



Inter-Parliamentary Union
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Standing Committee on
Democracy and Human Rights

C-III/131/SR-prov
19 November 2014

Provisional Summary Records of the Standing Committee on Democracy and Human Rights at the 131st IPU Assembly

(Geneva, 13-16 October 2014)

SITTING OF MONDAY, 13 OCTOBER 2014
(Morning)

*The meeting was called to order at 9.15 a.m. with Ms. F. Naderi (Afghanistan),
President of the Standing Committee, in the Chair.*

Adoption of the Agenda (C-III/130/A.1)

The PRESIDENT introduced the draft agenda that had been distributed to the Committee members (C-III/131/A.1) and said she took it that the Committee wished to adopt it.

It was so decided.

Approval of the summary records of the Committee's session held on the occasion of the 130th IPU Assembly in Geneva (March 2014)

The PRESIDENT said that the summary records of the Committee's session held in Geneva, Switzerland, on 17 and 19 March 2014 had been circulated by the IPU Secretariat to all Members as part of the overall summary records of the proceedings of the 130th IPU Assembly. In the absence of any remarks or questions regarding the text, she would declare the summary records approved.

It was so decided.

Elections of the vacant positions on the Standing Committee Bureau

The PRESIDENT said that it was necessary for the Committee to elect a member of the Bureau from the Eurasia Group. In order to respect the principle of gender balance, the candidate should be male. She encouraged members of that Group whose countries were not represented on the Bureau to consider submitting their candidatures.

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Presentation of the preliminary draft resolution prepared by the co-Rapporteurs
(C-III/131/M, C-III/131/DR, C-III/131/DR-am and C-III/131/DR-am.1)

The PRESIDENT recalled that, at the 130th IPU Assembly, the Committee had appointed two co-Rapporteurs, Mr. P. Mahoux (Belgium) and Mr. A.J. Ahmad (United Arab Emirates), for the issue to be considered at the present session: *International law as it relates to national sovereignty, non-intervention in the internal affairs of States and human rights*. She stressed that the content of the explanatory memorandum was the responsibility of the co-Rapporteurs alone and, as on past occasions, was intended to stimulate debate and provide a background for the Committee's work. Although amendments to the draft resolution were no longer admissible, sub-amendments could be submitted to the Secretariat in writing. The proposed amendments would be discussed in plenary session that afternoon. She drew attention to letters that she had received from the Parliaments of El Salvador, Lebanon and a civil society organization during the inter-Assembly period, which emphasized the importance of the topic at hand.

Mr. A.J. AHMAD (United Arab Emirates), *co-Rapporteur*, said that the co-Rapporteurs considered that the draft resolution should call for the establishment of an IPU committee to draft an international parliamentary declaration on the need to strengthen international peace while respecting national sovereignty and the principle of non-intervention. It was important to ensure that there was no contradiction between the principles of national sovereignty and human rights. The draft resolution, which reflected the opinions of parliamentarians from around the world on the issues of international peace and security, was intended to seek international support for the views expressed therein. The co-Rapporteurs had worked with the United Nations to keep abreast of new developments in the areas of human rights and international law with a particular focus on parity between countries. The resolution had been drafted using an analytical and factual method that took into account the basic concepts of national sovereignty, non-intervention and human rights and their potential impact on the international situation, without prejudice to national realities.

Given the increasing number of armed conflicts and the inability of the United Nations to find solutions, efforts had also been made to establish a framework for international stability. The approach to international relations taken in the wake of World Wars I and II had not been entirely successful in achieving international security, and political analysts were attempting to develop new concepts that would harmonize national and international policies. However, some of the barriers to progress had worsened and concerns regarding sovereignty had sometimes led to the infringement of established rules and enabled developed countries to interfere with the affairs of developing countries. While there was growing interest in the concept of non-interference, enshrined in the Charter of the United Nations, it was rarely translated into action. In the interests of international security, it was vital to call for restraint in order to prevent interventionism and ensure that all countries were treated equally.

Mr. P. MAHOUX (Belgium), *co-Rapporteur*, said that the aim of the draft resolution was to balance respect for national sovereignty with the protection of human rights, which were universal and were enshrined in laws, conventions and declarations at the national, regional and international levels, particularly within the framework of the United Nations. The IPU should work within its mandate to determine the role of parliaments as standard-setting and monitoring bodies. It was vital to have mechanisms in place to monitor respect for human rights and implementation of the relevant legislation, even though the structure of those mechanisms would differ from one country to another. It was also important for the draft resolution to state that the topic was a dynamic one and would continue to be addressed and refined over time. Another critical topic to consider was the idea of shifting focus from the principle of non-intervention to the right to protect.

Debate

Mr. E. WASHIO (Japan) said that, owing to increasing globalization, trends and events in one country or region frequently affected the entire world and that challenges such as terrorism, armed conflicts, the international expansion of financial markets and environmental and energy issues were directly linked to the lives and safety of people from every country. For this reason, international cooperation was crucial. In principle, each sovereign nation bore the responsibility to protect the lives and safety of its people and to find solutions to any problems that arose. The key question was how to act when a State failed to fulfil that responsibility and some form of humanitarian intervention was required.

Mr. A. MITU (Romania) said that the current threats to international security were making the principles of territorial integrity, national sovereignty and cooperation based on mutual trust and respect increasingly relevant. He stressed his country's commitment to international law and the peaceful resolution of conflicts and its important role in the creation and work of the UN Human Rights Council. He drew attention to the amendments to the draft resolution proposed by his delegation, which were related to the role of parliaments in ensuring their countries' fulfilment of international human rights obligations and the need to develop independent and effective human rights institutions. When discussing the rule of law and human rights, the issue of justice, including transnational justice, could not be overlooked. He therefore encouraged countries to strengthen the International Criminal Court and become parties to its Rome Statute; universal accession would be a powerful preventive measure that would reduce impunity and ensure compliance with the most important principles of international law.

Mr. F. ALSHAYEE (Kuwait) said that his country had always respected the principles of human rights and the Amir of Kuwait had recently been honoured by the United Nations for his humanitarian leadership. Parliaments and civil society were active contributors to political and development activities and helped to uphold and strengthen international law. The draft resolution highlighted the important role of parliamentarians on the issues covered by the resolution and would play a significant role in maintaining international peace and security. The aim of international law was to safeguard international relations, and national sovereignty and non-intervention were significant issues that required increased attention in that regard. The only way to ensure peace was to achieve a balance in international relations and enshrine the principle of respect for national sovereignty in international law. Occupying countries must be held to account and must shoulder their responsibilities. A comprehensive approach was needed and the draft resolution was an important starting point; it should, however, include a reference to the role of women parliamentarians.

Ms. J.-Y. YOU (Republic of Korea) observed that human rights were threatened by war and terrorism in all parts of the world; the brutal reality of regional conflicts and tribal feuds served as a reminder that governments and parliaments that did not protect their people prevented the achievement of true peace. A balance between respecting the principles of national sovereignty and non-intervention and protecting human rights must be struck. States should ratify and implement international standard-setting instruments with a view to building a strong legal and institutional framework. Women in armed conflict were easy targets and wartime sexual violence was a serious human rights violation that should be addressed by all countries. Acts committed in the past could not be ignored; they required thorough self-reflection and the perpetrators' acceptance of responsibility. Active implementation of human rights standards was vital for international peace and security and parliamentarians had an important role to play in that regard. She therefore proposed that a body should be established under IPU auspices to collect data on human rights violations in order to facilitate more effective relations between the IPU and the United Nations.

Ms. J. MURGEL (Slovenia) said that progress in the international protection of human rights was contingent on the proper implementation of measures to ensure respect for those rights at the national level. As the legislative bodies of States, parliaments had an important role to play in that regard through the design and adoption of legislative solutions to current problems. The draft resolution was an important milestone; however, it should be amended to reject unilateral interpretations of international human rights, support the provision of humanitarian and economic aid by the international community and appeal for cooperation between parliaments.

Ms. S. DEV (India) stressed that respect for human rights was a fundamental principle that must be upheld. It was important to strengthen the capacity of States to protect those rights, including by bolstering national institutions. Her delegation had concerns regarding the concept of the right to protect and, in particular, the manner in which the decision as to whether to intervene was taken. In recent history, decisions to intervene had been just as controversial as decisions not to do so. Objective criteria were crucial and care should be taken to ensure that, in discussing that concept, the national interests of those advocating intervention did not clash with the interests of the country in question.

Mr. W. JING (China) said that national sovereignty and non-intervention were critical principles of international law and key elements of democracy in his country. All nations were equal members of the international community and had an equal right to participate in international affairs. Countries must be free to determine their own paths and it was important to respect different political and social regimes; illegal opposition to any regime on the basis of selfish interests should not be permitted.

International law must apply equally to all countries and peaceful solutions to disputes must be sought through negotiations based on such equality. In recent years, the concept of national sovereignty had been weakened and the number of interventions had increased; his Government was strongly opposed to such practices, even on the pretext of human rights. Respect for the principles of national sovereignty and non-intervention were critical for peaceful co-existence and China would never interfere in the internal affairs of other countries or allow such intervention in its own affairs. Human rights should never be politicized and while they were universal, a country's circumstances had an impact on the manner in which they were protected.

Mr. S. WOODWORTH (Canada) said that the draft resolution addressed complex issues that were at the heart of international relations. Many of its provisions were related to the maintenance of international order, a topic that had been debated by academics and politicians for decades; solutions were vital to the achievement of a world without armed conflict. The present situation in Ukraine was a key example of the need to address that issue. Respect for human rights was another key element of the draft resolution; in that connection, it should be noted that the preamble to the Charter of the United Nations highlighted the inseparable nature of international peace, justice, rights and social progress. His delegation had proposed a number of amendments to the draft resolution with the aim of strengthening its references to the obligation of each State to respect and protect the human rights of all persons found in its territory and highlighting the importance to society of representative, accountable and inclusive institutions.

Ms. L. MEIER-SCHATZ (Switzerland) noted that recent decades had seen the emergence of numerous mechanisms to promote and protect human rights at the national, regional and international levels. However, the lack of coordination between those mechanisms sometimes posed difficulties in implementation. Ensuring respect for human rights was an ongoing challenge for States, even those in a stable situation and with a solid legal framework. It was therefore important for the draft resolution to include a reference to the 1993 Vienna Declaration. She expressed concern that the universal nature of human rights and the principles of interdependence and indivisibility were often called into question in multilateral bodies. Human rights must be respected by all, even during crises or conflicts. Issues such as security, extremist movements and shifts in power were being used to call into question the legitimacy and universality of certain aspects of universal rights, which, when used as a pretext for political or economic interference, threatened the promotion and protection of human rights.

Mr. M. RABBANI (Pakistan), expressing support for the draft resolution, said that it was important to consider whether a double standard was being applied to the principles of national sovereignty and non-intervention. The sovereignty of some States had been violated, with the consent of the United Nations, on the pretext of protecting human rights. Was such a step justifiable? Who should determine whether such acts should take place? Pakistan was on the front line in the fight against terrorism; its territorial and air sovereignty should not be violated. Lastly, he stressed that the principle of human rights was still being ignored in the case of Palestine and other oppressed populations.

Ms. U. KARLSSON (Sweden) stressed the importance of halting the actions of the Islamic State in Iraq and the Syrian Arab Republic (ISIS), which was committing heinous crimes. In such a situation, the international community had an obligation to intervene in order to protect human lives; when diplomatic solutions failed, other means needed to be found. Strengthening States' capacity to protect their citizens should be a priority but if a country failed in that regard, intervention was vital to protect the victims' rights. The draft resolution underscored the importance of respecting national efforts to implement international human rights law, but the protection of human rights was also the responsibility of the international community. There could be no long-lasting peace at the international level without respect for universal human rights and the rule of law. States should not be able to hide behind the concept of national sovereignty in order to commit acts of genocide and crimes against humanity.

Mr. O. MAHMOUD HAMDO (Syrian Arab Republic) said that human rights and democracy based on pluralism and the involvement of the people were key principles which the United Nations endeavoured to enshrine in all of its work; democracy should not be limited to States but should apply to the international community as a whole. The principle of non-intervention was enshrined in many international treaties and agreements, yet it was not applied equally by some States, despite their claim to be democratic. For the past four years, his country had been a victim of terrorists that had received support from a number of countries.

Lord MORRIS OF ABERAVON (United Kingdom) suggested that, given the evolving international situation, it might be time to update and strengthen the Charter of the United Nations to meet current needs. In recent years, the veto had been used far too often to paralyse the Security Council. As senior legal adviser to his Government, he had sought to promote the development of customary international law as a basis for armed intervention in the absence of a Security Council resolution on the situation; however, the International Court of Justice had yet to issue a ruling on that issue. He drew attention to the amendments to the draft resolution proposed by his delegation, which sought to ensure that there was machinery to address humanitarian catastrophes, subject to strict constraints, including that the catastrophe was on a large scale and required immediate and urgent relief, that there was no practical alternative for saving lives and that the action taken was the minimum necessary to achieve that goal.

Mrs. Z. BENAROUS (Algeria) said that non-intervention provided the true foundation for international relations and was meant to guarantee international peace and security. In recent years, interventions had had a negative impact on the States in which they had taken place, including Iraq and Lebanon. It was time to establish the concept of a modern, contemporary State that respected the principle of non-intervention. Members of parliament had an important role to play in that regard and a statement to that effect should be included in the draft resolution.

Mrs. S. KOUKOUA KOUTRA (Cyprus) drew attention to the ongoing infringement of her country's sovereignty, independence, territorial integrity and unity by another State. It had been recognized that all international actions aimed at preserving peace and security should be consistent with international law and with the UN Charter and that pleas for self-determination should not be granted at the expense of basic human rights and fundamental freedoms. In practice, the situation was more complex as States tended to conduct their foreign affairs on the basis of national and economic interests, even if those interests ran contrary to higher ideals or international obligations. In addition, double standards, interventionism and violations of international law by the major Powers persisted. The numerous threats faced by the world had enabled some States to relax their efforts to meet their human-rights-related obligations, a state of affairs that had been tolerated in some cases. It was critical to remain committed to upholding the values and principles governing international relations, without exception.

Ms. J. NASSIF (Bahrain), stressing her country's commitment to protecting human rights and the principle of non-intervention in the internal affairs of States, noted that human rights were both a national and an international issue and it was vital for countries to develop and implement comprehensive mechanisms to protect them. Political interests, rather than human rights, had been the basis of recent interventions. Any interference in a State's internal affairs had an international impact and was a violation of international law; peaceful cohabitation would resolve that problem.

Mr. D. PKOSING LOSIAKU (Kenya) expressed concern that the draft resolution focused exclusively on human rights, largely ignoring the issues of national sovereignty and non-intervention in the internal affairs of States. Discussion of those principles inevitably included a reference to the Rome Statute of the International Criminal Court and it was surprising that the draft resolution made no mention of that body, which his country considered one of the most significant threats to international cooperation. National sovereignty provided a formal basis for relations between States; however, certain international instruments, including the Rome Statute, had created mechanisms that hindered the adoption of resolutions on non-intervention in their internal affairs. If unchecked, the Court might become involved in choosing Heads of State. His own country's President had recently been summoned before the Court, even though the latter acknowledged that it had insufficient evidence on which to prosecute him. He encouraged the IPU to adopt a resolution calling for the suspension of all legal proceedings involving country leaders and urging States Parties to the Rome Statute to amend Articles 27 and 63 in order to grant immunity to the leaders of sovereign States.

Ms. L. ALANSARI (Saudi Arabia) said that her country had acceded to many of the international conventions related to the issue at hand and had established national committees to oversee their implementation. Saudi Arabia did not interfere in the peace, security and stability of any country and its recent decision to turn down a non-permanent seat on the UN Security Council sent a strong message in that regard. The Shura Council was committed to complying with international law; its members were often included in deliberations regarding accession to international conventions and participated in the drafting of the periodic reports submitted to the relevant monitoring committees. She welcomed the draft resolution but noted that tools to ensure its implementation would be needed.

Mr. H. SUPRATIKNO (Indonesia) said that, as the promotion and protection of human rights was primarily the responsibility of individual States, it was important to enhance their capacity to fulfil their duties in that regard without undermining their sovereignty. International efforts in that regard should therefore be conducted in a constructive and cooperative manner and should focus on capacity-building and technical cooperation. Moreover, the enjoyment of human rights should not be considered a requirement for development, which was in itself an inalienable right. Lastly, he drew attention to a book by French economist Thomas Piketty, *Capital in the Twenty-First Century*, which highlighted the increasingly unequal nature of the global distribution of wealth. Without a more balanced distribution of prosperity among nations, democracy and human rights would never go hand in hand.

Mr. M. BADAL (Bangladesh) said that a double standard was being applied to democracy and human rights. Innumerable crimes had been committed in the name of those rights; they were being violated not only by terrorists operating on the ground, but by other countries through air interventions with both sides flouting the principle of respect for humanity. Parliamentarians had an important role to play in that regard; they had a direct obligation to the citizens of their countries and should further evaluate and discuss the issue in order to help deliver peace to the world.

Ms. N. CONDORI JAHUIRA (Peru) said that the draft resolution should address the issue of trafficking in persons, which had a significant effect on democracy and on the dignity and rights of citizens. Such acts should be considered crimes against humanity; people should not be seen as goods.

Mr. L. MEGERSA WAKO (Ethiopia) said that full respect for international law was vital for peaceful coexistence and international peace and security and that national sovereignty and non-intervention in the internal affairs of other States was the cornerstone of Ethiopia's foreign policy. The promotion of international peace and security should be based on cooperation and trust; intervention in the internal affairs of States was unacceptable and should only occur when a State had admitted that it was unable to maintain internal security without support.

Mr. A. EL ZABAYAR (Venezuela) expressed concern that certain countries continued to interfere in the internal affairs of other States without the approval of the latter's governments. Despite his country's focus on health, education and housing, recognized by various international organizations such as UNESCO, there had been a focused media campaign aimed at generating negative global opinion and encouraging destabilization. In addition, he was outraged at the actions of Israel in Palestine, which were an embarrassment for humanity and for the United Nations and were influenced by powerful economic groups in an effort to protect their interests. In light of the current global challenges, his delegation had submitted a number of amendments to the draft resolution in order to uphold respect for the United Nations and the principles enshrined in its Charter, which were crucial for peace, human rights and the protection of States from external interference and influence such as that experienced by his country and others in its region.

Ms. T. MPAMBO-SIBHUKWANA (South Africa), expressing support for the draft resolution, said that her country had ratified the majority of the international human rights treaties and continued to fulfil its commitments and obligations in that regard. She expressed support for the proposal to establish a committee under IPU auspices to prepare a declaration on the topic under discussion. With regard to the International Criminal Court, she highlighted the importance of the resolution adopted by the 128th IPU Assembly, entitled *Enforcing the responsibility to protect: The role of parliament in safeguarding civilians' lives*.

Mr. T. IWINSKI (Poland) said that the world was facing new challenges that existing laws were unable to address. Religion was increasingly being used as an excuse for the violation of human rights. There should be an increased focus on the role of humanitarian organizations and the actions of international courts. Because the draft resolution was too general, some of the proposed amendments should be included. However, he welcomed the proposal to establish a committee to draft a declaration on the topic.

Mr. M. ZAHEDI (Islamic Republic of Iran) said that some States used double standards and selective attitudes towards human rights to suit their national interests. The UN Charter prohibited coercive and unilateral intervention by a Member State in another country on the pretext of human rights violations. Moreover, it should be noted that recent examples of such intervention in a number of countries had been unsuccessful and even detrimental to the political, civil, economic, social and cultural rights of their citizens. That, together with the continuing human rights violations in the

Occupied Palestinian Territory with the complicit support of some nations, demonstrated the inefficiency of the UN system, and particularly the Security Council. However, the importance of mechanisms such as the Human Rights Council's Universal Periodic Review, through which the human rights situations in UN Member States could be evaluated on a basis of equality, should not be underestimated.

Ms. R. ALBERNAZ (Portugal) noted that the UN Charter identified cases in which intervention in domestic affairs could be justified if carried out with the authorization of the United Nations. In recent decades, the protection of human life and the basic dignity of oppressed peoples had been the foundation of international concern and interventions. In a world based on the protection of fundamental rights, a show of strength was sometimes necessary in order to avoid a repetition of the situations previously seen in Rwanda and the former Yugoslavia, where the international community had had to be summoned to act. The decision of some States to make homosexuality a capital crime was an area in which the international community could not refrain from acting; all permissible forms of economic and trade pressure must be exerted against them. Human rights were an integral part of international law and the international community must stand ready to reject discrimination against and humiliation and persecution of persons who wished to live according to their gender identity.

Ms. L. BARREDO MEDINA (Cuba) said that, while State sovereignty and non-intervention in the internal affairs of countries helped to preserve peace and maintain stability in relations between States, some countries supported open and covert interventionism and misused concepts such as the responsibility to protect and human security to justify their actions. Cuba was opposed to any attempt to restrict State sovereignty, particularly on the pretext of protecting human rights and democracy. Those rights were universal, indivisible and interdependent and should be protected and promoted without favouring some countries over others. Her delegation was concerned at the double standards shown by some countries, which supported wars against the people of other nations in the name of protecting human rights. Double standards had also been used in attempts to destabilize revolutionary processes in Latin America, although those attempts had ultimately been unsuccessful. In light of the current global situation, it was vital for States to limit the use of force and endeavour to resolve conflicts through negotiation and other peaceful means. It was also critical to put an end to unilateral blockades of countries and to the use of subversive policies against sovereign States.

Ms. T. NGUYEN (Viet Nam) said that international law had an important role to play in governing relations between nations. Viet Nam was committed to the protection of human rights and the prevention of any attempt to intervene in the internal affairs of a sovereign nation on the pretext of protecting those rights. The draft resolution should therefore emphasize the principles enshrined in the UN Charter, such as respect for sovereignty, territorial integrity and political independence, and should reaffirm Member States' commitment to honouring their international human rights obligations and their willingness to promote international law as a useful tool for the promotion of peace, stability and cooperation in the context of respect for the sovereignty and territorial integrity of States. It should also highlight the need for international cooperation in all areas, call on States to refrain from any form of intervention or interference in national and regional relations and reaffirm the need for the international community to take steps to avoid the application of double standards.

Mrs. S. BARAKZAI (Afghanistan) said that the Constitution of her country established the Government's responsibility to maintain a policy of non-intervention and mutual respect and understanding. However, Afghanistan was under daily attack from cross-border terrorism that was supported by another country. Double standards in terms of respect for national sovereignty, non-intervention in the internal affairs of States and human rights continued to persist at the international level. She urged all countries to respect those principles and enshrine them in their national legislation.

Mr. R. MOHAMMAD (Iraq) stressed that some issues, such as human dignity, were more important than physical borders. Iraq had experienced intervention as a result of the abusive policies of the previous regime, which had violated the human rights of its citizens, and it now faced a new challenge as a result of terrorist activity within its borders. He thanked all the countries that had supported the effort to combat that threat and encouraged them and others to continue to provide such support, particularly to refugees and internally-displaced persons during the coming winter, and to help with the counter-attack against the terrorists.

Mrs. M. GAKNOUN (Sudan) said that it was important to consider whether erroneous interpretations of international law were leading to violations of the principles of respect for national sovereignty and non-intervention in the internal affairs of States. Conflict resolution through dialogue

and in-depth analysis of the key players was crucial and bellicose words were never a solution; rather, steps must be taken to disarm the parties and lead them into dialogue. It was important to take into account cultural specificities when analysing and discussing individual situations. All countries had recourse mechanisms in place and parliaments should seek to ensure their proper functioning. It was also important not to repeat the patterns of the past.

Mr. D. IBARRA (Uruguay) drew attention to a number of important issues mentioned in the draft resolution, including the protection of human rights, the Millennium Development Goals, the future Sustainable Development Goals and the need to strengthen national stems for the protection of human rights. The last of those elements was of particular importance for parliamentarians, who had an important role to play in the defence of human rights and must make a greater effort to improve the economic and social status of their countries' citizens. Uruguay had made significant progress in that area; it was implementing a policy to protect the human rights of its people, reduce poverty and ensure access to housing for all.

Mr. O. KYEI-MENSAH-BONSU (Ghana) said that the protection of basic rights, such as freedom of speech, freedom of association and security, was dependent on the ability of parliaments to oppose actions that could undermine them. A number of international conventions and protocols were unfairly skewed in favour of the industrialized economies, to the detriment of emerging economies that were dependent on agricultural production. Given that parliaments were responsible for adopting domestic laws, it was strange that parliamentarians and the IPU were not involved in the drafting of international agreements and protocols that formed the basis of international law. It was time for the IPU to have an input at the early stages of negotiations on such agreements and to establish an annual review mechanism to assess their implementation using universally-accepted standards in order to hold countries accountable. It was also time to conduct a review of the veto in the Security Council; although it had undoubtedly been relevant when the United Nations had been established, allowing such power to remain in the hands of a few select countries in the current international environment undermined the even-handed application of international law.

The sitting rose at 12.20 p.m.

SITTING OF MONDAY, 13 OCTOBER
(Afternoon)

The meeting was called to order at 9 a.m. with Ms. F. Naderi (Afghanistan), President of the Standing Committee, in the Chair.

The PRESIDENT invited the Committee to consider the proposed amendments to the draft resolution that had been submitted by the deadline of 29 September 2014. Amendments had been received in writing from the following parliaments: Canada, China, Cuba, France, India, Iran (Islamic Republic of), Jordan, Monaco, Romania, Spain, Switzerland, Ukraine, the United Kingdom and Venezuela.

Having considered the proposed amendments, the Standing Committee agreed to postpone consideration of the proposal by Switzerland to amend the title of the resolution; to adopt the amendments to preambular paragraph 1 proposed by Switzerland, Ukraine and India, the proposal by the Meeting of Women Parliamentarians to add a new preambular paragraph 1bis, the amendment to preambular paragraph 2 proposed by the Islamic Republic of Iran, the proposal by Canada to amend preambular paragraph 3 and to add a new preambular paragraph 3bis, and the proposal by Switzerland to add new preambular paragraphs 4bis, 4ter and 4quater and to sub-amend the new preambular paragraph 4quater to add the word "ethnicity"; to postpone consideration of the proposed amendments to preambular paragraph 5; and to adopt the proposal by Romania to add a new preambular paragraph 6bis.

As the Committee had completed its consideration of only 18 of the 102 proposed amendments at the current sitting, she proposed that a drafting committee should be established to continue work on the list of proposed amendments at the next sitting, to be held on the morning of Wednesday, 15 October.

It was so decided.

The PRESIDENT invited the geopolitical groups to submit their nominations for members of the drafting committee to the IPU Secretariat at the earliest opportunity.

The sitting rose at 6 p.m.

SITTING OF WEDNESDAY, 15 OCTOBER
(Afternoon)

The meeting was called to order at 5.30 p.m. with Ms. F. Naderi (Afghanistan), President of the Standing Committee, in the Chair.

The PRESIDENT informed the Committee that the drafting committee had met that morning to consider the remaining proposed amendments to the draft resolution. The drafting committee, which she chaired, was composed of delegates from Algeria, Bahrain, Canada, China, Côte d'Ivoire, France, Jordan, Namibia, Switzerland, Thailand and Venezuela. It was assisted by the two co-Rapporteurs. The committee had nearly completed its consideration of the list of proposed amendments. Four points had not been resolved, however, and the Committee would be invited to take a decision on those issues. As the Committee had completed its work later than scheduled, it had not been possible to make the revised text of the draft resolution available to Members in advance of the current sitting. She therefore proposed that the Committee should deal first with the other items on its agenda before returning to consideration of the draft resolution.

Mr. L. BARREDO MEDINA (Cuba), supported by Ms. S. DEV (India), Mr. M. ZAHEDI (Islamic Republic of Iran), Mr. A. FICINI (Monaco), Mr. M. RABBANI (Pakistan), Lord MORRIS OF ABERAVON (United Kingdom) and Mr. A. EL ZABAYAR (Venezuela), expressed concern that the revised text of the draft resolution had not been made available prior to the start of the meeting. Given the sensitive nature of the issue under discussion, it was vital that delegations have time to consider the proposed amendments.

The PRESIDENT, acknowledging the reservations expressed, informed the delegates that a supplementary sitting of the Committee would be held on the following day in order to enable the Members to fully consider the revised text of the draft resolution.

Preparations for future Assemblies

(a) Proposals for the subject item of the next resolution of the Committee

The PRESIDENT said that the Bureau had considered the proposals for the next resolution of the Committee and had decided to combine several proposals and submit the following subject for consideration: *Democracy in the digital era and the threat to privacy and individual freedoms.*

Mrs. S. KOUKOUMA KOUTRA (Cyprus), Mr. D. PKOSING LOSIAKU (Kenya) and Ms. U. KARLSSON (Sweden) requested clarification as to how the Bureau had decided which proposals to bring to the Committee's attention.

Mr. M. ZAHEDI (Islamic Republic of Iran) said that, should the proposed subject be adopted, it would be important to clarify what was understood by the term "democracy".

The PRESIDENT said that the co-Rapporteurs would give due consideration to that issue in their work.

Ms. T. NGUYEN (Viet Nam) said that her delegation had put forward three proposals for discussion at the 132nd IPU Assembly, to be held in Hanoi in March 2015, including a topic on persons with disabilities and sustainable development. She was aware that other delegations had also submitted similar proposals. Given that persons with disabilities made up 10 per cent of the global population, and in light of the multidimensional nature of the issue, the important role of parliaments in that area and the ongoing discussion of the post-2015 development agenda, she considered it to be particularly relevant.

Mr. S. WOODWORTH (Canada) said that all of the topics proposed had been excellent; however, rule 20 of the Rules of the Standing Committees required the Bureau to consider all duly submitted proposals and formulate its recommendation to the Committee, which should therefore trust the judgement of the Bureau in that regard.

The PRESIDENT explained that the Bureau had carefully considered all of the proposals received. She took it that the Committee wished to approve the proposed topic for the next resolution.

It was so decided.

The PRESIDENT said that Ms. B. Jónsdóttir (Iceland) had been proposed as one of the co-rapporteurs on the issue. Approval of the second co-rapporteur, who should be from a different geo-political group, could take place at a later date. She took it that the Standing Committee wished to approve the selection of Ms. Jónsdóttir.

It was so decided.

(b) Proposals for the agenda of the Committee at the 132nd Assembly (Hanoi, March 2015) and the 133rd Assembly (Geneva, October 2015)

Mrs. S. KOUKOUMA KOUTRA (Cyprus) introduced her country's proposal: *The Convention on the Rights of the Child 25 years on: Are children's lives better?* It was important to assess whether the Convention had made a difference in the lives of children and the Standing Committee was a logical forum for that discussion. Cooperation with the Committee on the Rights of the Child would be important in facilitating dialogue; it would be useful to view some of the periodic reports submitted to that Committee and the concluding observations that it issued.

Mrs. K. SOSA (El Salvador) introduced her country's proposal: *Human trafficking and migration*. Although prohibited by law, human and cross-border trafficking was of particular concern to El Salvador. Moreover, human trafficking was both a regional and a global issue and therefore warranted further discussion.

The PRESIDENT drew attention to the Bureau's proposal: *Follow-up on implementation of the 2012 IPU resolution on "Access to health as a basic right: The role of parliaments in addressing key challenges to securing the health of women and children"*. She took it that the Committee wished to approve the three proposals.

It was so decided.

Elections of the vacant positions on the Standing Committee Bureau
(continued)

The PRESIDENT said that since no candidatures had been submitted by the Eurasia Group, the Group's position on the Bureau would remain vacant for the time being and would be filled at the next IPU Assembly.

**International law as it relates to national sovereignty, non-intervention
in the internal affairs of States and human rights**

Consideration of the draft resolution

Title of the resolution

Ms. L. MEIER-SCHATZ (Switzerland) announced that her country wished to withdraw its proposed amendment and sub-amendment to the title of the draft resolution.

Preamble

Preambular paragraph 5

Mr. P. MAHOUX (Belgium), co-Rapporteur, explained that many amendments to the paragraph had been proposed; he therefore suggested new wording that incorporated as many of those proposals as possible while avoiding contradictions between them.

Mr. L. BARREDO MEDINA (Cuba) said that he welcomed the attempt to combine the amendments received and proposed that the words "and responsible" should be inserted between "independent" and "media" so that the sentence would read: "*Stressing* that an independent judiciary, representative, accountable and inclusive institutions, an accountable administration, active civil society, and independent and responsible media..."

Mr. P. MAHOUX (Belgium), co-Rapporteur, said that he endorsed the sub-amendment proposed by the representative of Cuba.

Mr. M. RABBANI (Pakistan) proposed inserting a reference to the media after "...active civil society" since both were elements of the rule of law.

Mr. P. MAHOUX (Belgium), co-Rapporteur, said that all of the elements listed in the sub-amendment were components of the rule of law.

The PRESIDENT said she took it that the Committee wished to adopt preambular paragraph 5 as proposed by Mr. Mahoux and sub-amended by the representative of Cuba.

It was so agreed.

Preambular paragraph 7

Mr. P. MAHOUX (Belgium), co-Rapporteur, introduced a proposal to reword the paragraph so as to incorporate all the amendments proposed.

Mr. M. ZAHEDI (Islamic Republic of Iran) pointed out that all of the proposed amendments except the one put forward by his delegation were reflected in the revised text. Cultural diversity was an important issue and should be mentioned. He rejected the co-Rapporteur's proposal and requested a vote on its adoption.

Mr. M. RABBANI (Pakistan) suggested that the reference to refugees and internally displaced persons should be deleted from the fifth line of the paragraph as the term "individuals" covered those groups.

Mr. P. MAHOUX (Belgium), co-Rapporteur, supported retaining the reference to refugees and internally displaced persons, as proposed by a number of delegations, in light of the specific situation of those groups.

Mr. R. MOHAMMAD (Iraq) expressed support for retaining the reference; "internally displaced persons" was a relatively new term and it was important to recognize that the situation of such persons differed from one country to another.

Mr. M. RABBANI (Pakistan) explained that while he was not, in principle, opposed to the inclusion of such a reference, implementation of the resulting provision of the draft resolution might be problematic since it might be interpreted as excluding other vulnerable groups.

Mr. P. MAHOUX (Belgium), co-Rapporteur, maintained that the inclusion of a reference to refugees and internally displaced persons would not exclude other groups.

Mr. A.J. AHMAD (United Arab Emirates), co-Rapporteur, said that multiple amendments to the paragraph had been proposed, including a reference to the responsibility of States to protect all individuals in their territory, particularly in the case of occupied territories; numerous groups of people, such as immigrants and tourists, also required protection, but the proposal to include a mention of internally displaced persons and refugees had received the broadest support from delegations.

A vote was taken by show of hands.

The further sub-amendment proposed by the representative of Pakistan was rejected.

The amendment proposed by Mr. Mahoux was adopted.

New preambular paragraph 9bis

The PRESIDENT said that, during the discussions in the drafting committee, it had been suggested that the reference to the Charter of the Organization of American States (OAS) should be replaced by a reference to the Charter of the United Nations. However, since the text following the reference was a direct quote from the OAS Charter, it had been considered preferable to retain the original wording.

Mr. A. EL ZABAYAR (Venezuela) said that the relevant provisions of the OAS Charter, including the principle of non-intervention in the affairs of States, were also reflected in the UN Charter.

Mr. S. WOODWORTH (Canada) objected that he had reviewed the Charter of the United Nations and had not found wording similar to that of the proposed amendment.

Mr. P. MAHOUX (Belgium), co-Rapporteur, said that if a reference to the UN Charter was included, the text following that reference must reflect its wording. Otherwise, the proposed amendment, despite the good intentions that had prompted it, must be rejected.

Mr. A.J. AHMAD (United Arab Emirates), co-Rapporteur, observed that IPU resolutions that referred to United Nations instruments drew their legitimacy from the fact that they were based on language that had already been approved by the international community. It was therefore vital to verify the sources and wording of such references.

Mr. L. BARREDO MEDINA (Cuba), supported by Ms. S. KOUKOUMA KOUTRA (Cyprus), said that the OAS Charter was a faithful reflection of the UN Charter. He therefore proposed that the word "underscoring" be replaced with "recalling the principles of".

Ms. U. KARLSSON (Sweden) said that the issue had already been discussed during the debate and should not be reopened.

The sub-amendment proposed by the representative of Cuba and the amendment proposed by the delegation of Venezuela were rejected.

The meeting rose at 6.50 p.m.

SITTING OF THURSDAY, 16 OCTOBER

(Morning)

The meeting was called to order at 10:30 a.m. with Ms. F. Naderi (Afghanistan), President of the Standing Committee, in the Chair.

The PRESIDENT urged the Committee to complete its consideration of the draft resolution at the current and final sitting. Under the Rules of the Standing Committees, amendments that had been rejected by the drafting committee could be reintroduced if a delegation wished to do so.

Lord MORRIS OF ABERAVON (United Kingdom) reintroduced his delegation's proposed amendment to operative paragraph 13.

The proposed amendment was adopted.

Ms. C. GUITTET (France) reintroduced her delegation's proposal to add new preambular paragraphs 7bis and 9bis.

The proposal was adopted.

Ms. S. DEV (India) reintroduced her delegation's proposed amendment to operative paragraph 4.

The proposed amendment was adopted.

Mr. M. ZAHEDI (Islamic Republic of Iran) reintroduced his delegation's proposed amendment to operative paragraph 4.

The proposed amendment was adopted.

The PRESIDENT then said that, since the Committee had not been able to finalize the draft resolution during the allotted time, it would resume the debate at the 132nd Assembly, to be held in Hanoi in March 2015, on the basis of the text that had been agreed thus far.

The meeting rose at 11.50 a.m.