



Inter-Parliamentary Union
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133rd IPU ASSEMBLY AND RELATED MEETINGS

Geneva, 17 – 21.10.2015

Assembly
Item 2

A/133/2-P.4
14 October 2015

Consideration of requests for the inclusion of an emergency item in the Assembly agenda

Request for the inclusion of an emergency item in the agenda of the 133rd Assembly of the Inter-Parliamentary Union submitted by the delegation of Mexico

On 13 October 2015, the President of the IPU received from the President of the Permanent Delegation of the Mexican Congress to the Inter-Parliamentary Union a request for the inclusion in the agenda of the 133rd Assembly of an emergency item entitled:

"Protecting human rights in the fight against terrorism and violent extremism".

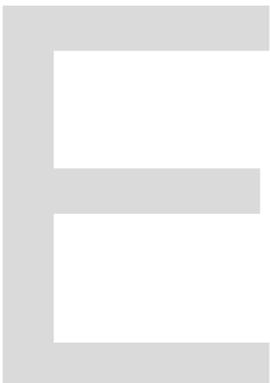
Delegates to the 133rd Assembly will find attached the text of the communication submitting the request ([Annex I](#)), as well as an explanatory memorandum ([Annex II](#)) and a draft resolution ([Annex III](#)) in support thereof.

The 133rd Assembly will be required to take a decision on the request of the delegation of Mexico on Sunday, 18 October 2015.

Under the terms of Assembly Rule 11.1, any Member of the IPU may request the inclusion of an emergency item in the Assembly agenda. Such a request must be accompanied by a brief explanatory memorandum and a draft resolution which clearly define the scope of the subject covered by the request. The Secretariat shall communicate the request and any such documents immediately to all Members.

Furthermore, Assembly Rule 11.2 stipulates that:

- (a) A request for the inclusion of an emergency item must relate to a major event of international concern on which it appears necessary for the IPU to express its opinion. Such a request must receive a two-thirds majority of the votes cast in order to be accepted;
- (b) The Assembly may place only one emergency item on its agenda. Should several requests obtain the requisite majority, the one having received the largest number of positive votes shall be accepted;
- (c) The authors of two or more requests for the inclusion of an emergency item may combine their proposals to present a joint one, provided that each of the original proposals relates to the same subject;
- (d) The subject of a proposal that has been withdrawn by its authors or rejected by the Assembly cannot be included in the draft resolution submitted on the emergency item, unless it is clearly referred to in the request and title of the subject adopted by the Assembly.



**COMMUNICATION ADRESSED TO THE PRESIDENT OF THE IPU BY THE PRESIDENT
OF THE PERMANENT DELEGATION OF THE MEXICAN CONGRESS TO
THE INTER-PARLIAMENTARY UNION**

12 October 2015

Dear Mr. President,

In accordance with provisions set out in the Regulations of the Inter-Parliamentary Union, and in particular article 11.1 of the Regulations of the Assembly, I have the honour to request the inclusion of an emergency item on the agenda of the 133rd Assembly of the Inter-Parliamentary Union, to be held in Geneva, Switzerland, from 17 to 21 October 2015, entitled:

"Protecting human rights in the fight against terrorism and violent extremism".

Attached you will find a brief explanatory memorandum and a draft resolution on the scope of this issue.

I thank you in advance, Mr. President, for supporting the inclusion of this emergency item.

Cordial regards,

Yours sincerely,

(Signed) Senator Gabriela CUEVAS BARRÓN (Ms.)
President of the Permanent Delegation
of the Mexican Congress to the
Inter-Parliamentary Union

PROTECTING HUMAN RIGHTS IN THE FIGHT AGAINST TERRORISM AND VIOLENT EXTREMISM

Explanatory memorandum submitted by the delegation of Mexico

The parliamentary delegation of the United Mexican States to the Inter-Parliamentary Union proposes the inclusion of an emergency item on the agenda of the 133rd Assembly entitled *Protecting human rights in the fight against terrorism and violent extremism*, for the reasons explained below.

The proliferation of violent extremist groups committing acts of terrorism is an issue of concern to the entire international community, representing one of the main threats to international peace and security today. Other emergency items have been presented in the past, particularly at the 132nd IPU Assembly, on the role of parliaments and the IPU in response to the activities of terrorist groups such as Boko Haram and the Islamic State. In response, the IPU has decided to take a more proactive approach in this area. In 2016 the 134th Assembly is expected to adopt a resolution to strengthen cooperation in the fight against terrorism.

In turn, the actions taken by States to counter terrorism and violent extremism have had significant, sometimes even fatal repercussions for civilian populations. This was the case of eight Mexican tourists who died in the Egyptian desert of Al-Wahat on 13 September, after being confused, according to the Egyptian Ministry of the Interior, with a terrorist being pursued by a joint police/military force in that country. This unfortunate event recalls many others in which government actions against terrorism have led to the proliferation of civilian casualties.

In addition, reference has already been made in various resolutions of the General Assembly and reports by the Secretary-General of the United Nations to the negative consequences for human rights and humanitarian law of certain new technologies and their use in armed conflict. According to the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, 40 per cent of the civilian deaths resulting from pro-government air attacks in Afghanistan were caused by remote-controlled aircraft, or drones.

With that in mind, the parliamentary delegation of the United Mexican States would like IPU to adopt an approach in which the measures taken by States and international cooperation to counter terrorism would comply with obligations under the international law of human rights and international humanitarian law.

**PROTECTING HUMAN RIGHTS IN THE FIGHT AGAINST
TERRORISM AND VIOLENT EXTREMISM**

Draft resolution submitted by the delegation of MEXICO

The 133rd Assembly of the Inter-Parliamentary Union,

- (1) *Reiterating* that States need to be vigilant to ensure that measures taken to combat terrorism comply with obligations under international law, particularly the international law of human rights, the international law of refugees and international humanitarian law,
- (2) *Noting* that the provisions of international humanitarian law require each party to a conflict to distinguish, in all circumstances, between civilians and combatants as well as between civilian targets and military targets,
- (3) *Strongly condemning* all terrorist acts, methods and practices, as well as the financing of such activities, as criminal and unjustifiable,
- (4) *Emphasizing* that, as mentioned in the United Nations Security Council resolution 1963 (2010) the protection of human rights and the implementation of effective counter-terrorism measures are not mutually exclusive but rather complementary, mutually reinforcing endeavours,
- (5) *Recalling* that at its 28th session, the United Nations Human Rights Council, by means of a joint statement of 77 countries, including Mexico, stressed that Pillar 4 of the United Nations Global Counter-Terrorism Strategy, that is, the promotion and protection of human rights and fundamental freedoms as well as due process and the rule of law, should be applied to all measures taken against violent extremism,
- (6) *Expressing its concern* over the emergence of new terrorist groups and violent extremism, as well as the threat to international peace and security that human rights abuses and violations perpetrated by these new forms of crime represent,
- (7) *Considering with great concern* that indiscriminate terrorist acts continue to cause pain and suffering for innocent people throughout the world,
- (8) *Noting* that tourism is growing significantly throughout the world and that security is a vital concern for all tourists,
- (9) *Recognizing* the existence of the 2006 Global Counter-Terrorism Strategy, one of whose core objectives is to ensure respect for and the defence of human rights in countering terrorism,
- (10) *Also recognizing* initiatives to hold international discussions on the issue, such as the "The First International Conference on the World against Violence and Extremism" and the Forum "Toward a Comprehensive Arab Strategy to Counter Extremism",
- (11) *Reaffirming* that the measures implemented by States in the fight against terrorism and violent extremism need to comply at all times with the principles of need and proportionality,
- (12) *Recalling* that the Inter-Parliamentary Union is defined in its statutes as an agency contributing to the defence and promotion of human rights, respect for which is an essential factor of parliamentary democracy and development, and that it needs to contribute to the protection and restoration of human rights when jeopardized,
- (13) *Considering* that one of the areas in which IPU directly cooperates with the United Nations systems is human rights, to help parliamentarians become more aware of prevailing international norms in that field and direct their legislative efforts toward defending and promoting those norms,

1. *Condemns* any act violating the human rights of civilian victims of violence caused by terrorist acts, as well as by government counter-terrorism actions;
2. *Strongly repudiates* the grave incident in which Mexican tourists lost their lives or were wounded in the Egyptian Al Wahat desert, *expresses* its condolences to the victims' families and *urges* the Egyptian authorities to conduct an exhaustive investigation to determine what happened and who is responsible, repair the harm caused to victims and develop ways to prevent recurrences;
3. *Recommends* that the United Nations include victims of counter-terrorism activities as well as of terrorist acts, in their solidarity work with victims;
4. *Urges* the World Tourism Organization to indicate all of the occasions on which tourists, of all nationalities and throughout the world, are victims of human rights violations resulting not only from terrorist acts but also counter-terrorism activities;
5. *Calls upon* parliaments to urge their governments, as member states of the United Nations, to collaborate with the UN Counter-Terrorism Implementation Task Force, specifically with information about assistance for victims, criminal justice mechanisms and mechanisms for cooperation with other organizations;
6. *Also calls upon* national parliaments to monitor the effective implementation of the United Nations comprehensive plan of action to prevent violent extremism, to be submitted at the end of this year by the Secretary-General of the UN for consideration by the General Assembly, and which will contain important recommendations, as announced by the Secretary-General himself, for the prevention of risk factors and the establishment of a judicial, administrative and normative framework for avoiding abuses in the name of counter-terrorism;
7. *Urges* parliaments to support special procedures, such as the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism;
8. *Also urges* parliaments to review their procedures, practices and legislation to ensure that intelligence activities and police and military operations against violent extremism respect key provisions of the international law of human rights and international humanitarian law;
9. *Expresses its concern* over the civilian deaths caused by unmanned aircraft, among other technologies that may prove harmful to the rights of non-combatants or that may be used indiscriminately in countering terrorism, and *stresses* the importance of States monitoring their use to ensure compliance with obligations under international law;
10. *Invites* national parliaments to urge their governments to include in the negotiations concerning the Draft Comprehensive Convention on International Terrorism the obligation to respect human rights in combating terrorism, and also to urge them to promote the presentation of resolutions to address these concerns within the United Nations General Assembly;
11. *Expresses its hope* that the resolution to be adopted during the 134th IPU Assembly in 2016 will refer to the link between defence and protection of human rights and the fight against terrorism, as well as the importance of ensuring that the activities implemented by the States in countering violent extremism comply with obligations under international human rights law, the international law of refugees and international humanitarian law.