



R E S U L T S

**103rd CONFERENCE
AND RELATED MEETINGS**

OF THE

INTER-PARLIAMENTARY UNION

AMMAN (JORDAN)

27 APRIL - 6 MAY 2000

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A. 103rd INTER-PARLIAMENTARY CONFERENCE¹

The proceedings of the 103rd Inter-Parliamentary Conference began at the Zara Expo Conference Centre in Amman on the morning of Monday, 1 May 2000 with the election by acclamation of **Mr. Abdulhadi Majali, Speaker of the House of Representatives of Jordan, as President of the Conference.**

On the afternoon of 2 May, during the General Debate on the political, economic and social situation in the world, the Conference was addressed by **His Royal Highness Prince El Hassan bin Talal**, who called for a greater role for human values in international politics and policies in order to contribute to the foundation of a new international humanitarian order. On the afternoon of 4 May, the Conference was addressed by the **Prime Minister of Jordan, Mr. Abdul Ra'ouf Al-Rawabdeh**, who explained his country's position on the major issues facing the world. Earlier in the afternoon of 1 May, participants also heard a keynote address by **Mr. Giandomenico Picco, Personal Representative of the UN Secretary-General for the United Nations Year of Dialogue among Civilizations.**

At the close of proceedings, on the afternoon of 5 May, the President of the Conference read a message of thanks which he would be sending to **His Majesty King Abdullah II** of Jordan on behalf of the participants.

1. INAUGURAL CEREMONY

The 103rd Inter-Parliamentary Conference was inaugurated on 30 April at a ceremony in the Palace of Culture in the presence of **His Majesty King Abdullah II** of Jordan. Inaugural addresses were delivered by Mr. Abdulhadi Majali, Speaker of the House of Representatives of Jordan; Mr. Vladimir Petrovsky, UN Under-Secretary-General and Director-General of the United Nations Office at Geneva, who read out a message from the UN Secretary-General, Mr. Kofi Annan; Mr. Zaid Al-Rifai, President of the Senate of Jordan, and Dr. Najma A. Heptulla, President of the Council of the Inter-Parliamentary Union. The ceremony concluded with an address by His Majesty King Abdullah II, who declared the 103rd Inter-Parliamentary Conference officially open.

Extracts from the inaugural speeches will be published in the **Inter-Parliamentary Bulletin** (N° 1, 2000).

2. PARTICIPATION

Delegations of the **Parliaments²** of the following **124 countries** took part in the work of the Conference³: Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Guatemala, Guinea, 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, Liberia, Libyan Arab Jamahiriya, Lithuania,

¹ The resolutions and reports referred to in this document and general information on the Amman session are available on the IPU's web site (www.ipu.org).

² A delegation from Guinea-Bissau attended the session of the Inter-Parliamentary Council on Saturday, 6 May 2000.

³ For the complete list of IPU membership, see Section F.

Luxembourg, Malawi, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Rwanda, San Marino, Senegal, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, Uruguay, Uzbekistan, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

The following **Associate Members** also took part in the Conference: the Andean Parliament, the Central American Parliament, the European Parliament, the Latin American Parliament and the Parliamentary Assembly of the Council of Europe.

The **observers** included representatives of: (i) Palestine; (ii) the United Nations system: the United Nations, the World Bank, the United Nations High Commissioner for Refugees (UNHCR), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Division for the Advancement of Women; (iii) the International Organization for Migration (IOM); (iv) the Assembly of the Western European Union, the Parliamentary Assembly of the Black Sea Economic Cooperation (PABSEC), Assemblée parlementaire de la Francophonie, the Commonwealth Parliamentary Association (CPA), the Parliamentary Association for Euro-Arab Cooperation (PAEAC), the Maghreb Consultative Council, the Nordic Council, the ASEAN Inter-Parliamentary Organization (AIPO), the Arab Inter-Parliamentary Union, the African Parliamentary Union (APU), the Parliamentary Union of the OIC States (PUOICM); (v) the International Committee of the Red Cross (ICRC) and the International Federation of Red Cross and Red Crescent Societies.

Of the total of 1,385 delegates who attended the Conference, 648 were parliamentarians and 21 were observers. The parliamentarians included 42 presiding officers of parliaments, 35 deputy presiding officers and 139 women parliamentarians (21.5%).

3. CHOICE OF A SUPPLEMENTARY ITEM

When this agenda item was addressed on the morning of 1 May, the Conference had before it **13 requests for the inclusion of a supplementary item**. The delegations of Namibia, Bangladesh, United Arab Emirates, South Africa and Italy announced the withdrawal of the proposals from their parliaments relating, respectively, to the *"Contribution of parliaments to the prevention of military coups over democratically elected governments in the world"*, *"Prevention of cross-border terrorism"*, *"Role of parliaments in achieving international peace and security in general and in the Gulf in particular, and in resolving disputes by means of international law"*, *"Responding to natural disasters in developing countries"*, and *"Action by parliaments to halt the use of minors in military operations"*. The Italian and South African delegations agreed to withdraw their requests with a view to the items they had proposed being taken up by the 104th Conference in Jakarta. The delegations of the Parliaments of Australia and Algeria (speaking on behalf of the Arab Group) decided to combine the proposals of their two parliaments. As a result, seven requests remained. The President decided, on a proposal by the delegation of the United Kingdom, to adjourn the sitting to allow for further consultations.

When the debate resumed at the afternoon sitting, the delegations of India, Djibouti and Nicaragua announced the withdrawal of the requests from their respective parliaments, concerning *"Parliamentary action against the growing trend of cross-border terrorism, which is a threat to international peace and stability and undermines the established norms of civilised international behaviour"*, *"Support for the Peace Plan for Somalia proposed by the President of the Republic of Djibouti"* and *"Protection of the rights of migrant workers and migrant populations"*. As a result, the Conference had **four requests before it**. Following statements by

the authors of these requests and the expression of two dissenting opinions, a vote was held by roll call with the following outcome:

- The item proposed by the Parliament of **Azerbaijan** entitled "*Ethnic Separatism*": 187 votes to 737, with 565 abstentions (see details of the vote in Annex H-1(a));
- The item proposed jointly by the Parliaments of **Algeria** and **Australia** entitled "*Support of parliaments for the rights of refugees and persons displaced by war and occupation, and assistance with a view to their repatriation, and for international cooperation to develop and implement strategies to combat the criminal activity of people-smuggling*": 1,338 votes to 45, with 106 abstentions (see details of the vote in Annex H-1(b));
- The item proposed by the Parliament of **Israel** entitled "*Establishment of an IPU task force to assist emerging nations in introducing sophisticated information and communication technologies, and to promote the creation of an information clearing centre, with a view to facilitating the establishment of high-tech industrial zones in developing countries*": 586 votes to 395, with 508 abstentions (see details of the vote in Annex H-1(c));
- The item proposed by the Parliament of **Japan** entitled "*Parliamentary action to promote international cooperation for combating piracy and armed robbery against ships*"; 606 votes to 253, with 628 abstentions (see details of the vote in Annex H-1(d));

The joint proposal of the Parliaments of Algeria and Australia, having received not only the necessary two-thirds majority but also the highest number of affirmative votes, was added to the agenda as item 6 (see 4(d) below).

4. PROCEEDINGS AND DECISIONS OF THE CONFERENCE AND ITS STUDY COMMITTEES

(a) General Debate on the political, economic and social situation in the world (Item 3)

The General Debate on the political, economic and social situation in the world took place on the afternoon of Monday, 1 May, all day on Tuesday, 2 May, on the afternoon of Wednesday, 3 May and all day on Thursday, 4 May. A total of 125 speakers from 110 delegations took part in the debate, which was chaired by the President of the Conference. The President invited the Vice-Presidents belonging to the delegations of the following countries to replace him in the chair : Algeria, Australia, Burkina Faso, Egypt, France, Nicaragua, Nigeria , Philippines and Tunisia.

The debate focused on various conflict situations throughout the world, including that in the Middle East, and the globalisation process.

(b) Achieving peace, stability and comprehensive development in the world and forging closer political, economic and cultural ties among peoples (Item 4)

This item was considered on 2 and 4 May by the **First Committee** (Political Questions, International Security and Disarmament) that met in two sittings with its Vice-President, **Mr. J. Lefevre (Belgium)** in the chair. The Committee had before it 9 memoranda submitted by the delegations of Argentina, Australia, Canada, Chile, Congo, Egypt, Hungary, Iraq and Yugoslavia. The Committee also had before it **17 draft resolutions** submitted by the delegations of Argentina, Australia, Azerbaijan, Canada, Congo, Cuba, Egypt, France, Germany, Indonesia, Iraq, Kuwait, Philippines, Senegal, United Kingdom and Yugoslavia. The Meeting of Women Parliamentarians also submitted a draft resolution.

Mr. Vladimir Petrovsky, UN Under-Secretary-General and Director-General of the United Nations Office at Geneva, addressed the Committee on the subject of the Millennium Report of the United Nations Secretary-General.

A total of 58 speakers from 52 countries took the floor in the two sessions. The meeting also heard statements from 1 observer and 3 international delegations. Thereafter, the Committee appointed a **drafting committee** composed of representatives from Australia, Benin, Cuba, Egypt, France, Indonesia, Philippines, Portugal, Yugoslavia and Zambia. In its work, the drafting committee benefited from the advice of Mr. Incisa di Camerana, Advisor to the Director General of the United Nations Food and Agricultural Organization (FAO). The drafting committee, after electing **Mr. A. Somlyay (Australia)** as its **Chairman** and **Mr. S. Chilombo (Zambia)** as its **Rapporteur**, met throughout the day on 3 May. It used the draft resolution prepared by the delegation of France as the basis for its deliberations but also drew extensively on many of the other texts before it and on the proposals and ideas put forward during the debate in Committee. The consolidated draft was adopted without a vote.

During the sitting of 4 May the First Committee received the report by Mr. S. Chilombo on the work of the drafting committee and examined the text paragraph by paragraph. Representatives from Malta, Norway and the Netherlands suggested amendments to various paragraphs that were accepted without a vote. A vote, however, was taken on the paragraph dealing with sanctions affecting civilians (operative paragraph 13), with 24 in favour, 2 against and 2 abstentions.

On the afternoon of 5 May, Mr. S. Chilombo submitted the First Committee's draft resolution to the Conference. The resolution was **adopted without a vote** (see Annex H-2 for the text of the resolution). After its adoption the delegation of India expressed its reservation to paragraph 16 which calls for signature and ratification by all States of the Treaty on the Non-proliferation of Nuclear Weapons.

(c) **Dialogue among civilisations and cultures (Item 5)**

This item was considered on 3 and 5 May by the **Fourth Committee** (on Education, Science, Culture and Environment) which met with one of its **Vice-Presidents, Mrs. B. Gadiant (Switzerland)**, in the chair. The Committee had before it **17 memoranda**, submitted by delegations from Argentina, Australia, Canada, Chile, Congo, Denmark, Egypt, Estonia, Gabon, Iran (Islamic Republic of), Iraq, Israel, Japan, Switzerland, Yugoslavia and the Parliamentary Assembly of the Council of Europe, and by Mr. H. Sager (Argentina), **two information documents** submitted by the Personal Representative of the UN Secretary-General for the United Nations Year for Dialogue among Civilizations and by the United Nations Organization for Education, Science and Culture (UNESCO), and **17 draft resolutions** submitted by Argentina, Australia, Belgium, Canada (co-sponsored by Andorra, Bulgaria, Croatia, Cyprus, Estonia, Hungary, Israel, Lao Democratic People's Republic, Luxembourg and Norway), Cuba, Egypt, Estonia, France, Germany, Indonesia, Iran (Islamic Republic of) (co-sponsored by Egypt and Italy), Japan, Kuwait, Philippines, United Kingdom, the co-sponsors Germany and United Kingdom, and the Meeting of Women Parliamentarians.

A total of 66 speakers representing 61 countries and observers took the floor in the debate that took place throughout the day on 3 May. During the debate, the Committee appointed a **drafting committee** comprising representatives from the Parliaments of the following countries: Belgium, Germany, Iran (Islamic Republic of), Japan, Papua New Guinea, South Africa, Sweden, Tunisia, United Kingdom and Zambia. Representatives of the Parliamentary Assembly of the Council of Europe and UNESCO participated in the work of the Committee as advisers. The drafting committee, after electing **Mrs. V. Furubjelke (Sweden)** as its **President** and **Mrs. G. Mahlangu (South Africa)** as its **Rapporteur**, met throughout the day on 4 May. It took the joint draft resolution submitted by Germany and the United Kingdom as a basis for its work but also

drew extensively on many of the other texts before it and on the proposals and ideas put forward during the debate in Committee. The resulting consolidated draft was adopted without a vote.

On the morning of 5 May, the Fourth Committee examined the text submitted to it by the drafting committee and **adopted it without a vote**. The Indian delegation took the floor to explain its position regarding the Optional Protocol of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) referred to in paragraph 9 of the draft resolution.

On the afternoon of 5 May, Mrs. Mahlangu (South Africa) submitted the Fourth Committee's draft resolution to the 103rd Conference, which **adopted it without a vote** after adopting an amendment submitted by the Canadian delegation (see Annex H-3 for the text of the resolution).

(d) **Support of parliaments for the rights of refugees and persons displaced by war and occupation, and assistance with a view to their repatriation, and for international cooperation to develop and implement strategies to combat the criminal activity of people-smuggling** (Item 6)

Having decided to add this item to its agenda (see 3 above), the Conference referred it to the **First Committee** (Political Questions, International Security and Disarmament), which examined it on 3 and 5 May with its Vice-Presidents, **Mr. J. Lefevre (Belgium)** and **Mrs. M. Clarke-Kwesie (Ghana)**, taking the chair successively. The Committee had before it **five draft resolutions** submitted by the delegations of Algeria, Australia, Canada, Romania and Yugoslavia.

On the morning of 3 May, the Committee held a debate on this item, in which 40 speakers took part. At the end of the debate, the Committee appointed a **drafting committee** composed of delegates from Algeria, Australia, Canada, Chile, Cyprus, Egypt, Netherlands, Romania, South Africa, Turkey and the United Kingdom. The drafting committee met on the morning of 4 May and began its work by electing **Rev. K.M. Zondi (South Africa)** as **President** and **Rapporteur**. Working on the basis of Algerian, Canadian and Australian drafts and drawing extensively on the Romanian draft, the committee arrived at a consolidated text which was **approved without dissent**.

On the morning of 5 May, the First Committee heard the report of Rev. K.M. Zondi and adopted two amendments to the draft text. The first change consisted of replacing operative paragraph 7 of section A by an alternative text. This amendment was approved by 18 votes in favour, 10 against and 5 abstentions. The second amendment consisted of adding a few words to preambular paragraph 4 of section B of the draft and was adopted unanimously. The modified draft resolution was **approved without a vote**, following which the delegation of the Islamic Republic of Iran expressed its reservations concerning operative paragraph 7 of section A of the draft as well as concerning any other document of the 103rd IPU conference that could be construed as a recognition of the State of Israel.

On the afternoon of 5 May, the Rapporteur submitted the draft text to the final plenary sitting of the Conference. The delegation of Israel proposed to replace operative paragraph 7 of section A of the resolution with the original text that had been proposed by the drafting committee but had been changed by the First Study Committee. This amendment was rejected by the Conference by 765 votes to 64, with 461 abstentions (see Section H-5 for the details of the vote). The delegation of Germany proposed a negotiated alternative text for the paragraph in question and was seconded by the delegation of Palestine. This proposal was accepted without a vote. Thereafter, the resolution as a whole was **adopted without a vote** (the text of the resolution is reproduced in Annex H-4). The delegation of Israel expressed its rejection of operative paragraph 7 of section A of the resolution as amended by the vote.

After the adoption of the text of the resolution, the delegations of Australia and of the Islamic Republic of Iran stated their reservations on operative paragraph 7 of section A. Furthermore, the latter delegation expressed its reservations on all the documents of the Conference that could be construed as a recognition of the State of Israel. The delegation of Bosnia and Herzegovina regretted that the resolution contained no reference to the situation of refugees and displaced persons in South-East Europe. The delegation of Iraq expressed its reservations regarding all provisions relating to a political settlement.

B. 166th SESSION OF THE COUNCIL OF THE INTER-PARLIAMENTARY UNION

The Council of the Inter-Parliamentary Union held its 166th session at the Zara Expo Conference Centre on 1 and 6 May 2000 with its President, Dr. N.A. Heptulla (India), in the chair.

1. MEMBERSHIP OF THE UNION

The Council decided, on the recommendation of the Executive Committee, to **reaffiliate the Parliament of Niger** and to **affiliate the Parliament of Guinea-Bissau** to the Union.

The Council had before it the recommendations of the Executive Committee to **suspend the affiliation of the Parliaments of Côte d'Ivoire, Pakistan and Sudan** which had ceased to function. After each case had been considered separately, it decided to suspend the affiliation of Côte d'Ivoire, while the decision to suspend the affiliation of Pakistan was taken after recording the reservations of the delegations of the Islamic Republic of Iran and the People's Republic of China. A motion by the delegation of Egypt, supported by the delegations of Morocco and Yemen and opposed by the delegation of the Czech Republic, to defer consideration of the recommendation to suspend the affiliation of Sudan was put to a vote and was defeated with 121 votes against, 50 votes in favour, and 14 abstentions; the Executive Committee's recommendation to suspend the affiliation of Sudan was thereafter approved by the Council without a vote (see Annex J-1).

As a result of those decisions, **the Union now comprises 138 Member parliaments and five international parliamentary assemblies as Associate Members** (see Section F).

2. COOPERATION BETWEEN THE UNION AND THE UNITED NATIONS SYSTEM

(i) The parliamentary dimension of the UN and IPU's status at the UN

The Council **took note** of the Executive Committee's deliberations regarding the contents of the United Nations Secretary-General's Report to the Millennium Assembly and about a wide variety of initiatives aimed at strengthening cooperation with the UN. It heard a statement by Mr. V. Petrovsky, UN Under-Secretary-General and Director-General of the United Nations Office at Geneva, who had previously addressed the First Committee on 2 May on the same issue. It agreed that the Conference of Presiding Officers would offer a unique opportunity for the world parliamentary community to deliver a strong and clear message about the role of parliaments in international cooperation (see Section 3 below). Having noted the gradual deepening of the relationship between the two organisations, it asked the Secretary General to explore the possibility of the IPU being granted observer status at the UN General Assembly and present a comprehensive report on the issue at its next session in Jakarta in October. It also agreed, however, with the Executive Committee's view that this was only an intermediate step and that the

long-term objective of the IPU was to play the role of a parliamentary forum or congress for the United Nations.

(ii) *Economy, trade and development*

The Council was informed about the preliminary discussions of the Executive Committee as to the manner in which the IPU could provide a parliamentary dimension to a variety of organisations within the UN system and to the World Trade Organisation. It took note of the results of the parliamentary meeting organised on the occasion of UNCTAD X (see Section 6 below). It endorsed the proposal that the IPU organise a global specialised conference on trade, finance and development issues in Geneva in early 2001, and requested the Secretary General to draw up appropriate plans in consultation with the European Parliament and the United States Congress, since both institutions have expressed a keen interest in working to develop a parliamentary dimension to the WTO. It further asked the Secretary General to explore the possibility that the IPU provide a parliamentary dimension to the UNDP and asked him to develop proposals to this effect in time for its next session in Jakarta. The Council also **endorsed a report** prepared by the IPU Secretariat on preparation for the meeting on the subject of financing for development, and agreed to the Executive Committee's recommendation that parliaments take an active interest in the preparations for the high level meeting (see Section 12 below). It also agreed that the IPU should develop further its own position on financing for development and, as a first step, placed on the Conference agenda for Jakarta an item entitled: *Financing for development and a new paradigm of economic and social development designed to eradicate poverty*.

(iii) *Social development*

The Council took note of progress made in IPU's contribution to the UN General Assembly Special Session on the follow-up to the Copenhagen World Summit on Social Development, to be held in Geneva from 26 to 30 June 2000. The Council urged all members to make every effort to ensure that the text emerging from the government negotiations make a clear reference to the role of parliaments. It also urged all parliaments to ensure that male and female parliamentarians formed part of the national delegations to the session, which is entitled "*World Summit for Social Development and Beyond: Achieving Social Development for All in a Globalising World*". It invited all MPs present in Geneva to attend the parliamentary briefing which the IPU would hold on 27 June on the premises of the International Labour Organisation. It noted that several other events would take place that week, including a series of panels in which Dr. Ginwala, Speaker of the Parliament of South Africa, and Dr. N.A. Heptulla, President of the IPU Council, would exchange views with a large audience of government representatives, intergovernmental organisations and non-governmental organisations.

(iv) *Good governance*

In its discussion of the Annual Report of the Secretary General, the Council took note of the enhanced co-operation between the UNDP and the IPU to promote good governance through the IPU Technical Assistance Programme to Parliaments.

(v) *Human Rights*

The Council welcomed the interest expressed by the United Nations High Commissioner for Human Rights, Ms. M. Robinson, in closer cooperation with the IPU and noted that the preparation of a parliamentary handbook on human rights instruments was well advanced.

It also applauded the High Commissioner's proposal that the IPU convene a meeting of members of parliamentary human rights bodies in Geneva in the following year. The Committee on the Human Rights of Parliamentarians was instructed to make substantive proposals to this effect and the Secretary General was asked to prepare the corresponding budgetary appropriations for review in Jakarta. The Council also noted that the High Commissioner had called for parliamentary involvement in the preparation and follow-up of the World Conference on Combating Racism, to be hosted by South Africa in 2001. It urged all parliaments to ensure that the preparation of the conference was reviewed in an appropriate manner within each parliament and that they consider authorising appropriate budgetary allocations to ensure that the conference could be held. It also encouraged all parliaments to make sure that there were members of parliament, both men and women, in the national delegations attending the conference. Moreover, it invited the Secretary General, in cooperation with the Parliament of South Africa, to look into the possibility of holding a parliamentary meeting in parallel to the Conference. Finally, the Council placed on the agenda of the Conference in Jakarta an item which would allow for enhanced cooperation with the High Commissioner: *The prevention of military and other coups against democratically elected governments and against the free will of the people expressed through direct suffrage, and action to be taken to address grave violations of the human rights of parliamentarians.*

(vi) IPU's contribution to the "Beijing + 5" process

The Council noted progress made in the IPU's contribution to the Special Session of the UN General Assembly to be held in New York from 5 to 9 June 2000 to review and assess international, regional and national follow up to the *Beijing Platform for Action*. It welcomed two surveys issued by the IPU: a survey of national parliaments and political parties on action taken to follow up the *Beijing Platform for Action*, and a survey of views expressed by women politicians throughout the world on how they made a difference in politics⁴ The Council urged all members to do their utmost to ensure that the text emerging from government negotiations made a clear reference to the role of parliaments. It further urged all parliaments to arrange for male and female MPs to form part of national delegations to the Special Session of the UN General Assembly and to attend the Tripartite Consultation between members of parliament, representatives of governments taking part in the negotiations at the GA and representatives of the UN system, which the IPU would hold in New York on 7 June in co-operation with the UN Division for the Advancement of Women. The Council took note in that connection of the special "hearing" held by the Meeting of Women Parliamentarians on 30 April 2000 with Ms. Y. Ertürk, Director of the Division.

(vii) Dialogue among cultures and civilisations

The Council took note of the written and oral contributions made to the debate at the 103rd Conference on that issue by Mr. G. Picco, Personal Representative of the United Nations Secretary-General for the UN Year on Dialogue Among Civilisations.

3. CONFERENCE OF PRESIDING OFFICERS OF NATIONAL PARLIAMENTS AT UNITED NATIONS HEADQUARTERS (30 AUGUST TO 1 SEPTEMBER)

The Council **took note** of the report of the third session of the Preparatory Committee for the Conference containing the agenda, draft rules and draft Declaration of the Conference. It heard a statement by the Chinese delegation expressing strong support for the Conference while

⁴ *Participation of Women in Politics* (ISBN 92-9142-066-2) and *Politics: Women's Insight* (ISBN 92-9142-068-9)

urging that a solution be found in the months ahead for the Declaration to address more adequately certain issues of great importance to developing countries, including China.

The Council took note that its **President** will preside over the Conference and appointed the following **Vice-Presidents of the Conference**: Dr. Frene Ginwala, Speaker of the National Assembly of South Africa, Mr. Li Peng, Chairman of the Standing Committee of the National People's Congress of the People's Republic of China, Mr. G. Seleznev, Chairman of the State Duma of the Russian Federation, Mr. A. Majali, Speaker of the House of Representatives of Jordan, Mrs. B. Boothroyd, Speaker of the House of Commons of the United Kingdom, Mr. A.C. Magalhaes, President of the Senate of Brazil, Mr. J.D. Hastert, Speaker of the House of Representatives of the United States of America, and Mr. R. Forni, Speaker of the National Assembly of France.

The Council also appointed the following members of the **Steering Committee of the Conference**: Mr. M.P. Tjitendero, Speaker of the National Assembly of Namibia, Dr. A.F. Sorour, Speaker of the People's Assembly of Egypt, Mr. S. Ito, Speaker of the House of Representatives of Japan, Mrs. B. Dahl, Speaker of the Parliament of Sweden, and Mr. Z. Tuyakbai, Chairman of the Assembly of Kazakhstan. The Council took note that Dr. N.A. Heptulla, President of the IPU Council, Senator F. Solana (Mexico), Vice-President of the IPU Executive Committee, and Mr. M.M. Traoré, Speaker of the National Assembly of Burkina Faso, and elected by the Conference Preparatory Committee as Rapporteur, would serve on the Steering Committee, *ex-officio*.

The Council agreed that the Conference of Presiding Officers would offer a unique opportunity for the world parliamentary community to deliver a powerful and unequivocal message on the role of parliaments in international cooperation. It asked the Secretary General to write a synthesis of the Executive Committee's discussion on this subject for circulation to all IPU members wishing to assist their Presiding Officers in preparing for the Conference.

4. REFORM OF THE INTER-PARLIAMENTARY UNION

The Council considered a report of the Executive Committee on the possible reform of the IPU and endorsed the Committee's view that there was a need to undertake substantial reform of the structure and working methods of the organisation if it were to provide a parliamentary dimension to international cooperation. It noted that the Executive Committee had requested the Secretary General to prepare a summary of the various proposals it had made in Amman for further discussion at an extraordinary session in September (See Section 17 below).

5. CONSTRUCTION OF A NEW HEADQUARTERS BUILDING FOR THE UNION IN GENEVA

The Council noted that, subsequent to a feasibility study on each of the three sites proposed for the construction, it had been decided to select the option entailing the restoration and conversion of an existing historic building and the construction of an annex. It also took note that a restricted architectural competition had been launched for that purpose.

The Council also noted that, pending the issue of the building permit and the release of the building loan by the Swiss Federal Government, initial costs of the project were being financed by the State of Geneva and the Buildings Foundation for International Organisations (FIPOI) subject to reimbursement by the IPU once the building permit had been issued and the property transferred in IPU's name. The Council authorised the Secretary General to give a guarantee, as requested by those authorities, that the IPU would undertake to reimburse the State of Geneva and FIPOI for initial costs advanced by them in the event of the Union abandoning the project after the issue of a

building permit meeting its specifications fully and conforming to the feasibility study submitted to the Commission for the Protection of Sites. The Council took note that those costs would amount to some SF.2 million and would be included within the total approved project cost of SF.9.5 million.

6. RESULTS OF THE PARLIAMENTARY MEETING ON THE OCCASION OF UNCTAD X

The Council **adopted a resolution** on the results of the Parliamentary Meeting, held in Bangkok on 10 and 11 February 2000, on the occasion of UNCTAD X and organised by IPU and the Thai National Assembly in cooperation with the UNCTAD Secretariat (see Annex J-2). The resolution endorsing the Final Declaration of the Meeting was submitted by Mr. P. Günter (Switzerland), President of the Committee for Sustainable Development, which had acted as the Preparatory Committee for the Parliamentary Meeting in Bangkok.

7. GUIDELINES FOR THE CONTENT AND STRUCTURE OF PARLIAMENTARY WEB SITES

The Council **approved** the "*Guidelines for the Content and Structure of Parliamentary Web Sites*" prepared by the IPU Secretariat at the request of the Executive Committee and referred to parliaments through the Association of Secretaries General of Parliaments (ASGP). The Council **adopted a resolution** encouraging all parliaments to enhance their presence on the Internet and inviting them to follow the Guidelines as closely as possible (see Annex J-5).

8. ACTIVITY REPORTS

(i) Report by the President of the Council

The Council **took note** of the **written and oral reports by the President**, Dr. N.A. Heptulla, on her activities and meetings since the end of the 165th session in October 1999. The Council **took note of an oral report by the President on the activities of the Executive Committee** during its 230th session, in Amman (see Section C).

(ii) Annual report of the Secretary General on the activities of the Union for 1999

The Council saw the written report of the Secretary General on the activities of the Union for 1999. Following an introductory statement by the Secretary General, the Council **noted the report** (copies of the report may be obtained from the Secretariat of the IPU).

9. MEETING OF WOMEN PARLIAMENTARIANS

The Council **took note of a report** by Mrs. L. Sharaf (Jordan) on the proceedings of the Meeting of Women Parliamentarians which she had chaired on 30 April and 5 May (see Section D).

10. SECURITY AND COOPERATION IN THE MEDITERRANEAN

The Council **took note of a report** by Mr. M. Vauzelle (France) on the results of the Third IPU Conference on Security and Cooperation in the Mediterranean held under his chairmanship in Marseilles from 30 March to 3 April 2000. His report also covered the proceedings of the sixteenth Meeting of representatives of parties to the CSCM process, held on 3 May, which

he chaired (see Section E-1). At the proposal of the parties to the process, the Council adopted a resolution on the results of the Marseilles Conference (see Annex J-2).

11. HUMAN RIGHTS OF PARLIAMENTARIANS

At its second sitting, Mr. François Autain (France), President of the Committee on the Human Rights of Parliamentarians, reported to the Council on the work of the Committee at its 88th and 89th sessions which took place respectively in Geneva from 23 to 27 January and in Amman from 30 April to 5 May 2000 (see Section E-2).

The Council then **adopted without a vote resolutions concerning 150 serving or former MPs from the following 17 countries: Argentina, Belarus, Bhutan, Burundi, Cambodia, Colombia, Djibouti, Ecuador, Gambia, Guinea, Honduras, Malaysia, Myanmar, Nigeria, Republic of Moldova, Sri Lanka and Turkey** (see Annexes K-1 to K-21).

12. SUSTAINABLE DEVELOPMENT

The Council heard the report of the Union's Committee for Sustainable Development presented by Mr. P. Günter (Switzerland). The Council **approved the report** of the Committee on its main session held in Geneva from 1 to 3 March 2000. It **endorsed** in particular the Committee's Statement on Financing for Development (see Annex J-4) in which the Committee warmly welcomed the initiative of the United Nations to convene, in the year 2001, a high-level intergovernmental consultation of political decision-makers on financing for development. It proposed that, as part of its contribution to that consultation, the IPU organise a parliamentary debate on the issue at the Inter-Parliamentary Conference in Jakarta with a view to producing a comprehensive political statement by the world parliamentary community on financing for development (see Section 2 above).

The Committee also reported that, since the Rio Conference in 1992, the IPU had promoted and monitored action at the parliamentary level to ensure the continuation and strengthening of the process initiated by governments in Rio. The time had come to review parliamentary action in that field. However, the Committee had noted that the UN Secretariat was still working on the UN Secretary General's report on implementation of *Agenda 21*. There was no provisional agenda for the "Rio + 10" (2002) event, and even the format of the event (General Assembly Special Session or World Conference) was still very much undecided. The Committee therefore agreed to place that item on its agenda at its subsidiary session in Jakarta and to monitor further developments at the United Nations regarding the preparation and format of the event.

13. SITUATION IN CYPRUS

The Council **took note of the report** presented by Ms. Y. Loza (Egypt) on developments and contacts between the two Cypriot sides arranged with the assistance of the Facilitators and which had occurred since its last session in Berlin in October 1999 (see Section E-3).

14. MIDDLE EAST QUESTIONS

The Council **took note of the report** presented by Mr. A. Philippou (Cyprus) on developments since October 1999 and contacts between the Arab and Israeli sides arranged with the assistance of the Committee during the Amman meetings (see Section E-4).

15. GENDER PARTNERSHIP GROUP

The Council **took note of the report** presented by Mr. M.P. Tjitendero (Namibia) on the preliminary outcome of the consultation of IPU Members on ways to address the fact that there were still few, if any, women MPs in delegations to IPU meetings (see Section E-5).

16. FINANCIAL RESULTS FOR 1999

The Council had before it the financial results of the Union for 1999, the report of the External Auditor and the Secretary General's comments on the latter. It heard the report by its own Auditors, Mr. H. N. Ashequr Rahman (Bangladesh) and Mr. I. Fjuk (Estonia) and **approved** the Union's accounts for 1999 and the Secretary General's financial administration for that year.

17. QUESTIONS RELATING TO THE STATUTES

At its sitting on 6 May 2000, the Council received proposals from the Executive Committee:

- To amend Article 6 of the Statutes changing the date for submission of annual reports by the member parliaments from the end of March to the end of January;
- To amend Article 27.3 of the Statutes replacing the provision that the budget of the Association of Secretaries General of Parliaments shall be part of the Budget of the IPU by a provision stating that the IPU shall make an annual contribution towards the budget of the ASGP;
- To introduce a series of amendments to the IPU Statutes designed to reflect more adequately the existing institutional link between the national parliaments of sovereign States and the IPU as their world organisation. In that connection, the Council reiterated that it was the sovereign right of each parliament to decide on the manner and mechanism of its participation in the IPU and that the proposed amendments did not impose any constraints in that regard.

The Council asked the Secretary General to circulate all the proposed amendments among all member parliaments with a view to their adoption in Jakarta in October 2000.

The Council also **approved the amendments** to rules 14 and 19 of the Association of Secretaries General of Parliaments designed to do away with the distinction between the First and Second Vice-Presidents of the Association, as proposed by the governing body of the Association.

18. FUTURE INTER-PARLIAMENTARY MEETINGS

The Council **approved the agenda of the 104th Inter-Parliamentary Conference** to be held in Jakarta (Indonesia) in October 2000 (see Annex I-1).

The Council **accepted the invitation of the Parliament of Morocco** to host the 107th Conference of the IPU in 2002.

The Council **approved** the proposal of the Committee for Sustainable Development to organise, in cooperation with the relevant multilateral institutions, a specialised conference on trade, finance and development issues in January 2001 in Geneva. It endorsed the Executive Committee's recommendation to postpone indefinitely, for reasons of timing, scheduling and resources, the

"Forum on Perspectives on Democracy: How women make a difference" which had already been postponed from December 1999 to the current year. It **decided to grant sponsorship** to an International Conference on "*Democracy and Governance - A Global Perspective*", organised by the Federation of Indian Chambers of Commerce and Industry (FICCI) and to be held in New Delhi in July 2000.

The Council **took note of the calendar of future meetings and other activities** (see Annex I-3).

C. 230th SESSION OF THE EXECUTIVE COMMITTEE

The Executive Committee held its 230th session at the Zara Expo Conference Centre in Amman on 27, 28 and 29 April and 4 May 2000 with the President of the Inter-Parliamentary Council, Dr. Najma A. Heptulla in the chair.

The following members took part in the session: Mr. L. Bold (Mongolia), Mrs. S. Finestone (Canada), Mr. I. Fjuk (Estonia), Mr. R.S. Roco (Philippines), Mr. M.P. Tjitendero (Namibia), Mr. F. Solana (Mexico), Mr. J. Trobo (Uruguay), Mr. F.S. Tuaimah (Jordan), Mr. G. Versnick (Belgium) and Mrs. T.V. Yariguina (Russian Federation). Mrs. B. Imiolczyk (Poland), Mr. G. Nzouba-Ndama (Gabon) and Mrs. Routledge (South Africa) were unable to attend.

The proceedings of the Executive Committee focused on the formulations and recommendations on agenda items to be addressed by the Council of the Inter-Parliamentary Union. The other matters considered by the Executive Committee may be summarised as follows:

It conducted a stimulating and thorough discussion of the question of the reform of the Union, which included a lengthy exchange of views on its future relations with the United Nations. It agreed to return to the question at **a special session to be held in Geneva in September, 2000.**

It reviewed the situation of the **transitional legislatures** set up in Burundi, Congo and Rwanda, noting that while the first two cases did not give rise to major concern, the situation in Rwanda was worrying. The Speaker of the Assembly had fled the country and the four-year term of the transitional national assembly, which had expired in 1999, had been extended. The Committee asked the Secretary General to contact the Parliament in Kigali and make a full report at the next session in Jakarta in October.

It heard the annual report on the activities carried out by the **Union's Programme for the Study and Promotion of Representative Institutions.** The Programme provided for the implementation of ten country-based technical cooperation projects and one global parliamentary support project, all of which were funded from extra-budgetary resources, principally from the United Nations Development Programme.

It heard the report of the Executive Committee's representative on the **Management Board of the Staff Pension Fund**, and approved the Board's recommendation to provide for payment of part of the benefit of a surviving spouse to a divorced surviving spouse if the deceased staff member was under legal obligation to pay alimony to the latter.

There were three requests before the Committee for **observer status at the Jakarta Inter-Parliamentary Conference.** It decided neither to approve those requests nor to consider any further requests until the Union's reform process had matured. It also considered **two requests from NGOs**, one for IPU to associate itself with a project for a world parliament, the other to support a charter produced by a coalition of NGOs. The former was rejected. On the latter

request, the Committee's opinion was that a clear distinction had to be drawn between support for certain laudable goals and support for organisations pursuing those goals. It did not believe that it was necessary for the Union to declare its support for any specific entity or group.

It discussed a request from the Twelve Plus Group to use the **logo** of the Inter-Parliamentary Union in its own logo design and decided to look more closely at the legal implications of such use of the Organisation's symbol.

The Committee prepared the **draft agenda of the 167th session of the Council** to be held in Jakarta on 16 and 21 October 2000.

It agreed to renew the **appointment** of the Chairman of the Consultative Commission on Personnel for a further four-year term (see Section G).

It agreed in principle to a suggestion to hold jointly with Article 19, a human rights organisation, a **world seminar** to prepare Guidelines for legislation on diffamation. It invited the IPU Committee on the Human Rights of Parliamentarians to act as a think-tank for the project and requested the Secretary General to present a consolidated proposal on the issue, with the corresponding budgetary appropriations, at its next session in Jakarta.

Lastly, it decided on **representation of the Union** at a number of meetings to which the Union had been invited in coming months.

D. THIRD MEETING OF WOMEN PARLIAMENTARIANS

The women parliamentarians met in Amman on Sunday, 30 April 2000, with Ms. L. Sharaf, member of the Jordanian Senate, in the chair. The 110 participants came from the following 78 countries: Algeria, Andorra, Angola, Argentina, Armenia, Australia, Bangladesh, Belarus, Belgium, Bolivia, Botswana, Burkina Faso, Burundi, Canada, China, Croatia, Cuba, Cyprus, Czech Republic, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Guatemala, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Libyan Arab Jamahiriya, Lithuania, Malaysia, Mali, Mexico, Monaco, Morocco, Mozambique, Namibia, Nepal, Netherlands, Nigeria, Norway, Panama, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Rwanda, San Marino, Singapore, Slovakia, South Africa, Spain, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Tunisia, Uganda, Ukraine, United Kingdom, Uruguay, Yemen and Zambia. Observers from Palestine, the United Nations, the Council of Europe, and the International Committee of the Red Cross (ICRC) also attended the proceedings.

Following her election to the chair, Ms. Sharaf addressed participants, referring briefly to the situation of women in Jordan. Dr. Heptulla then took the floor in her capacity as President of the Council of the Inter-Parliamentary Union. The Meeting also heard Mr. Z. Al-Rifai, President of the Jordanian Senate, and Mr. A. Majali, Speaker of the House of Representatives.

Ms. S. Finestone, in her capacity as President ad interim of the Coordinating Committee which she had chaired earlier that morning, presented a report on the work of the Committee. The meeting was then briefed by the Moderator and Rapporteur of the Gender Partnership Group, Mr. M.P. Tjitendero (Namibia), on the preliminary results of the consultation launched by the Group on possible measures to improve women's participation in delegations to IPU meetings (see Section E-5).

The Meeting discussed parliaments' contribution to the work of the UN in the context of the Beijing+5 process. In that connection, it heard Ms. Y. Ertürk, Director of the United Nations Division for the Advancement of Women (UNDAW), who presented the Beijing+5 Special Session of the United Nations General Assembly (5-9 June 2000) and addressed current issues. The participants then exchanged views with her, placing special emphasis on the parliamentary dimension of the Special Session. Men and women MPs were strongly encouraged to take part in the session as members of national delegations. The debate also provided an opportunity to take stock of progress made in the organisation of the Tripartite consultation (parliaments, governments and inter-governmental organisations) on "*Democracy through partnership between men and women*" which the IPU is planning to hold on 7 June 2000, in cooperation with UNDAW, on the occasion of the Beijing+5 Special Session (see Section B-2).

The participants then held a lengthy debate on women's contribution to item 5 of the Conference agenda, "*The dialogue between civilisations and cultures*". Participants from Guatemala (Ms. Z. Ríos-Montt) and South Africa (Ms. G. Mahlangu) were entrusted with the task of preparing, in consultation with the President of the Meeting and the President of the Coordinating Committee, a draft resolution for submission to the 103rd Conference on behalf of the Meeting of Women Parliamentarians.

At the close of that debate, the Meeting unanimously adopted the following motion presented by Ms. B. Skalli (Morocco): "*We, women parliamentarians of the world, meeting at the 103rd Conference of the Inter-Parliamentary Union, extend our solidarity and support to the women and parliamentarians of Jordan in their endeavours to put an end to the impunity enjoyed by the perpetrators of "crimes of honor" committed against women and girls in the name of traditions which are a grave violation of human rights.*"

Lastly, the Meeting was presented with the findings of the Union's survey "*Politics: Women's Insight*", which highlights women's political experience and their contribution to the democratic process. The participants then went on to discuss strategies for ensuring that women were elected to offices to be filled at the 103rd Conference. They also heard Ms I. Murti (Indonesia), who invited participants to take part in the next Meeting in Jakarta on 15 October.

Women parliamentarians met again on Friday, 5 May, first to elect the new regional representatives on the Coordinating Committee of Women Parliamentarians and their substitutes (see Section G-4). A second sitting was held on the same day to elect the new President and Vice-Presidents of the Committee, Ms. V. Furubjelke (Sweden) and Ms. Z. Ríos-Montt (Guatemala) and Ms. G. Mahlangu (South Africa).

The Coordinating Committee of Women Parliamentarians met on Sunday, 30 April under the presidency of Ms. S. Finestone, President ad interim, to prepare the plenary meeting and assess the Committee's work of the past two years. Following the elections of its new regional representatives and their substitutes, on 5 May, the Committee met for a first sitting to nominate candidates for the posts of President and Vice-Presidents. Following their election by the plenary Meeting, the newly-formed Committee held a second sitting, chaired by Ms. Furubjelke. The Committee assessed the results of the Amman Inter-Parliamentary Meetings as they concerned women and decided that in Jakarta, the Meeting of Women Parliamentarians would focus on "*A gender perspective on issues relating to financing for development and a new paradigm of economic and social development designed to eradicate poverty*".

E. SUBSIDIARY BODIES AND COMMITTEES

1. MEETING OF REPRESENTATIVES OF THE PARTIES TO THE CSCM PROCESS

On the occasion of the Amman Inter-Parliamentary Meetings, the representatives of the parties to the Inter-Parliamentary Process of Security and Cooperation in the Mediterranean (CSCM) held their Fifteenth Meeting at the Zara Expo Center in Amman on Wednesday, 3 May 2000. The session was chaired by Mr. M. Vauzelle, a member of the French National Assembly, and was attended by:

- ♦ representatives of the following **main participants**: Algeria, Croatia, Cyprus, Egypt, France, Israel, Italy, Jordan, Libyan Arab Jamahiriya, Malta, Morocco, Portugal, Spain, Syrian Arab Republic, the Former Yugoslav Republic of Macedonia, Tunisia, Turkey and Yugoslavia (the other main participants, namely Albania, Bosnia and Herzegovina, Greece, Lebanon, Monaco and Slovenia, were not represented at the session);
- ♦ representatives of the following **associate participants**: Russian Federation, United Kingdom, Palestine, Assembly of the Western European Union, Arab Inter-Parliamentary Union (the other associate participants, namely the United States of America, the Parliamentary Assembly of the Council of Europe, the Parliamentary Assembly for Black Sea Economic Cooperation, the Parliamentary Assembly of the OSCE, the Maghreb Consultative Council and the European Parliament were not represented at the session).

The session was preceded by a meeting of the CSCM Coordinating Committee, chaired by Mr. M. Vauzelle and attended by representatives of all its members except Egypt and Slovenia: France, Italy, Malta, Morocco, Spain, Syrian Arab Republic and Tunisia.

After hearing the reports of Mr. Vauzelle and the General Rapporteur of the CSCM, Mr. M.A. Chiboub (Tunisia), the participants analysed the outcome of the Third Conference on Security and Cooperation in the Mediterranean, held in Marseilles from 30 March to 3 April 2000 at the invitation of the French Parliament. They endorsed the Final Document adopted by the Third CSCM, welcoming the spirit in which the proceedings had taken place, and made recommendations as to national and international follow-up measures. They noted with satisfaction that the women members of delegations had met in Marseilles and that their contribution had considerably enriched the Final Document. They further noted that the women MPs from the Mediterranean included in delegations to the Amman Meetings had formed a task force which would provide regular input to the CSCM process and ensure the follow-up of the recommendations contained in the Final Document of the Marseilles Conference. This document is accessible on the Web site of the Inter-Parliamentary Union (www.ipu.org) and available upon request from the IPU Secretariat.

At the close of a debate on arrangements for the Union's future action on security and cooperation in the Mediterranean with a view to founding a parliamentary assembly of Mediterranean States, the participants decided to recommend that the Council of the Inter-Parliamentary Union take note of the Final Document of the Third CSCM. They also decided to submit to the Council a draft resolution providing that an ad hoc committee would meet in Malta in the summer of 2000. It was agreed that the committee would comprise the members of the CSCM Coordinating Committee, joined by a representative of the task force of Mediterranean women MPs (the women MPs then appointed a representative from Cyprus). (See Annex J-2 for the text of the resolution, which was adopted by the Council). The results of the ad hoc committee's proceedings will be examined by the parties to the CSCM process at their seventeenth ordinary meeting in Jakarta on 18 October 2000.

2. COMMITTEE ON THE HUMAN RIGHTS OF PARLIAMENTARIANS

The Committee held its 89th session from 30 April to 5 May 2000 in Amman. The session was chaired by Mr. F. Autain (France), President of the Committee, with the participation of Mr. H. Etong (Cameroon), Mr. J.P. Letelier (Chile) and Mr. M. Samarasinghe (Sri Lanka), titular members. Mrs. Maria Grazia Daniele-Galdi (Italy) and Mrs. Tharnthong Thongswasdi (Thailand) participated in the session in their capacity as substitute members.

The Committee held eight *in camera* meetings during which it studied 39 cases concerning 190 serving or former parliamentarians from 27 countries in all regions of the world. Taking advantage of the presence in Amman of delegations from several of the countries concerned, the Committee, in keeping with its consistent practice, conducted 12 *in camera* hearings. In addition, the Committee asked its members individually to seek information from other delegations attending the 103rd Conference regarding several cases before it.

Having before it five new cases from five countries which were under consideration for the first time, the Committee examined thoroughly the allegations and information submitted to it and declared them admissible. It decided to submit to the Council a report and recommendations concerning the cases of 150 serving or former members of Parliament in the following 17 countries: Argentina, Belarus, Bhutan, Burundi, Cambodia, Colombia, Djibouti, Ecuador, Gambia, Guinea, Honduras, Malaysia, Myanmar, Nigeria, Republic of Moldova, Sri Lanka and Turkey (see also Section B-11 and Annexes K-1 to K-21). On the Committee's proposal, the Council decided to close two cases regarding two MPs and to close the study of the situation of 13 parliamentarians in one country.

3. GROUP OF FACILITATORS FOR CYPRUS

At Berlin, in October 1999, the IPU Council agreed that the Group of Facilitators could arrange a meeting on the island of Cyprus between leaders and representatives of the nine main political parties from both Cypriot sides. It was agreed that meeting would be conducted in two segments: one sitting would be held in southern Cyprus and another in northern Cyprus. A few days before leaving for Cyprus last February, the Facilitators decided to postpone the session when it emerged that the conditions for its success had not all been met: certain details regarding the arrangements for what was a very new exercise needed to be further clarified. In Amman, a meeting took place in the presence of two of the Facilitators - Mrs. Y. Loza (Egypt) and Mr. H. Gjellerod (Denmark) - between the representatives of Greek Cypriot parties attending the Conference as delegates of the House of Representatives and representatives of the Turkish Cypriot political parties. This meeting was extended by a dinner hosted by the Greek Cypriot delegation in return for the one hosted in Berlin by the Turkish Cypriots. The dinner provided an opportunity to further the discussions and enhance personal contacts between the two sides. The Facilitators noted that meetings of the political parties coordinated by the Slovak Ambassador were resuming on the island. They informed the Council that under the circumstances, they saw no need to go to Cyprus for the time being. They nonetheless concurred with the parties on the usefulness of pursuing contacts during IPU Conferences and agreed to continue to act as intermediaries between them in Jakarta. The Council later welcomed that intention; it also elected a third Facilitator (see Section G-8).

4. COMMITTEE ON MIDDLE EAST QUESTIONS

The Committee met on 2 and 4 May under the presidency of Mr. C.E. Ndebele, Speaker of the Parliament of Zimbabwe, and with Mr. A. Philippou (Cyprus) as Rapporteur. The

other three members of the Committee were: Mr. Y. Tavernier (France), Mrs. O.A. Starrfelt (Norway), and Mr. S. Sundaravej (Thailand).

As had been the case in recent Conferences, the Committee session was attended by parliamentary representatives from the Arab Groups (Egypt, Jordan and Palestine) and from Israel and, following an exchange of views between the representatives, it received written statements from Mr. Cohen (Israel) and from Mr. Abdullah (Palestine). At the end of its deliberations, the Committee adopted its report (see Annex J-6).

5. GENDER PARTNERSHIP GROUP

The Gender Partnership Group met on 27 April. The Group was composed of Mr. M.P. Tjitendero (Namibia), who became its moderator, Mrs. T.V. Yariguina (Russian Federation), Mr. F. Solana (Mexico) and Mrs. B. Imiolczyk (Poland), who was unable to attend. At the Council's request, the Group had analysed figures for the participation of women MPs in the Union's meetings, which it considered to be persistently low and uneven, and was conducting a consultation among all members of the Union about measures to remedy the situation. Having noted that 32 delegations had no women members, it decided to give a list of them to the Council. It also examined the preliminary results of the consultation, to which 71 parliaments have already responded. It felt that the consultation needed to be pursued and decided to bring the first results to the Council's attention in order to obtain the views of the Union's members. The consultation featured three measures, which were not exclusive: (i) amending the Statutes to require that member Parliaments with women members shall include at least one woman in each delegation (responses so far: 59 in favour and 12 against); (ii) automatically reducing the size of all-male delegations by one person (responses so far: 49 in favour and 22 against) and (iii) reducing by two the voting entitlement of all-male delegations to the Conference (responses so far: 44 in favour and 27 against). In support of their replies, a number of parliaments sent in views and arguments as well as suggestions for alternative measures, which the Group is studying. It will submit its conclusions and recommendations to the Council at the Jakarta meetings.

F. MEMBERSHIP OF THE UNION AS OF 6 MAY 2000

Members (138)

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, 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, Liberia, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malawi, Malaysia, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, San Marino, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Associate Members (5)

Andean Parliament, Central American Parliament, European Parliament, Latin American Parliament, Parliamentary Assembly of the Council of Europe

G. ELECTIONS AND APPOINTMENTS

1. OFFICE OF PRESIDENT OF THE 103rd INTER-PARLIAMENTARY CONFERENCE

At its first sitting on 1 May 2000, the 103rd Conference elected by acclamation Mr. Abdulhadi Majali, Speaker of the House of Representatives of Jordan, as its President.

2. EXECUTIVE COMMITTEE

At its sitting on 6 May, the Council elected by acclamation Mr. H. Gjellerod (Denmark) to a four-year term of office to succeed Mrs. B. Imiolczyk (Poland) whose term of office came to an end at the Amman session. The delegate of Austria stated his opposition to that election.

3. STUDY COMMITTEES OF THE INTER-PARLIAMENTARY CONFERENCE

At its meeting on 5 May, the First Committee (*Political Questions, International Security and Disarmament*) elected by acclamation Mr. A.H. Hanadzlah (Malaysia) as its President and re-elected by acclamation Mr. J. Lefevre (Belgium) and Mrs. M. Clarke-Kwesie (Ghana) as Vice-Presidents.

At its meetings on 3 and 5 May, the Fourth Committee (*Education, Science, Culture and Environment*) elected by acclamation Mr. J.A. Coloma Correa (Chile) as its President and Mrs. B. Gadiant (Switzerland) as Vice-President and re-elected by acclamation Mrs. M. Chidzonga (Zimbabwe) as Vice-President.

4. COORDINATING COMMITTEE OF WOMEN PARLIAMENTARIANS

At its meeting on 5 May, the Meeting of Women Parliamentarians elected by acclamation Mrs. V. Furubjelke (Sweden) as President (and hence as ex officio member of the Executive Committee) and Mrs. Z. Ríos-Montt (Guatemala) and Mrs. G. Mahlangu (South Africa), as First Vice-President and Second Vice-President respectively. The officers were elected for two-year terms.

The following regional representatives were elected by acclamation for two-year terms:

African countries

Titular

Mrs. G. Mahlangu (South Africa)
Mrs. M.M. Ouedraogo (Burkina Faso)

Substitute

Mrs. F.D. Aya (Nigeria)
Mrs. J. Nsabimana (Burundi)

Arab countries

Titular

Mrs. N. Djaafar (Algeria)
Mrs. B. Alw (Iraq)

Substitute

Mrs. F. Zaghrat (Libyan Arab Jamahiriya)
Mrs. W. Khaddam (Syrian Arab Republic)

Asia and Pacific countries

Titular

Mrs. J. Crosio (Australia)
Mrs. M. Alva (India)

Substitute

Mrs. Y.K. Tan (Malaysia)
Miss K. Silpa-Archa (Thailand)

Eurasia

Titular

Mrs. H. Hakobyan (Armenia)
Mrs. O. Artemenko (Belarus)

Substitute

Mrs. N. Kayupova (Kazakhstan)
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Latin America

Titular

Mrs. Z. Ríos-Montt (Guatemala)
Mrs. M. Xavier (Uruguay)

Substitute

Mrs. L. Pavón (Mexico)
Mrs. E. Brockmann (Bolivia)

Twelve Plus

Titular

Mrs. V. Furubjelke (Sweden)
Mrs. B. Imiolczyk (Poland)

Substitute

Mrs. Z. Busic (Croatia)
Mrs. O. Starrfelt (Norway)

The second substitute representative of Eurasia will be elected in October 2000 in Jakarta.

5. COMMITTEE ON THE HUMAN RIGHTS OF PARLIAMENTARIANS

At its sitting on 6 May, the Council elected by acclamation Mrs. M.G. Daniele-Galdi (Italy) as a titular member and Mrs. V. Nedvedova (Czech Republic) as a substitute member of the Committee for five-year terms.

6. COMMITTEE FOR SUSTAINABLE DEVELOPMENT

At its sitting on 6 May, the Council elected by acclamation Mr. K. Isaev (Kyrgyzstan) as titular member for the Eurasia region and Mr. E. Nahum (Benin) as alternate member for the Africa region for four-year terms.

7. COMMITTEE ON MIDDLE EAST QUESTIONS

At its session on 6 May, the Council elected by acclamation Mr. M.A. Abdellah (Egypt) as titular member to succeed Mr. C. Valantin (Senegal). In keeping with a decision adopted in October 1999, it elected, also by acclamation, four substitute members for four of the six titular members of the Committee: Mr. J. Mensah (Ghana), Mr. O. Bah (Guinea), Mrs. A. Koester-Lossack (Germany) and Mrs. J. Corsio (Australia). The Council will elect two substitute members at the next Conference in Jakarta.

8. GROUP OF FACILITATORS FOR CYPRUS

At its sitting on 6 May, the Council elected by acclamation Mr. D. Kidd (New Zealand) to membership of the Group.

9. GENDER PARTNERSHIP GROUP

At its sitting on 27 April, the Executive Committee appointed Mr. M.P. Tjitendero (Namibia) to the Gender Partnership Group to succeed Mr. M.M. Traoré (Burkina Faso).

10. CONSULTATIVE COMMISSION ON PERSONNEL

At its sitting on 29 April, the Executive Committee renewed the appointment of Prof. B. Knapp as Chairman of the Consultative Commission on Personnel, for a four-year term.

**RESULTS OF ROLL-CALL VOTES ON REQUESTS FOR INCLUSION
OF A SUPPLEMENTARY ITEM IN THE CONFERENCE AGENDA**

A single roll-call vote was held on 1 May to choose the supplementary item from among the four requests still remaining on the list of proposals at the time of the vote. For the sake of clarity, the breakdown of votes on each of these requests is presented in separate tables.

Vote on the request of the delegation of Azerbaijan
for the inclusion of a supplementary item entitled
"ETHNIC SEPARATISM"

R e s u l t s

Affirmative votes 187 Total of affirmative and negative votes 924
Negative votes 737 Two-thirds majority 616
Abstentions 565

Country	Yes	No	Abst.	Country	Yes	No	Abst.	Country	Yes	No	Abst.
Albania		absent		Fiji			10	Mexico		19	
Algeria		14		Finland		12		Monaco		10	
Andorra	6	4		France		17		Mongolia		11	
Angola		12		Gabon			11	Morocco			14
Argentina		15		Georgia		absent		Mozambique		13	
Armenia		11		Germany		19		Namibia			11
Australia		13		Ghana			10	Nepal			13
Austria		12		Guatemala		12		Netherlands		13	
Azerbaijan	12			Guinea			12	New Zealand		11	
Bangladesh			20	Hungary		13		Nicaragua			10
Belarus	3		10	Iceland		10		Niger		absent	
Belgium		12		India			23	Nigeria	10		10
Benin		11		Indonesia			22	Norway		11	
Bolivia			12	Iran (Islamic Republic of)			17	Panama		10	
Bosnia and Herzegovina			11	Iraq		14		Papua New Guinea		11	
Botswana		11		Ireland	11			Peru		absent	
Brazil	20			Israel		12		Philippines		18	
Bulgaria	6	6		Italy		17		Poland			15
Burkina Faso		12		Japan		20		Portugal			12
Burundi			12	Jordan		11		Rep. of Korea			16
Cambodia			13	Kazakhstan	10		3	Romania		7	7
Cameroon			13	Kenya	10			Russian Federation	5		15
Canada		14		Kuwait		11		Rwanda		12	
Chile		13		Kyrgyzstan	7	4		San Marino			10
China			23	Lao People's Dem. Rep.	9		2	Senegal	10		
Costa Rica		absent		Latvia			11	Singapore		11	
Croatia		11		Lebanon		10		Slovakia		12	
Cuba		13		Liberia	10			South Africa		16	
Cyprus		10		Libyan Arab Jamahiriya			11	Spain		15	
Czech Republic	2		11	Lithuania			11	Sri Lanka	13		
Dem. People's Rep. of Korea		absent		Luxembourg		10		Sweden		12	
Denmark			12	Malaysia			14	Switzerland	2	10	
Djibouti		10		Mali			12	Syrian Arab Rep.		13	
Ecuador		10		Malta		absent		Tajikistan		10	
Egypt		18		Mauritania		11		Thailand			18
Estonia			11	Mauritius			11	The FYR of Macedonia			11
Ethiopia		16						Tunisia		12	
								Turkey	10		

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

Uganda	6	7	
United Arab Emirates		11	
United Kingdom			17
Ukraine			17
Uruguay		11	
Uzbekistan	absent		
Viet Nam	12		6
Yemen			13
Yugoslavia	13		
Zambia			12
Zimbabwe			10

**RESULTS OF ROLL-CALL VOTES ON REQUESTS FOR INCLUSION
OF A SUPPLEMENTARY ITEM IN THE CONFERENCE AGENDA**

A single roll-call vote was held on 1 May to choose the supplementary item from among the four requests still remaining on the list of proposals at the time of the vote. For the sake of clarity, the breakdown of votes on each of these requests is presented in separate tables.

Vote on the request of
the delegation of Algeria (on behalf of the Arab Inter-Parliamentary Groups) and Australia
for the inclusion of a supplementary item entitled

**"SUPPORT OF PARLIAMENTS FOR THE RIGHTS OF REFUGEES AND PERSONS DISPLACED BY WAR
AND OCCUPATION, AND ASSISTANCE WITH A VIEW TO THEIR REPATRIATION,
AND FOR INTERNATIONAL COOPERATION TO DEVELOP AND IMPLEMENT STRATEGIES
TO COMBAT THE CRIMINAL ACTIVITY OF PEOPLE-SMUGGLING"**

R e s u l t s

Affirmative votes 1338 Total of affirmative and negative votes 1383
Negative votes 45 Two-thirds majority 922
Abstentions 106

Country	Yes	No	Abst.	Country	Yes	No	Abst.	Country	Yes	No	Abst.
Albania	absent			Egypt	18			Luxembourg	10		
Algeria	14			Estonia	11			Malaysia	14		
Andorra	10			Ethiopia	16			Mali	12		
Angola	12			Fiji	10			Malta	absent		
Argentina	15			Finland	12			Mauritania	11		
Armenia	6	5		France	17			Mauritius	11		
Australia	13			Gabon	11			Mexico	19		
Austria	12			Georgia	absent			Monaco	10		
Azerbaijan			12	Germany	19			Mongolia	11		
Bangladesh	20			Ghana	10			Morocco	14		
Belarus	8		5	Guatemala	12			Mozambique	13		
Belgium	12			Guinea	12			Namibia	11		
Benin	11			Hungary	13			Nepal	13		
Bolivia	12			Iceland	10			Netherlands	13		
Bosnia and Herzegovina	11			India			23	New Zealand	11		
Botswana	11			Indonesia	10		12	Nicaragua	10		
Brazil	20			Iran (Islamic Republic of)	17			Niger	absent		
Bulgaria	12			Iraq	14			Nigeria	20		
Burkina Faso	12			Ireland	11			Norway	9		2
Burundi	12			Israel		12		Panama	10		
Cambodia	13			Italy	17			Papua New Guinea	11		
Cameroon	13			Japan		20		Peru	absent		
Canada	14			Jordan	11			Philippines	9		9
Chile	13			Kazakhstan	13			Poland	15		
China	23			Kenya	10			Portugal	12		
Costa Rica	absent			Kuwait	11			Rep. of Korea	8	8	
Croatia	11			Kyrgyzstan	11			Romania	14		
Cuba	13			Lao People's Dem. Rep.	8		3	Russian Federation	20		
Cyprus	10			Latvia	11			Rwanda	12		
Czech Republic	13			Lebanon	10			San Marino	10		
Dem. People's Rep. of Korea	absent			Liberia	10			Senegal	10		
Denmark	12			Libyan Arab Jamahiriya	11			Singapore			11
Djibouti	10			Lithuania	11			Slovakia	12		
Ecuador	10							South Africa	16		
								Spain	15		
								Sri Lanka	13		

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

Sweden	12		
Switzerland	12		
Syrian Arab Rep.	13		
Tajikistan	10		
Thailand			18
The fYR of Macedonia	11		
Tunisia	12		
Turkey	10		
Uganda	13		
United Arab Emirates	11		
United Kingdom	17		
Ukraine	9		8
Uruguay	11		
Uzbekistan	absent		
Viet Nam	18		
Yemen	13		
Yugoslavia	10		3
Zambia	12		
Zimbabwe	10		

**RESULTS OF ROLL-CALL VOTES ON REQUESTS FOR INCLUSION
OF A SUPPLEMENTARY ITEM IN THE CONFERENCE AGENDA**

A single roll-call vote was held on 1 May to choose the supplementary item from among the four requests still remaining on the list of proposals at the time of the vote. For the sake of clarity, the breakdown of votes on each of these requests is presented in separate tables.

Vote on the request of the delegation of Israel
for the inclusion of a supplementary item entitled

**"ESTABLISHMENT OF AN IPU TASK FORCE TO ASSIST EMERGING NATIONS IN INTRODUCING SOPHISTICATED
INFORMATION AND COMMUNICATION TECHNOLOGIES, AND TO PROMOTE
THE CREATION OF AN INFORMATION CLEARING CENTRE, WITH A VIEW TO FACILITATING
THE ESTABLISHMENT OF HI-TECH INDUSTRIAL ZONES IN DEVELOPING COUNTRIES"**

R e s u l t s

Affirmative votes	586	Total of affirmative and negative votes	981
Negative votes	395	Two-thirds majority	654
Abstentions	508		

Country	Yes	No	Abst.	Country	Yes	No	Abst.	Country	Yes	No	Abst.
Albania		absent		Ethiopia	12		4	Mauritania	11		
Algeria		14		Fiji			10	Mauritius			11
Andorra	6	4		Finland		12		Mexico	19		
Angola	12			France			17	Monaco			10
Argentina			15	Gabon	6		5	Mongolia	6	5	
Armenia	11			Georgia	absent			Morocco		14	
Australia	7		6	Germany		19		Mozambique			13
Austria		12		Ghana	5		5	Namibia		11	
Azerbaijan		12		Guatemala	12			Nepal	13		
Bangladesh		20		Guinea			12	Netherlands	10		3
Belarus	10		3	Hungary	7		6	New Zealand			11
Belgium	1		11	Iceland	10			Nicaragua	10		
Benin			11	India			23	Niger	absent		
Bolivia	6		6	Indonesia			22	Nigeria	10		10
Bosnia and Herzegovina	6		5	Iran (Islamic Republic of)		17		Norway	2		9
Botswana	11			Iraq		14		Panama	10		
Brazil	10	10		Ireland	6		5	Papua New Guinea	11		
Bulgaria	12			Israel	12			Peru	absent		
Burkina Faso		12		Italy	10	7		Philippines	9		9
Burundi			12	Japan		20		Poland			15
Cambodia			13	Jordan		11		Portugal	12		
Cameroon			13	Kazakhstan	9		4	Rep. of Korea	16		
Canada			14	Kenya	10			Romania	7		7
Chile	13			Kuwait		11		Russian Federation	10		10
China	12		11	Kyrgyzstan			11	Rwanda	12		
Costa Rica	absent			Lao People's Dem. Rep.	11			San Marino	6		4
Croatia	11			Latvia			11	Senegal	10		
Cuba		13		Lebanon		10		Singapore	11		
Cyprus	6		4	Liberia	10			Slovakia	12		
Czech Republic	2		11	Libyan Arab Jamahiriya		11		South Africa		16	
Dem. People's Rep. of Korea	absent			Lithuania	11			Spain	3	12	
Denmark			12	Luxembourg	6		4	Sri Lanka	13		
Djibouti			10	Malaysia		14		Sweden		12	
Ecuador			10	Mali		5	7	Switzerland	10		2
Egypt		18		Malta	absent			Syrian Arab Rep.		13	
Estonia	9		2					Tajikistan		10	
								Thailand			18

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

The FYR of Macedonia	11			United Arab Emirates		11		Viet Nam	14		4
Tunisia		12		United Kingdom			17	Yemen		13	
Turkey			10	Ukraine	9		8	Yugoslavia	7		6
Uganda	13			Uruguay			11	Zambia	12		
				Uzbekistan			absent	Zimbabwe	5		5

**RESULTS OF ROLL-CALL VOTES ON REQUESTS FOR INCLUSION
OF A SUPPLEMENTARY ITEM IN THE CONFERENCE AGENDA**

A single roll-call vote was held on 1 May to choose the supplementary item from among the four requests still remaining on the list of proposals at the time of the vote. For the sake of clarity, the breakdown of votes on each of these requests is presented in separate tables.

Vote on the request of the delegation of Japan
for the inclusion of a supplementary item entitled

**"PARLIAMENTARY ACTION TO PROMOTE INTERNATIONAL COOPERATION
FOR COMBATING PIRACY AND ARMED ROBBERY AGAINST SHIPS"**

R e s u l t s

Affirmative votes 606 Total of affirmative and negative votes 859
 Negative votes 253 Two-thirds majority 573
 Abstentions 628

Country	Yes	No	Abst.	Country	Yes	No	Abst.	Country	Yes	No	Abst.
Albania		absent		Ecuador		10		Libyan Arab Jamahiriya			11
Algeria		14		Egypt		18		Lithuania			11
Andorra	5		5	Estonia	6		5	Luxembourg	10		
Angola		12		Ethiopia	16			Malaysia	14		
Argentina			15	Fiji	10			Mali			12
Armenia	11			Finland		12		Malta	absent		
Australia	13			France			17	Mauritania	11		
Austria		12		Gabon	9		2	Mauritius			11
Azerbaijan		12		Georgia	absent			Mexico			19
Bangladesh	20			Germany		19		Monaco			10
Belarus	8		5	Ghana	10			Mongolia	11		
Belgium		12		Guatemala	12			Morocco			14
Benin			11	Guinea			12	Mozambique		13	
Bolivia			12	Hungary			13	Namibia			11
Bosnia and Herzegovina	7		4	Iceland		10		Nepal	13		
Botswana			11	India	23			Netherlands			13
Brazil	10	10		Indonesia	22			New Zealand			11
Bulgaria	8	4		Iran (Islamic Republic of)	17			Nicaragua			10
Burkina Faso			12	Iraq		14		Niger	absent		
Burundi			12	Ireland	11			Nigeria	20		
Cambodia	13			Israel	12			Norway		11	
Cameroon			13	Italy			17	Panama	10		
Canada			14	Japan	20			Papua New Guinea	11		
Chile			13	Jordan			11	Peru	absent		
China			23	Kazakhstan			13	Philippines	18		
Costa Rica	absent			Kenya			10	Poland			15
Croatia			11	Kuwait			11	Portugal			12
Cuba		13		Kyrgyzstan	11			Rep. of Korea	16		
Cyprus	6		4	Lao People's Dem. Rep.	11			Romania	7		7
Czech Republic	2		11	Latvia			11	Russian Federation	5		15
Dem. People's Rep. of Korea	absent			Lebanon		10		Rwanda			12
Denmark			12	Liberia	10			San Marino			10
Djibouti	10							Senegal	10		
								Singapore	11		

Slovakia	12		
South Africa			16
Spain	10		3
Sri Lanka	13		
Sweden		12	
Switzerland		6	6
Syrian Arab Rep.		13	
Tajikistan		10	
Thailand	18		
The FYR of Macedonia			11
Tunisia	6		6
Turkey	10		
Uganda	7	6	
United Arab Emirates			11
United Kingdom	10		7
Ukraine	8		9
Uruguay			11
Uzbekistan	absent		
Viet Nam	18		
Yemen			13
Yugoslavia			13
Zambia	9		3
Zimbabwe	5		5

**ACHIEVING PEACE, STABILITY AND COMPREHENSIVE DEVELOPMENT IN THE WORLD
AND FORGING CLOSER POLITICAL, ECONOMIC AND
CULTURAL TIES AMONG PEOPLES**

Resolution adopted without a vote by the 103rd Conference
(Amman, 5 May 2000)*

The 103rd Inter-Parliamentary Conference,

Considering that parliaments, as representatives of the people, play an important role in promoting dialogue and strengthening cordial ties between nations and peoples in the political, economic and cultural fields with a view to attaining global stability and peace,

Convinced that the United Nations and regional organisations under the UN Charter are more necessary than ever in order to contain and resolve conflicts between nations and that the United Nations must remain the cornerstone of strong global cooperation and *welcoming* in this connection the ongoing reforms within the UN,

Concerned by the actions of the World Bank and the International Monetary Fund that have not succeeded in reducing the gap between rich and poor countries,

Considering that although the globalisation of economies, the increase in trade and the acceleration of technical progress undoubtedly fuel growth, they also worsen the imbalances between the wealthiest and poorest countries insofar as they give priority above all else to market forces,

Convinced that the inequitable distribution of wealth between countries and the considerable discrepancy in people's living standards are major factors of imbalance and a source of conflict among nations,

Convinced also that inequalities within a country prevent sustainable development,

Aware that genuine and lasting peace is essential to sustainable economic, social and cultural development focused on the human being and shared by all,

Recalling that the participation of people in choices concerning them is necessary for any project to succeed,

Stressing that women do not participate equally with men in political, economic and social decision-making and that often discrimination against women, including poverty, denial of access to education, violence and sexual exploitation, limits their ability to contribute to the prevention and resolution of conflict within and between States,

* The Indian delegation expressed its reservations regarding operative paragraph 16.

Affirming that parliamentary democracy based on respect for human rights is the best means of ensuring transparency, justice, the freedom of peoples and concord among nations,

Stressing that transparency in decision-making and full access to information attract greater commitment by those involved,

Concerned at overarmament, which generates mistrust between countries and financial waste,

Greatly concerned that poverty and its consequences, including hunger, malnutrition and illiteracy, engender helplessness and marginalisation, which are an obstacle to participation in society and in decision-making processes,

Reaffirming the importance of the IPU resolution on "Parliamentary action to encourage all countries to sign and ratify the Comprehensive Test-Ban Treaty prohibiting all nuclear testing, to encourage universal and non-discriminatory nuclear non-proliferation measures and to work towards the eventual elimination of all nuclear weapons" adopted by the 101st IPU Conference (April 1999, Brussels), the ultimate aim of which is the abolition of all forms of nuclear weapons,

1. *Welcomes* the United Nations' proclamation of the year 2000 as the International Year for the Culture of Peace;
2. *Recommends* that all governments pursue policies and adopt mechanisms to eradicate poverty and reduce inequalities, and in this regard *reiterates* its commitment to the implementation of the final Declaration adopted by the specialised Inter-Parliamentary Conference on Attaining the World Food Summit's Objectives Through a Sustainable Development Strategy, held in Rome in 1998;
3. *Urges* nations and international organisations to give priority to developing programmes concerning women and children;
4. *Recalls* that the United Nations General Assembly recommended that developed countries raise the amount of their official development assistance to 0.7 per cent of GNP;
5. *Urges* international financial organisations to support programmes for combating poverty and marginalisation, to limit the adverse effects of adjustment programmes on the most vulnerable sectors of the population and to give priority to social objectives;
6. *Further urges* the international community to pursue its endeavours to restructure the trade system in keeping with the principles of non-discrimination and mutual benefit;
7. *Supports* decisions to cancel the external debt of heavily indebted poor countries (HIPC) and *calls for* broader criteria of eligibility for such measures, in conformity with the IPU resolution on this subject adopted at its 101st Conference in Brussels;
8. *Advocates* the conversion of the external debt of emerging countries into social development projects;

9. *Recalls* that environmental conservation and development are essential to sustainable development, peace between peoples and the survival of future generations;
10. *Calls on* all States to implement Agenda 21 adopted by the Earth Summit in 1992 and updated in 1997;
11. *Reaffirms* the importance of the IPU resolution on "Cooperation for world and regional security and stability, as well as for respect of all forms of the sovereignty and independence of States", adopted by the 97th IPU Conference (April 1997, Seoul);
12. *Considers* that confidence-building measures are a good means of strengthening security and stability in international relations, in particular through an ongoing dialogue on defence and security concepts and doctrines;
13. *Requests* the abolition of those types of sanctions that hit civilians, and especially children, the hardest;
14. *Deplores* the stockpiling of weapons of mass destruction and conventional weapons, and the rapid increase in the illicit trafficking of small arms which are becoming more and more threatening;
15. *Urges* all States to limit their armed forces strictly to their security needs and to use the resources thus released to pursue peace and cooperation;
16. *Recommends* the signing and ratification by all States of the Treaty on the Non-proliferation of Nuclear Weapons;
17. *Hopes* for the earliest possible disappearance of all weapons of mass destruction, be they conventional, biological, chemical or nuclear.

DIALOGUE AMONG CIVILISATIONS AND CULTURES

***Resolution adopted without a vote by the 103rd Conference
(Amman, 5 May 2000)***

The 103rd Inter-Parliamentary Conference,

Reaffirming the purposes and principles of the Charter of the United Nations,

Welcoming the fact that the United Nations General Assembly has proclaimed the year 2001 "United Nations Year for Dialogue among Civilizations",

Welcoming also the decision of the UN Secretary-General to appoint a personal representative for the United Nations Year of Dialogue among Civilizations,

Recalling UNESCO's essential role in international cooperation in the cultural field, and *noting with satisfaction* its important contribution to the implementation of the objectives of the United Nations Year for Dialogue among Civilizations, notably through its intercultural projects,

Recalling that, according to its Statutes, one of the purposes of the Inter-Parliamentary Union is to work for peace and cooperation among peoples,

Recalling further that the Inter-Parliamentary Union is the focal point for worldwide parliamentary dialogue,

Recognising the significant role that the Inter-Parliamentary Union can play in enhancing interaction between societies and peoples and promoting dialogue among different civilisations,

Reaffirming that all human rights are universal, indivisible and interdependent,

Conscious that every civilisation and culture is unique and irreplaceable,

Aware that all cultures and civilisations are part of the common legacy of humankind,

Noting that recurring problems generated by conflict, such as humanitarian crises, violations of human rights and refugee outflows; and global issues, including poverty, international organised crime, terrorism and worldwide environmental problems, pose real threats to every human being and *believing* that tolerance and respect of other cultures are prerequisites for lasting peace,

Stressing that a focus on dialogue between civilisations and cultures must not be invoked to justify discriminatory laws and practices within cultures and civilisations, especially regarding women, and must not be used to pursue human rights less diligently,

Further stressing that respect for differences and tolerance of others in society, regardless of their sex, race, religion or political affiliation, are as important as respect and tolerance for other cultures and civilisations,

Convinced that dialogue among different cultures and civilisations – within States as well as between States - can contribute to making their common values, including universal human rights, more easily discernible,

Recognising that positive and mutually beneficial interaction among civilisations has contributed throughout human history to the peaceful coexistence of nations and to the cultural enrichment of people,

Asserting that, just as biodiversity enriches our natural environment and is essential for its protection, cultural diversity is a treasure of humanity and a prerequisite for human development,

Emphasising the important role of dialogue throughout society: individuals, governments, non-governmental organisations, and national and international organisations,

Convinced that education can contribute to a better understanding of other cultures and civilisations,

Noting that tolerance and respect for diversity facilitate the full enjoyment of all universal rights by all individuals,

Recalling Article 27 (1) of the Universal Declaration of Human Rights which establishes that "everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits",

Recognising that international cultural and scientific exchange is conducive to instilling in different cultures and civilisations mutual respect and trust, and a willingness to engage in dialogue with each other,

Conscious that the technological expansion of the media, in particular the Internet, is bringing different cultures and civilisations ever closer, and that while this increases the possibility of dialogue, it can also be perceived as a threat to cultural diversity,

Recalling that the Stockholm Conference on Cultural Policies for Development stated that "cultural goods and services should be fully recognised and treated as not being like other forms of merchandise",

Acknowledging that the opportunities offered by globalisation might be enhanced by taking appropriate account of the diversity of cultures and civilisations,

Conscious that the social changes accompanying globalisation entail risks as well as opportunities, and are therefore a source of concern or fear for some,

Noting that in a globalised society joint action by the world community depends on understanding which transcends differences rooted in civilisations and cultures,

Emphasising that dialogue among cultures and civilisations should foster understanding of shared values and observance of universal human rights,

1. *Resolves* to promote dialogue among civilisations and cultures;
2. *Invites* parliaments to take effective measures to maintain and promote cultural diversity at the national and international level and, more particularly, to encourage the fulfilment of all cultures present on their territory, *inter alia* by enacting laws providing for freedom of expression and creation, pluralism of the media, the participation of all women and men in cultural and political life and the protection of minority cultures;
3. *Calls on* parliaments to strive for open and broad-based intercultural dialogue which recognises the importance of intellectual, artistic and creative contributions;
4. *Calls on* parliaments to ensure freedom for all to participate in the cultural and political life of the community;
5. *Calls on* parliaments to urge their governments to work for free access to education for all, as well as equal access for girls and boys, especially in technology and communication media;
6. *Calls on* States to ensure that training and education help promote mutual respect and trust between cultures and civilisations, to include courses on intercultural dialogue in training and education programmes and to encourage citizens to learn several languages;
7. *Invites* national parliaments and parliamentarians to take an active part in the programmes of the United Nations and UNESCO for the dialogue among civilisations and cultures and to encourage their governments to contribute to such programmes;
8. *Invites* States to take action to promote diversity while ensuring commonality of values and respect for fundamental human rights, and to devise policies that protect minority groups and laws that guarantee the full exercise of their fundamental rights;
9. *Urges* all States that have not yet done so urgently to ratify or accede to the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and comply unreservedly with the consequent obligations, and to ratify the CEDAW Optional Protocol, and *calls on* all States to eliminate traditional practices that are harmful to women and children, violence, sexual abuse and exploitation;
10. *Calls on* governments to acknowledge that the human rights of children are frequently breached, resulting in their physical and sexual abuse, and to take practical measures to combat such abuse, and *proposes* the establishment of an inter-parliamentary network under the auspices of the Inter-Parliamentary Union to combat child abuse;
11. *Calls on* governments to seek assistance from the UN and other relevant international bodies in promoting and protecting all human rights for everyone;

12. *Calls on* States to remove obstacles to direct access to the new media with a view to guaranteeing equal information opportunities for all while striving to introduce mechanisms which will protect children;
13. *Proposes* that development cooperation programmes include more cultural projects, such as initiatives to stimulate burgeoning cultural industries in developing countries, and *underscores* the need to take fuller account of the cultural identity of the beneficiaries when preparing and implementing these programmes;
14. *Invites* States to facilitate the negotiation of new international trade agreements and instruments which promote, protect and preserve cultural and linguistic diversity by allowing countries to support their cultural industries and products, and *emphasises* that cultural goods and services should be recognised as being unlike other forms of merchandise and treated as such;
15. *Calls on* States to exploit the technological potential of the new media to promote understanding between cultures and civilisations;
16. *Calls on* national parliaments, governments, all members of civil society, national and international institutions to participate actively in dialogue between cultures and civilisations;
17. *Fully supports* the appeal of the United Nations General Assembly for the organisation of appropriate cultural, education and social programmes during the Year for Dialogue among Civilizations, and *recommends* that the bodies concerned do not confine themselves to awareness-building activities aimed at promoting the idea of dialogue among civilisations but rather take the opportunity of the United Nations Year to launch or encourage practical dialogues between cultures or civilisations at the local, national, regional or world level which can continue beyond the year 2001;
18. *Calls on* governments to respond positively to offers of assistance, in particular when UN Special Rapporteurs and working groups and other organisations or individuals request visits to their countries, with a view to engaging in further meaningful dialogue;
19. *Urges* parliaments and parliamentarians:
 - (a) To assume their responsibility for achieving the goals of a policy of dialogue among civilisations and cultures, in particular through the adoption of legislative measures and the allocation of the required budgetary resources;
 - (b) To establish a parliamentary dialogue among civilisations and cultures, within the framework of the Inter-Parliamentary Union and through such initiatives as the founding of inter-parliamentary friendship groups;
20. *Stresses* the need for States to ensure that their national curricula at all levels of education, and more particularly at the early stages, provide students and pupils with opportunities to acquire knowledge of and respect for all cultures, religions and civilisations and promote a general culture of peace and tolerance, and *stresses* the need to give particular attention to the elimination of sexist stereotyping and sexist language, especially from school textbooks;

21. *Recommends* that the Secretariat of the Inter-Parliamentary Union and national parliaments, in coordination with the United Nations Secretariat, UNESCO and other relevant organisations, prepare the contribution of IPU to the programmes of the year 2001, the United Nations Year of Dialogue among Civilizations.

**SUPPORT OF PARLIAMENTS FOR THE RIGHTS OF REFUGEES AND PERSONS DISPLACED
BY WAR AND OCCUPATION, AND ASSISTANCE WITH A VIEW TO THEIR
REPATRIATION, AND FOR INTERNATIONAL COOPERATION TO DEVELOP AND
IMPLEMENT STRATEGIES TO COMBAT THE CRIMINAL ACTIVITY OF PEOPLE-
SMUGGLING**

Resolution adopted without a vote by the 103rd Conference
(Amman, 5 May 2000)*

The 103rd Inter-Parliamentary Conference,

A. Refugees

Deeply concerned at the increasing numbers of refugees and persons displaced by occupation, wars and disputes in different parts of the world,

Reaffirming the fundamental importance of the 1951 Convention relating to the Status of Refugees and its Protocol of 1967,

Recalling the principle of non-refoulement, enshrined in international law, which requires that no State shall return a refugee in any manner to a country where his or her life or freedom may be endangered and includes non-rejection at the frontier,

Expressing grave concern at the poor conditions afflicting refugees and displaced persons, and at their severe suffering,

Aware that the majority of refugees are women, children and elderly people who need special care and assistance,

Recalling that the problem of refugees and displaced persons is not only a human problem but is closely linked to regional stability and international security,

Noting that large refugee populations can adversely affect the countries and communities where they are granted refuge by placing a strain on resources, the socio-economic and natural environment, and on social and political stability,

Recognising the need to take all necessary measures to guarantee protection for all refugees and displaced persons who are in urgent need of it,

* The delegation of Israel expressed its rejection of the operative paragraph 7 of Section A of the resolution as amended by a vote. After the adoption of the text of the resolution as a whole, the delegations of Australia, Islamic Republic of Iran and Iraq stated their reservations on certain parts of the resolution.

Confirming the need for coordination of national, regional and international efforts to devise policies and laws which guarantee the provision of international aid to any person or group of persons urgently in need of it,

Affirming that the primary obligation of governments is to prevent the creation of refugee flows by addressing their root causes, in particular endemic poverty, conflict, political persecution and repression, and ethnic and racial discrimination,

Recalling that the right of all persons, including refugees and persons displaced by war and occupation, to return to their country is a fundamental right enshrined in the Universal Declaration of Human Rights,

Noting that the displacement of civilian populations in time of war, occupation or conflict is immoral and unlawful, and constitutes a serious violation of international law and human rights,

Considering that acknowledgement of moral and legal responsibility for the displacement of refugees is an important step towards remedial action and reconciliation,

Recognising that repatriation does not impair the right of refugees to claim compensation for physical, material and psychological injury,

Concerned at the growing dangers and physical risks to the staff of UNHCR and other humanitarian agencies carrying out protection work in the field,

1. *Urges* those countries which have not already done so to accede to the 1951 Convention relating to the Status of Refugees and its Protocol of 1967, and to other universal instruments of international humanitarian and human rights law and *calls on* all States to fulfil their consequent obligations;
2. *Calls on* all countries to uphold the right of asylum of all those in need of it and to respect fully the principle of non-refoulement;
3. *Urges* States to address all the root causes of armed conflict in order to ensure the long-term protection of civilians *inter alia* through the promotion of economic growth, poverty eradication, sustainable development, national reconciliation, good governance, democracy, the rule of law, and respect for and protection of human rights;
4. *Calls on* States, on all parties to armed conflicts and on UN bodies and other organisations to give urgent attention to protection and assistance for the most vulnerable among refugee and internally displaced populations, particularly women and children who may be subjected to sexual violence, abuse or exploitation and exposed to risks arising from armed conflict, including the forcible recruitment of children;
5. *Underlines* the importance of the safe and unrestricted access of humanitarian personnel to civilians affected by armed conflict, including refugees and internally displaced persons, and the protection of humanitarian assistance to them, and *calls on* all States and concerned parties to take all possible measures to guarantee the safety, security and freedom of movement of UN and associated humanitarian personnel;

6. *Stresses* the importance of international solidarity and burden-sharing in reinforcing international protection for refugees; *urges* States and relevant non-governmental and other organisations, in conjunction with the UNHCR, to cooperate in mobilising resources with a view to reducing the burden borne by States, in particular developing countries, that have received large numbers of asylum-seekers and refugees, and *calls on* the UNHCR to continue to play a catalytic role in mobilising assistance to address the economic, environmental and social impact of large refugee populations;
7. Without losing sight of refugee problems in other parts of the world - *expresses* its strong support for all efforts to achieve a just, durable and comprehensive peace in the Middle East, including the Palestinian refugees' right of return, in accordance with UN resolution 194, the Madrid Conference principle of Land for Peace, and the implementation of UN Security Council resolutions 242, 338, 425 and the Oslo Accords;
8. *Calls on* the UN and its specialised agencies and on all governments to give priority to the issue of refugees and displaced persons, speed up the search for solutions to the disputes which led to their expulsion and migration, and provide the necessary aid to meet their essential needs.

B. People-smuggling

Recognising the challenge that has emerged worldwide through the rapid growth of organised people-smuggling and its links with organised crime,

Recalling that people-smuggling can lead, in the country of asylum, to sexual exploitation, forced labour, forced marriage, forced adoption, begging or criminal activities being imposed by the traffickers on vulnerable illegal migrants, especially women and children,

Acknowledging that the root causes of irregular migration and people-smuggling are discrepancies in living standards and opportunities, and the frequent failure of the international community and of States to prevent conflict, political persecution and communal strife,

Further acknowledging the refugee and irregular migrant burden carried by countries of first asylum as well as other countries which are used as transit, the need for greater international burden sharing, and the link between the inadequacy of international efforts to find lasting refugee solutions and the misuse of domestic asylum systems through people-smuggling,

Concerned that the illegal smuggling of people is undermining the proper exercise of national sovereignty, leading to the misuse of migration and asylum procedures and imposing huge costs on all countries concerned,

Further concerned that the community consensus on the compassionate treatment of refugees and the belief in the benefits of legal and orderly movements of people are being harmed by irregular movements and people-smuggling,

Deeming it morally abhorrent that people smugglers are making large amounts of money by exploiting vulnerable groups of people, and *underscoring* the concern of the world's nations to stamp out trafficking in human beings,

Realising that no country can solve the problem on its own, and that international partnerships and cooperation are the only means of countering the global networks of organised criminal groups involved in people-smuggling activities,

1. *Calls on* parliaments to urge their respective governments to enact and strictly enforce sanctions against people smugglers, and to join forces with other countries and international agencies to suppress and prevent people-smuggling;
2. *Invites* parliaments and governments to ensure the social reintegration of their returnees;
3. *Appeals* to parliaments to pursue cooperative and innovative action with the UNHCR to find expeditious and durable solutions for refugees and to strengthen the framework for international protection, thus reducing and, hopefully, stopping the flow of persons who may be exploited by people smugglers;
4. *Calls on* parliaments to urge their governments to cooperate in addressing the root causes of forced movements of people, by preventing conflict, reducing poverty and complying with international human rights agreements and international humanitarian law;
5. *Calls on* States to take an active part in the completion of the draft UN Convention against Transnational Organized Crime and its Protocols concerning trafficking in persons, including immigrants and particularly women and children, and to ensure that they quickly come into force.

**RESULTS OF ROLL-CALL VOTE ON THE PROPOSAL OF THE DELEGATION OF ISRAEL
TO REPLACE OPERATIVE PARAGRAPH 7 OF SECTION A OF THE DRAFT RESOLUTION ON
THE REFUGEES WITH THE ORIGINAL TEXT PROPOSED BY THE DRAFTING COMMITTEE**

R e s u l t s

Affirmative votes	64
Negative votes	765
Abstentions	461
Total of affirmative and negative votes	829
Simple majority	415

Country	Yes	No	Abst.	Country	Yes	No	Abst.	Country	Yes	No	Abst.
Albania		absent		Ethiopia		absent		Mauritius		absent	
Algeria		14		Fiji		absent		Mexico		19	
Andorra			10	Finland	3	6	3	Monaco		5	5
Angola		12		France		9	8	Mongolia		absent	
Argentina		absent		Gabon		11		Morocco		14	
Armenia		absent		Georgia			10	Mozambique		13	
Australia			13	Germany		19		Namibia		11	
Austria		12		Ghana			13	Nepal		13	
Azerbaijan		absent		Guatemala		absent		Netherlands	7		6
Bangladesh		absent		Guinea		absent		New Zealand			11
Belarus			13	Hungary			13	Nicaragua		absent	
Belgium		12		Iceland			10	Niger		absent	
Benin		11		India			23	Nigeria		20	
Bolivia	2	3	7	Indonesia		22		Norway	5		6
Bosnia and Herzegovina			11	Iran (Islamic Republic of)		17		Panama		10	
Botswana			11	Iraq		14		Papua New Guinea		absent	
Brazil		10		Ireland			10	Peru			14
Bulgaria	8		4	Israel	12			Philippines		10	8
Burkina Faso		12		Italy		17		Poland		absent	
Burundi		12		Japan		20		Portugal		9	3
Cambodia			13	Jordan		11		Rep. of Korea			16
Cameroon			13	Kazakhstan		13		Romania			14
Canada	8		6	Kenya		14		Russian Federation			20
Chile		13		Kuwait				Rwanda			12
China		23		Kyrgyzstan		11		San Marino			10
Costa Rica		absent		Lao People's Dem. Rep.		11		Senegal		absent	
Croatia		11		Latvia			11	Singapore			11
Cuba		13		Lebanon		11		Slovakia	10		
Cyprus		10		Liberia		11		South Africa	1	15	
Czech Republic	2	1	10	Libyan Arab Jamahiriya		11		Spain		12	3
Dem. People's Rep. of Korea		14		Lithuania			11	Sri Lanka		absent	
Denmark			12	Luxembourg		10		Sweden	2	10	
Djibouti		10		Malaysia		14		Switzerland			12
Ecuador		absent		Mali		absent		Syrian Arab Rep.		13	
Egypt		18		Malta		10		Tajikistan		absent	
Estonia			11	Mauritania		11		Thailand			18
								The fYR of Macedonia			10

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

Tunisia		12		Ukraine			17	Zambia			12
Turkey		absent		Uruguay	4		7	Zimbabwe		10	
Uganda		13		Uzbekistan		absent					
United Arab Emirates		11		Viet Nam			18				
				Yemen			13				
United Kingdom		17		Yugoslavia			13				

**AGENDA OF THE
104th INTER-PARLIAMENTARY CONFERENCE**

(Jakarta, 15 - 21 October 2000)

*Approved by the Council of the Inter-Parliamentary Union at its 166th session
(Amman, 6 May 2000)*

1. Election of the President and Vice-Presidents of the 104th Conference
2. Consideration of possible requests for the inclusion of a supplementary item in the Conference agenda
3. General Debate on the political, economic and social situation in the world
4. The prevention of military and other coups against democratically elected governments and against the free will of the peoples expressed through direct suffrage, and action to address grave violations of the human rights of parliamentarians
5. Financing for development and a new paradigm of economic and social development designed to eradicate poverty
6. Amendments to the Statutes and Rules of the Union

**LIST OF INTERNATIONAL ORGANISATIONS AND OTHER BODIES TO BE INVITED
TO FOLLOW THE WORK OF THE 104th CONFERENCE AS OBSERVERS**

*Approved by the Council of the Inter-Parliamentary Union at its 166th session
(Amman, 6 May 2000)*

Palestine

United Nations
 United Nations Conference on Trade and Development (UNCTAD)
 International Labour Organization (ILO)
 Food and Agriculture Organization of the United Nations (FAO)
 United Nations Educational, Scientific and Cultural Organization (UNESCO)
 World Health Organization (WHO)
 World Bank
 International Monetary Fund (IMF)
 International Fund for Agricultural Development (IFAD)
 World Trade Organization (WTO-OMC)

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

African Parliamentary Union (APU)
 Amazonian Parliament
 Arab Inter-Parliamentary Union
 ASEAN Inter-Parliamentary Organization (AIPO)
 Asian and Pacific Parliamentarians' Union
 Assemblée parlementaire de la Francophonie
 Assembly of the Western European Union (WEU)
 Association of European Parliamentarians for (Southern) Africa (AWEPA)
 Baltic Assembly
 Commonwealth Parliamentary Association (CPA)
 Inter-Parliamentary Assembly of the Commonwealth of Independent States
 Inter-Parliamentary Council against Antisemitism
 Maghreb Consultative Council
 Nordic Council
 Parliamentary Assembly of the Black Sea Economic Co-operation (PABSEC)
 Parliamentary Assembly of the OSCE
 Parliamentary Association for Euro-Arab Co-operation (PAEAC)
 Parliamentary Union of the Organisation of the Islamic Conference Members (PUOICM)

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

FUTURE MEETINGS AND OTHER ACTIVITIES

*Approved by the Council of the Inter-Parliamentary Union at its 166th session
(Amman, 6 May 2000)*

<p>Third International Forum on <i>"Parliaments and Local Authorities: Tourism Policy-Makers in the 21st Century"</i>, organised by the World Tourism Organization, hosted by the Brazilian Inter-Parliamentary Group, <u>with IPU sponsorship</u></p>	<p>RIO DE JANEIRO (Brazil) 15-16 May 2000</p>
<p>Seminar for English-speaking Parliaments in Africa on <i>"Parliament and the budgetary process, including from the gender perspective"</i>, organised under the Union's Technical Cooperation Programme and hosted by the National Assembly of Kenya</p>	<p>NAIROBI (Kenya) 22-24 May 2000</p>
<p>Tripartite Consultation on <i>"Democracy through Partnership between Men and Women" on the occasion of the "Beijing +5"</i> Special Session of the United Nations General Assembly to review and appraise the implementation of the Beijing Platform for Action</p>	<p>NEW YORK (UN Headquarters) 7 June 2000</p>
<p>Briefing for Parliamentarians on the occasion of the "Copenhagen +5" Special Session of the United Nations General Assembly</p>	<p>GENEVA (International Labour Office) 27 June 2000</p>
<p>90th session of the Committee on the Human Rights of Parliamentarians</p>	<p>GENEVA (IPU Headquarters) 10-13 July 2000</p>
<p>International Conference on <i>"Democracy and Governance - A Global Perspective"</i>, organised by the Federation of Indian Chambers of Commerce and Industry (FICCI), <u>with IPU sponsorship</u></p>	<p>INDIA July 2000</p>
<p>Meeting of an ad hoc CSCM Committee (Security and Cooperation in the Mediterranean)</p>	<p>VALLETTA (Malta) Summer 2000</p>

Fourth Workshop of Parliamentary Scholars and Parliamentarians, organised by the Centre for Legislative Studies, <u>with IPU sponsorship</u>	Wroxton College, OXFORD (United Kingdom) 5-6 August 2000
Conference of Presiding Officers of National Parliaments	NEW YORK (UN Headquarters) 30 August - 1 September 2000
231 st session of the Executive Committee	GENEVA (IPU Headquarters) September 2000
104th Inter-Parliamentary Conference and related meetings	JAKARTA (Indonesia) 12-21 October 2000
- Inter-Parliamentary Conference	16-20 October
- Inter-Parliamentary Council (167 th session)	16 and 21 October
- Executive Committee (232 nd session)	12, 13, 14 and 19 October
- Meeting of Women Parliamentarians (4 th session)	15 October
- Co-ordinating Committee of Women Parliamentarians	15 and 20 October
- Gender Partnership Group	13 and 14 October
- Meeting of Parties to the CSCM (17 th session)	18 October
- Committee on the Human Rights of Parliamentarians (91 st session)	15-20 October
- Committee for Sustainable Development	16 October
- Committee to Promote Respect for International Humanitarian Law	16 and 20 October
- Committee on Middle East Questions	18 and 19 October
- Group of Facilitators for Cyprus	17 and 19 October
Debate on the United Nations General Assembly on UN-IPU cooperation	NEW YORK (UN Headquarters) October 2000
Information Seminar on the Functioning of the Union (French language)	GENEVA (IPU Headquarters) November 2000
92 nd session of the Committee on the Human Rights of Parliamentarians	GENEVA (IPU Headquarters) January 2001
Specialised Inter-Parliamentary Conference on trade, finance and development issues, organised in cooperation with the relevant multilateral institutions	GENEVA End of January 2001
Committee for Sustainable Development	GENEVA (IPU Headquarters) March 2001
105th Inter-Parliamentary Conference and related meetings	HAVANA (Cuba) 1-7 April 2001
106th Inter-Parliamentary Conference and related meetings	OUAGADOUGOU (Burkina Faso) September/October 2001
107th Inter-Parliamentary Conference and related meetings	MOROCCO 2002

SITUATION OF CERTAIN MEMBERS

*Decisions adopted by the Council of the Inter-Parliamentary Union at its 166th session
(Amman, 1st May 2000)*

COTE D'IVOIRE

Resolution adopted without a vote

The Inter-Parliamentary Council,

Having examined at its 166th session (Amman, 1 May 2000) the situation of the Parliament of Côte d'Ivoire,

Noting the opinion expressed on this matter by the Executive Committee in pursuance of the provisions of Article 4.2 of the Statutes,

1. *Notes* that the Parliament of Côte d'Ivoire was dissolved following a military coup d'Etat on 24 December 1999 and that it has therefore ceased to function;
2. *Decides therefore* to suspend the affiliation of the Inter-Parliamentary Group of Côte d'Ivoire to the Union;
3. *Expresses the hope nevertheless* that the representative institutions will be promptly re-established in Côte d'Ivoire and that the Parliament will then resume its place within the Inter-Parliamentary Union"

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PAKISTAN

*Resolution adopted without a vote but with the reservations of the delegations of
the Islamic Republic of Iran and the People's Republic of China*

The Inter-Parliamentary Council,

Having examined at its 166th session (Amman, 1 May 2000) the situation of the Parliament of Pakistan,

Recalling the statement made by the President of the 102nd Conference in Berlin (October 1999) on behalf of the world parliamentary community calling for the restoration of constitutional order in Pakistan and for the respect of the parliamentary institutions,

Considering the opinion expressed on this matter by the Executive Committee in pursuance of the provisions of Article 4.2 of the Statutes,

1. *Notes* that the Parliament of Pakistan was suspended following a military coup d'Etat on 12 October 1999 and that it has therefore ceased to function;
2. *Decides therefore* to suspend the affiliation of the Inter-Parliamentary Group of Pakistan to the Union;
3. *Welcomes* the statement by the Government of Pakistan that it is firmly committed to the "restoration of participatory democracy in the country" and *takes note* of its announced plan to hold local bodies elections from December 2000 to May 2001;
4. *Expresses the hope* that representative institutions will be promptly re-established also at the national level so that the Parliament of Pakistan will then be able to resume its place within the Inter-Parliamentary Union;
5. *Meanwhile invites* the IPU and its member parliaments to extend support to Pakistan in its efforts to restore democracy."

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SUDAN

*Resolution adopted without a vote*⁵

The Inter-Parliamentary Council,

Having examined at its 166th session (Amman, 1 May 2000) the situation of the Parliament of Sudan,

Noting the opinion expressed on this matter by the Executive Committee in pursuance of the provisions of Article 4.2 of the Statutes,

1. *Notes* that the Parliament of Sudan was dissolved by Presidential Decree on 12 December 1999 after a state of emergency had been declared by the President of the Republic, and that the Parliament has therefore ceased to function;
2. *Notes moreover* that the state of emergency has been extended until the end of this year;
3. *Decides therefore* to suspend the affiliation of the Inter-Parliamentary Group of Sudan to the Union;
4. *Welcomes* the announcement of the national electoral authority to hold National Assembly elections during the second half of October 2000;

⁵ Following a vote on a motion to defer consideration of the matter presented by the delegation of Egypt and seconded by the delegations of Morocco and Yemen, and which was opposed by the delegation of the Czech Republic; the motion was rejected with 121 votes against, 50 in favour and 14 abstentions.

5. *Expresses the hope* that a Parliament will soon be re-established in Sudan and that it will resume its place within the Inter-Parliamentary Union.

**RESULTS AND FOLLOW-UP OF THE THIRD CONFERENCE OF THE
INTER-PARLIAMENTARY UNION ON SECURITY AND COOPERATION
IN THE MEDITERRANEAN**

Marseilles, 30 March - 3 April 2000

***Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)***

The Council of the Inter-Parliamentary Union,

Having been informed of the proceedings of the Third Conference of the Inter-Parliamentary Union on Security and Cooperation in the Mediterranean (CSCM), held in Marseilles from 30 March to 3 April 2000 at the invitation of the French Parliament,

Taking note that the Third CSCM confirmed the need to pursue, within the Inter-Parliamentary Union, the CSCM process launched ten years ago, and *noting* the latter's complementarity and convergence with the Euro-Med Process,

Having before it the Final Document which the participants adopted by consensus⁶,

1. *Deeply thanks* the French Parliament and the authorities of the *Provence-Alpes-Côte d'Azur* region for the warm welcome extended to the Conference participants in Marseilles and for the excellent working conditions provided at the *Hôtel de Région*, and *notes* that under the courteous and dynamic leadership of the Executive President of the French Group the participants considered the various aspects of the three CSCM "baskets", building on the work done by the three Thematic Preparatory Meetings held in Monte Carlo (Monaco) in July 1997, Evora (Portugal) in June 1998 and Ljubljana (Slovenia) in March 2000, on the biannual consultations of the parties held in conjunction with statutory Inter-Parliamentary Conferences and on other current Mediterranean initiatives;
2. *Welcomes* the constructive spirit in which the proceedings took place and the meaningful debates;
3. *Takes note* of the Final Document of the Third CSCM, adopted by consensus at the end of the proceedings, and *notes with interest* the wealth of considerations and recommendations it contains;
4. *Urges* the delegations of the States concerned to bring the Final Document of the Third CSCM to the attention of:

⁶ This document is available on the Inter-Parliamentary Union's Web site (www.ipu.org), or on request, from the IPU Secretariat.

- (i) their parliaments for debate and endorsement with a view to the adoption of the specific follow-up measures proposed in the various sections of the text;
 - (ii) their governments;
 - (iii) the European Union and European Parliament;
5. *Requests* more particularly the Parliament of Egypt to ensure that the Final Document of Marseilles is brought, in all appropriate languages, to the attention of the Conference of Presidents of the Parliaments of the Euro-Mediterranean Region at their next Conference, which will take place in Alexandria on 23 and 24 May 2000;
6. *Asks* the Parliaments of the States concerned to request official circulation of the Marseilles Final Document and information on the CSCM process at the 55th session of the United Nations General Assembly under the agenda item on Security and Cooperation in the Mediterranean;
7. *Informs* the parties to the CSCM process of its intention to convene in the summer of 2000, in Valletta (Malta), an ad hoc committee⁷ composed of the Members of the CSCM Coordinating Committee and a representative of the Mediterranean women parliamentarians task force set up at the Amman Meetings, for the purposes of considering the practical arrangements for pursuing the CSCM process within the Inter-Parliamentary Union and, the creation in the long run, of a Parliamentary Assembly of Mediterranean States.

⁷ The ad hoc committee is composed of representatives of the following countries: Cyprus (representative of the women parliamentarians' task force), Egypt, France, Italy, Malta, Morocco, Slovenia, Spain, Syrian Arab Republic and Tunisia.

**RESULTS OF THE PARLIAMENTARY MEETING
ON THE OCCASION OF UNCTAD X
(Bangkok, 10 and 11 February 2000)**

***Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)***

The Inter-Parliamentary Council,

Welcoming the results of the Parliamentary Meeting on the occasion of the tenth session of the United Nations Conference on Trade and Development (UNCTAD X) which was organised by IPU and the Thai National Assembly in cooperation with the UNCTAD Secretariat in Bangkok, Thailand, on 10 and 11 February 2000,

Noting with satisfaction the fact that the Parliamentary Meeting in Bangkok was an official parallel event of UNCTAD X and an integral part of its overall programme, and that the President of the IPU Council addressed the plenary session of UNCTAD X and presented the Final Declaration of the Parliamentary Meeting which subsequently became part of the official documentation of the UNCTAD session,

Satisfied that many national delegations to UNCTAD X included members of parliament whose active participation in the Parliamentary Meeting and in the intergovernmental conference underscored the mutual benefits of enhanced parliamentary involvement in UNCTAD sessions,

Convinced that IPU should energetically pursue efforts to provide a parliamentary dimension to international negotiations on trade and finance, thus advancing the process started through consultations during the Third WTO Ministerial Conference in Seattle and continued at the Parliamentary Meeting in Bangkok,

1. *Thanks* the Thai National Assembly and the authorities of Thailand for their warm welcome to delegates and for the excellent working conditions for the Parliamentary Meeting;
2. *Expresses gratitude* to the UNCTAD Secretariat for its efforts to facilitate IPU participation in the work of UNCTAD X and for its assistance and substantial contribution, at all levels, to the preparation and holding of the Parliamentary Meeting;

3. *Commends* the outcome of the Parliamentary Meeting on the occasion of UNCTAD X and *endorses* the content of the Final Declaration which was unanimously adopted at its closing session;⁸
4. *Calls* on all Parliaments to give due consideration to the Bangkok Declaration and the Plan of Action adopted by the UNCTAD X session, as well as to the Final Declaration of the Parliamentary Meeting in Bangkok, including through plenary debate in parliament wherever possible, and to make these documents available to parliamentary bodies dealing with issues of trade, finance and development;
5. *Encourages* parliaments to work actively for the implementation of UNCTAD X recommendations, in particular by utilising the parliamentary oversight function to ensure adequate governmental follow-up;
6. *Entrusts* the IPU Secretary General with implementing the recommendation to establish a world directory of parliamentary bodies dealing with the issues of trade, finance and development and to make this information available to parliaments and relevant multilateral institutions, preferably in on-line format;
7. *Also entrusts* the IPU Secretary General with finding, together with the UNCTAD Secretariat, ways of introducing targeted distribution of UNCTAD publications and materials, such as the "World Investment Report", to relevant parliamentary bodies;
8. *Requests* the IPU Committee for Sustainable Development to prepare proposals concerning the organisation by IPU and the UNCTAD Secretariat in the four years leading to UNCTAD XI of a series of parliamentary workshops aimed at assisting parliaments and their members with the implications for national legislation of specific trade and investment issues, and *recommends* that the first such workshop be organised already in the course of the year 2000 on the assumption that there would be no financial implications for IPU;
9. *Strongly supports* the proposal to organise a global inter-parliamentary conference on trade, finance and development issues in early 2001, and *entrusts* the IPU Secretary General with carrying out necessary consultations to that end, in particular with WTO and UNCTAD;
10. *Endorses* the idea of establishing within IPU an ad hoc body to look into issues relating to parliamentary follow-up to the Third WTO Ministerial Conference in Seattle, and *requests* the IPU Secretary General to prepare practical proposals in this regard for approval by the IPU governing bodies at their session in Jakarta in October 2000.

⁸ This document is accessible from the IPU's Web site (www.ipu.org) or available upon request from the IPU Secretariat.

FINANCING FOR DEVELOPMENT

Statement endorsed by the Council of the Inter-Parliamentary Union at its 166th session (Amman, 6 May 2000)

The IPU Committee for Sustainable Development warmly welcomes the initiative of the United Nations to convene for the year 2001 a high-level intergovernmental consultation of political decision-makers on financing for development that will address national, international and systemic issues relating to financing for development in the context of globalisation and interdependence.

The Committee recommends that the Inter-Parliamentary Union lend its full support to the holding of this event and that it be involved as a stakeholder in its preparatory process. Moreover, it proposes that Parliaments play an active role in the preparatory process at the national level by making full use of existing parliamentary procedures to engage the government in a dialogue on its preparation for the consultation.

Financing for development is of particular importance to the world parliamentary community, as demonstrated by the numerous debates it has devoted in recent years to this subject and the declarations and resolutions it has adopted at the IPU on declining official development assistance (ODA) and financial aid in general as well as on the need to reform the global financial architecture, on debt relief, and on trade and development issues.

The Committee stresses the importance of mobilising domestic resources. National development priorities and strategies that are well suited to the particular circumstances of each country can best be pursued when a domestic resource foundation is in place. In order to establish or preserve this foundation, the Committee feels that beyond the usual sources of locally generated finance such as savings and tax revenues, countries should act to preserve and develop other potential sources of income such as biodiversity resources and should promote better use of funds by fighting corruption and promoting accountability and transparency in private and public transactions.

Resource mobilisation is not an end in itself but rather a first step in the development process. For resources to be used effectively for development, nationally and internationally, development efforts must be aimed at meeting basic human needs. All these issues call for closer involvement of Parliaments in the allocation and management of resources at the national and international level.

The Committee therefore proposes that as part of its contribution to the high-level intergovernmental consultation, the IPU organise a parliamentary debate on this issue at its world conference in Jakarta (Indonesia) later this year with a view to producing a comprehensive political statement by the world parliamentary community on financing for development.

The Committee suggests that a statement of this nature must address a wide variety of issues, such as the mobilisation of domestic resources as well as of international private financial flows for development and, in particular, private direct investment. It also needs to build on work undertaken by the IPU in relation to international financial development cooperation, external bilateral, multilateral and commercial debt, trade and financing for development and innovative

sources of funding. Finally, it should also deal with the reform of the international financial architecture and governance of the international monetary, financial and trade systems.

**GUIDELINES FOR THE CONTENT AND STRUCTURE
OF PARLIAMENTARY WEB SITES**

*Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)*

The Inter-Parliamentary Council,

Recalling the decision of the Council's 158th session (Istanbul, April 1996) concerning the "Use of modern computer technologies, such as the Internet, for inter-parliamentary communications", which effectively launched the Union into the age of electronic information exchange and interaction through the world's largest computer network, the Internet,

Conscious of the success of the IPU's World Wide Web site (<http://www.ipu.org>) which, since its launch in July 1996, has become an indispensable tool for dissemination of parliamentary information on the Internet,

Noting with satisfaction that the number of parliamentary Web sites has rapidly grown over recent years and that nearly two-thirds of national legislative assemblies currently operate their own Web sites, often separately for each parliamentary chamber in bicameral parliaments,

Concerned at the same time that striking inequalities persist in the distribution of parliamentary Web sites between different continents and regions of the world and that parliaments aspiring to have access to the Internet and operate their own Web sites often lack essential know-how and necessary material resources,

Mindful that one of the main functions of the IPU Web site is to be a "universal parliamentary relay on the Web" facilitating navigation between the sites of different parliaments and, whenever possible, supplementing general parliamentary information available on the IPU site with the more detailed data placed on national sites,

Noting that the overall efficiency of this function is seriously hampered by the fact that not all national parliaments have their own Web sites and that lack of harmonisation of the content and structure of such sites often makes it impossible to obtain first-source information and to compile comparative data quickly and reliably,

Convinced that practical usefulness of parliamentary Web sites for legislators and broader circles of Internet users alike would be much enhanced if a certain degree of harmonisation of information placed on national parliamentary Web sites were achieved through the concerted efforts of the parliaments concerned,

Also convinced that the implementation of such harmonisation practices should be carried out gradually and with full respect of the inherent diversity of political systems and practices, as well as of language and cultural traditions of each country,

Believing that IPU has a natural role to play in this regard as a policy-setting body and as a mechanism for practical co-ordination between national parliaments,

1. *Encourages* all national parliaments to enhance their presence on the Internet and make best use of this communication medium, in particular the World Wide Web, in order to foster the visibility and accessibility of representative institutions and to promote democracy;
2. *Resolves* that IPU should lead the way in the process of harmonisation of the content and structure of parliamentary Web sites and, to that end, *approves* the "Guidelines for the content and structure of parliamentary Web sites"⁹;
3. *Invites* all national parliaments to follow the Guidelines as fully as possible;
4. *Entrusts* the IPU Secretary General with the preparation of regular surveys on progress achieved in implementing the Guidelines;
5. *Decides* henceforth that assistance to parliaments in matters of modern communication technologies, such as the Internet, should be part of the Union's overall strategy for the promotion of representative institutions;
6. *Stresses* that particular attention in this regard should be paid to the parliaments of developing countries, especially in Africa, that aspire to create their own Web sites and need practical assistance both in terms of content and engineering aspects;
7. *Requests* the IPU Secretary General to pursue contacts with UNESCO in order to pool intellectual and financial resources of the two Organisations in the preparation of a joint publication addressing the impact of information technologies on legislative institutions and the need for a legal, socio-economic and ethical framework ensuring access to cyberspace for all.

⁹ This document is accessible from the IPU's Web site (www.ipu.org) or available upon request from the IPU Secretariat.

REPORT OF THE COMMITTEE ON MIDDLE EAST QUESTIONS***Report of which the Inter-Parliamentary Council took note at its 166th session
(Amman, 6 May 2000)***

1. The Committee took note of the statements of the two delegations and has appended to its report the texts which they sent to it.
2. The Committee views as positive the fact that it was able to hear again the representatives of the Arab countries and Israel together.
3. The Committee regrets that the Lebanese and Syrian parliamentarians were not present at the meeting, since their agreement is necessary to a comprehensive settlement of the conflict.
4. The Committee notes that the comments made by the two parties reflect the status of the current negotiations in Eilat, which is marked by acute tension and growing mutual mistrust.
5. Although some significant steps towards solution to the conflict have been made, major sticking points still remain:
 - The continuing establishment of settlements for Israelis on Palestinian land;
 - The fact that the Palestinians are finding it very difficult to use the corridors assigned to them linking their various territories;
 - The implementation of the agreement on the release of Palestinian prisoners, the status of Jerusalem, the refugee problem, security in the region and control of water resources.
6. The Committee notes the above situation and hopes that domestic policy issues will not disrupt the process for the attainment of peace to which all peoples in the region aspire.
7. It asks the parliaments of the States concerned to assist in bringing points of view closer in order to reach a meaningful agreement by the autumn of the year 2000.
8. The Committee will hear both parties at the Jakarta Conference, at which time it will take stock of the situation after the current negotiations have been concluded.

**Communication annexed to the report addressed to the
Committee on Middle East Questions by the Israeli delegation**

Achieving peace, stability and comprehensive development in the world and
forging closer political, economic and cultural ties among peoples

Mr. Chairman and distinguished delegates,

It gives me great pleasure to represent the Knesset, the Parliament of Israel, at this important meeting of the IPU Conference in Amman, a city steeped with history and beauty. I would like to thank all those who helped in arranging this important conference.

For us, the Israeli delegation, the participation in this important meeting, which is being held in the capital of the Jordanian Kingdom, is very meaningful. We hope that the cooperation between our two nations will continue to grow. We hope that other Arab countries, in the Middle East will follow the example of Jordan, and will host such conferences with the participation of Israel, in their capitals. I would like to take this opportunity to express our hope that one of the next IPU meetings will take place in Jerusalem, the Israeli capital.

Over the past few years, Israel has been involved in a peacemaking process with our neighbours, among them with Jordan, which enabled the Israeli delegates to come and take part in this conference. This process is part of a larger strategic vision. It seeks to banish the spectre of violence in our region and bring about an era of political, social and cultural openness and freedom. This will be the basis for economic development and prosperity for all the people of the Middle East.

Ever since the peace process began, more than twenty years ago the people of Israel have been united in their support for this process. Even when painful decisions were required - there was always a majority of support - both in the public and in our Parliament. The goal of peace, which is shared and valued by all the people of Israel, is based upon certain basic principles.

The first is security. In a region with a history of instability, violence and danger such as the Middle East, security must form the cornerstone of the edifice of peace. There can be no progress towards peace if the people of the Middle East do not have confidence that this process will bring them greater security.

In our region, the concept of security is closely tied to our relentless fight against regional, as well as international terrorism. The struggle against terrorism, its infrastructure, its financial sources, its international support, is not an Israeli issue. This is an issue, which challenges the entire international community, for until terrorism is brought under control, there can be no real peace or security for anyone.

Another basic principle of the peace process is direct negotiations in a constructive atmosphere. This is the key to resolving differences. Actions which interfere with direct negotiations or which spoil the atmosphere necessary for mutual trust and goodwill - these actions are to be avoided. They endanger a process, which is sensitive enough without such added burdens.

Another major principle is that regional cooperation and economic development are critical factors ensuring concrete progress. We wish to share in the creation of regional cooperation and to be integrated in such a region as a full and equal partner.

In every negotiating process there are times when the sides may doubt that the gaps between them can be successfully bridged and progress achieved. Those are the times when all those involved in the process must re-double their efforts and not allow momentary frustrations to endanger years of effort.

The Government of Israel has determined a target date for removing its forces from Lebanon, and has stated, repeatedly, that it has no interest in even a single inch of Lebanese territory. Israel has already taken preliminary steps in this regard, in its contacts with relevant parties. The unfortunate and irresponsible stance adopted by various parties within the Arab world, granting legitimacy and support to the Hizbollah terrorist organisation, is misplaced and deflects the emphasis from what is most important - advancing the peace process on all tracks.

It is regretful that the Arab side - which has declared itself supportive of the peace process - has tried to strengthen its hand in the negotiations by seizing on a localised crisis instigated by a terrorist group which is in itself opposed to these negotiations. Moreover, the means used by elements within the Arab world are contrary to the concept of peace and raise much doubt and questioning among the public and the Government in Israel, regarding their true intent.

Just as there is no realistic alternative to the peace process, there is also no alternative to a mature dialogue between governments and peoples, in order to bring about a transition from an era of confrontation to an era of peaceful co-existence, from an era of isolation to an era of cooperation, and from an era of denigration to an era of mutual respect.

At these moments when we discuss the subject of peace here in Amman, representatives of Israel and representatives of the Palestinian Authority are working hard at achieving a permanent settlement to the Palestinian problem, this with full participation of the American Government. Both Israel and the Palestinians have reached the understanding that only through dialogue we can achieve the stability so needed in the Middle East in order to make the dream of a good life for all our people come true.

On the other hand, we in Israel are disappointed from the failure of the meeting between the American and Syrian Presidents in Geneva. I would like to turn to President Assad of Syria and ask him to take the opportunity that there is a Labour Government in Israel, which is ready to make long strides towards you in order to achieve peace. At the end of the day, as I have already said, there is no alternative to peace talks. The peoples of the Middle East are tired of wars, which do not solve any problem and only cause suffering and killing of innocent people.

Here, in this meeting of ours, there are many Parliament members, who have good contacts with the Syrian leadership. I appeal to you to use your good offices with the Syrians in order to bring them back to the peace process.

We, in Israel, hope to see the day when borders between countries will be open like in Western Europe today, a day when workers can move from one country to another without passports, with no fear of terror and social instability. This will be the true peace. When that day will come we will, indeed, see a new Middle East.

Let me conclude with words of hope, with words of the Hebrew Prophet Isaiah, that a day will come when they will "Beat swords into ploughshares and spears into pruning hooks" when words of peace and friendship will replace war and threats, then the vision of peace and prosperity for our people and our neighbours in the Mediterranean will become a reality.

Thank you very much for your attention.

In addition to the above, another member of the delegation of Israel stated that Israel has undertaken several measures in favour of implementing the peace agreements. These measures include the announced withdrawal from Lebanon by July 2000, no establishment of new settlements, opening of the international Gaza airport, progress in opening the Gaza Harbour, and returning more land to the control of the Palestinian Authority. The delegate called for a "constant" agreement for peace.

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**Communication annexed to the report addressed to the
Committee on Middle East Questions by the Palestinian delegation**

The Palestinian representatives focused on the delaying tactics of the Israeli government in implementing the signed agreements between them and the Palestinian side. Every agreement signed has to be renegotiated, and every provision is reinterpreted. The principles upon which the peace process is based, especially land for peace, are not respected.

Israel continues to confiscate land and build new settlements or new units in old settlements. If that policy is to continue then there will be no land left to negotiate about.

The steps taken by Israel such as the release of some political prisoners or the opening of a safe passage between Gaza and the West Bank are only token gestures that are too little and too late in coming according to the signed agreements. These steps are not charity.

If the peace process is to succeed, Israel must respect its commitments and implement the provisions of the agreements on the interim phase already signed and to act more seriously and sincerely towards the implementation of the UN resolutions relevant to the final status issues, i.e. Jerusalem, refugees, settlements, the borders, security and water. This means Israel must withdraw from the Palestinian territories occupied in 1967 (West Bank including East Jerusalem and Gaza Strip) by the set date of September 2000. By that date the Palestinian leadership will declare the Palestinian independent and sovereign State on all Palestinian territories occupied in 1967. This is our sacred right that we do not negotiate or wait for permission to practise. The international community is supporting our aspirations for self-determination. We believe this is the way for peace, just and durable for both of us.

Another member of the Palestinian delegation (a priest) recounted his personal experience in being humiliated and harassed by the Israeli soldiers every time he crosses to Palestine. His land is confiscated to expand Israeli settlement of Jilo, he was denied entry to Jerusalem to pray. He said that because of the Israeli policies and practices the Christian population has been reduced in Jerusalem to 5,000, and this is dangerous for the people and the peace.

In addition to the above summary, another member of the Arab Group referred to the historical opportunity for both sides to achieve a comprehensive peace and to the current meeting in Eilat as an important event among the many developments in the past twenty years. He saw the current meeting in Amman, a neighbour at peace with Israel, as an important event. He questioned the Israeli delegation's statement that no new settlements had been established.

ARGENTINA

CASE N° ARG/20 - RAMÓN EDUARDO SAADI
CASE N° ARG/21 - CARLOS ANGEL PAVICICH
CASE N° ARG/22 - MS. OLINDA MONTENEGRO
CASE N° ARG/23 - CARLOS LORENZO TOMASELLA
CASE N° ARG/24 - NICOLAS ALFREDO GARAY

*Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)*

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of Mr. Ramón Eduardo Saadi, Mr. Carlos Angel Pavicich, Ms. Olinda Montenegro, Mr. Carlos Lorenzo Tomasella and Mr. Nicolás Alfredo Garay of Argentina, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted at its 165th session (October 1999),

Recalling that the persons concerned all claim to have been elected or designated in conformity with the relevant national legislation to fill one of the three seats in the Senate of the Nation assigned by the Constitution to each province; that, however, they have not been incorporated in the Senate and claim that this constitutes both a violation of their political rights, since it deprives them of their right to exercise the mandates entrusted to them by the electorates of their provinces, and a violation of the right of those provinces to be represented by persons of their choice,

Recalling that:

- According to Article 54 of the Constitution of Argentina, each province is represented in the Senate of the Nation by three members of its assembly, with “*two seats [being] allocated to the political party obtaining the highest number of votes and the third to the political party receiving the next highest number of votes*”;
- Article 64 of the Constitution stipulates that “*each Chamber is the judge of the validity of the election and of the rights and qualifications of its members*”, a provision which the sources interpret as authorising the Senate only to verify whether the election and accreditation of a provincial Senator-elect comply with the terms of the Federal Constitution and not to act as an electoral body; the Senate majority affirms, on the other hand, that it confers on the Senate “*responsibility for the safeguarding of its proper and full composition in terms of quantity – ensuring that all seats are filled – and quality – ensuring that the majorities and minorities of each province are represented*”,

Recalling that, in the resolution it adopted at its 165th session (October 1999) noting that conflicting interpretations had been advanced regarding the powers and procedures of the Senate and the provincial assemblies with respect to the implementation of the relevant constitutional provisions, it expressed concern that, on the question of the incorporation in the Senate of the Nation of Mr. Ramón Eduardo Saadi (Catamarca Province), Mr. Carlos Angel Pavicich and Ms. Olinda Montenegro (Chaco Province) and of Mr. Carlos Lorenzo Tomasella and Mr. Nicolás Alfredo Garay (Corrientes Province), the Senate had not applied “*consistent criteria when exercising its powers under Article 64 of the Constitution*”; and also noted with concern that, “*regarding Chaco Province, the Senate [did] not seem to have applied the same criteria when counting the seats belonging to the Justicialist Party and those belonging to the Alliance since it [had taken] the 1995 elections into account in one case and not in the other*” in determining who should occupy the majority and minority seats,

Recalling that Mr. Pavicich and Ms. Montenegro referred their case to the Inter-American Commission on Human Rights, and *noting* that, in its decision N° 132/99 of 19 November 1999, the Commission declared the case admissible insofar as it referred to “*possible violations of Articles 1, 8, 23, 24 and 25 of the American Convention on Human Rights*”, placed “*itself at the disposal of the parties for the purpose of reaching an amicable settlement based on respect for the rights set out in the Constitution*” and invited “*the parties to express their views on such a possibility*”,

Considering that in 1997 Mr. Saadi had also submitted a petition to the Inter-American Commission on Human Rights denouncing a violation of his rights under Articles 23 and 24 of the American Convention on Human Rights (right to participate in government and right to equal protection of the law, respectively); on 7 April 1998 the Commission acknowledged receipt of his complaint, consideration of which is still pending,

Noting that in his communication of 5 January 2000 Mr. Saadi pointed out that he had been elected to the Chamber of Deputies in the 1999 legislative elections and sworn in, without any comment or challenge, on 10 December 1999; since “*the National Constitution contains no provision for different treatment of the members of the two Chambers in terms of qualifications and rights, conditions of eligibility and grounds for disqualification*”, the Justicialist Party in his province again requested his immediate incorporation in the Senate of the Nation; *noting further* that, in the light of this new development, Mr. Saadi requests the Inter-Parliamentary Union to address to the Senate of the Nation “*a formal, categorical and public demand for his incorporation in the Senate as representative of the minority party in Catamarca Province*”,

Considering finally that the Argentine delegation to the 103rd Conference, composed of members belonging to the political parties involved in the conflict in question, requested the Committee to postpone the hearing which had already been scheduled since “*new institutional situations were expected which could improve the level of consensus*” and to hold a hearing instead on the occasion of the 104th Conference,

1. *Is gratified* at the prospect of positive developments as indicated by the Argentine delegation to the Conference, and *hopes* that such developments will make it possible, in the near future, to reach an amicable settlement of this case;

2. *Takes note* of Mr. Saadi's request that it demand his incorporation in the Senate; *points out*, however, that the Inter-Parliamentary Union is not competent to make such a demand, since it would be tantamount to ruling on the construction to be placed on the Argentine Constitution;
3. *Requests* the Secretary General to communicate this resolution to the President of the Senate, the President *pro tempore* of the Senate and the sources, inviting them to transmit any new information to the Committee;
4. *Requests* the Committee on the Human Rights of Parliamentarians to report to it at its next session (October 2000) in the light of any such developments.

BELARUS**CASE N° BLS/05 - VICTOR GONCHAR****CASE N° BLS/01 - ANDREI KLIMOV****CASE N° BLS/02 - VLADIMIR KOUDINOV****CASE N° BLS/10 - VALERY SHCHUKIN*****Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)***

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of Mr. Victor Gonchar, Mr. Andrei Klimov, Mr. Vladimir Koudinov and Mr. Valery Shchukin, all members of the Thirteenth Supreme Soviet of Belarus elected in 1995, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted at its 165th session (October 1999),

Taking note of the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.2) on its mission to Belarus conducted from 19 to 24 November 1999,

Noting that, in addition to this case, the Committee is also investigating complaints regarding the following members of the Thirteenth Supreme Soviet elected in 1995: Mr. Bogdankevich, Mr. Lebedko, Mr. Gryb, Mr. Sharetsky, Mr. Dobrovolsky, Mr. Domash, Mr. Znavets and Ms. Gryaznova, and that the Committee also requested its delegation to gather information regarding them, which is consequently contained in the mission report,

Taking account of the written observations of the authorities and the information provided by the Deputy Minister of the Interior at the hearing held on the occasion of the 103rd Conference; *further taking account* of the written observations of the sources and several of the former MPs concerned,

Considering the following new developments that have occurred since the return of the mission:

- On 8 and 9 December 1999, the judge in Mr. Klimov's trial reportedly refused to allow the defence to bring forward key witnesses to testify; Mr. Klimov was reportedly ejected from the courtroom after questioning the court's independence and objectivity; on 13 December 1999, he refused to leave his prison cell to go to court, protesting that he was not receiving a fair trial; as a result, Mr. Klimov was reportedly beaten and kicked by prison officials and dragged into Lenin District Court in torn clothes and without shoes; an ambulance was called to the court, but the judge reportedly refused to allow him to be taken to hospital; it was

later reportedly determined that Mr. Klimov had suffered significant bruising, a possible fractured or dislocated arm and concussion as a result of the ill-treatment; he was later admitted to hospital and discharged after 32 days with the following diagnosis: bruised ribcage, traces of neural infection of the brain, ischaemic heart disease and incipient diabetes; according to the authorities, the investigations into these allegations have not yielded any evidence to substantiate the alleged ill-treatment;

- On 17 March 2000, Lenin District Court acquitted Mr. Klimov on two counts (commercial activity without licence and fraudulent obtaining of a loan) but found him guilty of overestimating construction works and sentenced him to 6 years' imprisonment in a strict-regime corrective labour colony with confiscation of his property;
- On 27 March 2000, Mr. Shchukin was sentenced by Vitebsk court to 10 days' police detention for a public order violation committed during a demonstration on 25 March 2000;
- Former Prime Minister Chigir, to whom reference is made in the mission report, was released on 26 November 1999 but investigations against him are being pursued;

Considering that, according to the authorities, a new Penal Code reducing sentences for bribery to a maximum of five years will enter into force on 1 July 2000 and that the Prosecutor General, the Supreme Court and the Vice-Minister of the Interior are in favour of releasing Mr. Koudinov on that occasion, given that he is not socially dangerous and has already spent sufficient time in prison; *considering also* that the Vice-Minister of the Interior stated at the hearing that the Government had suggested that the Penal Code should enter into force only next year; however, Parliament was determined to promulgate it as scheduled on 1 July 2000,

Considering that a new Electoral Code was adopted on 15 February 2000 which the OSCE considers to *“fall short of OSCE commitments”*, stating *inter alia* that it *“excessively regulates campaign activities to such a degree that it stifles robust and vigorous campaigning and limits the right to free speech and expression”*, which is *“contrary to democratic principles and the freedom of expression article of the European Convention for the Protection of Human Rights and Fundamental Freedoms”*; *considering*, however, that the Code no longer bars persons found guilty on an administrative charge from standing for election,

1. *Thanks* the authorities, and in particular Parliament, for the cooperation they extended to its mission and the efforts made to facilitate its work; *also thanks* the Belarusian delegation to the 103rd Conference for the information and observations provided;
2. *Commends* the mission on its work and report, and *fully endorses* its findings and recommendations;
3. *Considers* that the information contained in the mission report and its findings tend to reveal a pattern of a greater or lesser degree of harassment of members of the 13th Supreme Soviet who are opposed to President Lukashenko; *deplores* this and *urges* the authorities to refrain from such practices, which impede the proper functioning of parliamentary democracy based on respect for human rights, in particular the right to life and to security, freedom of speech, freedom of assembly and fair trial;

4. *Is pleased* to observe that administrative sentences no longer constitute an impediment to standing for election; nevertheless *notes with concern* the assessment made by the OSCE on the guarantees offered regarding exercise of the right to freedom of speech;
5. *Notes with great satisfaction* the intention of the authorities to release Mr. Koudinov on the occasion of the entry into force of the new Penal Code on 1 July 2000;
6. *Expresses deep concern* at the lack of findings in the investigation into Mr. Gonchar's disappearance, and *urges* the authorities to make every effort, as is their duty, to establish his whereabouts; *also urges* the authorities duly to investigate Mrs. Gonchar's complaint of threats and harassment for the purpose of identifying the culprits and to take the necessary measures to prevent any such harassment in the future;
7. *Notes* that Mr. Klimov has been found guilty of overestimating construction works; *expresses deep concern* at the many procedural flaws referred to in the mission report and the observations of the sources, in particular as regards the right to defence; *considers* the sentence handed down on Mr. Klimov to be grossly disproportionate to his alleged offence; *notes* that Mr. Klimov has lodged an appeal, and *trusts* that the appeal court will rule in accordance with the law, including the provisions of the European Convention on Human Rights, to which Belarus is a party;
8. *Requests* a copy of the judgement;
9. *Is alarmed* at the serious allegation of ill-treatment of Mr. Klimov, backed by eyewitness reports, and the diagnosis established by the prison hospital showing Mr. Klimov's state of health to have considerably worsened in detention, and *urges* the authorities to release him forthwith pending appeal;
10. *Calls on* the authorities to comply with the recommendations of the United Nations Human Rights Committee, and *draws their attention* in particular to those regarding the right to freedom of assembly, observance of which is crucial for the holding of free and fair elections;
11. *Requests* the Secretary General to communicate this decision to the authorities and sources;
12. *Requests* the Committee on the Human Rights of Parliamentarians to continue examining this case and report to it at its next session (October 2000); *also requests* it to continue examining the other cases referred to in the mission report, and to report to it should it see fit in the light of how they progress.

CASE N° BHU/01 - TEK NATH RIZAL - BHUTAN***Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)***

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of Mr. Tek Nath Rizal of Bhutan, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted at its 165th session (October 1999),

Taking account of a letter from the President of the *Tshogdu* dated 31 December 1999 and of communications from the source dated 20 December 1999 and 4 January 2000,

Recalling that Mr. Tek Nath Rizal was sentenced to life imprisonment on 16 November 1993 and that, three days after the verdict, the King announced by decree that Mr. Rizal would be granted a pardon once the Governments of Nepal and Bhutan had resolved the problem of the southern Bhutanese living in refugee camps in Nepal,

Recalling that it had consistently expressed the hope that Mr. Rizal would indeed be pardoned and released rapidly, particularly since it had received information from various independent sources indicating that his state of health was deteriorating,

Considering that, according to the Speaker of the *Tshogdu*, Mr. Rizal, together with 200 other prisoners, was granted a royal pardon on the occasion of the National Day of Bhutan on 17 December 1999 as the Nation was celebrating “*the Silver Jubilee of His Majesty the King’s enthronement*”; that he was released “*in the light of the positive developments in the Bhutan-Nepal talks, as he had physically not carried out acts of violence and terrorism and as he had served ten years in prison*”,

Considering also the assurances given by the authorities that Mr. Rizal has access to such medical care as he may require,

1. *Is gratified* to learn that Mr. Tek Nath Rizal has been pardoned and released and that he enjoys adequate health care;
2. *Decides* consequently to close the case.

BURUNDI

CASE N° BDI/01 - SYLVESTRE MFAYOKURERA
CASE N° BDI/05 - INNOCENT NDIKUMANA
CASE N° BDI/06 - GERARD GAHUNGU
CASE N° BDI/07 - BIBIANE NTAMUTUMBA
CASE N° BDI/29 - PAUL SIRAHENDA
CASE N° BDI/35 - GABRIEL GISABWAMANA

<p> CASE N° BDI/02 - N. NDIHOKUBWAYO CASE N° BDI/03 - L. NTIBAYAZI CASE N° BDI/08 - A. NAHINDAVYI NDANGA CASE N° BDI/11 - I. BAPFEGUHITA CASE N° BDI/12 - P. NIZIGIRE CASE N° BDI/15 - J. NDEZAKO CASE N° BDI/16 - D. SERWENDA CASE N° BDI/17 - A. NTIRANDEKURA CASE N° BDI/19 - T. SIBOMANA </p>	<p> CASE N° BDI/09 - I. KUBWAYO CASE N° BDI/21 - S. MUREKAMBANZE CASE N° BDI/22 - G. NDUWIMANA CASE N° BDI/23 - C. MANIRAMBONA CASE N° BDI/24 - S. NTAKHOMENYEREYE CASE N° BDI/28 - C. BUCUMI CASE N° BDI/30 - A. KIRARA CASE N° BDI/31 - J.-P. NTIMPIRONGREA </p>
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CASE N° BDI/26 - NEPHTALI NDIKUMANA
CASE N° BDI/33 - AUGUSTIN NZOJIBWAMI

*Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)*

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of the above-mentioned parliamentarians of Burundi, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted at its 165th session (October 1999),

Having before it the case of Mr. Gabriel Gisabwamana, an incumbent member of the National Assembly who belonged to the FRODEBU opposition party, which has been the subject of a study and report of the Committee on the Human Rights of Parliamentarians in accordance with the “*Procedure for the examination and treatment by the Inter-Parliamentary Union of communications concerning violations of human rights of parliamentarians*”,

Taking note of the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), which contains a detailed outline of the case,

Taking also into account information supplied by the Burundi delegation to a Committee member on the occasion of the 103rd Conference (April/May 2000),

Noting that Mr. Gisabwamana was shot dead by a member of the armed forces in Bujumbura on 20 December 1999 at about 10 p.m.; the commission of inquiry set up by the Prosecutor General concluded that Mr. Gisabwamana had been killed by a member of the armed forces as he attempted to flee after a group of four persons including himself had been challenged by a military patrol; a judicial inquiry has reportedly been opened,

Recalling that Mr. Mfayokurera, Mr. Ndikumana, Mr. Gahungu and Ms. Ntamutumba, all of whom were elected in 1993 on a FRODEBU ticket, were assassinated on 20 August 1994, 16 December 1995 and in April and May 1996, respectively; *also recalling* the failed attempts on the lives of Mr. Ndiwokubwayo and Mr. Ntibayazi in September 1994 and September 1995, respectively; *recalling further* the “disappearance” on 1 August 1997 of Deputy Sirahenda, who, according to eyewitness reports, was abducted by military personnel in the market town of Mutobo and taken to Mabanda camp, where he is alleged to have been extrajudicially executed,

Noting further that, according to the Burundi delegation, Mr. Ndanga returned to Burundi and has resumed his parliamentary activities; that Mr. Bapfeguhita, Mr. Ndenzako and Mr. Serwenda died in exile; that Mr. Ntirandekura returned to Burundi without, however, taking up his seat; that Mr. Kubwayo, Mr. Sibomana, Mr. Murekambanze, Mr. Nduwimana, Mr. Manirambona, Mr. Ntakhomenyereye, Mr. Bucumi, Mr. Kirara and Mr. Ntimpirongrea are still in exile,

Recalling that Mr. Ndikumana was found guilty *in absentia* on 7 March 1997 of incitement to ethnic hatred for having, in May 1994, made a statement on behalf of his party alleging massacres and ethnic cleansing of FRODEBU supporters; *recalling* in this connection that the United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions denounced alleged violations of human rights by the army in his report to the 52nd session of the United Nations Commission on Human Rights,

Recalling that, according to information supplied earlier by the President of the National Assembly, three cases were pending against Mr. Nzojibwami, Second Vice-President of the National Assembly; that he was reportedly sentenced in one case and acquitted in two others,

Bearing in mind that, under the “*Agreement on the Political Platform of the Transition Regime*” and the “*Constitutional Act of Transition*” of 6 June 1998, the transitional institutions are assigned, in particular, the task of combating impunity for crimes and promoting equitable and reconciliatory justice; *mindful* in this connection of the resolution adopted by the United Nations Commission on Human Rights at its 56th session (March/April 2000) in which it requests the Government of Burundi to put an end to impunity,

1. *Thanks* the Burundi delegation for the information provided;
2. *Is dismayed* at Mr. Gisabwamana's murder, and *takes note with satisfaction* of the work of the special commission; *trusts* that judicial proceedings will be swiftly instituted and justice dispensed;
3. *Regrets* that it has received no information on the other cases of murder or attacks against the MPs concerned, and *again reiterates* its request for information as to the stage reached in the relevant investigations;

4. *Recalls yet again* that the fight against impunity is a prerequisite for full restoration of the rule of law and respect for human rights in the country;
5. *Reiterates its wish* to ascertain whether Parliament could contemplate granting an amnesty for cases such as that of Mr. Ndikumana;
6. *Would appreciate* confirmation that no further judicial proceedings are pending against Mr. Nzojibwami;
7. *Notes* that Mr. Ndanga returned to the country and has resumed his parliamentary activities; consequently *decides* to close his case;
8. *Notes* that Mr. Kubwayo, Mr. Sibomana, Mr. Murekambanze, Mr. Nduwimana, Mr. Manirambona, Mr. Ntakhomenyereye, Mr. Bucumi, Mr. Kirara and Mr. Ntimpirongrea have chosen to remain in exile; *notes further* that Mr. Bapfeguhita, Mr. Ndenzako and Mr. Serwenda died in exile, reportedly in refugee camps; *decides* to close the case regarding them, while *regretting* that they were forced into exile by the 1996 coup d'état and the ensuing threat to their lives;
9. *Requests* the Secretary General to communicate this decision to the competent authorities, inviting them to provide the desired information;
10. *Requests* the Committee on the Human Rights of Parliamentarians to continue examining this case and report to it at its next session (October 2000).

CAMBODIA

CASE N° CMBD/01 - SAM RAINSY
CASE N° CMBD/02 - SON SOUBERT
CASE N° CMBD/03 - POL HAM
CASE N° CMBD/04 - SON SANN
CASE N° CMBD/05 - KEM SOKHA

***Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)***

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of Mr. Sam Rainsy, Mr. Son Soubert, Mr. Pol Ham, Mr. Son Sann and Mr. Kem Sokha of Cambodia, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted at its 165th session (October 1999),

Taking account of the information and observations provided to the Committee by the Cambodian delegation to the 103rd Conference of the Inter-Parliamentary Union,

Recalling the following information on file:

- Mr. Kem Sokha, Mr. Pol Ham, Mr. Son Sann and Mr. Son Soubert were, among others, the targets of a grenade attack perpetrated in October 1995 against a congress held by their party, the Buddhist Liberal Democratic Party; despite the official statement by the then First Prime Minister, Prince Ranariddh, that “*the perpetrators will be caught and punished severely*”, the investigation has yielded no result to date;
- Mr. Sam Rainsy and participants in a peaceful and legal demonstration that he organised on 30 March 1997 were the target of a grenade attack in which Mr. Sam Rainsy’s bodyguard was killed and more than one hundred people were seriously injured; the Special Representative of the United Nations Secretary-General for Human Rights in Cambodia reported serious abnormalities in security arrangements for the demonstration, which indicated that the attackers enjoyed the complicity of the security personnel, who were actually soldiers belonging to the personal guard of the then Second Prime Minister, Hun Sen; another attempt on Mr. Sam Rainsy’s life was reportedly made on 20 August 1998; none of these incidents have so far been elucidated by the competent authorities,

Considering that, according to a member of the Cambodian delegation to the 103rd Conference, investigations were still under way and had not yet yielded sufficient results for

the case to be brought before the judge; however, a second report on the attack had concluded that one of the attackers was a former member of the Cambodia People's Party (CPP) who had meanwhile joined Mr. Rainsy's party; an identikit likeness of that person had been prepared; furthermore, international investigators were helping the Cambodian authorities with the investigation,

Recalling the consistently expressed concern of the Council of the Inter-Parliamentary Union regarding the de facto impunity prevailing in these cases and the concern of the international community regarding impunity expressed in the resolutions adopted by the United Nations General Assembly and Commission on Human Rights in recent years on the human rights situation in Cambodia,

Noting that, in his report to the United Nations General Assembly (A/54/353) on his thirteenth and fourteenth missions to Cambodia in March and May 1999 respectively, the Special Representative of the United Nations Secretary-General for Human Rights in Cambodia expressed the hope that the new Government would make serious efforts to investigate and bring to justice those responsible for the most serious acts of politically related violence committed during the term of the previous Government, including the grenade attacks of October 1995 and March 1997 referred to above; that he reiterated his concerns regarding impunity and the need to promote and protect the independence of the judiciary and the establishment of the rule of law in his report to the 56th session of the United Nations Commission on Human Rights (E/CN.4/2000/109); *noting further* that, in its concluding observations (July 1999) on the initial report of Cambodia under the International Covenant on Civil and Political Rights (ICCPR), the United Nations Human Rights Committee expressed particular concern "*in regard to the delay in completing the investigation of the grenade attack on demonstrators on 30 March 1997*",

Recalling that, at the Committee's hearing of the Cambodian delegation on the occasion of the 101st Inter-Parliamentary Conference in Brussels (April 1999), the President of the National Assembly of Cambodia pointed out that the Programme of Common Politics that FUNCINPEC had concluded on 23 November 1998 with its coalition partner, the Cambodia People's Party (CPP), provided for the combating of impunity and the investigation of crimes committed in the past, which issues, according to him, were also part of the General Programme of Politics that Prime Minister Hun Sen had submitted to the National Assembly on 30 March 1999,

Recalling in this connection that, in his letter of 2 August 1999, the President of the Assembly stated that he had twice reminded Prime Minister Hun Sen of the need for appropriate measures concerning the cases in question, adding that "*unfortunately, there is no substantial progress in the investigations on the specific cases that prompted the impunity issue [to be] raised*",

Recalling that, according to information provided by the sources following the elections of July 1998, Mr. Kem Sokha was prevented from travelling abroad and accused of incitement to racial unrest and damage to public property, and that an arrest warrant was issued against him,

Recalling that, according to information provided by the President of the National Assembly in April 1999, the judicial proceedings instituted in autumn 1998 against Mr. Kem Sokha had been dropped and the arrest warrant issued against him withdrawn; *considering*, however, that Mr. Kem Sokha was informed by his lawyer in December 1999 that the case against him had not been dropped but only suspended because he enjoyed parliamentary immunity; on the contrary, the court was gathering more evidence to arrest the President of the "Women and National Legitimacy

Party”, who had joined Mr. Kem Sokha in leading the September 1998 peaceful demonstration to protest against what the opposition viewed as electoral fraud,

Recalling that another arrest warrant, issued in September 1998 against Mr. Sam Rainsy, has reportedly never been officially withdrawn, and that the judicial proceedings seem to have been shelved but not dropped,

1. *Thanks* the Cambodian delegation for the information and observations it provided;
2. *Deeply regrets* that no progress has been made in the investigations into the grenade attack of October 1995 and the attempts on Mr. Sam Rainsy’s life of March 1997 and August 1998, so that the perpetrators of these criminal acts continue to enjoy de facto impunity;
3. *Notes with dismay* this state of affairs, which seems to indicate that the Cambodian authorities have failed to honour their obligation to render justice, thereby violating the right to justice of the former and incumbent MPs concerned;
4. *Reaffirms* that the combating of impunity is a prerequisite for the establishment of a democratic State based on the rule of law and respect for human rights;
5. *Calls again* on the competent authorities, in particular the National Assembly as the guardian of human rights, to honour their commitment to combat impunity, particularly with regard to the crimes in question, all the more so since there exists ample evidence, at least in the case of the March 1997 grenade attack; *reiterates* its wish to be advised of the stage reached in the investigation regarding the grenade attacks of October 1995 and March 1997;
6. *Expresses concern* at the allegation that the judicial proceedings instituted in the autumn of 1998 against Mr. Kem Sokha and Mr. Sam Rainsy have not been dropped but only suspended on account of their parliamentary immunity, and *wishes* to ascertain whether this is true and, if so, to be provided with detailed information in this regard;
7. *Requests* the Secretary General to communicate this decision to (i) the parliamentary and other competent authorities, inviting them to provide the requested information, and (ii) the appropriate United Nations bodies;
8. *Requests* the Committee on the Human Rights of Parliamentarians to continue examining this case and report to it at its next session (October 2000).

COLOMBIA

CASE N° CO/01 - PEDRO NEL JIMÉNEZ OBANDO
CASE N° CO/02 - LEONARDO POSADA PEDRAZA
CASE N° CO/03 - OCTAVIO VARGAS CUELLAR
CASE N° CO/04 - PEDRO LUIS VALENCIA GIRALDO
CASE N° CO/06 - BERNARDO JARAMILLO OSSA
CASE N° CO/08 - MANUEL CEPEDA VARGAS

*Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)*

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of Mr. Pedro Nel Jiménez Obando, Mr. Leonardo Posada Pedraza, Mr. Octavio Vargas Cuéllar, Mr. Pedro Luis Valencia Giraldo, Mr. Bernardo Jaramillo Ossa and Mr. Manuel Cepeda Vargas of Colombia, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted by the Council at its 165th session (October 1999),

Taking account of the information provided by the Office of the Vice-President of the Republic dated 10 February and 28 April 2000, and of information provided by one of the sources on 26 April 2000,

Recalling that the MPs concerned, members of the *Unión Patriótica*, were all assassinated between 1986 and 1994, and that only in the case of Senator Cepeda Vargas, murdered on 9 August 1994, have the investigations yielded any result,

Recalling in this regard that, on 28 June 1999, the disciplinary court (*Procuraduría*) concluded that General Herrera Luna (deceased in 1997) had ordered Senator Cepeda's murder; that Mr. Justo Gil Zúñiga Labrador and Mr. Hernando Medina Camacho, two army non-commissioned officers, perpetrated the crime with the complicity of paramilitary personnel under the command of Carlos Castaño Gil, and that, in pursuance of the Disciplinary Code, the two military servicemen were sentenced to a "severe reprimand", upheld by the *Procuraduría* on appeal on 3 August 1999; *recalling also* that, at its 165th session, it found this sanction to be far too lenient given the gravity of the crime,

Considering in this connection that, in its letter of 10 February 2000, the Office of the Vice-President of the Republic reported that the "Policy for the promotion of, respect for and safeguarding of human rights and the application of international humanitarian law", adopted on 12 August 1999, provided for legislative measures to promote reform of the Single Disciplinary Code; according to the draft reform of the Code submitted to Congress by the Public

Prosecutor's Office, behaviour constituting grave human rights violations, including the different forms of homicide, was considered a serious enough breach to warrant removal from office or disqualification from holding public office,

Considering the following new information on file regarding the case of Manuel Cepeda:

- On 1 October 1999, the Administrative Court of first instance of Cundinamarca ruled in favour of Senator Cepeda's family, ordering the State to compensate them for damages on account of State negligence and failure to protect the life of Senator Cepeda;
- On 21 December 1999, the Third Special Chamber of Santa Fe found NCOs Justo Gil Zúñiga Labrador and Hernando Medina Camacho guilty of Senator Cepeda's murder and sentenced each of them to 43 years' imprisonment; under resolutions 871 of 8 September 1999 and 1051 of 4 November 1999, respectively, they were discharged from active service; Carlos Castaño was, however, cleared of all responsibility, notwithstanding the overwhelming volume of evidence against him which, as the Public Prosecutor noted himself in a hearing before the Senate Human Rights Committee, demonstrated his responsibility as the instigator of the crime; Senator Cepeda's family has lodged an appeal against this component of the judgment and the two NCOs have appealed against the judgment in its entirety;
- The two NCOs are imprisoned in the military prison "Cuatro Bolas",

Considering that Senator Cepeda's son and daughter-in-law received death threats on 5 November 1999; *recalling* in this connection the consistent allegation that the two NCOs were in fact frequently allowed out of their barracks and engaged in military intelligence, so that they were able to mount operations of harassment; *considering* in this connection the following, in particular:

- The wife and one daughter of the main witness in the case have disappeared; in December 1999 an attempt was made to kidnap the second daughter of that witness;
- During the first appeal hearing, the two NCOs reportedly appeared accompanied by dozens of soldiers who surrounded the court; they were not handcuffed, which according to one of the sources is unusual, and Mr. Medina Camacho had a cellular telephone and used it in court; in their testimony they said that Mr. Cepeda's family was lying and merely attempting to disparage the Colombian Armed Forces, particularly in the United States, one of Colombia's main arms suppliers;
- The Attorney General, in a letter to the Commander of the Colombian Armed Forces, General Tapia, expressed concern at the growing number of escapes from military barracks and prisons,

Recalling that Mr. Carlos Castaño Gil is wanted for the murder of Senator Jaramillo and that, according to information provided by the authorities in April 1999 and confirmed in February 2000, the Human Rights Unit of the Attorney General's Office charged Carlos and Fidel Castaño and Gustavo Meneses on 9 December 1998 with criminal association and homicide for terrorist purposes,

Considering that, according to one of the sources, in March 2000 Carlos Castaño gave an interview on the private TV channel "Caracol" in which he denied having ordered Senator Jaramillo's murder but admitted that he personally took decisions about who was to be "executed" by the Autodefensas (national organisation of paramilitary groups), that he was the instigator of

other crimes such as killings, abductions, extortion and association with drug trafficking; on the strength of his statements, the Prosecutor brought new proceedings against him for a recent killing in northern Colombia,

Recalling in this connection that, in its third report on the human rights situation in Colombia (February 1999), the Inter-American Commission on Human Rights concluded that “*the State has played an important role in the development of the paramilitary groups and has not adequately combated those groups. The State is thus responsible, in a global sense, for the existence of the paramilitary and therefore faces responsibility for the actions carried out by those groups*”; *considering also* that, in its report to the 56th session of the United Nations Commission on Human Rights, the Office of the United Nations High Commissioner for Human Rights in Colombia (E/CN.4/2000/11) concluded that “*the State bears responsibility for the present proportions and complexity of the paramilitary problem. The persistence of omissive and permissive attitudes and the direct and indirect aiding and abetting of paramilitarism is aggravated by the absence of any effective policy to combat it*”.

Noting also the recommendation made by the Inter-American Commission on Human Rights in the report referred to above, namely that “*The State should take immediate and concrete steps to combat the extremely high level of impunity that exists in all types of criminal cases, and particularly in traditional human rights cases. These steps should necessarily include serious, impartial and effective criminal investigations of those allegedly responsible for committing crimes and the imposition of corresponding legal sanctions*”, in addition to the statement made by the Office of the High Commissioner for Human Rights in Colombia in the above-mentioned report that it is the “*Colombian State’s obligation to combat impunity*” through, *inter alia*, “*the effective punishment of those responsible for human rights violations and breaches of international humanitarian law*”,

Noting finally that, according to the authorities, special measures have been taken to combat impunity and that they are relevant to the cases under consideration, namely the establishment of a “*Search Squad for private justice groups*”, set up in December 1997 under Presidential Decree 2895 with the mandate, *inter alia*, to act in support of the Attorney General’s Office in the execution of arrest warrants, together with the establishment by the Attorney General’s Office, in 1999, of 26 sub-units in as many sectional directorates for the purpose of investigating crimes committed against *Unión Patriótica* members,

1. *Thanks* the Office of the Vice-President of the Republic for the information it provided and its cooperation;
2. *Notes with satisfaction* that the judiciary has finally delivered a verdict in the case of Senator Cepeda and that his family’s right to compensation has been recognised; *is also gratified* to note that the proposed amendment to the Single Disciplinary Code provides for greater proportionality between criminal action and punishment;
3. *Is alarmed* at the disappearance of the wife and daughter of one of the main witnesses in this case, the attempted kidnapping of the second daughter, the death threats against Senator Cepeda’s son and daughter-in-law and the reported appearance of the military officers at the appeal hearing in March 2000;
4. *Wishes* to ascertain:

- (i) Whether investigations have been instituted to locate the witness's wife and daughter and to shed light on the attempted kidnapping of the second daughter and, if so, what the outcome has been;
 - (ii) Whether investigations have been instituted to determine who made the death threats against Iván Cepeda and his wife and, if so, whether they have yielded any result;
5. *Can but repeat its call* on the authorities, and in particular the National Congress, to do their utmost to guarantee that the warrants issued for the arrest of Mr. Carlos Castaño Gil, who was recently interviewed on television, are executed, since this would constitute an essential step in the fight against impunity;
 6. *Notes with regret* that no progress has been made in the investigation relating to the other cases, and *earnestly hopes* that the establishment, in 1999, of special units to investigate crimes committed against *Unión Patriótica* members will finally yield results;
 7. *Once more urges* the National Congress of Colombia to do everything in its power to ensure that the State takes immediate practical steps to combat impunity, as recommended by the Inter-American Commission on Human Rights and the Office in Colombia of the United Nations High Commissioner for Human Rights, since this is a prerequisite for restoring the rule of law, respect for human rights and peace;
 8. *Requests* the Secretary General to bring this decision to the attention of the Colombian parliamentary authorities, the appropriate governmental authorities and the Office of the Vice-President of the Republic, and to seek the requested information from them;
 9. *Requests* the Committee on the Human Rights of Parliamentarians to continue examining this case and report to it at its next session (October 2000).

CASE N° CO/09 - HERNAN MOTTA MOTTA - COLOMBIA***Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)***

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of Senator Hernán Motta Motta of Colombia, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted at its 165th session (October 1999),

Taking account of the information provided by the Office of the Vice-President of the Republic on 10 February and 28 April 2000, and of information provided by one of the sources on 27 April 2000,

Recalling that Hernán Motta Motta, while a member of Parliament, had for some time been receiving death threats, which finally forced him into exile in October 1997; that investigations into the threats were launched in October 1995 and conducted by the Terrorism Unit of the Regional Directorate of Public Prosecutions in Bogotá, but have so far been unavailing,

Considering that the information provided by the Office of the Vice-President of the Republic on 28 April 2000 confirms the information already on file, namely that the investigations are still at the preliminary stage; the Office was furthermore in the process of contacting members of the *Unión Patriótica* in a quest for new material that might advance the investigations,

Considering that, according to one of the sources, a member of a paramilitary group who used to be close to paramilitary leader Carlos Castaño, a man currently in detention known as “Vladimir”, testified that the “Autodefensas” (national organisation of paramilitary groups) held a meeting in 1993 at which they decided to kill Manuel Cepeda (see case CO/01-CO/08), Aida Abella Esquivel (the *Unión Patriótica* President who narrowly escaped an attempt on her life in April 1996 and was forced to flee) and Hernán Motta,

Considering in this connection that, according to one of the sources, Carlos Castaño gave an interview in March 2000 on the private TV channel “Caracol” in which he admitted that he personally took decisions on who was to be “executed” by the Autodefensas,

Recalling that the sources and Mr. Motta himself have repeatedly expressed the view that adoption of the statute on the political opposition, provided for under Article 112 of the National Constitution, would bring about greater respect for the rights of the political opposition; and *noting* in this connection that, as stated in the letter of 28 April 2000 from the Office of the Vice-President of the Republic, the Vice-President contacted the Minister of the Interior seeking information from him in this respect,

Noting that the Inter-American Commission on Human Rights, in March 1997, declared admissible a petition regarding the persecution of the *Unión Patriótica* political party which alleges, *inter alia*, that the State of Colombia has tolerated or acquiesced in the persecution of that party through its failure adequately to investigate and sanction the crimes committed against its members and its failure to take other effective measures to prevent these crimes; *considering* that, according to the Office of the Vice-President of the Republic, as part of the search undertaken in 1999 for an amicable settlement under the auspices of the Inter-American Commission on Human Rights, agreement has been reached on the establishment of a subcommittee to undertake investigations into presumed human rights violations against activists of that political movement; and that, to facilitate this task, *“the Attorney General’s Office has established 26 sub-units in as many sectional directorates for the purpose of investigating crimes committed against Unión Patriótica members”*,

Noting finally the recommendation by the Inter-American Commission on Human Rights in its Third Report on the Human Rights Situation in Colombia (1999), namely that *“The State should take immediate and concrete steps to combat the extremely high level of impunity that exists in all types of criminal cases, and particularly in traditional human rights cases. These steps should necessarily include serious, impartial and effective criminal investigations of those allegedly responsible for committing crimes and the imposition of corresponding legal sanctions”*, in addition to the statement made by the Office of the High Commissioner for Human Rights in Colombia in its report to the 56th session of the United Nations Commission on Human Rights that it is the *“Colombian State’s obligation to combat impunity”* through, *inter alia*, *“the effective punishment of those responsible for human rights violations and breaches of international humanitarian law”*,

1. *Thanks* the Office of the Vice-President of the Republic for its cooperation;
2. *Notes with deep regret* that the investigation into the death threats that forced Mr. Motta into exile, which has now been under way for almost five years, has been fruitless and failed to move beyond the preliminary investigation stage;
3. *Fears* that such a situation indicates a lack of resolve to combat impunity and may constitute a violation of Mr. Motta’s right to security and justice, the Colombian State having failed to take appropriate measures to protect him and to identify and bring to justice those making the threats;
4. *Notes*, however, that new measures have been taken to investigate crimes against members of the *Unión Patriótica*, and *earnestly hopes* that they will yield results;
5. *Awaits with interest* the information announced regarding the statute on the political opposition;
6. *Calls on* the National Congress to take every measure in its power, both in the legislative field and within its function of overseeing the Executive, to ensure that the appropriate authorities effectively combat impunity and adequately investigate and punish human rights offenders;
7. *Requests* the Secretary General to convey this resolution to the parliamentary and other appropriate authorities;

8. *Requests* the Committee on the Human Rights of Parliamentarians to continue examining this case and report to it at its next session (October 2000).

CASE N° DJI/09 - AHMED BOULALEH BARREH) DJIBOUTI
CASE N° DJI/10 - ALI MAHAMADE HOUMED)
CASE N° DJI/11 - MOUMIN BAHDON FARAH)

*Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)*

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of Mr. Ahmed Boulaleh Barreh, Mr. Ali Mahamade Houmed and Mr. Moumin Bahdon Farah of Djibouti, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted at its 165th session (October 1999),

Taking note of the information and observations provided by the Djibouti delegation to the 103rd Conference of the Inter-Parliamentary Union,

Recalling the following information on file:

- Their immunity having been lifted, Mr. Boulaleh Barreh, Mr. Mahamade Houmed and Mr. Bahdon Farah were found guilty on 7 August 1996 of insulting the President of the Republic and sentenced to six months' imprisonment, a fine and five years deprivation of their civic rights; that they were consequently unable to participate in the parliamentary elections of December 1995 and the presidential elections of April 1999;
- Their trial went ahead despite a Constitutional Court ruling of 31 July 1996 that the lifting of their parliamentary immunity had been flawed;
- Mr. Bahdon Farah, a former Minister of Justice, has since been prosecuted on charges of misappropriation of seized goods, for retaining a stolen object and for involvement in an alleged coup d'état; that in the latter case he and Mr. Mahamade Houmed were found guilty on 12 September 1996 of "*inciting disobedience in the armed forces with a view to harming the national defence*" (Article 157 of the Penal Code) and sentenced to one year's imprisonment, suspended, two years on probation and a fine of one million Djibouti francs; furthermore, Mr. Bahdon Farah's passport has reportedly been unlawfully confiscated,

Recalling that the Djibouti delegation to the 102nd Conference of the Inter-Parliamentary Union (October 1999) invited the IPU to send an on-site mission to Djibouti to ascertain the situation directly,

Noting that, before the mission was due to leave, two favourable developments occurred, namely (a) on 19 January 2000 the Criminal Appeal Division of the Djibouti Court of Appeal annulled the judgment referred to above, taking the view that "*the charges laid against*

the accused have not been substantiated in their regard” and (b) the Government and the armed rebellion signed a Framework Peace Agreement on 7 February 2000, thus opening up the prospect of further satisfactory developments in this case; that, consequently, the Committee decided to adjourn the mission pending detailed information about the Agreement and its possible effects on the situation of the former MPs concerned,

Considering that, according to the Djibouti delegation to the 103rd Conference, the Peace Agreement has been concluded between the Government and the rebellion, with the result that the relevant amnesty law adopted by the National Assembly concerns only those having taken part in the rebellion,

Bearing in mind that, in its Article III entitled “Of Democracy”, the Peace Agreement affirms that there is no viable Republic without democracy and no democracy without a balance of power, plurality of opinion, freedom to express opinions and the right to act in their furtherance,

1. *Thanks* the President of the National Assembly once again for the invitation extended to the IPU to send an on-site mission regarding these cases; *also thanks* the Djibouti delegation for the information and observations it provided;
2. *Is gratified* to learn of the acquittal of Mr. Bahdon Farah and Mr. Mahamade Houmed and of the conclusion of the Framework Peace Agreement; *considers*, in the light of this development, that a mission is no longer appropriate;
3. *Notes* that the relevant amnesty adopted by Parliament concerns only those who took part in the rebellion; *believes* that, given the spirit expressed in the Peace Agreement, it would also be fitting to extend the amnesty to former members of Parliament whose attacks on the authorities have been purely verbal;
4. *Calls on* the National Assembly to consider the adoption of such a measure, which would simply be a further demonstration of the prevailing spirit of reconciliation;
5. *Requests* the Secretary General to convey this decision to the President of the Republic and the President of the National Assembly;
6. *Requests* the Committee on the Human Rights of Parliamentarians to continue examining this case and report to it at its next session (October 2000), in the hope that by then it will have been notified of such a development.

CASE N° EC/02 - JAIME HURTADO GONZALEZ) ECUADOR
CASE N° EC/03 - PABLO VICENTE TAPIA FARINANGO)

*Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)*

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of Mr. Jaime Ricaurte Hurtado González and Mr. Pablo Vicente Tapia Farinango, a member and substitute member, respectively, of the National Congress of Ecuador, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted at its 165th session (October 1999),

Recalling the following information on file:

- On 17 February 1999, Mr. Jaime Ricaurte Hurtado González and Mr. Pablo Vicente Tapia Farinango, both belonging to the opposition *Movimiento Popular Democrático* (MPD), and Mr. Wellington Borja Nazareno, a legislative services assistant working with the National Congress, were shot dead shortly after leaving the morning plenary sitting of the National Congress; police arrested several persons supposedly implicated in the killing; the preliminary police investigation report, made public by the President of the Republic only two days after the murder, relied heavily on the statement made by one of the suspects, Washington Aguirre, a police informant, and concluded that the motive for the killing was Jaime Hurtado's links with the Colombian guerrilla movement and his intention to set up a guerrilla group in Ecuador; proceedings were opened by the Second Criminal Court of Pichincha and the case was later referred to Quito District High Court and the Supreme Court, remaining for 10 months without a judge assigned to it;
- On 25 February 1999 the Government set up a Special Commission of Inquiry to establish the facts of the case; on 20 April 1999 the Commission issued an information bulletin in which it described the findings of the police report as "*fabricated, incomplete and contradictory*"; moreover, the Commission reported having encountered a series of obstacles in carrying out its work,

Recalling that it took favourable note of the Special Commission's wish that the Inter-Parliamentary Union should send a mission to the country; *considering* that, the authorities having agreed to such a mission, Committee member Juan Pablo Letelier carried out this mission from 17 to 20 April 2000; that he was able to meet with all parties concerned, authorities and sources alike,

Considering the following points emerging from his oral report to the Committee:
(i) the case has now been assigned to a judge after having been at a standstill for almost a year owing to competence conflicts, and the judge is conducting the investigation with all necessary

diligence; (ii) the investigations have tended to discard the version of the facts and conclusions contained in the first police report, and are now following other lines of inquiry based on the assumption that the decision to kill Mr. Hurtado was taken in Ecuador and not in Colombia; (iii) the new Government authorities have expressed their will to support the work of the Special Commission of Inquiry and the judicial investigation,

1. *Expresses its gratitude* to the Ecuadorian authorities and in particular to the President of the National Congress for hosting the mission and making every effort to facilitate its task; *also thanks* all other parties with whom Mr. Letelier met, including the members of the Special Commission of Inquiry, for the information provided and for their assistance and cooperation;
2. *Notes* with satisfaction that the investigations into this murder are now under way, and *is confident* that they will follow due process of law;
3. *Trusts* that the National Congress will closely follow the murder proceedings and give active support to the judicial investigation and to the Special Commission of Inquiry, and *would appreciate* information as to any steps taken to this effect;
4. *Would appreciate* information as to the competence of the National Congress to take legal action on behalf of its two members assassinated;
5. *Requests* the Secretary General to convey this decision to the appropriate authorities, the sources and the Special Commission of Inquiry, inviting them to keep the Committee informed of progress in the relevant investigation;
6. *Requests* the Committee on the Human Rights of Parliamentarians to continue examining this case and report to it at its next session (October 2000).

CASE N° GMB/01 - LAMIN WAA JUWARA - GAMBIA

***Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)***

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of Mr. Lamin Waa Juwara, a member of the House of Representatives of the Gambia dissolved in 1994, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted at its 165th session (October 1999),

Taking account of the communication from the Office of the Attorney General and Secretary of State for Justice of 12 November 1999, and of communications from the source dated 20 January and 1 and 8 February 2000,

Considering the following information on file:

- On 29 July 1998, the High Court rejected Mr. Juwara's claim for compensation for the many arbitrary arrests and periods of detention he had suffered at the hands of officials acting under the authority of the Armed Forces Provisional Ruling Council (AFPRC), which took power after Parliament's dissolution in 1994, and ruled that the alleged conduct of the defendants in this action was not subject to the jurisdiction of the courts, since Section 13 of Schedule 2 of the 1997 Constitution guaranteed members of the AFPRC and its officers and appointees immunity from any prosecution in respect of any act or omission attributable to them under the AFPRC administration;
- Mr. Juwara was re-arrested at his home without an arrest warrant on the night of 18 May 1998 and held incommunicado until the Supreme Court ordered his release on bail on 8 June 1998. On the night of his arrest, Mr. Juwara was subjected to severe ill-treatment by security agents, sustaining serious injuries as a result; he was reportedly denied any medical care while in prison;
- In June 1998 Mr. Juwara, together with others, was arraigned in Brikama Magistrate's Court and charged with "*conspiracy to cause unlawful damage to property*" and "*causing unlawful damage to property*" on account of "*wilful and unlawful damage to construction works at the Brikama Mosque*"; on 22 February 1999, the Brikama Magistrate's Court acquitted them, ruling that there was no case to answer; the State nevertheless filed an appeal against that judgment which was reportedly published for hearing at the High Court on 14 February 2000,

Considering that, while in her letter of 12 November 1999, the Attorney General and Secretary of State for Justice stated, in regard to the allegation of torture made against certain

officials, that the police were still investigating the matter and were expected to submit their report very shortly, Mr. Juwara asserts that no such investigation has been undertaken,

Recalling that, by letter dated 23 September 1999, referring to the Committee's earlier invitation to a hearing, the Attorney General's Chambers and Department of State for Justice stated that “*it was now the official position of the Gambia Government to do its utmost to endeavour to meet the Committee on the Human Rights of Parliamentarians, through the Honourable Attorney General or her representative, to facilitate a direct exchange of views*”; that her Office, in a letter dated 8 October 1999, reaffirmed “*its commitment to meet the Committee at a later session ...*”; *noting*, however, that the Office has not responded to the invitations to a hearing which the Committee extended to it in connection with its 88th session in January 2000 and its present session on the occasion of the 103rd Conference,

Bearing in mind that the Gambia is a party to the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, both of which guarantee freedom from arbitrary arrest and detention, in addition to freedom from torture and ill-treatment; that these rights are also enshrined in the Constitution of the Gambia, Section 4 of which stipulates that “*... any other law found to be inconsistent with any provision of this Constitution shall, to the extent of its inconsistency, be void*”; *considering* that, according to Decree 31 (National Goals and Objectives Decree, 1995), adherence to the principles and objectives of, *inter alia*, the United Nations “*shall remain the cornerstone of the Foreign Policy of the Gambia*”,

1. *Deeply regrets* that the authorities, despite their stated commitment, have taken no action concerning the invitation extended to them by the Committee on the Human Rights of Parliamentarians to meet with it;
2. *Believes* that its serious concerns in this case warrant a direct exchange of views with the competent authorities and the former MP concerned, which would permit progress towards its satisfactory settlement;
3. *Requests* the Committee to carry out an on-site mission for the purpose of gathering from the appropriate parliamentary, governmental, administrative and judicial authorities, from Mr. Juwara himself, his family and his lawyers and from appropriate human rights organisations, as much detailed information as possible on all aspects of this case;
4. *Trusts* that the idea of such a mission will be well received by the authorities, and *requests* the Secretary General to take the necessary steps to organise such a mission in the near future;
5. *Requests* the Committee on the Human Rights of Parliamentarians to continue examining this case and report to it at its next session (October 2000) in the light of such information as the mission may gather.

CASE N° GMB/03 - OMAR JALLOW - GAMBIA

***Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)***

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of Mr. Omar Jallow, of the Gambia, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted at its 165th session (October 1999),

Taking account of communications from Mr. Jallow dated 19 February and 29 March 2000,

Considering the following information on file:

- Mr. Jallow was detained without charge several times in 1994 and 1995 and is at present banned under Decree 89 (Political Activities Resumption Decree, 1996) from “(...) *participating in any political activity or in sponsoring any (a) person contesting any election for a political office, (b) political party, or (c) political organisation*”; the Decree bans for an indefinite period from any such activity, among others, “*all persons who held the offices of President, Vice-President and Ministers in the Government of the Republic of the Gambia during the thirty years preceding 22 July 1994*”; under its Article 4, paragraph 1, “*any person who contravenes this Decree commits an offence and shall on conviction be liable to imprisonment for life*”;
- In August 1998, the parliamentary opposition tabled an amendment in Parliament to abolish the Decree by means of an Act amending the “*Political Activities Resumption Decree*” with the express aim of bringing the law into conformity with the Constitution’s fundamental human rights guarantees; it failed, however, to obtain the requisite majority in Parliament;
- On 8 July 1999, Mr. Jallow filed a lawsuit in the High Court of the Gambia seeking a judicial interpretation of Decree 89 and a declaration that he is entitled to exercise the fundamental human rights guaranteed under the Constitution of the Gambia,

Considering that, according to Mr. Jallow, the case was heard on 20, 21 and 29 March 2000; the Attorney General’s Chamber questioned the competence of the court to hear the case and the Judge has now to rule on this point,

Recalling that, by letter dated 23 September 1999, referring to the Committee's earlier invitation to a hearing, the Attorney General's Chambers and Department of State for Justice stated that “*it was now the official position of the Gambia Government to do its utmost to endeavour to meet the Committee on the Human Rights of Parliamentarians, through the Honourable*

Attorney General or her representative to facilitate a direct exchange of views"; that her Office, in a letter dated 8 October 1999, reaffirmed "*its commitment to meet the Committee at a later session ...*"; *noting*, however, that the Office has not responded to the invitations to a hearing which the Committee extended to it in connection with its 88th session in January 2000 and its present session on the occasion of the 103rd Conference,

Bearing in mind that the Gambia is a party to the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, both of which guarantee freedom from arbitrary arrest and detention, in addition to freedom of expression, assembly and association; that these rights are also enshrined in the Constitution of the Gambia, Section 4 of which stipulates that "... *any other law found to be inconsistent with any provision of this Constitution shall, to the extent of its inconsistency, be void*"; *considering* that, according to Decree 31 (National Goals and Objectives Decree, 1995), adherence to the principles and objectives of, *inter alia*, the United Nations "*shall remain the cornerstone of the Foreign Policy of the Gambia*",

1. *Deeply regrets* that the authorities, despite their stated commitment, have taken no action concerning the invitation extended to them by the Committee on the Human Rights of Parliamentarians to meet with it;
2. *Believes* that, in view of its serious concerns in this case, only a direct exchange of views with the competent authorities and the former MP concerned would permit progress towards its satisfactory settlement;
3. *Requests* the Committee to carry out an on-site mission for the purpose of gathering from the competent parliamentary, governmental, administrative and judicial authorities, from Mr. Jallow himself, his family and his lawyers and from appropriate human rights organisations, as much detailed information as possible on all aspects of this case;
4. *Trusts* that the idea of such a mission will be well received by the authorities, and *requests* the Secretary General to take the necessary steps to organise such a mission in the near future;
5. *Requests* the Committee on the Human Rights of Parliamentarians to continue examining this case and report to it at its next session (October 2000) in the light of such information as the mission may gather.

GUINEA

CASE N° GUI/01 - MAMADOU BHOYE BA
CASE N° GUI/02 - MAMADOU BARRY
CASE N° GUI/03 - THIerno OUSMANE DIALLO
CASE N° GUI/05 - EL-HADJ AMIATA MADY KABA *
CASE N° GUI/06 - KOUMAFING KEITA *
CASE N° GUI/07 - MAMADY YÖ KOUYATE
CASE N° GUI/08 - IBRAHIMA KALIL KEITA

*Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)*

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of the above-mentioned parliamentarians, opposition MPs of the National Assembly of Guinea, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted at its 165th session (October 1999),

Referring also to the report on the Committee's on-site mission conducted from 10 to 14 January 2000, and to the observations provided on behalf of the Government by the Minister of Justice and the observations thereon supplied by the lawyers of the deputies concerned,

Noting that, according to the Guinean delegation to the 103rd Conference (April/May 2000), El-Hadj Amiata Kaba has died, and that thus both the youngest member of the group of deputies arrested and detained by way of reprisal for the December 1998 demonstrations in Kankan-Siguiri and the oldest are now dead,

Considering also that, since the mission, there have been no new developments to indicate that the authorities have taken account of the concerns voiced by the Committee's delegation,

Bearing in mind that the Republic of Guinea is a party to the International Covenant on Civil and Political Rights, the African Charter on Human and Peoples' Rights, and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, which guarantee the right to freedom of assembly, the right to freedom from arbitrary arrest and detention and from torture and ill-treatment, and the right to fair trial,

* Deceased.

1. *Thanks* the Guinean authorities, the Prime Minister and the Minister of Justice for the cooperation they extended to the Committee's delegation, which permitted it to conduct its mission in full;
2. *Expresses special thanks* to the National Assembly and its President for the welcome they extended to the mission and their efforts to ensure that it could carry out its assignment; *also thanks* the delegation of Guinea to the 103rd Conference, headed by the President of the National Assembly, for the information and observations communicated to the Committee;
3. *Commends* the members of the mission on their work and report, and *fully endorses* their conclusions;
4. *Considers* that the observations supplied by the Government do not suffice to dispel the concerns expressed in the report, and *wishes* in particular to point out the following:
 - (i) As regards the Kapororail case:
 - The murder of a gendarme has not been taken into account in the judgment handed down in this case;
 - The characterisation of a crime or offence as *flagrante delicto* relates to the circumstances in which an alleged offender is arrested; hence, only if the three MPs concerned had been arrested on the spot at the time of the commission of the offences, pursued by public outcry or found in possession of incriminating objects or showing evident signs of participation in the events at Kapororail, which was not the case, could they have been arrested without the lifting of their parliamentary immunity;
 - (ii) As regards the Kankan-Siguiri case:
 - Neither the observations of the Government nor the judgment contain any clear evidence that the deputies concerned were involved in demonstrating and arrested at the scene of the demonstrations; two of them at least, namely El-Hadj Amiata Kaba and Ms. Koumafing Keita, who was ill at the time, were arrested long after the event, both at their homes and Ms. Keita at 1 a.m.;
 - The lawyers contest the assertion that police did not fire on the crowd and they provided a list of the persons who were shot dead or received gunshot wounds in Kankan and Siguiri, together with a list of the persons admitted to the Kankan and Siguiri hospitals;
5. *Expresses deep concern* at the fact that the authorities have so far not seen fit to institute any investigation into the concurring declarations of the MPs concerned that they were ill-treated, and *points out* that, since Guinea is a party to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the authorities are under an obligation to institute investigations into such allegations;
6. *Would appreciate* comments from the Government on the delegation's concluding remark about the right to fair trial;
7. *Can but express deep concern*, as the world organisation of national Parliaments, at the evident lack of respect shown by the Government of Guinea for the National Assembly and its members, as emerging from the mission report, and *calls on* the

Government to respect the prerogatives and powers of the other State branches since there can otherwise be no rule of law;

8. *Encourages* IPU member Parliaments to give support to the National Assembly of Guinea by whatever means they may deem appropriate;
9. *Requests* the Secretary General to convey this resolution to the President of the National Assembly, the Prime Minister and the Minister of Justice, inviting them to convey to the Committee the video cassette which, according to the lawyers, exists of the entire Kaporo-rail trials;
10. *Requests* the Committee on the Human Rights of Parliamentarians to continue examining this case and report to it at its next session (October 2000).

CASE N° GUI/04 - ALPHA CONDE - GUINEA***Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)***

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of Mr. Alpha Condé, a member of the National Assembly of Guinea and candidate in the 1998 presidential election, and President of the opposition Rassemblement du Peuple de Guinée (RPG), as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted at its 165th session (October 1999),

Referring also to the report on the Committee's on-site mission conducted from 10 to 14 January 2000, to the observations provided by the Government and to the comments of the lawyers provided thereon as well as to the indictment regarding Mr. Condé and his co-accused,

Recalling that Mr. Condé, a candidate in the presidential election of 1998, was arrested on 15 December 1998 prior to the announcement of the provisional election results and without any previous lifting of his parliamentary immunity; he was charged in January 1999 with “*attempt to cross borders, fraudulent export of foreign currency, attempt to recruit mercenaries and breach of State security*”,

Pointing out in particular that the charge of breach of State security held against Mr. Condé is based on written material contained in a notepad which was not recognised by its author; the notepad was found in Mr. Condé's travel bag which was seized 10 days after Mr. Condé's arrest in the home of Mr. Morifing Sagno in the absence of both Mr. Condé and Mr. Sagno although both were in detention at the time and thus at the disposal of the authorities; and that, consequently, the defence affirms that the charges result from forcible entry and from tampering with the contents of the bag,

Considering that, according to the Guinean delegation to the 103rd Conference, the following new developments have occurred since the mission took place:

- The trial of Mr. Condé opened on 12 April 2000 before the National Security Court; the judge admitted defence counsel from abroad who pleaded the illegality of the investigation procedure;
- On 25 April 2000 the judge rejected all defences of nullity, deeming them to be ill-founded;
- On 26 April, when the trial resumed, the defence decided to withdraw from the trial and the judge committed *ex officio* counsel to the accused persons, who refused them;

- When the trial resumed on 2 May 2000, the accused stated that they had nothing more to say; the judge therefore suspended the trial *sine die* stating that he was ready to judge them whenever they wished,

Considering that an Amnesty International delegation which went to Guinea in April 2000 met some of Mr. Condé's co-accused and was informed that some had been tortured to extract statements from them; one military officer had even died as a result of such torture; the Guinean delegation to the 103rd Conference confirmed this information, adding that Mr. Condé's co-accused had been unlawfully arrested in recent months by the military and held *incommunicado* in secret military camps belonging to the President's personal guard (Koundara and Kassa), that is, unauthorised detention centres,

Noting that the President of the National Assembly, by letter N° 011/PAN/geb/2000 of 9 February 2000, referred a request to the President of the Republic for suspension of the judicial proceedings under way against Alpha Condé in accordance with Article 52(4) of the Constitution,

Bearing in mind that the Republic of Guinea is a party to the International Covenant of Civil and Political Rights, the African Charter on Human and Peoples' Rights, and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, which guarantee the right to freedom from arbitrary arrest and detention, the right to freedom from torture and ill-treatment, and the right to fair trial,

1. *Thanks* the Guinean authorities and in particular the Prime Minister and the Minister of Justice for their cooperation, which enabled the Committee's delegation to conduct its mission in full and, in particular, to meet with Mr. Alpha Condé in prison under the requisite conditions;
2. *Expresses special thanks* to the National Assembly and its President for the welcome they extended to the mission and their efforts to ensure that it was able to carry out its assignment; *also thanks* the delegation of Guinea to the 103rd Conference, headed by the President of the National Assembly, for the information and observations communicated to the Committee;
3. *Commends* the members of the mission on their work and report, and *fully endorses* their conclusions;
4. *Notes with deep concern* that the findings of the mission reveal serious violations of the provisions of the Code of Penal Procedure and tend to indicate the absence of any crime or offence committed by Mr. Alpha Condé, which is corroborated by the alarming allegations of the obtaining of confessions from Mr. Condé's co-accused under duress and the fact that the trial has been adjourned *sine die*, which has no basis whatsoever in either national or international law;
5. *Is hence led to consider* that the prosecution of Mr. Condé is not based on any legally valid motives but rather prompted by political considerations;
6. *Urges* the authorities to respect both the rule of law and their obligations under the international human rights treaties to which Guinea has subscribed;
7. *Urges* the authorities therefore to release Mr. Alpha Condé and his co-accused immediately and, also without further delay, to launch investigations into the serious allegations of "confessions" obtained under duress;

8. *Expresses deep concern*, as the world organisation of national Parliaments, at the evident lack of respect shown by the Government of Guinea for the National Assembly and its members, as emerging from the mission report, and *calls on* the Government to respect the prerogatives and powers of the other State branches since there can otherwise be no rule of law;
- 9 *Encourages* IPU member Parliaments to give support to the National Assembly of Guinea by whatever means they may deem appropriate;
10. *Requests* the Secretary General to convey this resolution to the authorities, inviting them to provide any observations they may have to make;
11. *Requests* the Committee on the Human Rights of Parliamentarians to continue examining this case and report to it at its next session (October 2000).

CASE N° HOND/02 - MIGUEL ANGEL PAVÓN SALAZAR - HONDURAS***Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)***

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of Mr. Miguel Angel Pavón Salazar of Honduras, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted at its 165th session (October 1999),

Taking account of the information provided by the National Commissioner for Human Rights on 11 January and 24 and 27 April 2000,

Recalling that:

- Deputy Miguel Angel Pavón Salazar was assassinated in San Pedro Sula, Honduras, on 14 January 1988 and the initial findings of the judicial investigation established a link between his assassination and the evidence he gave in October 1987 before the Inter-American Commission on Human Rights regarding forced “disappearances” in his country, which he blamed on members of the armed forces and, in particular, a “death squad” that reportedly existed at the time in Military Intelligence Battalion 3-16;
- Owing to the insistence of the National Congress the investigation, which had come to a virtual standstill, was reopened in July 1996 by the Criminal Investigation Branch (DIC) of the Public Prosecutor’s Office and brought new evidence to light which resulted in the arrest, on 28 April 1998, of one of the presumed culprits, Lieutenant Colonel Quiñónez and the issuing of an arrest warrant against Sergeant Major Jaime Rosales; however, Mr. Quiñónez was released on bail on 3 May 1998 and no steps have been taken to execute the arrest warrant against Mr. Rosales, who is reportedly living in the United States,

Considering that, according to the information provided by the National Commissioner for Human Rights, the investigation has not progressed and has remained at the stage of pre-trial proceedings largely owing to a constant change of the prosecutors assigned to the case and their failure to take action; *considering also that* Mr. Quiñónez disappeared and presumably died in an accident caused by Hurricane Mitch in October 1998,

Considering that it seems from a newspaper article of 26 April 2000, communicated by the National Commissioner for Human Rights, that the President of the Republic, in compliance with a resolution of the Inter-American Commission of Human Rights, has ordered the compensation of the families of 12 disappeared or extrajudicially executed persons, including Mr. Pavón’s,

1. *Thanks* the Office of the National Commissioner for Human Rights for the information supplied and for its cooperation;
2. *Is gratified* to learn that the President of the Republic has ordered compensation of Mr. Pavón's family, and *notes* that the State thus acknowledges its responsibility in Mr. Pavón's murder;
3. *Recalls* that, under the international human rights norms to which the Honduran State has subscribed, the payment of compensation does not dispense the State from establishing the truth and dispensing justice;
4. *Trusts* that the appropriate authorities will discharge their statutory obligation to make every effort to shed light on Mr. Pavón's murder, in particular by executing the arrest warrants they issued; *calls again* on the National Congress to continue monitoring the relevant proceedings;
5. *Requests* the Secretary General to convey this resolution to the authorities;
6. *Requests* the Committee on the Human Rights of Parliamentarians to continue examining this case and report to it at its next session (October 2000).

CASE N° MAL/15 - ANWAR IBRAHIM - MALAYSIA

***Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)***

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of Mr. Anwar Ibrahim, a member of the House of Representatives of Malaysia, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted at its 165th session (October 1999),

Taking account of the information supplied by the Malaysian delegation to the 103rd Conference of the Inter-Parliamentary Union (April/May 2000),

Taking account also of communications from the source dated 21 January and 19 and 29 April 2000,

Recalling the following information on file:

- Former Deputy Prime Minister Anwar Ibrahim was arrested on 20 September 1998; at his first court appearance after nine days of incommunicado detention, he showed visible signs of assault which Prime Minister Mahathir found could have been "self-inflicted"; in January 1999, Inspector General of Police Abdul Rahim Noor resigned, assuming responsibility for Anwar Ibrahim's injuries but later claiming that he had been "provoked" into assaulting him; Anwar Ibrahim testified to the Royal Commission of Inquiry that he had been severely beaten around the neck, face and head while blindfolded and handcuffed; the Commission recommended that charges of attempting to cause grievous hurt be brought against Abdul Rahim Noor;
- On 14 April 1999, Anwar Ibrahim was found guilty of corrupt practices (abuse of powers) and sentenced to six years' imprisonment;
- In July 1999, a second trial was opened against Anwar Ibrahim, who, together with Sukma Darmawan, now faces a charge of sodomy; Mr. Sukma Darmawan was arrested on 6 September 1998 and detained incommunicado for 13 days before his appearance in court on 19 September 1998, when he pleaded guilty to charges of having let Anwar Ibrahim sodomise him and was sentenced to six months' imprisonment; he appealed against his conviction on the ground that his guilty plea had been coerced through severe police ill-treatment; however, without ordering an independent investigation, the judge accepted the police's denial of any abuse and ruled that the confession had been made voluntarily in that there had been no inducement, threat or promise by the police;
- On 10 September 1999, the judge in the sodomy trial ordered Anwar Ibrahim's admission to hospital, as lead defence counsel Karpal Singh had reported that an

excessive level of arsenic had been discovered in Anwar Ibrahim's urine; while Kuala Lumpur University Hospital (HUKM) concluded in its expert opinion that Anwar Ibrahim did not show classical clinical signs of acute or chronic arsenic poisoning, it stated that Anwar Ibrahim had developed "*a number of medical problems and recommended that HUKM [...] continue to assess and follow up on the patient's health status ...*",

Considering that, on 14 January 2000, Karpal Singh was charged with sedition for stating the following on 10 September 1999 in court regarding Anwar Ibrahim's alleged arsenic poisoning: "*It could well be that someone out there wants to get rid of him [...] even to the extent of murder. I suspect that people in high places are responsible for the situation*"; he was released on bail and is awaiting trial, which is due to begin on 18 July 2000; *considering* that, according to the sources, these charges are unprecedented since this is the first time in Malaysia that a lawyer is charged with an offence for words spoken in court in the course of his duty as a lawyer; *recalling* in this connection its previous concern regarding infringements of the rights of the defence,

Considering that on 14 March 2000, Abdul Rahim Noor was sentenced to two months' imprisonment and released on bail, pending his appeal against the sentence; he had pleaded not guilty to the original charge but changed his plea to guilty when the prosecution reduced the charge against him to that of "causing hurt"; *noting* that, according to the Malaysian delegation, the charge was amended as the injuries sustained by Mr. Ibrahim did not correspond to the relevant definition in the Penal Code,

Considering further that on 29 April 2000 the appeal court rejected Anwar Ibrahim's appeal against the judgment in the "corruption" case, ruling that there "*was no doubt whatsoever*" that Anwar Ibrahim abused his official powers by ordering police in 1997 to intimidate two people into withdrawing sexual allegations against him,

Recalling further the concern expressed in its previous resolution (October 1999) regarding the concurring allegations of coerced witness statements, the presumption of guilt on the part of high officials, the conduct of the first trial, in particular the amendment to the initial charges admitted by the judge, the ill-treatment of Anwar Ibrahim in detention and his poor state of health,

1. *Thanks* the Malaysian delegation for the information it provided;
2. *Can but reiterate* its fear, in view of the evidence on file, that the motives for Anwar Ibrahim's prosecution were not of a legal nature and that the case was built on a presumption of guilt;
3. *Notes* again that, in this case, attempting to obtain a denial of allegations defaming a person was considered a criminal offence and punished with six years' imprisonment, a sentence which it considers grossly disproportionate; *reiterates* its belief that Mr. Ibrahim should instead be entitled to redress for prejudice to reputation caused by such groundless accusations;
4. *Remains deeply disturbed* at the concordant allegations of witnesses being forced to make statements against Anwar Ibrahim; *emphatically recalls* that under international human rights standards allegations of coerced testimony must be promptly and independently investigated, and that they prohibit the use of evidence elicited under

duress; *is consequently deeply* concerned at the admission as evidence of Sukma Darmawan's previous "confession" which, he affirmed, was obtained under duress;

5. *Reaffirms* that the ill-treatment inflicted on Mr. Ibrahim while he was in police custody lends credence to the allegations of coercion of witnesses' statements;
6. *Fails to understand*, in the light of the findings of the Royal Commission of Inquiry, why the prosecution amended the charge brought against Abdul Rahim Noor, and *would appreciate* clarification in this respect;
7. *Is alarmed* at the sedition charges brought against Anwar Ibrahim's lead defence counsel for a statement he made in court, particularly in view of its previous concern regarding interference by the court with the rights of the defence, and *once more recalls* that these rights are an essential ingredient of a fair trial;
8. *Remains concerned* at the conclusions of Kuala Lumpur University Hospital regarding Anwar Ibrahim's state of health, which indicate that it has considerably worsened in detention, and *calls again* on the authorities to release him on bail;
9. *Reiterates its wish* to receive a copy of the new indictment issued against Anwar Ibrahim involving sodomy charges;
10. *Requests* the Secretary General to communicate this decision to the appropriate Malaysian authorities with an invitation to provide the desired information;
11. *Requests* the Committee on the Human Rights of Parliamentarians to continue examining this case and report to it at its next session (October 2000).

MYANMAR

CASE N° MYN/01 - OHN KYAING	CASE N° MYN/108 - MIN SWE
CASE N° MYN/04 - KHIN MAUNG SWE	CASE N° MYN/109 - THAN AUNG
CASE N° MYN/09 - SEIN HLA OO	CASE N° MYN/110 - TIN MIN HTUT
CASE N° MYN/36 - MYINT NAING	CASE N° MYN/113 - AYE THAN
CASE N° MYN/60 - ZAW MYINT MAUNG	CASE N° MYN/114 - OHN NAING
CASE N° MYN/64 - DAVID HLA MYINT	CASE N° MYN/115 - THEIN ZAN
CASE N° MYN/68 - AUNG KHIN SINT	CASE N° MYN/116 - NYUNT HLAING
CASE N° MYN/71 - KYI MYINT	CASE N° MYN/118 - THAN NYEIN
CASE N° MYN/83 - KYAW MIN	CASE N° MYN/119 - MAY WIN MYINT
CASE N° MYN/84 - SOE THEIN	CASE N° MYN/120 - SAN SAN
CASE N° MYN/85 - KHUN MYINT HTUN	CASE N° MYN/122 - MIN SOE LIN
CASE N° MYN/86 - AYE SAN	CASE N° MYN/123 - NAN KHIN HTWE MYINT
CASE N° MYN/87 - DO HTAUNG	CASE N° MYN/124 - OHN MAUNG
CASE N° MYN/88 - CHIT HTWE	CASE N° MYN/133 - YAW HSI
CASE N° MYN/89 - MYO NYUNT	CASE N° MYN/134 - MIN KYI WIN
CASE N° MYN/100 - HLA MYINT	CASE N° MYN/135 - NAI TUN THEIN
CASE N° MYN/101 - SAW OO REH	CASE N° MYN/136 - SAW MRA AUNG
CASE N° MYN/102 - HLA MIN	CASE N° MYN/137 - KHIN MAUNG KYI
CASE N° MYN/104 - KYAW KHIN	CASE N° MYN/138 - TOE PO
CASE N° MYN/105 - KYIN THEIN	CASE N° MYN/139 - SOE MYINT
CASE N° MYN/10 - WIN HLAING	CASE N° MYN/111 - SAW LWIN
CASE N° MYN/13 - NAING NAING	CASE N° MYN/112 - HLA WIN
CASE N° MYN/26 - HLA TUN	CASE N° MYN/117 - KYAW MYINT
CASE N° MYN/28 - TIN AUNG AUNG	CASE N° MYN/121 - TIN OO
CASE N° MYN/41 - ZAW MYINT	CASE N° MYN/125 - MAHN KYAW NI
CASE N° MYN/42 - MYA WIN	CASE N° MYN/126 - TUN WIN
CASE N° MYN/73 - FAZAL AHMED	CASE N° MYN/127 - BO HTWAY
CASE N° MYN/103 - TIN AUNG	CASE N° MYN/128 - THA AUNG
CASE N° MYN/106 - KYAW TIN	CASE N° MYN/129 - KYI LWIN
CASE N° MYN/107 - SAN MYINT	CASE N° MYN/130 - TIN WIN

Parliamentarians deceased:

CASE N° MYN/53 - U HLA THAN	CASE N° MYN/72 - SAW WIN
CASE N° MYN/55 - TIN MAUNG WIN	CASE N° MYN/131 - HLA KHIN
CASE N° MYN/66 - WIN KO	CASE N° MYN/132 - AUNG MIN
CASE N° MYN/67 - HLA PE	

*Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)*

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of the above-mentioned elected members of the Pyithu Hluttaw (People's Assembly) of the Union of Myanmar, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted at its 165th session (October 1999),

Taking account of information provided by representatives of the sources at the hearing held on the occasion of the 103rd Conference (April/May 2000),

Recalling that on 27 May 1990 a national election called by the then State Law and Order Restoration Council (SLORC) was held to constitute a new Parliament (Pyithu Hluttaw) and that the National League for Democracy (NLD) won 392 of the 485 seats (about 81% of all seats), all the above Parliamentarians being among those elected; that, however, instead of transferring power as it had pledged before the election, SLORC ruled, in Declaration No. 1/90, that the duty of the elected representatives was merely to draft a new democratic Constitution and convene a "National Convention" to this end; that, under severe pressure from SLORC, the National League for Democracy took part in the Convention's work but withdrew in November 1995, thus severing whatever link there may have been between the National Convention and the popular will as expressed in the 1990 elections,

Considering that, since 1990, the State Law and Order Restoration Council (SLORC) and subsequently the State Peace and Development Council (SPDC) not only systematically impeded the functioning of the National League for Democracy, in particular, but eliminated from the political process the MPs elected in 1990, first by invalidating election results, dismissing them from Parliament and banning them from future elections, by forcing them to resign, orchestrating no-confidence motions against them and finally by arresting, detaining and sentencing them under laws (such as the Emergency Provision Act, State Protection Act, Official Secrets Act, Printers and Publishers Registration Act, Unlawful Associations Act, etc.) considered by the appropriate United Nations human rights bodies to be in breach of international civil and political rights standards,

Recalling that the National League for Democracy, together with the Shan Nationalities League for Democracy, the Arakan League for Democracy, the Mon National Democratic Front and the Zomi National Congress, requested the authorities to convene the Parliament and, their request being disregarded, established in September 1998 a body, the Committee Representing the People's Parliament (CRPP), temporarily to represent Members of Parliament elected in 1990 and prevented by the authorities from exercising the mandate conferred on them by the people of Myanmar in the democratic elections of 1990; that, as a result of this, scores of MPs-elect and other persons supporting the CRPP were arrested and detained in what the authorities called "guest houses",

Considering that the CRPP has received support from the leaders of all political parties represented in the Norwegian Parliament, from five parties represented in the Danish Parliament, from the National Assembly of Belgium, which passed a resolution announcing support for the CRPP, from the Legislative Assembly of British Columbia and the National Assembly of Quebec, which in March and December 1999, respectively, urged the Canadian Government to recognise the CRPP as "*the legitimate instrument of the will of the Burmese People*", and from Asian democratic leaders under the Forum of Democratic Leaders of the Asia Pacific (FDL-AP), who supported the CRPP out of solidarity,

Noting that, according to the sources, at least 40 of the elected members of the Pyithu Hluttaw were in detention as of April 2000, and *recalling* in this connection that conditions of

detention in Myanmar are reported to be harsh and to include cruel disciplinary practices and torture, lack of proper medical care and insufficient food; Kyaw Min, another MP-elect, died on 1 July 1999 of hepatitis contracted in prison after he had been detained since 1996 without trial and released to his family prior to his death; *recalling further* in this connection the death in prison of Tin Maung Win on 18 January 1991, Khin Maung Gyi on 8 February 1991, Hla Than on 2 August 1996, and Saw Win on 7 August 1998,

Bearing in mind the consistent appeals made by the United Nations General Assembly and the United Nations Commission on Human Rights in their resolutions on the human rights situation in Myanmar to the authorities of Myanmar, urging them to “*take urgent and meaningful measures to ensure the establishment of democracy in accordance with the will of the people as expressed in the democratic elections held in 1990 and, to this end, to engage immediately and unconditionally in a substantive dialogue with the leaders of political parties and the ethnic minorities ... to accelerate the process of transition to democracy, in particular through the transfer of power to democratically elected representatives and to release immediately and unconditionally those detained for political reasons*”,

Considering that parliamentarians around the world are joining together to sign a declaration of support for their democratically elected colleagues in Burma that calls upon the SPDC to recognise the right of the duly elected representatives of Burma to sit in Parliament, and immediately to lift all restrictions against them; to release immediately and unconditionally all MPs-elect; to end all violations of human rights imposed on the people of Burma; and to join the National League for Democracy and the representatives of ethnic nationalities in a dialogue to achieve a peaceful transition to democracy,

1. *Regrets* that the authorities of Myanmar have not replied to the requests for information addressed to them;
2. *Deplores* the fact that 10 years after the elections, Parliament has still not been convened, and *strongly condemns* the continuing deliberate policy of the Government of the Union of Myanmar to disregard the outcome of the 1990 elections and its unwillingness to hand over power to those democratically elected; *reaffirms* that its refusal to convene the Parliament elected in 1990 constitutes a violation of the principle established in Article 21 of the Universal Declaration of Human Rights that “*the will of the people shall be the basis of the authority of government*”;
3. *Reaffirms* that in demanding that Parliament be convened and in setting up the “Committee Representing the People’s Parliament”, the MPs-elect are merely defending the rights of their constituents to take part in the conduct of public affairs through representatives of their choice, as guaranteed under Article 21 of the Universal Declaration of Human Rights, and exercising their right to discharge the mandate entrusted to them in 1990;
4. *Calls again* on its member Parliaments to press for respect for democratic principles in Myanmar and, by whatever means they deem appropriate, particularly by supporting the “Committee Representing the People’s Parliament” and signing the “Declaration of Support and Solidarity with the Democratically Elected Parliamentarians of Burma”, to show their solidarity with their colleagues from the Pyithu Hluttaw elected in 1990; *invites* member Parliaments to inform it of any steps they may take to that end;

5. *Strongly urges* the authorities to release immediately and unconditionally all MPs-elect detained or imprisoned for political reasons and to put an immediate end to all practices aimed at preventing the MPs-elect from engaging in any political activity;
6. *Formally reiterates* its wish to send a mission to the Union of Myanmar;
7. *Requests* the Secretary General to convey this resolution to the authorities of Myanmar together with the invitation of the Committee to send a representative, for the purpose of dialogue, to its next session (July 2000);
8. *Requests* the Committee on the Human Rights of Parliamentarians to continue examining this case and report to it at its next session (October 2000).

CASE N° NIG/48 - O. J. ADEWUNMI - NIGERIA

***Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)***

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of Senator Adewunmi of Nigeria, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted at its 165th session (October 1999),

Noting that the source has remained silent for several months despite the requests for information the Committee has addressed to it,

Noting that, according to the delegation of the Parliament of Nigeria to the 103rd Conference of the Inter-Parliamentary Union (Amman, 30 April - 6 May 2000), Mr. O.J. Adewunmi has been unconditionally released,

1. *Takes note with satisfaction* of this information;
2. *Considers* that there is no necessity to continue examining this case, and *decides* to close the file.

CASE N° MOL/01 - ILIE ILASCU - REPUBLIC OF MOLDOVA

***Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)***

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of Mr. Ilie Ilascu, a member of the Parliament of the Republic of Moldova, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted at its 165th session (October 1999),

Taking account of the information provided on 22 December 1999 and 30 April 2000 by the Parliamentary Assembly of the Council of Europe, and of a letter from the Chairman of the State Duma dated 24 April 2000,

Recalling the following information on file:

- Mr. Ilie Ilascu and five others were arrested in 1992 in Tiraspol, the capital of the self-proclaimed ‘*Moldovan Republic of Transdnestr*’; the arrests took place in the context of the war that followed the Republic of Moldova's declaration of independence and the ensuing secession of Transdnestr; at the close of a trial which took place from 23 April to 9 December 1993 and during which, according to the Council of Europe, fundamental rules of due process were violated, Mr. Ilascu was found guilty of the murder of two ‘civil servants’ and secessionist ‘authorities’ and of terrorist activities and sentenced to death;
- On 3 February 1994, the Supreme Court of the Republic of Moldova, whose jurisdiction includes Transdnestr since the region is a part of the Republic of Moldova under international law, considered an appeal against the sentencing of Mr. Ilie Ilascu and his co-accused and decided to quash the sentence and order the release of Mr. Ilascu and the others; however, since Transdnestr is under the de facto control of the secessionist authorities, this judgment has not been executed;
- Mr. Ilascu was subjected to physical and mental ill-treatment, in particular mock executions, and is reportedly held under harsh conditions, which are said to have worsened in the past year; according to the source, he does not receive the medical treatment he needs; on 28 September 1999, the President of the Parliamentary Assembly of the Council of Europe called on the separatist authorities of Transdnestr to permit a visit by the International Committee of the Red Cross (ICRC) to Mr. Ilascu and his colleagues,

Recalling that, according to the Council of Europe, Mr. Ilascu and his colleagues should be brought before the Moldovan courts, the only ones to be recognised internationally in this case, and retried,

Considering that Mr. Ilascu has filed a complaint with the European Court of Human Rights against the Republic of Moldova and the Russian Federation, alleging a violation of Article 2 (right to life), Article 3 (freedom from torture and inhuman or degrading treatment) and Article 5 (right to liberty and security of person) of the European Convention on Human Rights; that the complaint was registered in May 1999,

Bearing in mind the impediment which the presence of the Fourteenth Russian Army and its military installations present for a solution to the Transdnestr problem, the backdrop to the Ilascu case, and *noting* in this connection that, according to an agreement between the Republic of Moldova and the Russian Federation signed on 21 October 1994, Russia pledged to withdraw these troops within three years of the entry into force of the agreement; that the agreement has still not entered into force and, as stated in the draft report of the Council of Europe's Monitoring Committee of 26 February 1999, the Russian State Duma withdrew the item relating to ratification of the agreement from its agenda in January 1999,

Considering that, according to a letter from the Chairman of the State Duma dated 24 April 2000, the "*Ilascu case is not part of [the responsibilities of the] plenipotentiary organisations of the Russian Federation, but the State Duma many times proposed to move him to the territory of another State where he could stand fair trial*",

1. *Remains indignant* at Mr. Ilie Ilascu's trial, sentencing and subsequent imprisonment, which, being attributable to an organ of a territorial entity not recognised under international law, are devoid of any legal basis and must be considered legally null and void;
2. *Deeply regrets* the absence of any improvement in Mr. Ilascu's situation, and *again requests* the Secretary General to make all possible representations, particularly to the parliamentary authorities of the Russian Federation and Ukraine, as guarantor States, with a view to securing Mr. Ilascu's transfer to the non-separatist part of the Republic of Moldova or another sovereign State where he will be retried by an independent and impartial court, and to obtain permission for the ICRC to visit Mr. Ilascu and his colleagues;
3. *Urges* the State Duma to do its utmost to ensure that the agreement of 21 October 1994 is ratified and executed since this would facilitate a settlement of the Ilascu case;
4. *Requests* the Secretary General to convey this resolution to the competent authorities and take all possible steps to secure the transfer of Mr. Ilascu and his group to the non-separatist part of Moldova or another independent State;
5. *Requests* the Committee on the Human Rights of Parliamentarians to continue examining this case and report to it at its next session (October 2000).

CASE N° SRI/12 - JAYALATH JAYAWARDENA - SRI LANKA

***Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)***

The Council of the Inter-Parliamentary Union,

Having before it the case of Dr. Jayalath Jayawardena, a member of the Sri Lankan Parliament, which has been the subject of a study and report of the Committee on the Human Rights of Parliamentarians in accordance with the “*Procedure for the examination and treatment by the Inter-Parliamentary Union of communications concerning violations of human rights of parliamentarians*”,

Taking note of the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), which contains a detailed outline of the case,

Taking account of the observations made by the Deputy Speaker of the Parliament of Sri Lanka at the hearing held on the occasion of the 103rd Conference of the Inter-Parliamentary Union (April/May 2000),

Considering that Dr. Jayalath Jayawardena, an incumbent opposition member of the Parliament of Sri Lanka and former medical officer, is accused under Section 5, paragraphs 1 and 2, of the Public Property Act of criminal misappropriation and cheating with respect to public property for having, from 1990 to 1993, drawn a salary from the State without performing his duties: instead of working at the General Hospital in Colombo as bound by his contract, he medically attended to two former Presidents of the Republic; two indictments, relating to two different periods (1/01/1991-31/10/1991 and 1/11/1992-31/10/1993) were filed against him and two cases, namely case N° 8076/96 and case N° 8075/96, are currently pending before Colombo High Court,

Considering that the sources noted the following irregularities in connection with the investigation: (a) investigations were instituted on the basis of an undated and unsigned petition, (b) a penal case instead of a civil case was brought against Dr. Jayawardena, (c) defence evidence was not examined, (d) alleged incidents of harassment of defence witnesses were not examined, (e) two indictments were filed with respect to the same offence, and (f) the fact that Dr. Jayawardena was issued a clean slate upon his resignation from public service was not taken into consideration; *noting* that the Attorney General refuted these arguments as unfounded,

Considering that Dr. Jayawardena’s trial started in May 1997 and that, according to the Attorney General’s letter of 28 December 1999, 14 witnesses have been heard so far; that the trial has been adjourned on many occasions at the request of the prosecution for such reasons as absence of the prosecutor owing to his being required to assist another prosecutor in the conduct of a difficult case (March 1999), granting by the judge of the prosecutor’s plea for further time (May 1999), persistent torrential rains preventing the prosecutor from coming to court (October 1999),

mistaken summoning of prosecution witnesses (January 2000), absence of a prosecution witness, a police officer, owing to his having been sent abroad (February 2000) and the illness of a prosecution witness replacing another witness (April 2000),

Noting in this connection, that the witness who is to be replaced is Mr. Viyanathan, Sub-Inspector of the Criminal Investigation Department who, according to affidavits, attempted to intimidate defence witnesses; according to the Attorney General's letter of 27 April 2000, he was nominated for an international assignment in East Timor in recognition of his ability and his command of English or, as stated in a report of 3 May regarding the trial hearing of 10 February at which the prosecutor announced his absence, was sent abroad on a scholarship by the Ministry of Defence,

Considering further that the sources fear that Dr. Jayawardena is prosecuted for political reasons and that the authorities are now seeking to accuse Dr. Jayawardena under the Prevention of Terrorism Act, and *noting* in this respect the following: in May/June 1998, Dr. Jayawardena, having obtained the necessary authorisation, went to the Wannu District, a restricted area, to meet people in a refugee camp; the Red Cross driver who took him there was subsequently arrested and detained for over seven months; he declared that police had attempted to extract a statement from him that Dr. Jayawardena had met LTTE (Liberation Tigers of Tamal Eelam) officials; the Supreme Court, in a ruling of 4 March 1999 on the driver's application (N° 361/98), stating *inter alia* that "it is likely that the Petitioner had been arrested for extraneous reasons in the hope that something might turn up which would incriminate Dr. Jayawardena", granted the driver's declaration and ruled that he had been arbitrarily detained, awarding him compensation; in his letter of 28 December 1999, the Attorney General observed that, apart from the speculative observation by the Supreme Court, "there was no allegation that the relevant police officers had forced the driver to deviate from the truth in any way",

Considering that the President of the Republic accused Dr. Jayawardena publicly on television on 3 January 2000 of having had discussions with the Liberation Tigers of Tamal Eelam (LTTE) and served as the link between his party, the opposition United National Party, and the LTTE and that she, in addition to Government officials, repeated this statement later on without furnishing any proof; in this connection the Attorney General's Office stated, on 27 April 2000, that "an accusation made in public about a political rival ought to be placed in correct perspective and not taken out of context to support a wholly unsubstantiated theory",

Considering that Dr. Jayawardena has since received death threats and fears for his life, particularly since two days after the President's statement on television, Mr. Kumar Ponnambalam, the leader of the All Ceylon Tamil Congress, was killed by an unknown gunman in Colombo,

Bearing in mind that Sri Lanka is a party to the International Covenant on Civil and Political Rights, which guarantees the right to security, the right to be tried without undue delay, the right to fair trial and the right to privacy,

1. *Thanks* the Speaker, the Deputy Speaker and the Attorney General for the cooperation they extend to the Committee;
2. *Expresses deep concern* at the fact that the trials against Dr. Jayawardena, which have now been pending for almost three years, have been frequently postponed, mainly at the request of the prosecution, on seemingly implausible grounds;

3. *Notes* that the police officer with respect to whom affidavits of defence witnesses exist, attesting that he attempted to intimidate them, was sent abroad and will therefore not be able to testify in court; *would appreciate* clarification as to how the witness named in his place will be able to answer any question from the court or the defence about any such intimidation;
4. *Is alarmed* at the fact that Dr. Jayawardena has been publicly accused by the highest State officials, without any proof, of such grave conduct as entering into prohibited contact with the LTTE, an accusation which in the present circumstances of Sri Lanka is tantamount to singling him out as a target, and *notes with concern* that Dr. Jayawardena says he has received death threats;
5. *Draws attention*, in connection with the aforesaid accusation, to the Supreme Court ruling on application N° 361/98 from which it transpires that officers under State authority attempted to extract a false testimony from the driver that Dr. Jayawardena had met LTTE members, which testimony would have made Dr. Jayawardena liable to criminal prosecution under the Anti-Terrorism Act;
6. *Fears* that these circumstances, together with the duration of the trial under way against him together and the conduct of the prosecution, lends credence to the allegation that Dr. Jayawardena's prosecution may be based on other than legal considerations;
7. *Wishes to ascertain* whether investigations have been instituted into the death threats that Dr. Jayawardena complains of having received, and the outcome, if any; and *notes with satisfaction* the assurance given by the Deputy Speaker that Dr. Jayawardena will be afforded the protection measures he requests;
8. *Recalls* that, under the International Covenant on Civil and Political Rights, in the determination of a criminal charge everyone has the right to be tried without undue delay, and *urges* the authorities to ensure that Dr. Jayawardena's right thereunder is respected; *also recalls* that, in accordance with that Covenant, the State is under an obligation to protect persons under its jurisdiction against the intentional sully of their honour and reputation by unsubstantiated assertions;
9. *Requests* the Secretary General to ensure, so far as possible, the presence of a trial observer in the future proceedings against Dr. Jayawardena;
10. *Also requests* the Secretary General to communicate this decision to the Speaker of Parliament and the Attorney General, inviting them to submit their observations thereon;
11. *Requests* the Committee on the Human Rights of Parliamentarians to continue examining this case and report to it at its next session (October 2000).

TURKEY

CASE N° TK/39 - LEYLA ZANA	CASE N° TK/52 - SELIM SADAK
CASE N° TK/40 - SEDAT YURTDAS	CASE N° TK/53 – NIZAMETTIN TOGUÇ
CASE N° TK/41 - HATIP DICLE	CASE N° TK/55 - MEHMET SINÇAR
CASE N° TK/42 - ZÜBEYİR AYDAR	CASE N° TK/57 - MAHMUT KILINÇ
CASE N° TK/43 - MAHMUT ALINAK	CASE N° TK/58 - NAIF GÜNES
CASE N° TK/44 - AHMET TÜRK	CASE N° TK/59 - ALI YIGIT
CASE N° TK/48 - SIRRI SAKIK	CASE N° TK/62 - REMZI KARTAL
CASE N° TK/51 - ORHAN DOGAN	

*Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)*

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of the above-mentioned parliamentarians, former members of the Turkish Grand National Assembly, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted at its 165th session (October 1999),

Taking account of the information and observations provided by members of the Turkish delegation to the 103rd Conference of the Inter-Parliamentary Union (April/May 2000),

Recalling the following information on file:

- On 2 March 1994, the Turkish Grand National Assembly (TGNA) lifted the parliamentary immunity of Ms. Zana, Mr. Dicle; Mr. Türk, Mr. Sakik, Mr. Dogan, Mr. Sadak and Mr. Alinak, leading to their arrest and prosecution for separatism under Article 125 of the Turkish Penal Code; on 16 June 1994 the Constitutional Court dissolved their party, the Democracy Party (DEP), as a result of which all but three MPs belonging to that party lost their parliamentary seats; Mr. Toguç, Mr. Kiliñ, Mr. Günes, Mr. Yigit and Mr. Kartal fled abroad and were subsequently also accused of separatism;
- On 8 December 1994, Ankara State Security Court found Ms. Zana, Mr. Dicle, Mr. Türk, Mr. Dogan and Mr. Sadak guilty of membership of an armed organisation and sentenced them to 15 years' imprisonment. Mr. Yurtdas was found guilty of having provided support to an armed organisation and sentenced to 7 years and 6 months' imprisonment. Mr. Alinak and Mr. Sakik were found guilty of separatist propaganda and sentenced to 3 years and 6 months' imprisonment and to a fine of 70 million Turkish pounds. As a result of the sentence, they are deprived of their political rights for life and Mr. Alinak and Mr. Yurtdas, both lawyers, are debarred for life from practising their profession;

- Ms. Zana, Mr. Dicle, Mr. Dogan and Mr. Sadak, who are currently serving the 15-year prison sentence imposed on them in December 1994, were never accused of any acts of violence or advocacy of violence; the verdict relied heavily on the deputies' public speeches and writings quoted in the indictment as evidence of their membership of the Kurdish Workers' Party (PKK);

Considering that, at the hearing, the Turkish delegation made ample reference to the alleged shelter given by Leyla Zana to a PKK member as proof for her abetting terrorism; *recalling* in this connection that, according to the information on file, Mr. Dogan and not Ms. Zana was found guilty of having sheltered a PKK member, a fact which Mr. Dogan did not deny in the discussion he had with the Committee's mission in April 1996; however, as he stated, according to the tradition of hospitality in Turkey, persons who "knock at somebody's door", even if unknown, are welcomed as guests, all the more so when they knock at the door of a representative they have elected to Parliament; that person had come to his house, been taken in and only later proved to be a PKK member,

Recalling also that Ms. Zana, Mr. Dicle, Mr. Dogan and Mr. Sadak have now served 5 years of the 15-year prison sentence imposed on them; that, according to their lawyers, had they been sentenced by an ordinary court, they would be granted a remission of sentence and be released after 6 years; however, having been sentenced by a State Security Court, they will have to serve at least 12 years; *recalling* in this connection that, according to the jurisprudence of the European Court of Human Rights, courts comprising military judges do not meet the criteria of an independent and impartial tribunal as required under Article 6 of the European Convention on Human Rights; that the Turkish Constitution was amended on 1 January 1999 to comply with the ruling of the Court, so that armed forces members no longer sit in Turkish courts,

Recalling that in 1998 Ms. Zana was sentenced to a further one-year prison term, reportedly for an article she published in late 1997 in a HADEP Party paper; that the Court reportedly held that using the word "Kurds" constituted incitement to hatred; that Mr. Hatip Dicle was sentenced to an additional 10 years in prison for articles he published while in prison; that 14 charges under Section 8 of the Anti-Terrorism Law or Article 312 of the Penal Code were still pending against him, each of which carries a prison sentence ranging from 1 to 3 years,

Recalling that, on 8 February 1999, the Turkish Grand National Assembly voted an amnesty law which suspended the execution of these additional sentences handed down on Mr. Dicle and Ms. Zana so long as they do not repeat any such statements,

Considering that, according to the Turkish delegation, an amnesty law had been vetoed by the President and was currently being discussed in Parliament; however, it would not cover crimes involving terrorism since Parliament had in that respect to take account of public opinion, which opposed any such measure,

Recalling also that the case of Ms. Zana, Mr. Dicle, Mr. Dogan and Mr. Sadak is still pending before the European Court of Human Rights,

Noting that Rule 61 of the Rules of the European Court of Human Rights (1 November 1998) authorises the President of the Chamber - in accordance with Article 36, paragraph 2, of the European Convention on Human Rights - to invite or grant leave to "*any person concerned who is not the applicant, to submit written comments or, in exceptional cases, to take part in a hearing*",

1. *Thanks* the Turkish delegation for the information and observations it supplied;
2. *Is profoundly dismayed* that the Turkish Grand National Assembly fails to take into consideration the constant appeals the IPU has made to it in favour of an amnesty for these former MPs;
3. *Remains convinced*, in the light of the evidence on file, that they were found guilty and sentenced on account of having exercised their freedom of expression in advocating a political solution to the conflict in south-eastern Turkey;
4. *Solemnly reiterates* its appeal to the Turkish Grand National Assembly to grant these former MPs, including those in exile, an amnesty since they were not held to be guilty of any crime involving bloodshed; *is convinced* that this would give practical expression to the stated will of the Turkish authorities to promote and respect human rights;
5. *Decides* to act upon Rule 61 of the Rules of the European Court of Human Rights, and *requests* the Secretary General to take the necessary steps to this end and accordingly to notify the Turkish authorities, the sources and the former MPs concerned;
6. *Requests* the Committee on the Human Rights of Parliamentarians to continue examining this case and report to it at its next session (October 2000).

CASE N° TK/63 - HASAN MEZARCI - TURKEY***Resolution adopted without a vote by the Council of the Inter-Parliamentary Union
at its 166th session (Amman, 6 May 2000)***

The Council of the Inter-Parliamentary Union,

Referring to the outline of the case of Mr. Hasan Mezarci, a former member of the Turkish Grand National Assembly, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/166/16(c)-R.1), and to the relevant resolution adopted at its 165th session (October 1999),

Recalling that Mr. Mezarci was sentenced to 18 months' imprisonment for having contravened Law N° 5816 (Code of Crimes against Atatürk) by insulting Atatürk in a speech he delivered in June 1992; *also recalling* that it has consistently held that in making the statement, Mr. Mezarci was merely exercising his right to freedom of speech,

Noting that the sources have for several sessions failed to respond to the Committee's requests for information,

Noting that it emerges from a hearing of the delegation of Turkey to the 103rd Conference of the Inter-Parliamentary Union, in Amman, that Mr. Mezarci is now free,

1. *Considers* that, in these circumstances, there is no necessity to continue examining this case, and *decides* to close the file;
2. *Nevertheless deplores* the fact that Mr. Mezarci suffered a violation of his freedom of expression.