



**INTERIM REPORT OF THE SECRETARY GENERAL ON THE ACTIVITIES OF
THE UNION SINCE THE 184th SESSION OF THE GOVERNING COUNCIL**

The reporting exercise for 2008 has seen a slight increase in responses in comparison to that of 2007, with nearly 60 Members¹ fulfilling their statutory obligation to submit an annual report. Some Members responded to both sections, but the majority of responses (43) were limited to the questionnaire on how IPU Member Parliaments organize their participation in the work and activities of the Organization. Only 36 Members (23%) responded to the section requesting information on follow-up and implementation of three resolutions adopted at recent IPU Assemblies, namely: (i) the role of parliaments in striking a balance between national security, human security and individual freedoms, and in averting the threat to democracy; (ii) parliamentary oversight of state policies on foreign aid; and (iii) promoting diversity and equal rights for all through universal democratic and electoral standards.

The present document contains a summary of the reports submitted by IPU Members on action taken within their parliaments on the targeted recommendations of the above resolutions. This report looks at action and initiatives taken by parliaments.

¹ Australia, Austria, Bahrain, Belarus, Belgium, Botswana, Burundi, Chile, China, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Hungary, Iceland, Iran (Islamic Republic of), Japan, Luxembourg, Malaysia, Maldives, Mexico, Monaco, Morocco, Namibia, New Zealand, Norway, Pakistan, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Saudi Arabia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Switzerland, Thailand, Togo, Tunisia, Turkey, United Kingdom, Uruguay, Zambia and Zimbabwe.
Answers received from the Parliaments of Georgia and Monaco were received after going to print and, regrettably, could not be included.

The reports differ considerably in style, length and detail. The parliaments of countries like **Belgium, China, Croatia, France, Japan** and **Slovenia** submitted comprehensive reports on action taken in parliament on all or some of the resolutions. Some of the reports (e.g. from **Bahrain** and **South Africa**) also indicate whether IPU resolutions have initiated or otherwise prompted action. The Parliaments of the **Congo, Costa Rica, Philippines,** and **Togo** detail each act of law related to one or more recommendations contained in the resolutions. The Parliament of **Uruguay,** in addition to providing information linking each law adopted to the subject matter of the resolutions, also sent copies of the laws concerned. Other parliaments, like those of **Egypt, Luxembourg** and **Tunisia,** have produced detailed reports on the national context and legal specificities relevant to the subject matter of the resolutions.

Some IPU Member Parliaments (**Iceland** and **Switzerland**) reported generally on their activities within the framework of the Inter-Parliamentary Union. Others (**Australia, Greece, Malaysia, Namibia, Thailand** and **Zambia**) reported that all of the resolutions in question had been either brought to the attention of Parliament, through various means, or transmitted to the relevant government ministries—but without providing details on the follow-up steps taken in response to the three resolutions chosen for the 2008 report.

Two recently affiliated parliaments - the People's Majlis of the Maldives and the Advisory Council of Qatar - returned reports, for the first time, on how their participation in the work of the Organization is organized. This was also the case for the Parliaments of Botswana and Georgia. Over the past ten years, six IPU Member Parliaments (Belarus, Japan, Philippines, Poland, Romania and Tunisia) have never failed to meet their statutory obligation, while nine (Armenia, Brazil, Colombia, El Salvador, Kyrgyzstan, Libyan Arab Jamahiriya, Malta, Panama and Papua New Guinea) have never submitted an annual report.

It is hoped that many more IPU Members will draw inspiration from the examples given in this report and take steps of their own to implement, follow up and report on the recommendations contained in the IPU Assembly's resolutions.

1. THE ROLE OF PARLIAMENTS IN STRIKING A BALANCE BETWEEN NATIONAL SECURITY, HUMAN SECURITY AND INDIVIDUAL FREEDOMS, AND IN AVERTING THE THREAT TO DEMOCRACY

This resolution was adopted in April 2008 at the 118th IPU Assembly in Cape Town, South Africa. It is particularly relevant given the growing public accounts of violations of human rights and fundamental freedoms that have accompanied the global fight against terrorism. In several countries, parliaments are playing a stronger oversight role and initiating investigations into alleged abuses, e.g. illegal secret prisons, harsh treatment or torture of prisoners and the lack of due process.

Although just over one year has passed since its adoption, parliaments in several countries have undertaken action to review existing legislation and seek to implement some of the recommendations included in this resolution. Much remains to be done, and parliaments are called upon to play a more prominent role in preserving the basic principles of democracy, the rule of law and human rights for all.

Reports from several countries (e.g. *Slovenia*) underscore that human rights and fundamental freedoms are guaranteed by their constitutions and laws. In *Hungary*, a parliamentary standing committee has been established for human rights, minorities and civil and religious affairs. In *Poland*, legislation has been enacted to protect human rights and freedoms in such areas as education and the electoral process. The Constitution of *Croatia* guarantees the freedom and confidentiality of correspondence and all other forms of communication. In *Slovakia* the National Council's standing and special oversight committees oversee the activities of the Armed Forces and intelligence agencies. These committees meet regularly and in special session when required.

The *Czech Republic* reports that as a member of the European Union it is obliged to fulfil all requirements stipulated in EU strategic documents. An example is the European Counter-Terrorism Strategy, adopted by the European Council in December 2005, which continues to provide the framework for EU activity in this area. The strategic commitment of the European Union is to combat terrorism globally while respecting human rights, and to make Europe safer, allowing its citizens to live in an area of freedom, security and justice.

Recommendation 1: Calls on parliaments to acknowledge the link between security, development and human rights as recognized in the World Summit Outcome Document, on the understanding that is crucial to establish the causes and sources of human insecurity and work to address these effectively

Each House of the Diet of *Japan* has the authority to conduct human rights investigations and to monitor good governance in the executive branch. This authority extends beyond basic human rights to the actions of law enforcement and security forces and measures to avert potential threats to democracy. Each committee within the Diet monitors policies implemented by the administrative organs subject to its jurisdiction. When problems arise, committee members can bring them to the government's attention, question government representatives about them and request improvements. To further strengthen its parliamentary investigative function, the House of Representatives has expanded its Committee on Budget into a Committee on Audit and Oversight of Administration. A separate, identically named committee has also been set up in the House of Councillors.

Recommendation 3: Urges parliaments to enact legislation that will allow countries to strike a balance between national security, human security and individual freedoms

In pursuit of this recommendation, *Bahrain* reports that its Council of Representatives approved an amendment to the Penal Code in 2008 to criminalize the manufacture of flammable explosives, or explosives intended to endanger human lives.

The Parliament of **Belarus** has adopted laws designed to reconcile national security with individual freedoms and constitutional rights. In establishing principles for state border policies, for example, the *Law of 2008 on the Border Guard Service of the Republic of Belarus* also underscores the importance of citizens' rights and freedoms.

In **Luxembourg**, the Chamber of Deputies adopted two motions following a policy debate on domestic security in July 2007. Under the first, the Chamber considered that the fight against organized crime, though necessary to public security, does not justify "*legislation providing exclusively or disproportionately for law-enforcement measures*" and that "*amendments to the legislation should not stray beyond the objectives pursued and infringe on individual freedoms.*"

The National Assembly of **Namibia** approved on 28 October 2008 the Prevention of Organised Crime Amendment Bill.

On 10 November 2008, as part of a review of national security strategy, the Parliament of **Pakistan** constituted a 17-member special parliamentary committee on national security. This followed a resolution adopted in October, by both houses meeting in joint session, calling for an urgent review of the national security strategy and the methodology for combating terrorism, with a view to restoring peace and stability through an independent foreign policy.

The Senate of the **Philippines** has either initiated or is currently considering a number of legislative measures consistent with the resolution's spirit. Among these, the *Intelligence Oversight Act* ensures accountability in intelligence activities and in the use of intelligence and confidential funds received by government agencies. It also establishes a Joint Congressional Intelligence Committee to strengthen the oversight powers of Congress.

During the period since the IPU resolution was issued, the National Assembly of **Slovenia** has adopted amendments to a number of criminal laws and procedures, including the Enforcement of Penal Sentences Act and the Police Act. Although the principles pursued by the IPU resolution were evidently taken into account, they are not clearly cited in the available supporting documents for this legislation. However, when discussing the Ombudsman's 2007 Annual Report, the National Assembly adopted some recommendations substantively relating to the issues covered by the IPU resolution, i.e. to provide, through appropriate measures, for a more efficient protection of personal data and privacy; and to provide, together with the competent ministries, adequate staff, spatial and other working conditions to all institutions directly or indirectly involved in the exercise of human rights.

In **Togo**, Parliament adopted a law on 5 June 2009 authorizing ratification of the Additional Protocol to the *United Nations Convention against Transnational Organized Crime to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*.

On 28 October 2008, the Chamber of Deputies of **Tunisia**, meeting in plenary session, adopted a law approving accession by the Tunisian Republic to article 1 of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or to Have Indiscriminate Effects.

It is noted in the report from **Zimbabwe** that the Parliament passed the Zimbabwe National Security Council Act (No. 2, 2009). Broadly speaking, the Council is responsible for reviewing national policies on security, defence, law and order and recommending or directing appropriate action.

Recommendation 4: Strongly urges parliaments to commit to the achievement of the Millennium Development Goals as a means of addressing underdevelopment and preventing the marginalization of many in the developing world

In the **French** Parliament, four budget reports on development assistance funding, issued by the majority and opposition during consideration of the finance law for 2009, provide an unvarnished, often critical picture of trends in French ODA.

Recommendation 5: Urges national parliaments to enact effective anti-terrorism legislation, in keeping with the relevant international instruments and commitments, including the United Nations Global Counter-Terrorism Strategy, and to assess such legislation at regular intervals so as to ensure that it is fully compatible with national security and individual freedoms

In July 2008, the National Assembly of **Belarus** ratified the *Treaty of the CIS (Commonwealth of Independent States) participating states on countering the legalization (laundering) of income received by criminal means and the financing of terrorism*. The *Agreement on Cooperation between the CIS member-states in the fight against the illegal manufacture and trade of firearms, ammunition, explosive substances and explosive devices* was ratified by Parliament in June 2009.

In 2007, the Parliament of the **Congo** adopted a law to ratify the *International Convention for the Suppression of the Financing of Terrorism*.

The Criminal Code of **Croatia** includes provisions on the crimes of terrorism, incitement to terrorism and recruitment for terrorism, the *National Strategy for the Prevention and Suppression of Terrorism, the Money-laundering and Financial Terrorism Prevention Act* and an entire series of bilateral treaties that have been enacted and ratified.

As part of its assessment of existing anti-terrorism legislation, the Standing Committee on Legal Affairs of the Parliament of **Cyprus** is currently examining the *Combating against terrorism Law*, to ensure its compatibility with both national security and individual freedoms.

As indicated in the introduction, the **Czech** Parliament as a member of the European Union has ratified and implemented a number of EU instruments. It is also a State party to several UN Conventions. The Chamber of Deputies is fully engaged in the decision-making process and the implementation of such legislative instruments at both the parliamentary committee level and in plenary session.

The People's Assembly of **Egypt** is working on antiterrorist legislation, and recent constitutional amendments have in some cases made reference to the fight against terrorism.

In June 2008, as part of the fight against terrorism, the Chamber of Deputies of **Luxembourg** passed legislation approving the *International Convention for the Suppression of Acts of Nuclear Terrorism*, adopted by the United Nations General Assembly in 2005. The law enumerates offenses connected with the illicit possession and use of radioactive material and the illicit use or damage of any nuclear facility. It introduces a series of domestic law provisions designed to criminalize the offenses enumerated in the Convention. In the same context, in July 2007, the Deputies adopted a law to prevent use of the financial system to launder money and finance terrorism.

The Parliament of **Norway** has recently enacted anti-terrorism legislation. In December 2008, it introduced certain amendments to the Norwegian Criminal Act with special focus given to anti-terrorism measures. The new act strengthens earlier legislation criminalizing such actions as the recruitment and training of terrorists. A new act on money laundering and financing of terrorism, which entered into force on 15 April 2009, requires banks and financial institutions to introduce stricter controls of client information and report suspicious transactions to the authorities.

In 2009, a number of amendments were approved by the Parliament of **Uruguay** to Law 18.494 on the *control and prevention of money laundering and the financing of terrorism*.

Recommendation 8: Calls on parliaments to review the adequacy of the legal measures they have in place to protect people from terrorist attacks and to bring perpetrators to justice, and to take such measures as deemed necessary to provide adequate protection

During its spring session, the National Assembly of *Belarus* amended the Law on *Currency regulations and currency control* so as to prevent the legalization of income received through criminal means and the funding of terrorist and extremist activities.

Recommendation 9: Strongly emphasizes that parliaments need to oversee executive action, including when they vote on the budget and monitor its implementation, to ensure that a balance is struck between national security, human security and individual freedoms, and to avert any threats to democracy

The *Belarusian* Parliament cooperates closely with the executive branch on major economic and social issues. One of the ways of effectively overseeing executive branch action is to monitor budget execution.

In *Egypt*, according to the legislative procedure for considering bills with respect to the plan, budget, and financial statements, once the People's Assembly receives a bill it sends it to the planning and budget committee. Following exhaustive discussion there, the committee reports to the Assembly, where each article is debated and the bill is approved in principle before voting on each article separately and then on the bill as a whole.

Recommendation 12: Urges parliaments to ensure an effective system of public participation in their work and invites them to play a pivotal role in making their citizens aware of their constitutional rights, to open two-way channels of communication with citizens that are likely to strengthen parliamentary oversight of executive action, and to ensure that the government is committed to respecting the rights and freedoms of citizens and to promoting human rights; also invites parliaments to use to this end modern information and communication technologies such as the Internet and dedicated satellite channels, and encourages them to enact enabling legislation to facilitate the process of public participation

The Parliament of *Belarus* reports that the Law on *the Principles of Administrative Procedures*, adopted in October 2008, is designed to facilitate the interaction of citizens and public bodies, create clear and transparent mechanisms and maintain the uniformity of legal proceedings.

The rules of procedure of the Senate of the *Congo* authorize public participation in the Senate's deliberations. To this end, while the sessions are underway, the parliamentary committees arrange for the participation of experts in the work of these committees.

With respect to an effective system for public participation in its work, the People's Assembly of *Egypt* can set up a committee to survey and meet with the public. Such committees hold meetings to study proposed legislation or to examine general questions referred to them by the Assembly. The aim of these meetings is to gather information that will help to fill gaps in the legislation concerned and hear proposals from citizens on matters of public concern, or advocating specific legislation, assuring the right of every individual to express his or her opinions on public affairs. In addition, the Assembly's Internet site is an important channel for communication and interaction among citizens and the Assembly, enabling the latter to hear and investigate complaints.

The *French* Parliament reports on several important initiatives in this regard. For instance, the National Assembly has created a site devoted to simplification of the law, inviting users to propose simplification or clarifications. These proposals are then considered by the Legislative Committee and can be incorporated into the text of proposed legislation or amendments.

From the perspective of encouraging public participation in parliamentary activities, the two Houses of the Diet of *Japan* have opened Internet sites, allowed live broadcasts of Diet deliberations and disclosed conference proceedings, providing information to the public, in various forms, about each House and about the Diet's activities. Enhancements to the websites, including expanded content, are being reviewed and implemented as appropriate.

Recommendation 13: Encourages national governments and parliaments to redouble their efforts, and to take advantage of the opportunities afforded by the work of the United Nations, to reach an international consensus on the speedy conclusion of a comprehensive international convention dealing with all aspects of terrorism, including its accurate definition, and thereby to provide all countries with a common legal instrument in their fight against this scourge

With regard to counter-terrorism measures, *Japan* has ratified all international terrorism-related conventions that members of the United Nations are required to conclude, and has enacted the national legislation necessary to implement counter-terrorism measures domestically. As a recent example, the National Diet ratified the *International Convention for the Suppression of Acts of Nuclear Terrorism* in 2007 and established a national act to implement the convention in April the same year.

Recommendation 19: Invites national parliaments to consider whether any further improvements can be made within their own jurisdictions to protect both human security and individual freedoms

In June 2008, the Parliament of *Luxembourg* adopted legislation governing access by magistrates and police officers to personal electronic data. The law is intended to strengthen the capacity of authorities to prosecute major criminal activity, organized crime and terrorism while at the same time respecting the fundamental rights and freedoms of citizens.

Recommendation 20: Encourages States, in accordance with their usual practice, to ratify and implement the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol

The House of Representatives of *Cyprus* reports the ratification of this Convention in January 2008. *Egypt* ratified this Convention, but abstained on the Optional Protocol. In 2009, the Parliament of *Romania* adopted a law authorizing the ratification of this Convention.

Recommendation 22: Calls on parliaments closely to follow the national reporting process under the review mechanism, and to ensure that it involves all relevant stakeholders, including non-governmental organizations and national human rights institutions, and invites parliaments to examine and debate the outcome of the review and to monitor its implementation

In 2009, the General Assembly of *Uruguay* adopted Law 18.446, creating a national human rights institution.

Recommendation 24: Calls on parliaments to monitor the scope of surveillance and the amount of data collected by public and private organizations, to gauge any changes in the balance between the citizen and the State, and, in this process, to ensure that laws are framed and enforced in such a way as to take account of fast-moving technological developments

The *Croatian* Criminal Procedures Act specifies the cases in which telephone conversations or other means of long-distance communication can be monitored and recorded and covert surveillance and filming of individuals and property can be conducted. These

measures are permitted only if the criminal acts in question can be observed by no other means or would otherwise be restrained by insurmountable difficulties - and only if ordered by an investigative judge at the request of the public prosecutor.

Numerous parliamentarians in **France**, both in the majority and opposition, have associated themselves with the protest movement provoked by a decree of 27 June 2008, creating a police record known as EDVIGE, which may contain personal data with respect to racial or ethnic origin; political, philosophical or religious opinions or membership of a union. As a result of this movement, the disputed decree was withdrawn on 19 November 2008.

The Parliament of **Turkey**, in October 2009, set up committees and sub-committees to consider claims in the media of surveillance (bugging) and violation of the principle of presumed innocence.

Recommendation 25: Calls on parliaments to oversee the work of law enforcement and security forces so as to make them accountable for the protection of fundamental individual freedoms in the performance of their public duties

In **Croatia**, a high-level oversight system for security and intelligence agencies conducted by the Parliament, the President and Government of Croatia, the National Security Council Office, and the Civilian Security and Intelligence Oversight Council - is responsible for ensuring the protection and observance of human rights and freedoms. For example, parliamentary oversight is conducted by the Domestic Policy and National Security Committee in the course of its regular parliamentary activities. Direct oversight of the operations of security and intelligence agencies is also possible. In this case, the Committee's oversight authority is on a par with that of the National Security Council Office.

Recommendation 30: Calls on all parliaments and urges the IPU to develop training programmes designed to build the capacity of parliamentarians to address complex issues in an effective manner, and welcomes the sharing among parliaments of best practices on such initiatives

The **Togolese** Parliament jointly organized two seminars with IPU and UNDP - one in 2008 and one in 2009 - to strengthen the capacity of parliamentarians.

2. PARLIAMENTARY OVERSIGHT OF STATE POLICIES ON FOREIGN AID

This resolution was unanimously adopted by the 118th IPU Assembly, held in Cape Town in April 2008. It recommends that *"an institutional dialogue on the conditions likely to make aid more effective be initiated among donor country and beneficiary-country parliaments, both bilaterally and multilaterally, within the IPU in particular."* It calls for action to honour long-standing commitments to increase Official Development Assistance (ODA), devote funds to strengthen the oversight capacity of parliaments in beneficiary countries and systematically involve those parliaments in the programming and evaluation of development plans to achieve the goal of poverty reduction.

Some of the reports provide explanations of the social, economic or cultural context. The resolution is not fully applicable in **Belarus**, for instance, as it is neither a donor nor a beneficiary as defined in the resolution. Nevertheless, the country attaches great importance to parliamentary oversight of foreign aid.

Development cooperation is a subject that received considerable attention from the **Belgian** Parliament. There is a solid legal basis for such cooperation in the Law of 25 May 1999 on *International Belgian Cooperation*, adopted following work by a parliamentary investigative committee revealing limitations in terms of the efficiency and transparency of Belgian

cooperation. Among other things, this law provides for an external review of Belgian cooperation by a special evaluator and the preparation of regularly evaluated strategic notes.

In 2008, the Parliament undertook a *reflection on the legislative framework* for Belgian development cooperation, and in particular on the need to update the framework taking into account the new international commitments and concepts embraced by Belgium since the adoption of these laws.

The **British** Inter-Parliamentary Group reports that a number of debates are planned in both Houses of Parliament on aid to Africa, Sri Lanka, Gaza and the Occupied Palestinian Territories.

The Parliament of **Costa Rica** has either initiated or is currently considering a number of legislative measures in the spirit of this resolution, and in particular the *Law against organized crime* and *Strengthening of the law against terrorism*.

In the Namibian report, it is stated that the National Planning Commission Secretariat views the role of parliament in overseeing policies on ODA as critical, both in terms of input and influence, accountability aspects and insofar as they have a bearing on the process of conducting negotiations with development cooperating partners on far-reaching development cooperation and/or trade agreements, since ultimately parliament is the highest authority which decides whether it wishes to enter into an agreement/cooperation framework with a donor and whether the type of assistance and terms would be acceptable.

The **Norwegian** Parliament indicates that many of the donor commitments to be intensified under the resolution, such as the principle of untied foreign aid and the need for parliamentary committees to go on field visits to projects in developing countries, have been integral parts of Norway's development cooperation for years.

For **Poland**, collaboration in international development cooperation and effective implementation of the programme of foreign aid are new fields of foreign policy, which have not yet been covered by exhaustive legislation. The Ministry of Foreign Affairs is currently working on a bill to define Poland's policy on foreign assistance.

In the **Slovak Republic** foreign aid is regulated by Act 617/2007 Coll, which regulates the principles, aims and tools of official foreign aid. The Republic's ODA currently stands at 0.11% of GDP; as an EU Member State the country is under an obligation to increase this amount to 0.3%.

Recommendation 1: Invites donor country parliaments to pursue their efforts to honour the long-standing commitment reaffirmed in Monterrey to increase Official Development Assistance (ODA) to 0.7 per cent of GNP, based on the schedule of annual increases in the cooperation budget needed to attain that goal, and to guarantee that they will sustain that effort beyond 2015

As part of its law-programme of 24 December 2002, **Belgium** has committed to the objective of 0.7% by 2010. After rising for a number of years (to 0.53% in 2005), Belgian ODA declined in 2006-2007 - back to the 2002 level of 0.43%. Despite the economic crisis, however, the 2009 budget includes an increase bringing ODA back up to 0.60%.

The direction of **Japan's** ODA operations has been frequently debated in the National Diet. In spite of the severe financial circumstances now prevailing, the country indicates that it will pursue its efforts to increase ODA to 0.7% of Gross National Product while strategically expanding the volume of ODA with a view to achievement of the Millennium Development Goals.

On 25 March 2009, Minister Jean-Louis Schiltz presented his declaration on the cooperation policy of **Luxembourg**. Following debate, the Chamber of Deputies, in view of the Millennium Development Goals and the harmful consequences of a contraction in development assistance on the financial state of developing countries, adopted a motion

"inviting the Government to continue the efforts of the Grand Duchy of Luxembourg to reach the goal of allocating 1% of GDP to official development assistance."

The National Assembly of **Slovenia** adopted, on 11 July 2008, the Resolution on *International Development Cooperation* for the period through 2015. Under the Resolution, Slovenia as an EU Member State undertook to increase its funding for international development cooperation to 0.17% of GDP by 2010, and to 0.33% by 2015. Slovenia will endeavour to increase the share of its development assistance going forward in accordance with internationally assumed commitments.

Recommendation 2: Invites donor country parliaments to ensure that their governments pledge to increase real aid, i.e. not or only partly to take into account operations that "inflate" official ODA levels, such as debt cancellation and reduction and, generally speaking, all forms of aid that do not constitute an actual transfer of resources

In a resolution on debt relief for the least developed countries, adopted on 29 March 2007, the **Belgian** Senate called on the government to "advocate, in negotiating debt relief in the OECD Development Assistance Committee, that such relief not be charged against development cooperation budgets, or at a minimum, that such relief be charged sustainably on the basis of multiyear budgeting."

A steady increase in **Norway's** ODA in recent years has brought the country close to its national goal of 1% of Gross Domestic Product - not through "artificial budgetary measures" but as part of its commitment to intensify its support for developing countries. Norway has in fact strongly opposed attempts at diluting the definition of ODA in the OECD's Development Assistance Committee (DAC) (which in many ways draws up the standards and definitions for foreign aid). A significant portion of the new Norwegian funds are being directed at measures related to global warming and the environment, not least of which is forest conservation.

On 26 May 2009, at a press conference on **Polish** development aid held in the Sejm, the Chairman of the Foreign Affairs Committee promised that legislative action will be taken by the parliament as soon as the relevant bill is submitted by the government.

Recommendation 3: Requests the parliaments and governments of donor countries to increase ODA in response to the steep rise in world food, energy and drug prices of over 40 per cent, as well as the rapid fluctuations in the exchange rate of foreign currencies, in particular the US dollar

On 14 May 2009, the Senate of **Belgium** adopted a resolution (at the instigation of Mrs. Temmerman, member of the Bureau of the Belgian Inter-Parliamentary Group) to promote universal social protection in the area of healthcare - an explicit appeal to meet the 0.7% goal is contained in the first paragraph of the resolution, which also advocates the allocation of at least 15% of Belgian ODA to healthcare and calls on beneficiary countries to dedicate 3% of their GDP (international norm referenced in the Declaration of Abuja) to HIV/AIDS, tuberculosis and other infectious diseases.

Recommendation 4: Strongly encourages donor country parliaments to make use of the mechanisms for converting debt into investment that serve as a concrete counterpart to debt cancellation, promoting growth and development in the beneficiary country

By the end of June 2008, **China** had cancelled a total of 24.7 billion yuan in debt owed by 49 heavily indebted poor countries and least developed countries in Asia and Africa. It also provided 206.5 billion yuan in various forms of assistance, including 90.8 billion yuan in free aid. To enhance Africa's capacity for independent development, China decided at the end of 2007 to provide 2.377 billion yuan in free aid and 700 million yuan in interest-free loans to African countries.

Recommendation 5: *Invites* donor country parliaments to continue giving thought to alternative modes of financing for development that make it possible to increase aid beyond the amounts pledged as ODA

Several bills have been introduced in *Belgium*, and in the Senate in particular, to create innovative development financing mechanisms, such as inclusion of a solidarity contribution in the price of air tickets. Several draft resolutions were also introduced during the Doha conference on development financing. Most of these bills and draft resolutions, which are still under consideration, were introduced by members of the Bureau of the Belgian Inter-Parliamentary Group.

The report from *China* recalls that in September 2008, Premier Wen Jiabao announced that the country will contribute 30 million US dollars to the UN Food and Agriculture Organization to establish a trust fund for projects and activities designed to help developing countries enhance agricultural productivity. It also intends, over the coming five years, to give more than 10,000 scholarships to developing countries and offer training programmes exclusively for 1,500 principals and teachers from African countries. In addition, it will develop 100 small-scale clean energy projects for developing countries, including small hydropower, solar power and bio-gas projects.

Recommendation 7: *Invites* donor and beneficiary country parliaments to strengthen parliamentary oversight of their respective government's foreign policy while ensuring that the policies of other ministerial departments likely to have a direct or indirect impact on developing countries are aligned with it

The House of Representatives of *Cyprus* indicates that if the foreign aid measures proposed by the Government are not sufficient it may liaise to ensure that additional measures are taken. It says it intercedes regularly and decisively to ensure that the Government honours its policies on foreign aid.

The Committee on Foreign Affairs of the *Czech* Chamber of Deputies has set up a special sub-committee on foreign development aid to provide in-depth oversight of government policy in this area. The Committee on Foreign Affairs also oversees the activities of the Czech Development Agency, which is responsible for the allocation of financial resources.

During *South Africa's* Third Parliament (2004-2009), the Joint Rules Committee agreed in principle to a key policy innovation: the *Oversight and Accountability Model*. Some of the Model's recommendations are based on the resolution on *Parliamentary oversight of state policies on foreign aid*, including robust and proactive parliamentary involvement in the negotiation of international agreements prior to signature; parliamentary oversight of ODA allocations and expenditure per programme; and an oversight and accountability mechanism to ensure compliance with international agreements.

Recommendation 8: *Invites* donor country parliaments to promote gender mainstreaming in development cooperation in support of gender equality and the empowerment of women, as key factors for growth, poverty reduction and the achievement of all MDGs

Taking gender into account in development cooperation has long been one of the highest priorities of the Government and Parliament of *Belgium*. It was a leading consideration in the law on international Belgian cooperation, both as a criterion for selecting partner countries and as a crosscutting theme for Belgian cooperation. A highly active advisory committee on *Women and Development*, composed of experts and representatives of universities and NGOs, has been advising the Ministry of Development Cooperation since December 1993.

Recommendation 9: *Recommends* that parliaments further require that their respective governments provide annual reports on their development policy, the strategies implemented to achieve the MDGs and the results of negotiations with the beneficiary countries

As a legislative body, the *Croatian* Parliament is not directly involved in State policy on ODA but does oversee the work of the executive branch in this area. Parliamentary committees, such as the Foreign Policy Committee, as well as individual members of parliament, may at any time seek reports on the work and activities of the Government in any segment whatsoever, including the field of international development cooperation.

The People's Assembly of *Egypt* receives and refers to standing committees annual, regular and special reports on programmes under execution in the various fields of development. These questions are tabled during discussion of the government programme and the vote on the budget.

Recommendation 10: *Urges* donor country parliaments to require that their respective governments set aside a portion of their annual budgets for the MDGs and for the poorest countries and people, in accordance with the Millennium Declaration and the Monterrey Consensus

In *Belgium*, a bill was introduced in the Senate (by Mrs. de Bethune) to amend the law of 14 June 2005 with a new article calling on the government, in its annual work to promote progress toward the MDGs, to also explicitly evaluate "*progress recorded toward the eighth Millennium Development Goal based on the following reference indicators: official development assistance, openness to international trade and migratory flows, encouragement for foreign investors, measures to promote a sustainable environment, participation in international operations to prevent conflicts, and efforts devoted to technological adaptation.*"

Recommendation 13: *Encourages* donor country parliaments to debate whether to concentrate their aid on a limited number of countries and sectors, in particular beneficiary countries which exert their own efforts, so as to heighten its effectiveness, and to acquire expertise and specialized knowledge while ensuring that certain countries are not excluded from international aid

China reports that it has trained 15,000 African professionals, sent medical teams and provided free anti-malaria medicine to Africa, and that it will continue these activities. It will also dispatch up to 100 senior agricultural experts to Africa and intends to build 30 hospitals and 100 rural schools on the continent.

Under the resolution on *International Development Cooperation*, the Republic of *Slovenia* will allocate about 80% of its ODA to projects considered priorities according to geographic or thematic criteria. About 10% will be allocated to programmes of humanitarian and post-war assistance. In the medium term (by 2015), Slovenia's international development cooperation will target the Western Balkan countries. Other geographic priority areas for short-term international development cooperation include the countries of Eastern Europe, the Caucasus and Central Asia, mainly Moldova and Ukraine.

Recommendation 15: *Requests* donor country parliaments and governments to help eradicate poverty in middle-income countries as well, not only through financial aid, but also through partnership with these countries, with a view to enabling them to fight actively against poverty

In adopting a *National Development Cooperation Strategy*, on 13 February 2009, the Parliament of *Croatia* has reaffirmed that it is prepared to participate in international activities aimed at the achievement of sustainable development and the elimination of potential

destabilizing factors throughout the world on the basis of bilateral, trilateral and multilateral cooperation in compliance with the European Union's development cooperation policy.

In relation to this particular recommendation, on poverty eradication in beneficiary countries, the Government of **Cyprus** provides assistance not only through aid but also through partnerships. The country has partnered with Egypt, Yemen, Mali, Lesotho and the Palestinian Authority on a wide range of issues - from education and health, to gender, to public administration capacity-building.

In the **German** Bundestag, a motion on *Combating hunger and poverty on a sustainable basis in developing countries through the promotion of rural development* was adopted on 5 March 2009. Some of the issues covered in the motion were the promotion of rural development through development cooperation, support for agricultural and land reforms in developing countries, food security, the future of world farm trade, the Right to Food Guidelines, and the promotion of sustainable forms of agricultural production.

The report from **Luxembourg** mentions that the Chamber of Deputies also supports the policy of indicative cooperation plans (PICs) concluded by the government with cooperation partner countries. The PICs are designed to give a more strategic dimension to cooperation with partner countries, permit better financial programming of cooperation and, above all, enable partner countries to benefit from greater predictability as to the assistance to be provided by Luxembourg.

Recommendation 16: Suggests that donor country parliaments set up specialized committees or working groups to actively monitor and oversee their government's development aid activities

The House of Councillors of **Japan** has set up a Special Committee to investigate various problems related to international aid and cooperation, starting with governmental development aid. The Special Committee not only monitors the government with regard to ODA but also receives the opinions of Japan International Cooperation Agency (JICA), NGOs and ODA policy researchers. The Special Committee has also invited such leaders as the Presidents of Rwanda and Sri Lanka to hear the views of beneficiary country governments.

In **Romania**, the Chairman of the Sub-Committee for Population and Development has addressed a Parliamentary Written Question to the Romanian Minister of Foreign Affairs on the theme of *Romania's Development Aid in the field of Reproductive Health*. In his keynote presentation to the 35th Anniversary Meeting of the World Population Conference (Bucharest, 1974), held at the Senate on 17 June 2009, the Sub-Committee Chairman underlined the need for enhanced involvement of the Parliament, through its specialised committees, in the elaboration, implementation and evaluation of national development cooperation policy.

Recommendation 18: Invites the members of specialized parliamentary committees in the donor countries to visit projects and other cooperation initiatives so as to ascertain the impact of aid programmes and obtain better information on the needs and challenges on the ground

Belgium reports that parliamentary delegations visiting countries where Belgium is supporting cooperation projects (directly or indirectly) often take the opportunity to visit the projects. The delegations that participated in the IPU Assemblies held in Nairobi, Cape Town and Addis Ababa, for instance, made such visits. The same is true of missions conducted by committees or bilateral friendship groups in connection with the Belgian Inter-Parliamentary Group.

Since 2004, **Japan's** House of Councillors has sent groups of investigators to beneficiary countries worldwide every year to examine the actual conditions of Japan's ODA operations. The results of these investigations are then the subject of debate in the Special Committee.

Members of the Chamber of Deputies of **Luxembourg** have taken part in visits to partner countries conducted by the Minister of Cooperation, e.g. to Ethiopia in 2006 and Senegal in 2005.

A report following the participation by **Romanian** MPs in a tour to study Malaria in Cameroon, in April 2009, recommended the inclusion of malaria-prone countries among the beneficiaries of Romania's ODA. A Political Declaration was presented in the plenum of the Senate to raise awareness about the burden of malaria in Cameroon, and worldwide, and the need for enhanced aid to help combat this disease.

Recommendation 19: Recommends that donor country parliaments ensure that a sufficient portion of the budget is set aside for efforts to heighten public awareness of the MDGs and their financing

Efforts have been undertaken to improve public awareness in **Croatia** on matters of development cooperation and solidarity with less developed countries. Under the National Strategy, education on development cooperation will become an integral component of the Croatian programme of official development aid, while the Ministry of Foreign Affairs and European Integration will launch an Internet site dedicated to Croatia's development aid programmes.

Recommendation 20: Invites donor country parliaments and governments to establish innovative initiatives with a view to maintaining and strengthening civil society's solidarity with the countries of the South, for example by establishing a voluntary development cooperation service

In June 2009, the **Austrian** Parliament hosted the event *Getting involved – national parliaments as actors in effective development cooperation*. The focus of the event was the role of parliaments from the North and South in pursuing the aims of the Paris Declaration on Aid Effectiveness. During the meeting, speakers outlined the achievements of Austrian development cooperation and pressed for greater involvement by national parliaments in the debate on this issue.

Recommendation 21: Encourages donor country parliaments to help actively reinforce - via bilateral or multilateral mechanisms, including the IPU technical cooperation programme – the effectiveness of parliaments in the beneficiary countries

Direct budgetary assistance is an important part of the **Austrian** cooperation agenda and is widely used in the four main receiving countries: Cape Verde, Mozambique, Nicaragua and Uganda. In particular, since 2005, efforts have been made to strengthen mutual dialogue with Mozambique, including a two-week exchange programme for Mozambican parliamentary staff. The aims of the programme were to further improve infrastructure, extend control capacities, support financial investment in international cooperation, increase self-responsibility, and create a more transparent environment.

The **Belgian** Chamber and Senate have been involved in parliament-to-parliament direct assistance programmes benefiting a number of developing countries, including the Democratic Republic of Congo, Rwanda and Burundi. Mr. de Donnea, former President and current Vice President of the Belgian Inter-Parliamentary Group, during discussion of the development cooperation budget for 2009, expressly requested financial support for the IPU programme to strengthen parliaments. Talks are currently underway on possible arrangements for such support.

The **French** Parliament has a very active policy of "technical interparliamentary cooperation". It consists of partnerships in which both chambers help other parliaments, at their request, by organizing information, training, and technical assistance activities. In addition

to "traditional cooperation - in respect of a Parliament's financial management, for instance - priority is now being given to activities where the impact of the country's cooperation efforts can be monitored. Preference is therefore given to multiyear programmes and events held at regular intervals, such as regional seminars or annual training cycles.

Recommendation 24: *Invites beneficiary countries to establish national ODA governance and management institutions with parliamentary oversight*

A Bill passed by the Senate of the *Philippines* – the *Debt Relief Act of 2008* – promotes accountability and transparency in foreign loans to the Philippines, creating a Council for Debt Relief to review and assess bilateral and multilateral loan agreements, treaties and contractual obligations entered into by the Philippine Government.

Recommendation 25: *Considers that beneficiary country parliaments must be systematically associated with the programming, follow-up and evaluation of the impact of cooperation, and that their involvement is essential to the continuation of aid and to guaranteeing the achievement of the goal to reduce poverty*

The Parliament of the *Congo* conducts hearings of members of government on the administration of investment budgets.

The *Egyptian* government has established programmes in which the national party, enterprises and civil society must participate to reduce poverty and promote development in the poorest villages of each.

The *Togolese* Parliament reports that parliamentary activity has been insufficient in this area and that parliamentarians should have been involved in preparation of the poverty reduction strategy document.

Recommendation 27: *Invites beneficiary country parliaments to ensure that their respective governments promote a macroeconomic and sectoral policy that stimulates growth by encouraging the spirit of entrepreneurship and private investment on which sustainable development is predicated*

The *Global Compact* is a strategic policy initiative for businesses committed to aligning their operations and strategies with ten universally accepted principles in the area of human rights, labour, environment and anti-corruption. In bringing the *Global Compact* to *Pakistan*, the Government is committed to engaging in the promotion of partnerships between the public and private sectors that advance sustainable human development. The business sector will be consulted in the formulation and implementation of development activities that relate to, or could benefit from, such input.

Recommendation 34: *Invites donor and beneficiary country governments and parliaments to adopt transparent procedures in awarding procurement contracts related to the allocation of ODA to tangible development and humanitarian aid projects, and to ensure that goods and services are sourced locally, whenever possible, while respecting the aforementioned procedures*

The Government of *Pakistan* is committed to the transparent, accountable and efficient use of development assistance provided to the country. In order to foster aid effectiveness, the Government has established a Development Assistance Database (DAD), which provides project-level information on commitments, disbursements and expenditure by donor, implementer, sector, and geographic location. This information is accessible to everyone. The data in DAD has been entered by development partners of the Government of Pakistan.

Recommendation 35: Recommends that governments adopt and implement and all parliaments ratify the international and regional conventions aimed at preventing and fighting corruption, in particular as concerns money laundering and regulation of tax havens

The Council of Representatives of **Bahrain** has approved legislative amendments to prohibit and fight against money laundering in light of increased movements of funds and deposits. Parliament has proposed an independent anti-corruption body to strengthen implementation of the *United Nations Convention against Corruption*.

The Parliament of **Belarus** reports that it has adopted the *UN Convention against corruption*, as well as several regional agreements, aimed at strengthening the fight against corruption and money laundering.

Belgium is party to several international conventions to combat corruption, including the *United Nations Convention against Corruption*, and the *Council of Europe Civil Law and Criminal Law Conventions on Corruption*. On 25 June 2009, the Parliament approved the *Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism*, but the law approving it has not yet been promulgated.

Egypt has already adopted legislation against money laundering. Egypt is not one of the countries regarded as a fiscal paradise, particularly after the most recent amendments to fiscal legislation. In addition, agreements and contracts have been concluded with many States to coordinate fiscal laws and prevent fiscal duality.

With regard to anti-corruption measures, the **Japanese** Diet approved the *UN Convention against Corruption* in June 2006, and has also debated efforts to investigate the corruption observed in relation to ODA, and measures to prevent recurrences. Regarding money laundering, Japan has passed legislation and taken government action to strengthen countermeasures since the late 1990s.

The Shura Council of **Saudi Arabia** has approved a resolution to study the *UN Convention against Corruption* on the basis of the national strategy for combating corruption.

In 2008, **Tunisia** adopted a law approving the *United Nations Convention against Corruption*. This law is a reflection of the concern in Tunisia for ensuring that increases in official development assistance are supported by gradual but significant improvements in governance, with a view to achieving the Millennium Development Goals.

Recommendation 38: Recommends that an institutional dialogue on the conditions likely to render aid more effective be initiated among donor and beneficiary country parliaments, both bilaterally and multilaterally, within the IPU in particular

Dialogue on aid effectiveness has been institutionalized between the **Belgian** Parliament and the parliaments of development partner countries within the framework of the Belgian Survival Fund. Institutional and local partners and a parliamentary delegation from the partner countries participate in this coordination effort.

3. PROMOTING DIVERSITY AND EQUAL RIGHTS FOR ALL THROUGH UNIVERSAL DEMOCRATIC AND ELECTORAL STANDARDS

This resolution was unanimously adopted by the 116th IPU Assembly, held in Nusa Dua, Bali, in May 2007. It is based on various declarations of the IPU, which define universal democratic standards and criteria for free and fair elections. This resolution reiterates the responsibility of governments and parliaments to guarantee every person and all groups of society - be they minorities or not - equal rights and the right to diversity.

In **Austria**, a 2007 change in the Franchise Act (*Wahlrechtsänderungsgesetz*), lowered the voting age to 16, made postal voting available, and set parliamentary terms of five years.

In 2008, the Standing Committee of **China's** National People's Congress (NPC) conducted studies on how best to modify the NPC's Organic Law, the Electoral Law of the NPC and the Local People's Congresses and the rules for discussion in the NPC Standing Committee.

The Republic of **Croatia** has ratified and incorporated into its Constitution - and later into its legislation - all the instruments of international law that govern individual and political rights and freedoms.

The **Czech** Parliament reports that it has ratified all relevant international documents relating to "equal rights for all" through universal democratic and electoral standards, as referred to in this resolution. The standards set by these international documents are rooted in the domestic constitutional and legal system as well.

The **German** Bundestag has been intensively engaged in the parliamentary implementation of this resolution. Many of the objectives of the Universal Declaration on Democracy - equality in terms of gender, job opportunities, education and training - and the principle of equality for all, regardless of social, ethnic or religious background - have been the subject of parliamentary debate. Other parts of the resolution were not discussed during the period under review. Information was provided in tabular form on parliamentary debates and legislative measures that could be considered as resulting, in part, from this resolution.

A Special Committee is set up in both Houses of the **Japanese** Diet to investigate political ethics and electoral systems. Since problems in electoral systems and political funding strike at the heart of democracy, not only the Special Committees but also the entire Diet hold regular debate on this question.

The Chamber of Deputies of **Luxembourg** is preparing a strategy for interparliamentary cooperation with African countries requiring assistance in terms of training for officials as well as material aid. The initial beneficiaries of this aid would be the countries of West Africa, which are countries also targeted by Luxembourg's cooperation activities.

The **Slovenian** Constitution guarantees equal human rights and fundamental freedoms for all, irrespective of origin, race, sex, language, religion, political or other convictions, material standing, birth, education, social status, disability, or any other personal circumstance. Every citizen is entitled by law to participate either directly or through elected representatives in the management of public affairs.

The Parliament of **South Africa** has referred this resolution to the South African Human Rights Commission, requesting it to assess whether South Africa's democratic standards measure up to the recommendations outlined in the *Universal Declaration on Democracy* adopted by the Council of the Inter-Parliamentary Union in 1997.

The Constitution of the Republic of **Uruguay** enshrines the civil and political rights of its inhabitants.

Recommendation 1: Urges governments and parliaments not yet having done so to implement in earnest the international treaties they have ratified with respect to promoting diversity and universal equality

Under its Constitution, the Republic of **Belarus** is a unitary, democratic social state based on the rule of law. Article 2 of the Constitution stipulates that democracy in Belarus is exercised on the basis of a diversity of political institutions, ideologies and views.

Recommendation 2: Invites parliaments and governments to pursue their efforts to fulfil the objectives set out in the IPU Universal Declaration on Democracy

In **Bahrain**, women have been appointed to ministerial posts and are represented in both chambers of Parliament. Special attention is given in **Belarus** to gender equality issues. Women participate actively in public office and civil society and are widely represented in

both parliament and government. About one-third of National Assembly members and approximately 44% of local councillors are women.

The **Congo** reports that a law providing a general outline for decentralization has been approved by the Parliament.

In **Croatia**, legislation based on the rules and principles of international law governs matters of gender equality (or more specifically the equal presence of women and men in all fields of public and private life), equality of status, equal opportunity to exercise all rights, and equal benefit from results achieved. Special measures are taken to promote equal participation by women and men in the legislative, executive and judicial branches of government, including the civil service. A gender equality ombuds(wo)man has also been institutionalized as an independent and autonomous body to consider cases where the principles of gender equality have been violated.

Egyptian legislation upholds the rights enunciated in the Universal Declaration on Democracy. A bill with respect to the communication of information is currently in preparation. With respect to political rights, the law governing the exercise of political rights has recently been amended to ensure the effective enjoyment of those rights, particularly with respect to the transfer of responsibility for surveillance of elections from the Ministry of the Interior to an independent committee composed of representatives of the opposition, former magistrates, and jurists.

The fourth subparagraph of this operative paragraph posits the general principle that Parliament must have the means necessary to express the will of the people by legislating and overseeing government action. An important reform of the **French** Constitution in July 2008 was to increase the powers of Parliament, particularly in terms of its relations with the executive branch. Among other things, it is noted that the government, which previously exercised total control over the agenda, now controls only two out of four weeks each session. The other two weeks, reserved for Parliament, are devoted to texts introduced at the initiative of Parliament and for the oversight of public policy.

According to the National Assembly Elections Act of **Slovenia**, the number of candidates representing each gender shall account for no less than 35% of the total list of candidates, except when only three candidates are listed. In this latter event, the list must include at least one representative of each gender.

Togo reports that the Parliament has not yet taken appropriate action on this recommendation. Consensus is required to develop solutions within the framework of the laws on the financing of political parties, on the high authority for audiovisual media and communication, and on the electoral code - all a source of polemics at present. Many aspects of this recommendation are governed by the Constitution of Togo, but require review to ensure full consensus.

On 13 April 2009, meeting in plenary session, the Chamber of Deputies of **Tunisia** adopted organic law 2009-19, amending the electoral code to consolidate the pluralistic democratic process, expand public participation in political life, and ensure transparency and integrity in the electoral process. These new amendments also offer political parties the possibility of better observing electoral proceedings by reducing the number of polling station, increasing from 450 to 600 the minimum number of voters registered at each station for municipalities with 7000 voters or more. This law lowers voting age from 20 to 18, enabling 500,000 young people to exercise their right to vote in 2009. The law will also increase the number of seats in the Chamber of Deputies by 25%.

On 25 February 2009, a Committee on Equal Opportunities for Men and Women was created in the Parliament of **Turkey**. The Committee submits opinions on draft legislation and works to protect and promote women's rights, including in the international arena.

In March 2009, the Parliament of **Uruguay** approved law 18.476 on gender equity for political officeholders.

Recommendation 3: Calls upon governments and parliaments to ensure that countries give all individuals, in accordance with international obligations, equal opportunities to participate in the electoral process, and to encourage civil society, cooperate with it and promote its active involvement in the electoral process

Under with the Constitution of **Belarus**, the elections of members of parliament and other persons to public office are universal, equal and by secret suffrage.

Although its Constitution does not specifically provide for an electoral system, the Electoral Law of **Cyprus** stipulates that elections are to be held at regular intervals, on the basis of universal, direct and secret suffrage, ensuring the free, unobstructed and absolute expression of the popular will. This law also provides that any Cypriot citizen over the age of 18 may run as an independent candidate in any electoral process, without belonging to a political party or coalition.

All citizens are entitled to organize themselves in political associations for the purpose of participating in political decision-making processes and elections. Article 5 of the **Czech** Constitution stipulates that *the political system is based on free and voluntary formation of and free competition between political parties, respecting basic democratic principles and rejecting violence as a means of asserting their interests.*

In April 2009, the **German** Bundestag conducted a plenary debate, at the initiative of the Free Democratic Party (FDP), on the *Act on the introduction of popular initiatives, petitions for a referendum and referenda in the Basic Law.*

In **Poland**, voters may set up an election committee subject to certain conditions: they must be at least 15 in number; they must have collected at least 1000 signatures in support of the committee's establishment; and they must notify the National Electoral Commission. Such committees may engage in electoral activities only after acceptance of this notification by the National Electoral Commission. In the case of political parties, the election committee function is performed by an organ of the party, authorized to represent it. A list of candidates should be submitted, in each constituency, to the constituency electoral commission. A constituency list must be supported by the signatures of at least 5000 voters residing permanently in the constituency concerned. This requirement does not apply to election committees that have registered constituency lists in at least half of the constituencies.

Recommendation 4: Calls upon governments to include parliamentarians in election observer missions and encourages parliaments to send independent election observer missions to other countries

Members of the Parliament of **Belarus** have already participated, on a regular basis, in election observation missions to foreign countries. On such occasions, MPs have visited voting districts and monitored the voting procedure, supporting adherence to democratic election standards. In 2008 and 2009, members of parliament participated in election observation missions to the Russian Federation and the Republic of Kazakhstan.

In **Cyprus**, members of the House regularly participate in election observation missions to other countries, as part of a national delegation or an international parliamentary organisation mission.

The members of the Chamber of Deputies of **Luxembourg** have also participated in several observation missions - in Serbia in 2008 and Albania in 2009.

Romanian parliamentarians have participated in a number of election observation missions, e.g. to Georgia in 2008 and to the Republic of Moldova in 2009.

Togolese parliamentarians have participated in electoral observation missions for the presidential elections in Guinea-Bissau and Ghana.

Recommendation 5: Urges national parliaments, parliamentarians and the IPU to heighten people's awareness about the exercise of their rights and duties in a democracy

The Parliament of the **Congo**, with support from IPU, has organized seminars on treaty organs in the area of human rights. These activities have enabled the Parliament to set up a steering committee that is currently concerned with human rights issues.

In order to heighten awareness among the citizens of **Luxembourg** about the exercise of their rights, the Chamber of Deputies has recently revised its Internet site. The new site allows for better interaction and provides more complete information on current political issues. The feature entitled "*The Chamber and You*" is intended to establish dialogue with citizens. It includes a page entitled "*Forum, express yourself*", which allows citizens to share their views on any current political issue.

Visits to the **Romanian** Chamber of Deputies and Senate are organized for school children and students, NGO representatives and individual citizens. The programme includes presentations on the two institutions, how they function, the electoral system, representation, the role of MPs, the legislative process and parliamentary oversight. In 2008, on the first *International Day of Democracy*, the Romanian Parliament organized a number of events and actions. A special section on the Senate's website provided a brief presentation on the background behind the event and the reasons for holding it, with links to relevant documents and publications (including the IPU Universal Declaration on Democracy).

Recommendation 6: Encourages parliaments and parliamentary bodies such as committees to promote, monitor and evaluate the participation of minority groups and vulnerable members of society in the electoral process

In **Croatia**, a total of 22 minority groups are recognized in the Constitutional National Minority Rights Act of 2002. The Croatian Parliament has guaranteed a place for national minorities in representative bodies at the national and local levels, a question now regulated by the Croatian Parliamentary Elections Act. Elections are held every four years, and national minorities are entitled to elect eight of their own representatives to the Croatian Parliament for a separate electoral unit (constituency), which encompasses the entire territory. Besides the right to representation and election of representatives to the national parliament and local representative bodies, national minorities also have the constitutionally guaranteed right to elect their own special councils and representatives at the levels of local and regional government.

The Armenian, Maronite and Latin communities in **Cyprus** are fully integrated into society and have an equal opportunity to participate in the electoral process, thus safeguarding pluralism and reflecting the society's diversity.

Recommendation 7: Calls upon governments and parliaments to ensure strict compliance with the 1994 IPU Declaration on Criteria for Free and Fair Elections

The **French** report refers to section 3 of the *Declaration*, noting that the superior Council for audiovisual media decided, in June 2009, that interventions in national political debates by the President of the Republic and his collaborators will now be taken into account in assessing the pluralistic character of political coverage by the media. This measure, called for by numerous parliamentarians, will provide for greater balance in the media between the positions expressed by the majority and opposition.

Pursuant to section 4, sub-paragraph 2 of the IPU Declaration on Criteria for Free and Fair elections, the Election Commission of **Pakistan** has engaged KalSoft to plan and deploy a massive project: the design, development and deployment of a comprehensive software system for the Computerized Electoral Rolls (CERs) and data management. The CERs were successfully used during the 2008 elections, and the voter database will continue to be

updated for future general elections. USAID provided the assistance required to succeed in this critical and challenging task, with technical assistance provided by the International Foundation for Electoral Systems (IFES).

The Senate of the **Philippines** has adopted Bill no. 2079, making it mandatory for national TV and radio networks to sponsor debates among presidential candidates.

In the same vein, **Polish** law guarantees access for election committees to radio and television broadcast time for the airing of election programmes, on equal terms and free of any charge. Election committees may also broadcast paid election advertisements, in which case the rates charged are identical for each election committee.

Recommendation 9: Calls upon parliaments and governments to ensure transparency in election funding and expenditure

The **Croatian** Parliament has also enacted the *Political Party, Independent Slate and Candidate Financing Act*, which has been effective since 2007. This law governs the methods and conditions of fundraising and expenditures by political parties to ensure proper oversight and transparency. It also specifies prohibited funding sources and sanctions for corrupt influence on the electoral process and the electoral system. All other IPU recommendations pertaining to the transparency of electoral funding, costs and expenses have also been incorporated.

To ensure transparency in respect of election expenditures, the Electoral Law of **Cyprus** requires candidates to submit a report on their electoral expenditures to the General Election Officer within three weeks after promulgation of the election results. On the funding side, draft legislation on the funding of political parties is currently under consideration by the House of Representatives.

The **Czech** Parliament's report draws attention to the *Act on Political Parties and Movements*, which regulates the funding of political parties on the basis of international democratic standards. The Czech Republic is a member of the Group of States against Corruption (GRECO), within the framework of the Council of Europe, which focuses among other things on the funding of political parties and anti-corruption measures in public administration.

In **Japan**, it is recognized that transparency in political funding, including for election campaigns, must be a priority for the Diet as well as the government. Political bodies have conventionally been obligated to report their incomes and expenditures. Amendments to the law in December 2007 now require political bodies with which members of the Diet are affiliated to file more detailed reports, duly audited by a certified public accountant, than are required of political bodies in general. In relation to the procurement of funds for political activities, the question of whether or not to prohibit the acceptance of contributions from companies and organizations, and the issue of government subsidies to political parties, are currently under debate.

Within 3 months following an election day in **Poland**, election committees are expected to submit financial reports to the National Electoral Commission, which publishes them in the Official Journal of Poland "*Monitor Polski*".

The Political Parties Act of **Slovenia** regulates the activities and financing of political parties, subject to certain restrictions. If the total amount of contributions from legal and natural persons and private undertakings exceeds three-times the average monthly salary per employee in Slovenia, the report must provide detailed data on the contributors concerned and the total annual amounts received from them. Parties that fail to comply with these reporting obligations forfeit their eligibility for State or local community budget financing until the obligations are fulfilled.