CL/197/11(b)-R.1) which went to Malaysia (29 June–1 July 2015),

*Recalling* that the complainants affirm that the case against Mr. Anwar Ibrahim has to be seen against the backdrop of the uninterrupted rule of Malaysia by the same political party, UMNO, and the fact that in the 2013 general elections that monopoly was shaken by a united opposition, which managed to obtain 52 per cent of the popular vote, although – according to the complainant, due to widespread gerrymandering and fraud – this did not translate into a majority of seats for the opposition. The complainants also point out that the alliance that Mr. Anwar Ibrahim was able to set up and keep together fell apart after he was incarcerated,

*Recalling* that the Malaysian authorities have repeatedly stated that Malaysia's courts were fully independent and that due process had been fully respected in the course of the proceedings against Mr. Anwar Ibrahim, including by offering the counsel for defence many opportunities to present their arguments,

*Considering* the following avenues of legal redress that are still pending:

- Judicial review of the sentence

- On 30 April 2015, Mr. Anwar Ibrahim applied for a fresh judicial review of his conviction, under Rule 137 of the Federal Court rules, on grounds of unfairness, with the applicant asking for the adverse judgement to be set aside and a new bench constituted to rehear the appeal; in his affidavit, Mr. Anwar Ibrahim alleged, among other things, that the extraordinary swiftness, timing and content of the statement made by the Prime Minister's Office (PMO) on the day of his conviction gave the impression that it knew of the result of the case even before the court's ruling, which is normally subject to secrecy. The affidavit also points out that it is not the practice of the PMO to issue such a statement in any other criminal appeal. The affidavit also criticized the conduct of lead prosecutor, Mr. Muhammad Shafee Abdullah, who, according to Mr. Anwar Ibrahim, had conducted a "road show" following his conviction, thereby lending weight to his claim that his trial was backed by UMNO and that he was the victim of a political conspiracy;
- On 10 June 2015, Mr. Anwar Ibrahim's lawyers applied to the Federal Court to call former Commercial Crimes Investigation Department chief Datuk Ramli Yusuff to testify at the review hearing. In an unrelated court hearing following Mr. Anwar Ibrahim's conviction in February 2015, Mr. Yusuff provided a sworn statement saying that he had been asked in 1998 to fabricate evidence against Anwar Ibrahim to cover up his claim that police chief, Mr. Rahim Noor, assaulted him while he was in custody. It became known as the notorious "black-eye incident". Mr. Yusuff claimed that he was asked to fabricate evidence against Anwar Ibrahim by the then Attorney General Mr. Mohtar Abdullah, Mr. Abdul Gani Patail and Mr. Musa Hassan. In 1998, Mr. Patail was a senior deputy public prosecutor prosecuting the first sodomy case against Mr. Anwar Ibrahim. He later became Attorney General. Mr. Hassan was the investigation officer in the first sodomy case. He later became the Inspector General of Police (IGP), who met with the complainant Mr. Mohd Saiful prior to the alleged incident in June 2008. According to Mr. Yusuff, he was asked to arrange for a doctor to give a false medical report to the effect that Mr. Anwar Ibrahim's eye injury had been self-inflicted. "I refused," Mr. Yusuff had testified, adding that, as a result, he was seen as being "disloyal" by Mr. Hassan and Mr. Patail. Mr. Anwar Ibrahim contended in his affidavit that all the main characters in the first sodomy case were also key players in the second sodomy case, lending credence to his belief that he was a "victim of political conspiracy and fabricated evidence";
- The Federal Court heard the request made by Mr. Anwar Ibrahim's lawyers on 26 November 2015, in the presence of the IPU observer, and decided to reserve judgment;

- Petition for pardon

- On 24 February 2015, Mr. Anwar Ibrahim's family submitted an application for a Royal Pardon. On 16 March 2015, the Pardons Board rejected the application unofficially through an affidavit in reply. On 24 June 2015, Mr. Anwar Ibrahim and his family filed an application for judicial review to seek permission from the High Court in Kuala Lumpur to review the Pardons Board's decision. The basis of their application was the presence on the Board of the then Attorney General, Mr. Patail, who has shown personal hostility against Mr. Anwar Ibrahim in the past, which fact they claimed was unacceptable, particularly since the then Prime Minister, Mr. Abdullah Ahmad Badawi, had reportedly promised that Mr. Patail would have no further involvement in the case. The application moreover stated that the Board's decision had been made following an affidavit produced by the Attorney General's chambers of 27 March 2015, whereby the application under Rule 113 was rejected. Mr. Anwar Ibrahim and his family stated that no such application had been made by the family under Rule 113 of the Prisons Regulations 2000. The defence counsel also invoked the "black-eye incident" and the testimony of Mr. Yusuff, and the fact that Mr. Patail had failed to disclose to the Board and the King that an order to investigate had been produced against the lead prosecutor, Mr. Muhammad Shafee Abdullah, following the false affidavit that the top lawyer had allegedly filed;
- The application to compel the Pardons Board to reconsider the pardon petition filed by Mr. Anwar Ibrahim's family is listed for hearing in the High Court on 28 March 2016. The IPU trial observer will attend and report on the proceedings,

*Considering* that the United Nations Working Group on Arbitrary Detention, with regard the submission of a complaint about Mr. Anwar Ibrahim's situation, concluded on 1 September 2015 that, "The deprivation of liberty of Mr. Anwar Ibrahim is arbitrary, being in contravention of articles 10, 11,

19 and 21 of the Universal Declaration of Human Rights (UDHR), and falls within categories II and III of the categories applicable to the consideration of cases submitted to the Working Group." The Working Group "requests the Government to take the necessary steps to remedy the situation of Mr. Anwar Ibrahim without delay and bring it into conformity with the standards and principles in the UDHR"; "Taking into account all the circumstances of the case, the Working Group considers that the adequate remedy would be to release Mr. Anwar Ibrahim immediately, and ensure that his political rights that were removed based on his arbitrary detention be reinstated",

*Considering* also the following with regard to Mr. Anwar Ibrahim's health:

- Since his imprisonment on 10 February 2015, Mr. Anwar Ibrahim has been examined by Dr. Jeyaindran Tan Sri Sinnadurai, who is also the Deputy Director General of Health. Mr. Anwar Ibrahim had been complaining to Dr. Jeyaindran about the pain in his right shoulder since early March 2015. However, according to his family, he was only sent to hospital in Kuala Lumpur after four months, namely on 2 June 2015. Although the physician who examined him recommended intensive physiotherapy, this recommendation has not been properly implemented, despite the constant pain. Mr. Anwar Ibrahim's medical report had been referred to Prof. Dr. Ng Wuey Min, Associate Professor at the University Malaya Medical Centre, an orthopaedic shoulder specialist who had treated him before. He concluded that the problem affecting Mr. Anwar Ibrahim's right shoulder was serious and might require arthroscopic surgery to ensure long-term healing. Mr. Anwar Ibrahim's family affirms that, on 21 August 2015, it was informed that, on that very same day, the orthopaedics specialist, Dr. Fadhil, had met Mr. Anwar Ibrahim in prison and merely prescribed strong painkillers to manage the pain, the dose subsequently being doubled by Dr. Jeyaindran;
  - Mr. Anwar Ibrahim's family considers that Dr. Jeyaindran should not be in charge of Mr. Anwar Ibrahim's health treatment for the following reasons: (i) he was a witness who testified during the trial against Mr. Anwar Ibrahim; (ii) he is also the personal physician to the current Prime Minister of Malaysia; (iii) he has failed to implement any necessary treatment, which he personally recommended, namely intensive physiotherapy; (iv) he lacks the expertise in the area of Mr. Anwar Ibrahim's health problems; (v) the family affirms that Dr. Jeyaindran took three months to allow Mr. Anwar Ibrahim to be examined and for an MRI of his right shoulder to be taken, which has contributed to the pain becoming chronic and affecting his left shoulder;
  - On 25 February 2016, and reportedly again on 15 March 2016, Mr. Anwar Ibrahim was hospitalized for three nights for medical check-ups. During the first check-up, Mr. Anwar Ibrahim recorded high blood pressure of 170/102, but was sent back to prison without finding out the cause of the high blood pressure;
  - According to the leader of the Malaysian delegation, at the hearing held with the Committee on 18 March 2016, the authorities are going out of their way to allow Mr. Anwar Ibrahim to see any doctor of his choice, including, if that is his wish, by allowing him to fly in medical experts from abroad to treat him in Malaysia, but that he was not allowed to go abroad to undergo such treatment;
  - According to the complainants, Mr. Anwar Ibrahim is still not receiving the recommended medical care and is still not being cared for by an independent doctor specialized in the health issues he is facing,
1. *Thanks* the leader of the Malaysian delegation for the information provided and for his continued cooperation;
  2. *Considers* that, in light of the procedural irregularities, the serious doubts about the credibility of the evidence presented against Mr. Anwar Ibrahim, the dubious circumstances surrounding the alleged sodomy and the new information that has since come to light in support of the affirmation that his trial was based on other-than-legal considerations, his conviction and continued detention are untenable;
  3. *Calls therefore on* the authorities to release Mr. Anwar Ibrahim forthwith and to take the necessary measures to enable him to return to parliamentary life; *eagerly awaits* in this regard the outcome of the judicial decisions on the applications for a review of his sentence and for the reconsideration of his pardon petition;

4. *Is pleased* that, for as long as Mr. Anwar Ibrahim remains in detention, he is allowed, as the leader of the Malaysian delegation pointed out, to be cared for by a doctor of his own choice and fully benefit from the medical expertise he wishes and the treatment he requires, including through, if needed, extensive care in hospital; *wishes* to be kept informed of the next steps in Mr. Anwar Ibrahim's medical treatment;
5. *Requests* the Secretary General to convey this decision to the competent authorities, the complainants and any third party likely to be in a position to supply relevant information;
6. *Requests* the Committee to continue examining this case and to report back to it in due course.

## MALAYSIA

MAL/21 - N. Surendran  
MAL/22 - Teresa Kok (Ms.)  
MAL/23 - Khalid Samad  
MAL/24 - Rafizi Ramli  
MAL/25 - Chua Tian Chang  
MAL/26 - Ng Wei Aik  
MAL/27 - Teo Kok Seong  
MAL/28 - Nurul Izzah Anwar (Ms.)  
MAL/29 - Sivarasa Rasiah  
MAL/30 - Sim Tze Sin  
MAL/31 - Tony Pua  
MAL/32 - Chong Chien Jen  
MAL/33 - Julian Tan Kok Peng  
MAL/34 - Anthony Loke  
MAL/35 - Shamsul Iskandar  
MAL/36 - Hatta Ramli  
MAL/37 - Michael Jeyakumar Devaraj  
MAL/38 - Nga Kor Ming  
MAL/39 - Teo Nie Ching

*Decision adopted by consensus by the IPU Governing Council  
at its 198<sup>th</sup> session (Lusaka, 23 March 2016)*<sup>3</sup>

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the aforesaid cases of nineteen opposition members of the Malaysian House of Representatives and to the decision it adopted at its 197<sup>th</sup> session (October 2015),

*Taking into account* the information provided by the leader of the Malaysian delegation to the 134<sup>th</sup> IPU Assembly (March 2016) and the information regularly provided by the complainants,

*Having* before it the cases of Mr. Chong Chien Jen, Mr. Julian Tan Kok Peng, Mr. Anthony Loke, Mr. Shamsul Iskandar, Mr. Hatta Ramli, Mr. Michael Jeyakumar Devaraj, Mr. Nga Kor Ming and Mr. Teo Nie Ching, which have been examined by the Committee on the Human Rights of Parliamentarians pursuant to the Procedure for the examination and treatment of complaints (Annex I of the revised rules and practices),

*Recalling* the report of the Committee delegation (CL/197/11(b)-R.1) that went to Malaysia (29 June–1 July 2015),

*Considering* the following information with regard to the legal proceedings to which the parliamentarians have been subjected under the Sedition Act and information with regard to the act itself:

<sup>3</sup> The delegation of Malaysia expressed its reservations regarding the decision.

- Ms. Teresa Kok, Mr. N. Surendran, Mr. Ng Wei Aik and Mr. Sivarasa Rasiah were charged under (a), (b) and (c) of Section 4(1) of the Sedition Act of 1948, while four other opposition members of parliament, namely Mr. Rafizi Ramli, Ms. Nurul Izzah Anwar, Mr. Nga Kor Ming and Mr. Teo Nie Ching, are being investigated under this act. With regard to seven of these parliamentarians, the action taken against them under the Sedition Act is wholly or partly related to criticism they voiced about the trial against Mr. Anwar Ibrahim;
- According to the complainants, Mr. Khalid Samad was also charged under the Sedition Act. According to the leader of the Malaysian delegation, Mr. Samad was being investigated on a charge of unlawful assembly, not sedition. According to the complainants, Mr. Tony Pua was investigated (in or since March 2014) under the Sedition Act for a tweet after Ms. Nurul Izzah Anwar was arrested overnight by the police for investigations. According to the leader of the Malaysian delegation, however, Mr. Tony Pua was subject to a legal suit brought by current Prime Minister Najib Razak;
- On 20 November 2015, the Attorney General withdrew the sedition charge against Ms. Teresa Kok;
- The Sedition Act dates from colonial times (1948) and originally sought to suppress dissent against the British rulers. It was seldom used in the past and was never invoked between 1948 and Malaysia's independence in 1957. Only a handful of cases were pursued between 1957 and 2012. Since then, however, hundreds of cases have been initiated under the Sedition Act;
- In 2012, the current Prime Minister announced publicly that the Sedition Act would be repealed. The Government then decided not to repeal it, but to amend it, in the belief that the Sedition Act remained necessary to promote national harmony and tolerance. In April 2015, the House of Representatives and Senate passed most of the proposed amendments, notably the following: (i) criticism of the Government or the administration of justice is no longer considered seditious; (ii) promoting hatred between different religions is now seditious; (iii) sedition is no longer punishable with a fine but carries a mandatory minimum three-year prison term; (iv) sedition is punishable with up to 20 years' imprisonment if the seditious acts or statements lead to bodily harm and/or damage to property; (v) The act empowers the court to order the removal of seditious material on the Internet;
- The authorities have by and large affirmed that the new legislation struck the right balance between protecting stability and social harmony on the one hand and freedom of expression on the other. Members of the opposition, however, provided the following explanation to the Committee delegation that went to Malaysia for the Government's decision to keep and further tighten the Sedition Act: In the general elections in 2008, UMNO (United Malays National Organisation), which had been ruling Malaysia since independence in 1957, lost its two-thirds majority in parliament for the first time; in 2013 the opposition won the popular vote in the general elections, although it obtained only a minority number of seats in parliament; the opposition considered that those in power, in particular the radical elements, made their case for keeping the Sedition Act as a useful tool to ensure that UMNO's dominance would not be challenged in the future;
- Well before the passing of the amendments to the Sedition Act, the sedition charges and investigations against the aforesaid parliamentarians had been put on hold pending a ruling by the Federal Court on the petition by Mr. Azmi Sharom challenging the constitutionality of the original Sedition Act (1948). After reserving judgement on the matter on 24 March 2015, the Federal Court ruled on 7 October 2015 that the Sedition Act was constitutional. The complainants fear that the investigations and charges against the members of parliament will be reactivated as the amendments will not be retrospective, even though under the current Sedition Act criticism of the judiciary and the Government is no longer punishable. Another constitutionality challenge, brought by Mr. N. Surendran, is, however, still before the Federal Court, which is due to rule on the matter on 14 April 2016;
- According to the leader of the Malaysian delegation, the matter of discontinuing previous legal action initiated under the original Sedition Act with regard to criticism of the Government or the administration of justice is entirely in the hands of the Attorney General, as he had the power to discontinue the proceedings at any time. He also stated that the reasons why the Attorney General had not yet taken a decision with regard to pending files could be that he preferred to wait for the outcome of the constitutionality challenge and that the amendments had still not yet come into effect,

*Considering* the following information with regard to the legal proceedings to which the parliamentarians have been subjected under the Peaceful Assembly Act:

- Five parliamentarians, namely Mr. Chong Chien Jen, Mr. Julian Tan Kok Peng, Mr. Anthony Loke, Mr. Shamsul Iskandar and Mr. Sim Tze Sin, have reportedly been charged under Section 4(2)(c) of the Peaceful Assembly Act (PAA) in connection with their participation in demonstrations. Three others, namely Mr. Chua Tian Chang, Mr. Hatta Ramli and Mr. Michael Jeyakumar Devaraj, were reportedly briefly arrested in connection with such involvement. It appears that an investigation is ongoing. Mr. Teo Kok Seong and Mr. Rafizi Ramli are also reportedly being investigated for their role in demonstrations. All the parliamentarians concerned affirm that the legal action taken against them runs counter to their right to freedom of assembly, which the leader of the Malaysian delegation denies,

*Considering* that the complainants fear that, following the serious allegations that surfaced in 2015 about the abuse of the "1Malaysia Development Berhad" (1MDB) and mounting calls for the Prime Minister to resign, the authorities are tightening the screws on the opposition,

*Considering*, with regard to the recommendation made by the Committee delegation that travelled to the country that Malaysia should ratify the International Covenant on Civil and Political Rights, to which 168 countries are State Parties, the leader of the Malaysian delegation stated that Malaysia subscribed to the principles and ideas contained in the Covenant, but that challenges remained, including with regard to religious matters, which made it difficult to ratify the treaty at this point in time,

1. *Thanks* the leader of the Malaysian delegation for the information provided and for his continued cooperation;
2. *Is pleased*, in the belief that Ms. Teresa Kok was only exercising her right to freedom of expression, that the Attorney General decided to discontinue the charge filed against her under the Sedition Act; *decides* therefore to close her case;
3. *Fails to understand*, however, why the Attorney General has not yet used his discretionary powers to take the same action in the other cases, which amount to no more than criticism of the Government and the administration of justice, which conduct would also no longer be punishable under the amended Sedition Act; *sincerely hopes* therefore that such action will soon be taken; *wishes* to be kept informed of developments in this regard;
4. *Remains concerned* that the provisions of the Sedition Act as amended remain excessively vague and broad, thus leaving the door open to abuse and setting a very low threshold for the type of criticism, remarks and acts that are criminalized, and that it includes a mandatory minimum three-year prison sentence for sedition;
5. *Sincerely hopes*, therefore, that the authorities will undertake soon, as some of them intimated during the mission, another review of the amended Sedition Act and that this will result in legislation that is fully compliant with international human rights standards; *wishes* to be kept informed of any steps taken in this regard;
6. *Eagerly awaits* the outcome of the Federal Court's deliberations on the remaining pending constitutionality challenge to the Sedition Act; *wishes* to receive a copy of its ruling once it is available;
7. *Is deeply concerned* about the reports of arbitrary arrests, investigations and charges against opposition members under the Peaceful Assembly Act; *wishes* to receive detailed information from the authorities about the legal justification and facts for the legal action taken under this act with regard to each parliamentarian;
8. *Wishes to understand*, in light of the conflicting information on file, to what legal action Mr. Khalid Samad and Mr. Tony Pua are subjected and the facts on which such action is based;
9. *Sincerely hopes* that the authorities will soon decide to join the overwhelming majority of nations that have ratified the International Covenant on Civil and Political Rights; *points out* in this regard that, if absolutely necessary, Malaysia can make reservations, understandings and declarations upon becoming a party to the covenant, as long as they do not contravene the object and purpose of the treaty;

10. *Calls on* the authorities to make use of the expertise of the United Nations special procedures, in particular the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the rights to freedom of peaceful assembly and of association, to ensure that existing legislation is amended or repealed so as to comply with relevant international human rights standards;
11. *Requests* the Secretary General to convey this decision to the relevant authorities, the complainant and any third party likely to be in a position to supply relevant information;
12. *Requests* the Committee to continue examining this case and to report back to it in due course.

## MONGOLIA

### MON/01 - Zorig Sanjasuuren

#### *Decision adopted unanimously by the IPU Governing Council at its 198<sup>th</sup> session (Lusaka, 23 March 2016)*

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Zorig Sanjasuuren, a member of the State Great Hural of Mongolia, and acting Minister of Infrastructure Development – regarded as the father of the democracy movement in Mongolia in the 1990s – who was assassinated on 2 October 1998, and to the decision adopted at its 197<sup>th</sup> session (Geneva, October 2015),

*Referring* to the full mission report to Mongolia (CL/198/12(b)-R.1) led by Ms. Margaret Kiener Nellen, current Vice-President of the IPU Committee on the Human Rights of Parliamentarians, from 16 to 19 September 2015, and the updated information recently shared by the complainants and by third parties,

*Considering* that the mission report fully confirms the preliminary findings of the delegation and that its main conclusions are the following:

- Despite uninterrupted investigations for almost 18 years, no one has been held accountable and the investigation has remained shrouded in secrecy. The murder is still widely believed to have been a political assassination that was covered up;
- The excessive secrecy surrounding the investigation and the lack of progress has strongly eroded the trust and confidence in the investigative process and in the existence of a real political will to establish the truth. The renewed commitments to shed light on Mr. Zorig's assassination are widely seen today as empty political promises;
- It cannot be excluded that political interference is one of many combined factors that are likely to account for the lack of results in the investigation and include:
  - the initial investigative deficiencies (particularly the contamination of the crime scene);
  - issues related to the training and competence of the investigators, as well as forensic technologies available;
  - the endless replacement of investigators;
  - the ongoing involvement of the central intelligence agency and excessive secrecy created by the classified status of the case;
  - the political dimension of the case and its subsequent political instrumentalization by political parties;
  - the time elapsed and its consequences;
  - the lack of accountability of the relevant authorities, despite the absence of results in the investigation;
- Increasing transparency in and regular communication on the investigation, with the IPU and with Mr. Zorig's relatives, but also sharing public information with the Mongolian people on the results and challenges of the investigation, are essential to restore confidence in the

investigative efforts undertaken. Only then will the Mongolian authorities be able to convince all relevant stakeholders and the Mongolian people that they are handling the case in an impartial, independent and effective manner;

- Serious concerns have been raised in relation to the involvement of the central intelligence agency in the criminal investigation. This involvement is the main reason for the “wall of secrecy” surrounding the case and its top secret classification under the State Secret Law. The wide scope and lasting role of the central intelligence agency in the criminal investigation is highly unusual. It raises concerns related to the independence and impartiality of the investigation, but also to respect for standards of due process and human rights. These concerns stem in particular from serious allegations made about the dubious investigation and questioning methods used by the Mongolian intelligence services, which have reportedly included the mistreatment of suspects and the use of coerced confessions on several occasions in the past;
- The investigative working group would benefit from specialized assistance and training on investigation methodology related to contract killings. The expertise and impartiality of foreign experts would make an invaluable contribution to the existing investigative work and also help strengthen public confidence. The investigative team would also benefit from investing more time in examining witness statements, public records and open source materials, instead of exclusively focusing on forensic analysis which, in the view of the delegation, is unlikely to prove conclusive and will, in any case, not help establish the motives of the assassination or the identity of the instigators,

*Further considering* that the mission report calls on the Mongolian authorities to do their utmost to ensure that justice is done and seen to be done in the resolution of the assassination of Mr. Zorig, and to give urgent consideration to the following recommendations:

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

*Considering* that the mission report also invites IPU members of countries that have officially been approached by Mongolia to assist with the recent request for forensic assistance to encourage the relevant national authorities to respond positively to the request, in the hope that forensic analysis may advance the investigation,

*Considering* the recent developments in the investigation on which no official information has yet been provided:

- Two or three male suspects were reportedly arrested around August 2015 in connection with the murder of Mr. Zorig and confessed to the murder, possibly in relation to the “Erdenet scenario”. That scenario is one of the possible motives for the assassination, which has never been discounted. It was mentioned that Mr. Zorig had been informed of the embezzlement of funds from Erdenet (a major Mongolian mining company) and was ready to disclose the information or to take appropriate action to hold the culprits accountable, if and when appointed Prime Minister;



Ms. Banzragch Bulgan, the widow of Mr. Zorig, was arrested on 13 November 2015 and has since been detained at the Tuv Aimag (central province) prison by the central intelligence agency. Reliable sources have indicated that her prolonged detention has not been reviewed and authorized by a judge and that no charges have been formally brought against her. Visits to Ms. Bulgan in detention are allegedly restricted and she has only been able to see her family once and her lawyer on two instances. She was kept under surveillance during these visits and prevented from meeting freely with them. Her lawyer has also not been granted access to the evidence against her, on the grounds that the case is classified, and has been unable to prepare a proper defence. The sources stated that Ms. Bulgan is being held in solitary confinement and deprived of medical care, in a cell where artificial lighting is kept on 24 hours a day. According to them, she has been interrogated by intelligence officers and put under intense psychological pressure. Her situation has been raised with all the relevant Mongolian authorities, including the Head of State, the Chairman of the Parliamentary Human Rights Committee and other parliamentarians, and the National Human Rights Commission, but no response has been provided and Ms. Bulgan's conditions of detention remain unchanged. The sources allege that the presumption of innocence has not been respected and that Ms. Bulgan is being held in illegal detention and subjected to torture, in violation of the Constitution and laws of Mongolia and of international human rights standards. This is the second time that she has been placed in illegal detention since the start of the investigation,

*Considering* the fast-approaching parliamentary elections scheduled for June 2016 – which are the current priority for all political actors in Mongolia – and the fears expressed by the complainants and a number of third parties that the unresolved case of Mr. Zorig's assassination is once again being used as a political platform in the electoral campaign, despite the mission report recommendations and the likelihood that it will be detrimental to the investigation,

1. *Regrets* the lack of response from the Mongolian authorities; and *wishes to receive urgently* the requested information, as promised during the mission by the Chairman of the Parliamentary Oversight Subcommittee and the Deputy Prosecutor General; *further reiterates its wish* to be kept regularly apprised of all developments related to the case;
2. *Thanks* the mission delegation for the work undertaken and *endorses* its overall conclusions and recommendations;
3. *Expresses the hope* that the increased transparency and diligence of the Mongolian authorities, paired with strict respect for due process and the rights of defence, as well as with effective parliamentary oversight, will eventually restore confidence in the investigation and help shed light on the truth, as well as contribute to further strengthening democracy and the rule of law in Mongolia;
4. *Urges once more* all relevant Mongolian authorities – including the Prosecutor General and the Deputy Prosecutor General, but also the President, the Prime Minister and the Speaker of the State Great Hural, as members of the National Security Council – to do their utmost to ensure that justice is done and seen to be done in the resolution of the assassination of Mr. Zorig; *invites* them to give urgent consideration to implementing the recommendations of the mission report; and *wishes to be kept informed* of steps taken to that end;
5. *Is appalled* that the case appears once more to be being used for purely political gain in the electoral campaign; and *calls on* the authorities and all political parties to end this practice, which is detrimental to the search for the truth in the assassination of Mr. Zorig;
6. *Is shocked and deeply disturbed* at the serious allegations of illegal detention and torture of Mr. Zorig's widow and at the lack of information provided by the authorities in this respect; *calls for* her immediate release, in strict compliance with the applicable legal framework; *considers* that, should there be any new evidence pointing to her involvement as a suspect, standards of due process need to be fully respected at all times, including the right to be presumed innocent until proven guilty by a final court decision; *cannot fail to recall* the concerns it has already expressed on several occasions in the past in relation to the mistreatment of suspected persons in the investigation and the use of coerced confessions, including when Ms. Bulgan was first arrested under similar circumstances at the very beginning of the investigation;

7. *Is surprised* to find out from third parties that other suspects have allegedly been detained since August 2015, whereas no information has been shared by the authorities in this respect during or after the Committee's mission; *wishes* to receive urgent confirmation and further details on these arrests;
8. *Requests* the Secretary General to convey this decision to the relevant authorities, the complainants and any third party likely to be in a position to supply relevant information;
9. *Requests* the Committee to continue examining this case and to report back to it in due course.

## THAILAND

### TH/83 - Jatuporn Prompan

#### *Decision adopted by consensus by the IPU Governing Council at its 198<sup>th</sup> session (Lusaka, 23 March 2016)*<sup>4</sup>

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Jatuporn Prompan, a former member of the House of Representatives of Thailand, and to the decision it adopted at its 192<sup>nd</sup> session (March 2013),

*Taking into account* the information provided by the Deputy Speaker of the National Legislative Assembly on 19 March 2016 in the hearing held with the Committee on the Human Rights of Parliamentarians,

*Considering* also that the IPU Secretary General conducted an official visit to Thailand between 29 February and 2 March,

*Recalling* the following:

- Mr. Jatuporn, then one of the leaders and now the leader of the United Front for Democracy against Dictatorship (UDD), and at the time a member of the House of Representatives, played a prominent role in the "Red Shirt" demonstrations that took place in central Bangkok between 12 March and 19 May 2010. In the weeks following the demonstrations, Mr. Jatuporn and his fellow UDD leaders were officially charged with participating in an illegal gathering that contravened the state of emergency declared by the Government and with terrorism in relation to arson attacks on several buildings that took place on 19 May 2010, when the UDD leaders had already been taken into police custody. Mr. Jatuporn was quickly released on bail thereafter;
- More specifically, he was charged under articles 116, 135/1, 135/2, 215 and 216 of the Thai Criminal Code. The charge under article 216 has since been withdrawn. The maximum penalty for these charges is life imprisonment or death. Mr. Jatuporn was also charged with violating article 9 of the Emergency Decree, the penalty for which is imprisonment of not more than two years and a fine of 20,000 baht;
- These charges arise from Mr. Jatuporn's speech at the rally, which was broadcast nationally on cable television. In his speech, Mr. Jatuporn demanded that the then Prime Minister Abhisit dissolve parliament and asked for justice for political prisoners. People had by then already died in the crackdown of 10 April 2010, which resulted in the death of 22 civilians and five soldiers;
- On the morning of 19 May 2010, armed soldiers smashed open the barricades erected by the demonstrators, but by then most had left the area after UDD leaders had declared the protest at an end. Red shirts claimed that it was after armed soldiers occupied the area that several buildings were torched and that they were the ones responsible for the arson;
- The complainant affirms that the charges against Mr. Jatuporn are entirely inappropriate, that the specific charge of participation in an illegal gathering stemmed from the previous government's unlawful use of emergency powers, and that the terrorism charges on which Mr. Jatuporn and other Red Shirt leaders were indicted in August 2010 are politically

<sup>4</sup> The delegation of Thailand expressed its reservations regarding the decision.

motivated, but that, while the Red Shirts were accused by the Government of committing various acts of violence, there exists no evidence that their leaders played a role in planning the attacks, or even knew about them,

*Recalling* the IPU's concerns that Mr. Jatuporn, who stood and was elected on behalf of the Pheu Thai in the legislative elections held on 3 July 2011, was subsequently disqualified by the Constitutional Court on 18 May 2012 on unjustifiable grounds that run counter to his right to take part in the conduct of public affairs,

*Recalling further* that Mr. Jatuporn was sentenced on 10 July and 27 September 2012 respectively in two criminal cases to two six-month prison sentences (with a two-year suspension) and fines of 50,000 baht on charges of defaming the then Prime Minister Abhisit, but that an appeal was filed in both cases; *considering* that, in January 2015, Mr. Jatuporn was reportedly sentenced, apparently in appeal in these same cases, to two years' imprisonment for defaming the former Prime Minister; *bearing in mind* that the United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression repeated in his report (A/HRC/17/27 of 16 May 2011) the call for all States to decriminalize defamation,

*Considering* that, in November 2015, the army reportedly briefly detained Mr. Jatuporn and another opposition leader as they were about to visit Rachabhakti Park, built on army property in the seaside town of Hua Hin, in connection with allegations that the authorities had misused funds for the park,

*Considering* the following political developments in Thailand since May 2014:

- Following half a year of political paralysis, on 22 May 2014, Army General Prayuth Chan O Cha announced that the military had taken control of the Government and established the National Council for Peace and Order (NCPO). On 30 May 2014, the NCPO announced a three-stage roadmap for restoring democracy within a year. On 31 July 2014, a 200-member National Legislative Assembly was appointed;
- According to the roadmap, a new constitution was expected to be promulgated by July 2015 and general elections would be held roughly three months after that (i.e. in October 2015). Although the Constitution Drafting Committee (CDC) completed the draft constitution in April 2015, the National Reform Council, composed of 250 members nominated by the NCPO and appointed by the King, rejected it on 6 September 2015;
- On 5 October 2015, the NCPO appointed Mr. Meechai Ruchupan – the President of the previous National Legislative Assembly – as Chairman of the second CDC. The following day, a new 21-member CDC held its first meeting with the aim of finalizing the draft constitution by April 2016,

*Considering* the following information provided by the Deputy Speaker of the National Legislative Assembly at the hearing with the Committee:

- The military intervention in May 2014 had been a measure of last resort and necessary because of continued political deadlock, strong divisions in society and the violence which had ensued as a result. The authorities were now actively working to bring democracy back to the country. The Thai authorities were keen to complete the roadmap through the adoption of a new constitution and the organization of general elections, implementation of reform to address social and economic inequality and division and the promotion of harmony and reconciliation;
- On 29 January 2016, the CDC unveiled a complete first draft of the constitution. On 8 and 9 February 2016, a 200-member National Reform Steering Assembly (appointed by the NCPO on 5 October 2015 to replace the National Reform Council) debated the draft constitution. The first draft of the constitution had been given to the public and extensive public fora had been organized throughout most of Thailand to seek input from citizens. The draft was going to be finalized before the end of March 2016 and put to a national referendum by July 2016. General elections were foreseen for the end of July 2017, but would be preceded by the adoption of 10 organic laws;
- Mr. Jatuporn Prompan's case dates back from before the military intervention. He is being tried in connection with his role in demonstrations that got out of hand and in which many people died. He was charged with terrorism, as was the then Prime Minister, for the use of force against demonstrators. Both sides had been charged according to the law. The trial against Mr. Jatuporn required the hearing of some 100 witnesses and would continue until July 2017;

- The Deputy Speaker, who was unaware of Mr. Jatuporn's whereabouts, said that he and the movement that he represented were fully able to participate in the current political process, provided that he and his supporters respected law and order. He also pointed out that the National Reform Council comprised members of political parties on either side of the political divide and therefore helped ensure that their respective views were taken into account;
- The Deputy Speaker stated that persons could be summoned by the authorities to prevent them from inciting to violence and further conflict. This action was necessary to ensure that Thailand did not return to the situation before. If the summoned persons had done nothing wrong, then they would be released without any charge,

*Considering* that there are several reliable international reports attesting to the regular use of NCPO Order 3/2015, which allows NCPO-appointed "Peace and Order Maintenance Officers" to detain people without charge or trial in unofficial places of detention for up to a week without any safeguards, such as access to lawyers, family or courts. Moreover, individuals face up to six months' imprisonment and a fine if they take part in "political" gatherings of five persons or more, which are criminalized. The Order is said to violate fair trial rights by granting jurisdiction to military courts to try civilians charged with offences against "internal security", "security of the monarchy", and infringements of NCPO orders. According to the reports, the reliance on NCPO Order 3/2015 appears designed to intimidate potential opponents. Many Red Shirts who were detained immediately after the coup are required to report to authorities weekly and give advance notification of travel outside the provinces in which they live,

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

1. *Thanks* the Deputy Speaker of the National Legislative Assembly for the information provided and his cooperation;
2. *Is deeply concerned* that Mr. Jatuporn's trial has still not come to completion, almost six years after he was charged, and that a ruling is not expected before July 2017; *stresses* the important principle that "justice delayed is justice denied"; therefore *urges* the competent authorities to do everything possible to accelerate the proceedings;
3. *Takes note* of the authorities' assurances that Mr. Jatuporn is fully able to contribute to the political process; *is nevertheless concerned*, given the serious reports about restrictions to freedom of expression and assembly, to what extent he can effectively make a meaningful contribution; *wishes* to receive further information from the authorities on this point;
4. *Is concerned* as well in this regard about Mr. Jatuporn's reportedly brief arbitrary arrest in November 2015 in connection with what appears to be the legitimate exercise of his rights to freedom of expression, movement and assembly; *wishes* to receive official information on the arrest and, if confirmed, details of the facts and legal grounds for the arrest;
5. *Is concerned* that Mr. Jatuporn was reportedly prosecuted, sentenced and convicted on appeal on charges of defamation; *wishes* to receive official information thereon and, if confirmed, to receive a copy of the rulings so as to understand the facts and reasoning underpinning the sentence; *concurs* with the recommendation made by the United Nations Special Rapporteur that defamation should not be considered an offence under criminal law; *wishes to ascertain*, therefore, whether the Thai authorities are contemplating reviewing the existing legislation with this in mind;
6. *Requests* the Secretary General to convey this decision to the competent authorities, the complainant and any third party likely to be in a position to supply relevant information;
7. *Requests* the Committee to continue examining this case and to report back to it in due course.

## FIJI

## FJI/01 - Ratu Naiqama Lalabalavu

*Decision adopted unanimously by the IPU Governing Council  
at its 198<sup>th</sup> session (Lusaka, 23 March 2016)*

The Governing Council of the Inter-Parliamentary Union,

*Having before it* the case of Mr. Ratu Lalabalavu, a member of the Parliament of Fiji and a Fijian paramount chief, which has been examined by the Committee on the Human Rights of Parliamentarians pursuant to the Procedure for the examination and treatment of complaints (Annex I of the revised rules and practices),

*Considering* the following detailed information provided in writing by the complainants and the parliamentary authorities, as well as orally by the Fijian delegation at the hearing held on 20 March 2016 with the Committee on the Human Rights of Parliamentarians:

- On 14 May 2015, the Social Democratic Liberal Party (SODELPA) held a public constituency meeting in Makoi. At the meeting, Mr. Lalabalavu allegedly made scurrilous and derogatory remarks in the iTaukei language about the Speaker of Parliament. Communications Fiji Limited, a news media organization, first covered the story and made audio recordings of the alleged incident;
- Following the constituency meeting, a matter of privilege was raised with the Speaker pursuant to Standing Order 134(1) on 18 May 2015. The Attorney General and Minister for Finance, Public Enterprises, Public Service and Communications moved a motion on the matter. The Speaker put the question to parliament for a vote. The motion was passed and the matter was subsequently referred to the Privileges Committee, which was given three days to report back on the matter to parliament. The Committee's proceedings, unlike those of the standing committees, were reportedly subsequently held in camera;
- On 19 May 2015, the Privileges Committee met briefly and called three of the ten witnesses on the list. The first two witnesses were from Communications Fiji Limited. The third witness was Mr. Lalabalavu. After concluding examination of the third witness, the Committee decided that it had sufficient evidence before it to deliberate and decided not to call the other witnesses. The Committee's Secretariat was requested to collate precedents from Fiji and other relevant jurisdictions to enable the Committee to consider the available options, including possible sanctions in the event the breach was substantiated;
- On 20 May 2015, the Committee met briefly to consider: (i) whether there was any breach and, if so, the severity; (ii) the available sanctions and appropriate sanction or penalty that should be recommended to parliament. The Committee, after deliberating at length, was not able to reach a consensus and resolved unanimously to make written submissions, which would be consolidated as the findings of the Committee. Opposition members reiterated that they had participated in the proceedings under protest: (i) because the Hon. Attorney General was part of the committee (notwithstanding the Speaker's ruling on the matter); and (ii) because of the Speaker's ruling (morning of 20 May 2015) regarding the matter of privilege raised by Mr. Draunidalo;
- On 21 May 2015, the Committee finalized and endorsed the report in which the majority held the following:
  - It is a well-established parliamentary principle that reflections on the Speaker inside or outside parliament are, inter alia, regarded as contempt of parliament;
  - It is undeniable from the audio recording that the scurrilous and derogatory statements were made by Mr. Lalabalavu;
  - It is clear that he referred to the Speaker as "vutusona", which is an iTaukei term that is extremely obscene and gravely offensive, as it literally means anal sex. Following that statement, Mr. Lalabalavu then referred to the Speaker as "cavuka", which means mentally retarded or mentally challenged, when he had mocked her by saying that she stood up when the opposition side stood up during a particular sitting. In all these instances, his reflections on the Speaker drew laughter from the audience;

- Mr. Lalabalavu was unapologetic about the words and statements uttered against the Speaker;
- By making such statements Mr. Lalabalavu has failed to uphold his expected duties and demeanour as a member of parliament; no member of parliament must be allowed to attack the Office of the Hon. Speaker anywhere and at any time;
- Under section 20(h) of the Parliamentary Powers and Privileges Act [Cap. 5], any person who utters or publishes any false or scandalous slander or libel against parliament, or against any member in his or her capacity as such, commits an offence and such an offence warrants, inter alia, imprisonment for a maximum of two years. The Privileges Committee concluded that Mr. Lalabalavu's remarks made a mockery of the institution of parliament and recommended that he be suspended from parliament for at least two years. During the period of suspension, it recommended that he should not be allowed to enter the parliamentary precinct and that he must issue a public apology in writing to the Speaker;
- The report of the Privileges Committee contains a separate chapter with the views of its members belonging to the opposition, who held the following:
  - On the morning of 20 May 2015, the Speaker made a Ruling on Privilege in which she ruled that all matters of privilege were confined to the parliamentary precinct and this did not include the members' constituency visits;
  - The standard of proof of "beyond reasonable doubt" required for charges carrying penalties like breaches of parliamentary privilege was not met in the case at hand;
  - The quality and state of the recording raises doubts about its accuracy and/or veracity; it should therefore have been subjected to expert, forensic scrutiny;
  - The recording was made by Communications Fiji Limited and has not been made public;
  - If the recording is to be accepted as evidence, the opposition members state that it is clear that Mr. Lalabalavu never made reference to the Speaker or any one person in the allegedly incriminating part of his speech (but rather to several persons);
  - There were many questions during the constituency meeting about the Speaker, and Mr. Lalabalavu responded to placate the mood towards her from the audience. His remarks were therefore words of wise counsel of restraint and forbearance and understanding from a paramount chief;
  - The opposition members concluded that there had been no breach of privilege and that, due to the lack of consensus in the Committee, the House needed to hear the recording in question and read the minutes and verbatim of the Committee's proceedings to pass judgement in their deliberations on the motion fairly;
  - If the House were to find a breach, the opposition members noted that the usual practice would be to ask the member to withdraw his/her comments, which would be the end of the matter. Standing Orders 75 and 76 contain the penalties that are available to members to deal with breaches of privilege;
- On 21 May 2015, the House decided, apparently without listening to the recording, to suspend Mr. Lalabalavu for two years;
- On 15 July 2015, Mr. Lalabalavu launched a constitutional challenge against the suspension order issued by the Speaker and the Attorney General, which was heard by Chief Justice Anthony Gates,  
*Considering* the following relevant legal provisions in Fiji:
  - "Article 75 of the Standing Orders of the Parliament of Fiji:  
Disorderly conduct
    - (1) The Speaker may order any member whose conduct is highly disorderly or repeatedly violates the Standing Orders to withdraw immediately from Parliament or a period of time that the Speaker decides, being no more than the remainder of that sitting day.

- (2) A member ordered to withdraw before or during questions for oral answer may not return to the Chamber to ask or answer a question and no other member may ask a question on that member's behalf.
- (3) Any member ordered to withdraw from Parliament may not enter the Chamber and may not vote on any question put during the period of his or her withdrawal."

- "Article 76 of the Standing Orders of the Parliament of Fiji:

Naming of member and suspension for grossly disorderly conduct

- (1) The Speaker may name any member whose conduct is grossly disorderly and call on Parliament to judge the conduct of the member by immediately putting the question "That [member] be suspended from the service of Parliament". There is no amendment or debate on the question.
- (2) If the naming occurs while Parliament is in committee, the committee must first resolve itself into Parliament before the question is put.
- (3) If the majority of all members vote in favour, the member is suspended, —
  - (a) On the first occasion, for three days (excluding the day of suspension);
  - (b) On the second occasion during the same session, for seven days (excluding the day of suspension); or
  - (c) On the third or any subsequent occasion during the same session, for 28 days (excluding the day of suspension).
- (4) A member who is suspended who refuses to obey a direction of the Speaker to leave the Chamber is, without any further question being put, suspended from the service of Parliament for the remainder of the calendar year.
- (5) The fact that a member has been suspended under clause (3) or (4) does not prevent Parliament from also holding the member's conduct to be in contempt."

- "The Parliamentary Powers and Privileges Act:

Article 20: (Notwithstanding the provisions of section 17, any person who [...] (h) utters or publishes any false or scandalous slander or libel on \*Parliament or upon any member in his capacity as such [...] shall be guilty of an offence and liable on conviction to a fine not exceeding four hundred dollars or, in default of payment thereof, to imprisonment not exceeding two years or to such imprisonment without the option of a fine or to both such fine and imprisonment. [...] \* Amended by Order 8th October, 1970"

*Considering*, finally, that the complainants affirm that the exaggerated suspension imposed on Mr. Lalabalavu is the culmination of a long-running effort to silence indigenous voices in parliament and to leave it to the non-indigenous minority to run the country, which allegation the authorities fully deny,

1. *Thanks* the Fijian delegation and parliamentary authorities for their cooperation and the extensive information they provided;
2. *Unequivocally* denounces gender slander; and *recognizes* that Mr. Lalabalavu may have used words that were offensive and degrading and therefore totally unacceptable;
3. *Considers* nevertheless that the decision by parliament to suspend him for two years for remarks made outside of parliament at a local party meeting is both inappropriate, also in the absence of a clearly legal basis for the two-year suspension, and wholly disproportionate, as it not only deprives him of his right to exercise his parliamentary mandate, but also deprives his electorate from representation in parliament for a period covering half the term of parliament; *considers* also in this regard that alternative, regular legal avenues could have been pursued instead to obtain redress for the slander or libel in the case at hand;
4. *Sincerely hopes* therefore, all the more so given that Mr. Lalabalavu has already been excluded from parliament for 10 months, that his suspension will soon be lifted, either through a new decision by parliament, or as a result of the outcome of the pending constitutional challenge; *eagerly awaits* to receive feedback on this prospect;
5. *Requests* the Secretary General to convey this decision to the competent authorities, the complainant and any third party likely to be in a position to supply relevant information;
6. *Requests* the Committee to continue examining this case and to report back to it in due course.

## DEMOCRATIC REPUBLIC OF THE CONGO

- DRC/32 - Pierre Jacques Chalupa
- DRC/49 - Albert Bialufu Ngandu
- DRC/50 - André Ndala Ngandu
- DRC/51 - Justin Kiluba Longo
- DRC/52 - Shadrack Mulunda Numbi Kabange
- DRC/53 - Héritier Katandula Kawinisha
- DRC/54 - Muamus Mwamba Mushikonke
- DRC/55 - Jean Oscar Kiziamina Kibila
- DRC/56 - Bonny-Serge Welo Omanyundu
- DRC/57 - Jean Makambo Simol'imasa
- DRC/58 - Alexis Luwundji Okitasumbo
- DRC/59 - Charles Mbuta Muntu Lwanga
- DRC/60 - Albert Ifefo Bombi
- DRC/61 - Jacques Dome Mololia
- DRC/62 - René Bofaya Botaka
- DRC/63 - Jean de Dieu Moleka Liambi
- DRC/64 - Edouard Kiaku Mbuta Kivuila
- DRC/65 - Odette Mwamba Banza (Ms.)
- DRC/66 - Georges Kombo Ntonga Booke
- DRC/67 - Mabuya Ramazani Masudi Kilele
- DRC/68 - Célestin Bolili Mola
- DRC/69 - Jérôme Kamate
- DRC/70 - Colette Tshomba (Ms.)
- DRC/73 - Bobo Baramoto Maculo
- DRC/74 - Anzuluni Bembe Isilonyonyi
- DRC/75 - Isidore Kabwe Mwehu Longo
- DRC/76 - Michel Kabeya Biaye
- DRC/77 - Jean Jacques Mutuale
- DRC/78 - Emmanuel Ngoy Mulunda
- DRC/79 - Eliane Kabare Nsimire (Ms.)
- DRC/71 - Eugène Diomi Ndongala
- DRC/72 - Dieudonné Bakungu Mythondeke
- DRC/82 - Adrien Phoba Mbambi
- DRC/85 - Martin Fayulu Madidi

*Decision adopted unanimously by the IPU Governing Council  
at its 198<sup>th</sup> session (Lusaka, 23 March 2016)*

The Governing Council of the Inter-Parliamentary Union,

*Referring to the cases of former members of parliament Mr. Pierre Jacques Chalupa, Mr. Eugène Diomi Ndongala, Mr. Dieudonné Bakungu Mythondeke and 29 other parliamentarians who were removed from office, to the decisions it adopted at its 193<sup>rd</sup> and 194<sup>th</sup> sessions (October 2013 and March 2014), and to the decisions adopted by the Committee at its 143<sup>rd</sup> and 149<sup>th</sup> sessions (January 2015 and January 2016),*

*Having before it the cases of Mr. Adrien Phoba Mbambi and Mr. Martin Fayulu Madidi, members of the current opposition, which were considered by the Committee on the Human Rights of Parliamentarians pursuant to the Procedure for the examination and treatment of complaints (Annex 1 of the revised rules and practices),*

*Taking into account a letter from the Speaker of the National Assembly of 9 March 2016 and information provided by the complainants,*



*Referring* to the hearing with the delegation of the Democratic Republic of the Congo (the DRC) during the 134<sup>th</sup> IPU Assembly (Lusaka, March 2016),

*Recalling* the conclusions and recommendations of the Committee on the Human Rights of Parliamentarians' report on the mission to the DRC in June 2013 (CL/193/11b)-R.2), as well as the additions made to the case files of the 34 members and former members of parliament listed above,

*Recalling* that the former members of parliament concerned were expelled from the National Assembly, and that some were even threatened, detained, prosecuted and sentenced to periods of imprisonment after having expressed political opinions that differed from those of the presidential majority and those of the Head of State himself, with the exception of Mr. Phoba and Mr. Fayulu, who are currently still serving their terms of office,

*Recalling* that the DRC currently has the highest number of cases before the Committee, with 34 members and former members of parliament subjected to serious violations of their fundamental rights; that a total of 50 cases relating to the DRC have been examined by the Committee since the country's 2006 legislative elections (36 since the last parliamentary elections of 2011, and 14 during the previous legislative term); that none of those cases have been fully resolved and the grounds for complaint, which have grown in number over the last few years, have displayed similar and recurring traits; that three cases were closed after it was found that the fundamental rights of the members of parliament concerned, namely Mr. Muhindo Nzangi (DRC/81), Mr. Jean Bertrand Ewanga (DRC/83) and Mr. Roger Lumbala (DRC/80), had been violated by the DRC authorities and that it had become impossible to find satisfactory solutions to their cases,

*Considering* that no progress has been made towards a satisfactory resolution of the cases currently under examination,

*Considering* that Mr. Phoba was subjected to an attack in February 2014, and that the perpetrators have not yet been brought to justice, even though a complaint against them was lodged with the judicial authorities immediately after the attack,

*Considering* that, according to the complainant, Mr. Fayulu, member of the opposition and leader of the political party *Engagement for Citizenship and Development* (ECIDE), was arbitrarily arrested in violation of his parliamentary immunity on 14 February 2016 by officers of the military intelligence services; that those officers allegedly ill-treated, threatened and insulted Mr. Fayulu; that the officers allegedly confiscated his vehicle and personal effects, including documents relating to the activities of his political party, considerable sums of money and his mobile telephone – the entire contents of which were also downloaded by the officers; that Mr. Fayulu lodged a complaint after that incident; that the Prosecutor General is reported to have opened prosecution proceedings against Mr. Fayulu and then reportedly submitted an application to the National Assembly requesting that Mr. Fayulu's parliamentary immunity be lifted; that, according to the complainant, Mr. Fayulu was not informed of the charges laid against him, nor was he informed that a request for his parliamentary immunity to be lifted had been made, nor of the reasons for that request; that the complainant alleges that the aim of arresting Mr. Fayulu was to prevent the staging of a day of opposition protests scheduled for 16 February ("Dead City Day") and formed part of an element of a wider campaign of repression of the opposition in the context of numerous attempts to impede Mr. Fayulu's political activities and weaken the opposition,

*Considering* that the cases under examination bear witness to the existence of general problems within the National Assembly, but also in the executive and the judiciary, all of which relate to the protection of the fundamental rights of parliamentarians in the DRC, irrespective of their political affiliations, given the number of members and former members of parliament concerned, and the severity of the common concerns in the various cases, which relate to:

- **Violation of freedom of opinion and expression:** the parliamentarians and former parliamentarians concerned all voiced opinions criticizing the Head of State, government policy and the presidential majority before suffering violations of their rights;
- **Instrumentalizing of justice and absence of due process:** the independence of the judiciary and observance of international fair trial standards have been very much called into question in all the cases examined, given the conditions in which the trials took place and the lack of any legal remedy for the parliamentarians sentenced (and, in the case of Mr. Phoba, given the continuing impunity of those who attacked him);

- **Arbitrary revocation of the parliamentary mandate and violation of parliamentary immunity:** in several of the cases examined, the mandate of the deputies concerned was revoked on questionable grounds while they were in office. Those members of parliament were not informed or given the chance to argue their side of the case in advance. The prosecution used the *flagrante delicto* procedure to short-circuit the process of lifting parliamentary immunity. The parliamentary authorities never requested to see the evidence that proved that *flagrante delicto* applied, and neither discussed nor called into question the fact that provisions of the Constitution had been circumvented in this way in violation of the rights of the parliamentarians concerned. In addition, the provisions of the Code of Criminal Procedure regarding *flagrante delicto* cases and observance of the rights of defence have not been fully respected in the subsequent judicial process,

*Also considering* that serious concerns remain in the cases of Mr. Chalupa and Mr. Ndongala regarding their state of health and their inability to receive appropriate care because of the actions of the Congolese authorities; that the arbitrary stripping of Mr. Chalupa's Congolese nationality also raises a particularly serious problem for the former member of parliament and businessman, who has indisputable ties to the DRC and who was made stateless as a result of being found guilty of forgery and counterfeiting after a trial characterized by serious irregularities and which offered no legal remedy,

*Considering* that no legislative or constitutional reforms that had previously been recommended have since been implemented in order to bring Congolese law in line with relevant international standards, particularly with regard to: (i) strengthening the independence of the judiciary and respect for fair trial standards, particularly on the issue of introducing a two-stage judicial procedure with regard to parliamentarians, in order that their right to defence be fully guaranteed where prosecutions arise, as is the case with all Congolese citizens; (ii) amendments to legislation relating to attacks on national security and crimes relating to the Head of State, in conformity with international standards on freedom of expression; (iii) the overhaul of the procedure for settling electoral disputes designed to strengthen transparency and equality, including by clarifying the rules for the provision of evidence; (iv) amendments to the procedure for the validation of the parliamentary mandate to ensure that the final validation of newly elected parliamentarians is only declared at the conclusion of the final results of any electoral dispute, once all avenues of appeal have been exhausted, or at the very least to ensure that a mechanism be found to avoid situations in which, at each election, disqualifications systematically occur some months after newly elected members have taken up their seats,

*Considering* that, during the hearing that took place at the 134<sup>th</sup> IPU Assembly (Lusaka, March 2016), the delegation referred to correspondence that had previously been sent by the Speaker of the National Assembly, and reaffirmed its commitment to finding solutions to the cases submitted to the Committee, and highlighted once again that those cases did not fall within their competence at the present time because of the principle of the separation of powers. In relation to the recent arrest of Mr. Fayulu, the delegation noted that the Speaker of the National Assembly had issued a statement calling for his immediate release and confirming that, to date, no request for the lifting of Mr. Fayulu's parliamentary immunity had been sent from the Prosecutor General. The delegation also noted that the question of compensation for disqualified members had been passed to the Government, which had not yet responded,

*Considering* that the situation of the 34 members and former members of parliament in question forms part of a worrying political context in which the political space has continued to shrink, while at the same time, fears have been expressed in relation to the Constitution and whether the presidential and legislative elections scheduled for November 2016 will be held; that in a report of December 2015, the United Nations Joint Human Rights Office in the DRC documented that restrictions on freedom of opinion and expression were on the rise with regard to opposition politicians, the media and civil society. The United Nations High Commissioner for Human Rights has called on the authorities to ensure that all its citizens, irrespective of their political opinions, are able to participate fully in open, democratic debate, and that civil society campaigners, media professionals and opposition politicians are able to conduct their work without fear, in order that the next elections are conducted credibly and peacefully,

*Bearing in mind* that the DRC is party to the International Covenant on Civil and Political Rights and, by virtue of articles 2, 9, 10, 14, 19, 25 and 26 in particular, has committed to the requirement to respect and guarantee the fundamental rights of its citizens, including members of parliament, notably the rights to liberty and security of the person, to freedom of expression, the right to vote and to be elected in elections that ensure the free expression of the will of the electorate, the right

to participate freely in the management of public affairs, the right to equality before the law, and the prohibition of all forms of discrimination and equitable and effective protection against all forms of discrimination, particularly with regard to political opinions; that the African Charter on Human and Peoples' Rights, to which the DRC is also a signatory, includes similar provisions,

*Also bearing in mind* that the preamble of the Constitution of the DRC reaffirms that the Congolese people support and are attached to international human rights standards, and that title II of the Constitution guarantees human rights and fundamental freedoms for Congolese citizens,

1. *Reiterates its profound concern* with regard to the situation of many members and former members of parliament, who have been subjected to serious violations of their fundamental rights, and to the concerning developments of the political situation in the DRC in relation to the upcoming elections;
2. *Urges* the authorities, once again, to take urgent measures to end those violations and resolve the situation of all the parliamentarians concerned using all possible means;
3. *Expresses the hope* that satisfactory solutions can be found quickly in the cases under consideration; and *believes* that a follow-up visit by the Committee to Kinshasa could help speed up the process; *hopes* that the delegation can meet with all the relevant authorities, with the complainants – including Mr. Ndongala in prison – and with any other persons it might deem useful to meet with for the successful fulfilment of its mission; *requests* the Secretary General to make contact with the authorities for that purpose;
4. *Reaffirms* that the cases are of a particularly political nature and that the authorities, and the parliamentary authorities above all, are both duty-bound and obliged to guarantee respect for and the protection of the fundamental rights of all parliamentarians, irrespective of their political affiliation; *recalls* that depriving a member of parliament of his mandate, his freedom and/or security because of a political opinion that he or she expressed constitutes a contravention of the provisions of article 19 of the International Covenant on Civil and Political Rights, to which the DRC is a signatory;
5. *Remains deeply preoccupied* by Mr. Chalupa's medical condition; and *renews its call to the authorities*, for humanitarian reasons, to issue as a matter of urgency travel documents that would allow him to travel abroad to receive medical care and then return to the DRC; *also considers* that the authorities should recognize as swiftly as possible that he has a right to Congolese nationality;
6. *Deeply regrets* Mr. Ndongala's continued detention; and *yet again urges* the DRC authorities to release him, in accordance with the recommendations made by the Head of State at the end of the national consultation exercise held in October 2013; and *reiterates* its concern over Mr. Ndongala's health; *highlights* the contradictory information provided by the complainants and the authorities with regard to the denial of medical care in detention; and *renews its call to the authorities* to ensure that measures are taken as quickly as possible to enable him to receive proper medical care;
7. *Also expects* that, before the end of the next ordinary parliamentary session, the National Assembly should undertake to transfer the financial entitlements due to the 29 members of parliament whose mandates were declared invalid, as well as providing them with a symbolic amount of compensation; *fails to understand* why the National Assembly referred the case to the Government, since responsibility for the payment of parliamentary allowances falls under its jurisdiction; *wishes* to have clarification in this regard; and *reiterates its wish* to be kept informed of any progress made;
8. *Renews its invitation* to the authorities to undertake appropriate legislative and constitutional reforms to bring an end to these recurrent violations of the parliamentarians' fundamental rights; and *reaffirms* the availability of the IPU to provide technical assistance to the Parliament of the DRC in that regard;
9. *Requests* the Secretary General to convey this decision to the competent authorities, the complainants and any third party likely to be in a position to supply relevant information;
10. *Requests* the Committee to continue examining this case and to report back to it in due course.

## GUATEMALA

### GUA/10 - Amilcar de Jesus Pop

*Decision adopted unanimously by the IPU Governing Council  
at its 198<sup>th</sup> session (Lusaka, 23 March 2016)*

The Governing Council of the Inter-Parliamentary Union,

*Referring to the case of Mr. Amilcar de Jesus Pop, a member of Guatemala's Congress, which has been examined by the Committee on the Human Rights of Parliamentarians pursuant to the Procedure for the examination and treatment of complaints (Annex I of the revised rules and practices),*

*Considering the following information on file as presented by the complainants:*

- Mr. Pop was elected as a member of Guatemala's Congress in 2011 and re-elected in 2015 for a further term until 2020. According to the complainants, Mr. Pop is a human rights defender and lawyer. He is the co-founder, together with Nobel Peace laureate, Ms. Rigoberta Menchú, of the political party WINAQ created in 2009, which has one seat in parliament. Mr. Pop has occupied this seat since the elections in 2012 and is one of three members of parliament who advocate for respect for the rights of the Maya population;
- Mr. Pop has allegedly been the subject of repeated death threats and serious harassment in reprisal for his work as an opposition member of parliament, during which he has raised, in defence of the rights of the Mayan indigenous population, numerous cases of abuse by public officials and private companies; that as part of his parliamentary activities, he launched investigations against more than 100 public officials, 26 mayors and six judges accused of corruption, money laundering and illegal enrichment; that he has been closely linked to the criminal cases against the former President and Vice-President of Guatemala; that he has also criticized public tender processes in the private sector, in particular with regard to the company *Cementos Progresos*, and the creation of the *planta hidroeléctrica* (hydroelectric power plant) *Hydro-Santa Cruz*, both of which have caused great damage to the environment where the Maya population lives; that Mr. Pop has been receiving death threats and been subjected to attacks for several years;
- The complainants state that, since the beginning of Mr. Pop's term as a member of parliament, his car has repeatedly been vandalized, he has been subjected to threats and telephone harassment, and documents such as diaries have been stolen from his vehicle; that he also noted that he is regularly followed by unknown vehicles with tinted windows;
- On 16 June 2015, Mr. Pop lodged a complaint with the International Commission Against Impunity in Guatemala (CICIG) and with the Human Rights Prosecutor's Office (File no. MP-001-60257-2015 – *Expediente único*), regarding the threats, the damage to his car and the theft of private documents related to his work as a parliamentarian. The complainants allege that the authorities are not investigating the case properly in order to bring the culprits to justice;
- The complainants fear for Mr. Pop's physical integrity and life in light of the powerful vested political and economic interests he is challenging,

*Considering that, according to the complainants, threats and harassment suffered by Mr. Pop occurred against a complex and unstable political background. Tensions had been increasing since April 2015, when the Public Prosecutor and the CICIG uncovered a large-scale corruption scandal, which led to the resignation and arrest of the Vice-President and the President. According to the complainants, Mr. Pop was closely linked to these events and the denunciation of other highly politicized cases of corruption,*

*Bearing in mind that, in its concluding observations, during its examination of Guatemala's reports in 2012, the United Nations Human Rights Committee, which monitors implementation of the International Covenant on Civil and Political Rights to which Guatemala is a State party, with regard to the protection of human rights activists whose lives and security are endangered by their professional activities, encouraged the State to take immediate measures to provide effective protection for defenders, facilitate the immediate, effective and impartial investigation of threats, attacks and assassinations of human rights defenders, and to prosecute and punish the perpetrators. The Human Rights Committee*

considered that the State should give priority to the discussion and approval of legal reforms to the professional career system of the judiciary and the Public Prosecution Service, in order to eliminate any structural obstacle that may exist to the independence and impartiality of the courts,

*Bearing in mind also* that, according to the country report on the situation of human rights in Guatemala of the Inter-American Commission on Human Rights, published on 14 March 2016, Guatemala is one of the most violent and insecure countries in Latin America. This violence has reportedly had a much greater impact on certain population segments, including defenders of the rights of indigenous peoples and the environment. According to a report from the CICIG of November 2015, the impunity rate for the crime of homicide from 2008 to 2014 fluctuated between 99.1 per cent and 98.4 per cent with certain drops depending on the years and the subject,

*Bearing in mind as well* that articles 2 and 46 of the Constitution of Guatemala guarantee the rights to life, to justice and to security and establish the primacy of international human rights law over domestic law, and that Guatemala, in addition to the International Covenant on Civil and Political Rights, is also a State party to the American Convention on Human Rights; that, as a result, Guatemala is obliged to respect without reservation the rights to life, physical integrity and freedom of expression and opinion,

*Considering* that, in a letter dated 26 January 2016, the Secretary General shared the summary of the complainants' allegations with the President of Congress and requested him to provide any information he considered might be useful with regard to the examination of the case, and that no response has been forthcoming to date,

1. *Is deeply concerned* at the alleged death threats and harassment targeting Mr. Amilcar de Jesus Pop, and the allegation that his complaints about these incidents have not been looked into; *considers* that these allegations have to be taken extremely seriously, all the more so in light of the high incidences of impunity that prevail for homicide in Guatemala;
2. *Urges* the competent authorities to make every effort, as is their duty, to identify the culprits and to bring them to justice, this being the only means of preventing the recurrence of such crimes, ending the vicious cycle of impunity, and to put in place the security arrangements that Mr. Pop's situation requires; and *wishes to know* what steps are being taken by the competent authorities to this end;
3. *Stresses* that threats to the life and security of members of parliament, if left unpunished, infringe their rights to life, security and freedom of expression and undermine their ability to exercise their parliamentary mandate, affecting the ability of parliament as an institution to fulfil its role;
4. *Considers*, therefore, that the Parliament of Guatemala has a vested interest in using its powers to the fullest to help ensure that effective investigations are being carried out and protection offered to Mr. Pop; *wishes* to receive official information from the parliamentary authorities on any action that parliament has taken to this effect;
5. *Requests* the Secretary General to convey this decision to the attention of the competent authorities, the complainant and any third party likely to be in a position to supply relevant information;
6. *Requests* the Committee to continue examining this case and to report back to it in due course.





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