



## INTER-PARLIAMENTARY UNION

CHEMIN DU POMMIER 5  
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GRP/2010/DSG.7  
26 November 2010

### HUMAN RIGHTS

#### **FOLLOW-UP TO THE RESOLUTIONS OF THE IPU GOVERNING COUNCIL ON INDIVIDUAL HUMAN RIGHTS CASES CONCERNING MEMBERS OF PARLIAMENT**

Madam President,  
Mr. President,

I am pleased to send you herewith the report delivered by the President of the Committee on the Human Rights of Parliamentarians, Senator Rosario Green, to the Governing Council on the occasion of the 123<sup>rd</sup> IPU Assembly. It contains a brief summary of 36 cases concerning 118 members of parliament which the Committee decided to submit to the Governing Council. One case, namely that of Mr. Sam Rainsy, Leader of the Opposition in Cambodia, was presented to the Governing Council for the first time.

The resolutions adopted by the Governing Council on these cases can be found on the IPU website (<http://www.ipu.org/hr-e/187/187all.htm>) and in the publication **Results of the 123<sup>rd</sup> Assembly** which was sent to your parliament on 26 October 2010.

At the Committee's request, I wish to draw your attention once again to the case concerning 11 former members of the parliament of Eritrea who have been held in incommunicado detention since September 2001. You will find attached a copy of the relevant resolution (Annex I).

For some time, there have been rumours about the state of health of the persons concerned which was said to be worsening owing to their conditions of detention and lack of access to medical care. After the closure of the 123<sup>rd</sup> Assembly, the Committee was informed by a non-governmental source that in fact only two of the former parliamentarians concerned, Mr. Haile Woldetensae and Mr. Petros Solomon, are still alive, the other nine having meanwhile died. The source of this information, which came as shock to the Committee, is reportedly a prison guard who fled Eritrea in March this year.

Since the Committee's efforts to obtain from the authorities of Eritrea official information on the situation of the former parliamentarians concerned have all been to no avail so far, the Committee would be grateful for any initiative your parliament can possibly take to obtain such information, either from the Eritrean Embassy in your country, if any, or directly from the Eritrean authorities, in particular President Isaias Afewerki, Head of State and Speaker of the Eritrean Parliament. Our Secretariat is of course at your parliament's disposal for any additional information that may be required in this regard.

We would also be pleased to provide detailed information on any of the other cases which may be of particular interest to your parliament. Annex II to this letter describes courses of action that have proved successful in the past and that your parliament may consider taking.

It is always a source of encouragement for the Committee to learn of any parliamentary initiative in support of its work, and I would therefore be very grateful if you could inform me of any such action and its outcome. I would be very pleased to submit such information to the Committee at its next session, to be held from 17 to 20 January 2011.

May I lastly request you to bring the Committee's report and work to the attention of the committee within your parliament dealing with human rights questions.

With my warm thanks for your valuable support and best wishes,

Yours sincerely,



Anders B. Johnsson  
Secretary General

- Annex I:** Resolution adopted by the Governing Council on the case concerning 11 parliamentarians of Eritrea
- Annex II:** Courses of action parliaments may take in support of the work of the Committee on the Human Rights of Parliamentarians.
- Annex III:** Report of the Committee on the Human Rights of Parliamentarians to the IPU Governing Council, Geneva (Switzerland), 6 October 2010.



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## ANNEX I

### ERITREA

|  |  |
|--|--|
| CASE No. ERI/01 - OGBE ABRAHA            | CASE No. ERI/07 - GERMANO NATI           |
| CASE No. ERI/02 - ASTER FISSEHATSION     | CASE No. ERI/08 - ESTIFANOS SEYOUM       |
| CASE No. ERI/03 - BERHANE GEBREGZIABEHER | CASE No. ERI/09 - MAHMOUD AHMED SHERIFFO |
| CASE No. ERI/04 - BERAKI GEBRESELISSIE   | CASE No. ERI/10 - PETROS SOLOMON         |
| CASE No. ERI/05 - HAMAD HAMID HAMAD      | CASE No. ERI/11 - HAILE WOLDETENSAE      |
| CASE No. ERI/06 - SALEH KEKIYA           |  |

*Resolution adopted unanimously by the IPU Governing Council at its 187<sup>th</sup> session  
(Geneva, 6 October 2010)*

The Governing Council of the Inter-Parliamentary Union,

*Referring to the case of the parliamentarians listed above, former members of Eritrea's National Assembly who have been held incommunicado since 18 September 2001 (often referred to as the "G11"), as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/187/12(b)-R.1), and to the resolution adopted at its 186<sup>th</sup> session (April 2010),*

*Recalling the following: the former parliamentarians concerned - the so-called G11 - have been held in incommunicado detention since September 2001 in violation of the Constitution of Eritrea, which, in its Articles 16 and 17 guarantees the right to human dignity and the right to habeas corpus; the Government still attributes to them the commission of crimes against the sovereignty and security of the State of Eritrea, but has not laid criminal charges against them and still less brought them before a court; the sources affirm that their detention has to do with their written criticism of the Government and their call for democratic reform; the African Commission on Human and Peoples' Rights as well as the United Nations Working Group on Arbitrary Detention have concluded that their detention constitutes a violation of their right to freedom of expression and their right to liberty and have called for their immediate release; although Eritrea is a party to the African Convention on Human and Peoples' Rights and thus bound to implement the decisions of the Commission, it has failed to release the persons concerned,*

*Considering that the European Parliament has taken many initiatives to raise the issue of the "G11" prisoners and will continue to do so; noting in this respect that, in her letter of 22 July 2010, the European Union's High Representative for International Affairs and Vice-president of the European Commission has affirmed the European Union's commitment to working for the release of the persons concerned, stating that, however, the Eritrean authorities have, to date, not given any information and have denied access to the detainees; noting in this respect that, it appears from her letter, that according to unconfirmed information, nine of the eleven G11 members are still in detention with poor health conditions,*

1. *Thanks* the High Representative for her letter and expresses *it great appreciation* of the initiatives taken and efforts made by the European Union to obtain the release of the G11 prisoners;
2. *Can only express* its indignation at the continuing incommunicado detention of the persons concerned, and at the Eritrean Government's attitude of ignoring not only the Constitution of the country but also its international obligations in the field of human rights, which command their immediate release and compensation for their arbitrary detention;
3. *Reiterates its pressing call* for the immediate release of the former parliamentarians concerned, whose lives may be in grave danger; *appeals once again* to all member parliaments to do their utmost to put an end to the plight of their Eritrean colleagues and to inform the Secretary General of such initiatives as they may have taken to this end;
4. *Requests* the Secretary General to continue to do everything in his power with a view to obtaining their release, including through contacts with the competent bodies of the European Union and the ACP-EU Joint Parliamentary Assembly; *also requests* the Committee's titular and substitute members to take or continue taking action to this end;
5. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 124<sup>th</sup> IPU Assembly (April 2011).



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## ANNEX II

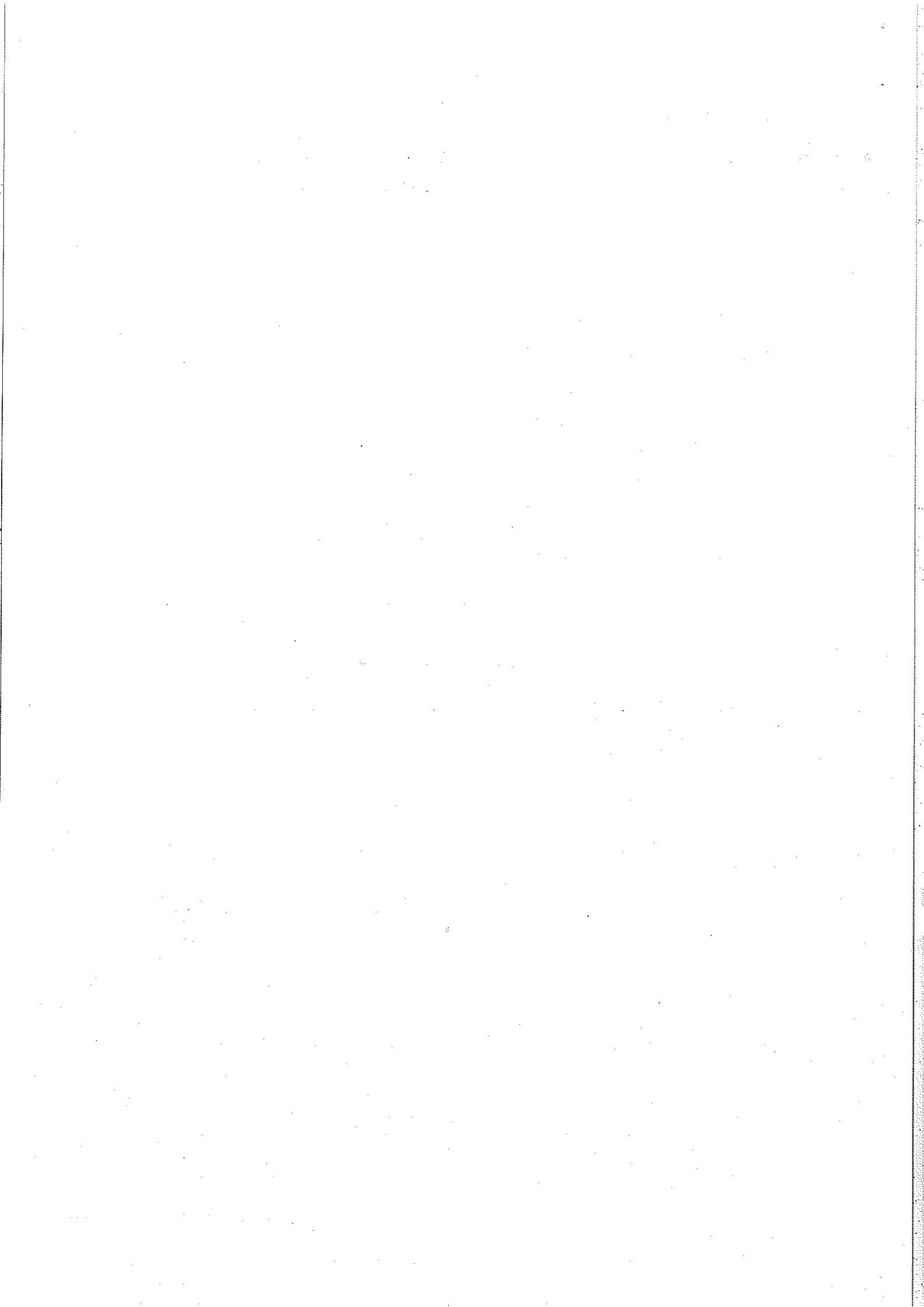
### **COURSES OF ACTION PARLIAMENTS MAY TAKE IN SUPPORT OF THE WORK OF THE COMMITTEE ON THE HUMAN RIGHTS OF PARLIAMENTARIANS**

At its 153rd session (September 1993), the Inter-Parliamentary Council adopted the resolution on the results of the Budapest Symposium on the role of Parliament as guardian of human rights, held in May 1993. It invited Parliaments to take the following action:

- ▶ "Circulate as widely as possible the Committee's public reports and the resolutions adopted by the Inter-Parliamentary Council concerning cases dealt with in those reports;
- ▶ Systematically bring such cases to the attention of bodies for the defence of human rights operating within their parliaments;
- ▶ Sponsor those MPs whose situation is being monitored by the Inter-Parliamentary Union and, in connection with such action, to have recourse to the procedures advocated by the Council such as contacts with the authorities of the countries concerned, directly or through the Ministry for Foreign Affairs."

**In addition, the following courses of action have proved successful in the past:**

- ▶ Approaches to the President of the Parliament and other parliamentary colleagues of the countries concerned;
- ▶ Contacts with the Ambassadors of the countries concerned;
- ▶ Contacts by the Ambassador of your country in the countries concerned;
- ▶ Transmission of the Committee's report and the Council's resolutions to appropriate government officials;
- ▶ Ensuring media coverage of the Union's human rights activities;
- ▶ Parliamentary visits, which also provide an ideal opportunity to follow up Council resolutions.





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## ANNEX III

REPORT OF THE  
**COMMITTEE ON THE HUMAN RIGHTS OF PARLIAMENTARIANS**  
TO THE IPU GOVERNING COUNCIL  
(Geneva, 6 October 2010)

Dear Mr. President,  
Dear colleagues,

I would first of all like to thank the delegations that came to see us for the time they took for this exchange of views, which is always an opportunity for us not only to better understand the cases before us, but also to share our concerns with delegations. I would also like to thank the many parliaments that have provided information in writing.

During this session, the Committee examined the individual situations of 306 parliamentarians in 35 countries. It held seven meetings with official delegations. The Committee also met with the parliamentarians concerned or their representatives in four of the cases. The resolutions submitted for your approval concern the cases in 21 countries around the world. One of them is presented for the first time.

In 2008, the presentation of our report was accompanied for the first time by photographs of some of the parliamentarians whose cases were presented to you. This time we have managed to obtain many more and new photographs which, we are sure, will help to put a human face on the numerous case files that we bring to your attention.

Let me begin with Myanmar.

### MYANMAR

In a little over a month, the citizens of Myanmar will take part in elections, the first in 20 years. This should be a reason for joy, but it is not. In Bangkok, you called on the Myanmar authorities to do everything possible to ensure inclusive, free and fair elections. Up to now, over 2,100 political prisoners are still awaiting their release. This includes the 12 parliamentarians whose case you are examining and who remain imprisoned for merely having exercised their freedom of expression. They have all been sentenced on the basis of legal proceedings which blatantly disregarded their right to a fair trial. They are not the only ones, however, who are excluded from the political process. In the past, your Committee examined many other cases of parliamentarians in Myanmar who at one time or another ended up in prison for speaking their minds. None of them can stand in the elections, because all those who have been the subject of a conviction are automatically disqualified.

The international community, including most recently the Group of Friends of Myanmar, comprising the United Nations Security Council members and other major States, have called on the Myanmar authorities to do better to ensure meaningful and credible elections. With elections just around the corner, the Committee calls on IPU Member Parliaments not to waste this crucial opportunity to take a clear stance in support of the release of your detained colleagues and of a credible political transition in Myanmar.

I am now turning to Afghanistan and will continue to present the cases in alphabetical order.

## **AFGHANISTAN**

The Committee will propose to you to close the case of Ms. Joya, not because her situation has been resolved, but because there is no remedy left. With a newly elected parliament in place in Afghanistan the question of the reinstatement of Ms. Joya, who did not stand in these elections, no longer applies. The Committee is very disappointed at this state of affairs and it deplores the fact that Ms. Joya was prevented, without any legal basis, from exercising her parliamentary mandate for more than three years, and that consequently her electors were not represented in parliament. It can only hope that the new Parliament will treat its members differently and ensure respect for their parliamentary and human rights.

## **BANGLADESH**

Investigations into the grenade attacks in January 2005 on Mr. Shah Ams Kibria, a former Finance Minister of Bangladesh, which killed him, and in August 2004 on Sheikh Hasina, the opposition leader at the time, continue to make headway. The persons who have been arrested include not only those who are suspected of carrying out the crime but also the alleged masterminds, and the Committee is hopeful that the truth will soon be fully revealed.

## **BELARUS**

Mr. Victor Gonchar and his friend Mr. Anatoly Krasovsky disappeared 11 years ago. The investigation is shrouded in secrecy; not even the families know what is happening. It is therefore difficult to believe that the authorities are seriously trying to find out what happened to Mr. Gonchar and his friend. We believe that in such high-profile cases as this one, it is in their interest to show that they are doing their utmost to reveal the truth. In this, the Belarusian Parliament cannot stand on the sidelines and should make sure that an effective investigation is indeed in place.

## **BURUNDI**

In the cases the Committee is examining in Burundi there are serious allegations that justice is not following its course, both where former parliamentarians are the alleged offenders or, in the case of Mr. Radjabu, the convicted offenders, and where they are the direct victims as in the case of the grenade attacks targeting eight former opposition parliamentarians.

Presidential and parliamentary elections took place in Burundi in June and July 2010. The Committee earnestly hopes that the stated commitment of the President of the National Assembly to continued dialogue, together with the President of Burundi's public pledge to promote justice and prevent impunity, will also bear fruit in both cases that the Committee is examining. It believes that an on-site mission would contribute to making progress towards a settlement of both cases and hopes that the Burundian authorities will respond favourably to this proposal.



## CAMBODIA

In Bangkok, the Committee presented to you for the first time the case of Ms. Mu Sochua. At its session here in Geneva, the Committee also decided to present to you the case of Mr. Sam Rainsy, the leader of the opposition.

Let me begin with Ms. Mu Sochua. Her troubles started when she brought a defamation lawsuit against Prime Minister Hun Sen, taking the view that he had insulted her. Not only was her case quickly dismissed but the Prime Minister decided to sue her in return. He felt that she had tarnished his reputation by announcing publicly her intention to sue him and writing letters to the IPU and the Global Fund for Women. The court agreed with him and sentenced her to a fine while awarding the Prime Minister compensation. The higher courts upheld that ruling. However, the courts never looked into whether or not his reputation had indeed been tarnished, which is necessary in any defamation case. Ms. Mu Sochua stated that she would not pay the fine. The compensation and fine is now being deducted from her salary. The Committee is scandalized that her letter to the IPU was used to convict her, which means that its procedure, which is meant to protect the human rights of members of parliament, was used here to violate her fundamental right to freedom of expression.

Let me now turn to the case of Mr. Sam Rainsy, which raises similar problems, namely the use of courts for political purposes. On 23 September 2010, Mr. Rainsy was sentenced to 10 years in prison, and such a sentence bars him from standing in the 2013 elections. The background to this is the following. One year ago, Mr. Sam Rainsy removed six wooden temporary border demarcation posts along the Cambodian-Vietnamese border after local peasants had complained to him that they encroached on their land. As a result, he was found guilty of destruction of public property and sentenced to a two-year prison term. When he collected evidence to show that the border posts were on Cambodian territory, a new charge of falsifying public documents and divulging false information was brought against him. If what Mr. Sam Rainsy says is untrue, then the authorities should be able to set the record straight by providing the correct information on the location of the disputed border posts, but they said this was a State secret. The Committee was informed that yesterday, at an appeal hearing, the governmental border committee acknowledged that the border posts that Mr. Sam Rainsy had uprooted were in fact not in the right place. The Committee firmly believes that the issue in question is of a purely political nature and should therefore be resolved at the political level. We sincerely hope that the authorities will find ways to do this, so that Mr. Sam Rainsy can resume his parliamentary activities as quickly as possible.

The Committee believes that the National Assembly can and should do much more to protect its members from encroachments by the executive authorities. As an essential part of these efforts, it should take the lead in promoting debate on strengthening the independence of the judiciary. The Special Rapporteur on the situation of human rights in Cambodia has outlined a series of recommendations which, if implemented, would provide important legal protection to all, including parliamentarians.

## COLOMBIA

At the invitation of the Colombian Congress, I led a Committee delegation to Bogotá in August last year in order to raise its concerns in the Colombian cases and to gain a better understanding of the political and legal environment in Colombia in which they have to be considered.

A new Congress and a new President have recently taken office in Colombia. The Committee considers that this new political situation offers a timely and welcome opportunity to make further progress in the many different and complex cases that we continue to examine in Colombia.

The Committee has therefore asked me to lead the same delegation on a mission back to Bogotá in the coming days to discuss with the authorities, the victims and their families progress in the investigations into the murders of members of the Congress, protection for those at risk, and the question of full respect for the right to fair trial for members of Congress. On the occasion of the Assembly in Panama, I will be able to share the conclusions of the mission with you.

## **ECUADOR**

In the long-standing case in Ecuador concerning Mr. Hurtado and Mr. Tapia, who were shot dead in February 1999, two prime suspects are in custody in the United States of America and in Colombia. The Ecuadorian authorities are keen to have them extradited to Ecuador as soon as possible so that they can stand trial in this case, in which the masterminds have still not been identified. The Colombian authorities have told us that they have set in motion the extradition procedure. Your Committee hopes that the United States judicial authorities are likewise working towards the speedy transfer of the other suspect to Ecuador.

## **ERITREA**

The situation of the 11 parliamentarians in Eritrea is an affront to human dignity. Their only "mistake" has been to call for democratic reforms in Eritrea. There have long been fears that some of them have meanwhile died in prison, where they were kept in appalling conditions without any contact with the outside world and without ever being brought before a judge. Yesterday, after we concluded our meeting, our fears were confirmed as a reliable source told us that in fact only two of the 11 parliamentarians are still alive.

The Committee believes that all IPU Member Parliaments should take urgent action to help ensure that the Eritrean authorities are held to account for the reported deaths of these parliamentarians, and that they release the two who continue to languish in prison. International or regional agreements to which Eritrea is a party may be an entry point.

## **IRAQ**

The Committee presented to you the case of Mr. Al-Dainy, a member of the previous Iraqi legislature, for the first time last year in April. At the time, there were fears that he had been the victim of an enforced disappearance, which later turned out to be groundless. Mr. Al-Dainy was among those who had revealed what is now public knowledge, namely the existence of secret detention centres in Iraq where torture was routinely practised. As a result, he found himself accused of a series of grave crimes, including massacres, bombings and the suicide attack inside parliament in April 2007. He escaped arrest, but many of his family members and guards were arrested, severely tortured and forced to sign confessions accusing him of the crimes in question. In January this year, a court sentenced him to death in absentia. The only words to describe what happened are "travesty of justice". We call on the newly elected authorities, in particular the parliament, to make sure that this iniquitous judgment is quashed and that Mr. Al-Dainy is rehabilitated. Of course, we also hope that the new parliament will start tackling the huge challenges facing the judicial system in Iraq.

## LEBANON

In March 2009, the Special Tribunal for Lebanon started its work to dispense justice in the case of the murder of former Prime Minister Hariri. It may be that in future one or more of the four cases of murdered parliamentarians before the Committee also comes under the jurisdiction of the Tribunal. The Committee therefore trusts that the National Assembly, as the authority empowered to approve the national budget, will continue to endorse the State of Lebanon's agreed financial contribution to the functioning of the Court.

That said, in the last year and a half the Lebanese authorities alone have been responsible for the investigations and proceedings in these cases. The Committee therefore regrets that it still has no information on the steps they have taken to identify and prosecute the murderers. It is keen to receive such details along with confirmation that the National Assembly has associated itself, as it did in the case of Mr. Tueni, with the court action by the public prosecutor in the other three cases.

## MADAGASCAR

A Committee mission was due to travel to Madagascar to get a better idea of the situation of the members of parliament who were arrested, humiliated, brutalized and charged with various public order offences in the aftermath of the coup d'état last year.

The Malagasy authorities have decided to postpone the mission in the light of the political process under way in the country. The Committee believes that an early on-site mission would in no way hamper this process and is therefore hopeful that a delegation can still soon travel to Madagascar.

## MALAYSIA

In Bangkok you dealt with the case of Mr. Anwar Ibrahim of Malaysia, at present the leader of the opposition People's Alliance. He is again - as he was some years ago - being prosecuted on a sodomy charge. And again the investigation and the proceedings seem to suffer from the same flaws as in the previous sodomy case.

The Committee endorses the conclusions of its trial observer, namely that the prosecution is compromised to the point that the case should be discontinued. There are many reasons to believe that political considerations are behind this case. It was brought at a time when Anwar Ibrahim was returning to politics and standing in elections. Shortly before filing his sodomy complaint, the complainant met with the then Deputy Prime Minister and the Senior Assistant Commissioner. The Attorney General, the prosecution team leader in the first sodomy case of which Anwar was acquitted at final instance, has been involved in the present case, and the defence is given virtually no access to prosecution evidence. To top it all, it has now become known that a member of the prosecution team has a relationship with the complainant. You will find the trial observer report in the annex to this draft resolution.

## MONGOLIA

Mr. Zorig Sanjasuuren was murdered exactly twelve years ago, in October 1998. The Mongolian intelligence agency and the police are continuing their investigation into this murder, and can count on forensic assistance from Germany and Japan. The Committee is confident that all these efforts will ultimately succeed in identifying and holding to account the assassins.

## PALESTINE

Seven members of the Palestinian Legislative Council, who were arrested in or around June 2006 following the capture of an Israeli soldier in a cross-border attack on Israeli military installations, are still in detention. The others who had been arrested together with them were released after having served their sentences, although some of them were later taken into administrative detention. The Committee is particularly concerned at the situation of three of them, residents of East Jerusalem, where they were born and have spent their entire lives. In May 2006, the Israeli Interior Minister revoked their residency permits and argued that, as members of the PLC, they were disloyal to Israel. At the time, this decision had no practical effect since they were arrested one month later. However, upon their release, they were notified that they had to leave East Jerusalem, Abu Teir by 19 June 2010 and the other two by 3 July 2010. They refused to leave Jerusalem. Abu Teir was therefore rearrested and the others sought refuge in the ICRC building in East Jerusalem. On 6 September 2010, the Supreme Court decided that they should petition the Interior Minister, and the Minister was ordered to respond within 30 days, so that they all have to continue living with this prospect of being driven from home. The Committee considers that, over and above the compelling legal grounds that prohibit their deportation, it would constitute an inhuman and cruel act against the persons concerned, their families and their community. It calls on the Israeli authorities and in particular the Knesset to prevent this from happening.

As regards the cases of Mr. Barghouti and Mr. Sa'adat, they are serving their sentences and their situation is unchanged. The Committee continues to call for their immediate release.

## PHILIPPINES

Our concern in the first case relates to the criminal cases which are still pending against the four parliamentarians concerned, two of whom are no longer parliamentarians as they were not re-elected. There is reason to believe that these cases are part of an effort to harass them and drive them out of politics. We are particularly scandalized at the charge of obstructing justice brought against Teodoro Casiño, which has now been pending since May 2007 without the prosecution complying with its duty to reach a decision. We are, however, very confident that the new administration under President Benigno Aquino III will take the necessary measures to ensure the due administration of justice.

The second case in the Philippines is that of Senator Trillanes, a Navy Lieutenant who was elected by more than 12 million Filipinos in May 2007 while he was in detention. He is accused of participation in the so-called "Oakwood Siege" of July 2003, when more than 300 soldiers went to the Oakwood Hotel to make known their grievances over corruption within the Philippine Armed Forces. The Senate of the Philippines has been at the forefront in defending the rights of Senator Trillanes. As a result of these efforts, an amnesty bill should hopefully soon make him a free man and allow him to do the job for which he was elected.

## RUSSIAN FEDERATION

Ms. Galina Starovoitova, a prominent Russian human rights advocate, was shot dead on 20 November 1998 in the stairwell of her apartment in St. Petersburg. The courts have convicted several persons of involvement and concluded that the murder was politically motivated. While the Russian Parliament has regularly made available reports from the Prosecutor's Office on the status of the investigation, the Committee regrets that it has not been possible, despite several requests, to meet with the Russian delegations that come to the

IPU Assemblies to discuss its main concern in this case, namely that the masterminds of the murder have yet to be identified and held to account. The Committee sincerely hopes that such an exchange of views can soon take place. It also hopes that the Russian Parliament will do everything possible to help ensure that fresh impetus is lent to the investigation with a view to finally elucidating this crime.

#### RWANDA

Mr. Léonard Hitimana disappeared on 7 April 2003 and has still not been found. Detailed allegations about the circumstances of his disappearance have thus far not drawn any reaction from the Rwandan authorities. That detailed account of what allegedly happened the day of his disappearance and how the Rwandan authorities have handled the investigation leads the Committee to conclude that Mr. Hitimana was indeed the victim of an enforced disappearance. The Committee urges the Parliament of Rwanda to carry out its oversight role effectively in this case by making sure that the investigative authorities conduct a serious investigation, starting with an interrogation of Mr. John Karangwa, the Rwandan intelligence officer who is alleged to have tortured and killed Mr. Hitimana.

#### SRI LANKA

The civil war in Sri Lanka came to an end over a year ago. This fact should have made it much easier for the Sri Lankan authorities to identify, locate and apprehend those responsible in the cases of the murdered parliamentarians that were submitted to us. Indeed in two murder cases, suspects are in police custody and the Committee trusts that the trial in these cases will advance swiftly and shed full light on these crimes. In three other cases, however, no progress at all has been made even though the existence of important leads should make for some progress in the investigation. The Committee calls on the authorities to do everything possible to ensure that these murders do not go unpunished.

As regards the case of threats and other forms of harassment of now former opposition parliamentarians and their families, mainly from the Tamil National Alliance, even though impunity has prevailed in most of these instances, the Committee proposes that you close the case as information from the sources has not been forthcoming for some time, and some of the persons concerned are now in exile. With respect to the particular situation of Dr. Jayawardena, given the overall improved security situation in Sri Lanka, the Committee proposes that you transfer the examination of his case to its confidential procedure.

#### TURKEY

Mr. Sinçar was killed in September 1993 in circumstances suggesting that he was the victim of an extrajudicial execution. The parliament reported some time ago that the trial of suspects was under way. Mr. Sinçar's family learned only through the IPU of the existence of that trial and has since joined it as a civil party. On 1 October 2010, two suspects were found guilty and sentenced to life imprisonment. However, this does not satisfy Mr. Sinçar's family. A retired Turkish admiral recently stated publicly that the many assassinations that took place in Turkey in the period 1993 to 1997 were State policy to combat terrorism. The family has therefore lodged an appeal in the hope that the instigators of those murders will be identified. Hence the Committee will continue to follow the court proceedings.

## ZIMBABWE

The Committee remains deeply concerned at the continuing impunity in the case of Mr. Sikhala and Mr. Madzore, who were both tortured, and that of Mr. Chamisa, who was beaten up by individuals while the police stood by and did nothing. We received an angry letter from the Attorney General of Zimbabwe, accusing the Committee of embroiling itself in matters that are largely internal to Zimbabwe. The draft resolution explains our mandate, so that the authorities understand that we do not direct any authority to do certain things, but recall the human rights obligations that States have voluntarily assumed by guaranteeing human rights in their Constitutions and signing international treaties. It sincerely hopes that the Attorney General will take action to ensure that the culprits are brought to justice, and it is confident that the House of Assembly will help ensure that this happens.

With respect to Mr. Bennett, the Committee hopes that with his acquittal, on 10 May this year, of the charges of possessing weaponry for the purposes of banditry, the ongoing effort to harass him and keep him out of politics in Zimbabwe has ended and that he can finally take up his post as Deputy Agriculture Minister. It proposes that you close his case.

I would like to conclude our report by reminding you that we count on your help in following up on these resolutions. As we have said over and over again, this can make an enormous difference and would certainly increase the number of resolved cases. In a world where human rights are not always the first concern of governments, your action to promote and protect them is particularly important.

Thank you very much for your attention.