



Inter-Parliamentary Union  
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# 150th IPU Assembly

## Tashkent, Uzbekistan (5–9 April 2025)

Governing Council  
Item 14(a)

CL/215/14(a)-R.1  
Tashkent, 9 April 2025

## Committee on the Human Rights of Parliamentarians

*Decisions adopted by the IPU Governing Council at its 215th session  
(Tashkent, 9 April 2025)*

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# Brazil

*Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)*



© Marcos do Val

## BRA-17 – Marcos do Val

### Alleged human rights violations

- ✓ Threats, acts of intimidation
- ✓ Lack of due process in proceedings against parliamentarians
- ✓ Violation of freedom of opinion and expression
- ✓ Violation of freedom of movement
- ✓ Undue invalidation, suspension, revocation or other acts obstructing the exercise of the parliamentary mandate

### A. Summary of the case

Mr. Marcos do Val is a member of the centre-right *Podemos* party and the Brazilian Senate; he was first elected in 2018 as senator for the State of Espírito Santo. He is widely known for speaking out against what he describes as heavy-handed measures taken against some supporters of former President Jair Bolsonaro and members of their families in the aftermath of the 8 January 2023 attack on the Brazilian Congress.

The complainant alleges that Senator do Val has faced mounting sanctions and pressure in reprisal for critical statements he made regarding what he perceives as institutional overreach by Justice Alexandre de Moraes, a member of the Federal Supreme Court (STF) – titled “Minister” in Brazil. The senator made a series of such statements complaining of what he saw as irregularities and violations of the Constitution and the rule of law, following the tense period that accompanied and followed the 2022 Brazilian elections and the storming of Congress on 8 January 2023, an incident under investigation by a task force led by Mr. Moraes. The complainant states that, since 2023, Senator do Val’s social media accounts have been blocked by Mr. Moraes as part of a contentious inquiry into disinformation, or “fake news”, initiated by the STF under an extensive interpretation of the competencies arrogated by the STF to itself as part of a programme initiated in 2019 to combat disinformation (or fake news) and threats against members of the STF. The programme was adopted through Inquiry 4781 under article 43 of the Internal

### Case BRA-17

**Brazil:** Parliament affiliated to the IPU

**Victim:** Male opposition member of parliament

**Qualified complainant(s):** Section I.(1)(a) of the Committee Procedure (Annex I)

**Submission of complaint:** September 2024

**Recent IPU decision:** February 2025

**IPU mission(s):** - - -

**Recent Committee hearing(s):** - - -

### Recent follow-up:

- Communication from the authorities: March 2025
- Communication from the complainant: March 2025
- Communication to the authorities: Letter to the President of the Brazilian IPU Group (March 2025)
- Communication to the complainant: March 2025

Regulation of the Court,<sup>1</sup> which allows the court to open investigations into offences related to its own authority, security or independence, which it felt compelled to adopt in the face of insufficient action taken by the Bolsonaro Administration. Since 2019, the inquiry has been broadened to include the spread of fake news more generally. The resulting concentration of powers has raised concerns about the potential overreach of judicial review. According to the complainant, the measures taken against Senator do Val under this programme violate his freedom of expression and hinder him from communicating effectively with his constituents.

The complainant elaborates that the substantial powers arrogated by Mr. Moraes on behalf of the STF allow him to open judicial inquiries against the senator, investigate them himself and sanction him personally, becoming both judge and party in an ever-growing number of cases as a means of intimidation. The complainant insists that the measures taken against Senator do Val violate parliamentary immunity rules, which require that the Senate vote within a short time to either lift his immunity or allow charges of violating the law in *flagrante delicto* situations to proceed, which the complainant claims has not been done. On 15 June 2023, the Federal Police, acting on orders from Mr. Moraes, searched the senator's residence as part of an investigation into obstructing investigations into the 8 January events, but the search produced nothing. According to the complainant, these actions are politically motivated, with the aim of silencing the senator and any other opponent of the sweeping actions taken under the orders of Mr. Moraes on the pretext of defending democratic institutions. However, instead of backing down, Senator do Val intensified his criticism of Mr. Moraes, which led to more sanctions, despite the lack of a court verdict establishing his guilt.

According to the complainant, all the complaints made by Senator do Val were either dismissed or not acted upon. The complainant believes that this is the result of the considerable influence acquired by Mr. Moraes, as well as the multiple cases of excessive punishment meted out to his opponents, including Senator do Val himself. The complainant adds that Senator do Val has referred the matter to the Inter-American Commission on Human Rights and the parliamentary leadership to seek redress. According to the complainant, no effective remedy has been provided to him regarding these alleged violations.

The complainant further reports that, on 12 August 2024, Senator do Val's passports, including his diplomatic passport, were confiscated, which prevents him from travelling abroad and hinders his inter-parliamentary activities as a member of the Commission on Foreign Relations and National Defence. According to the complainant, the Senate Legal Department has formally requested the Federal Supreme Court to return Senator do Val's passport in order to allow him to carry out his inter-parliamentary work in Washington D.C., which was denied by Mr. Moraes. On 11 March 2025, the STF unanimously rejected Senator do Val's appeal to unblock his diplomatic passport.

In addition, the complainant submits that Senator do Val's assets were frozen and his salary was suspended for several months, leaving him unable to support himself and his family or to continue financing his ailing mother's cancer treatment. The complainant further reports that there is no legal basis in the Constitution that allows the withholding of parliamentarians' salaries, and that these excessively punitive precautionary measures violate the principle of legality, proportionality and reasonableness enshrined in Article 37 of the Constitution. In addition, Senator do Val has been subjected to various hefty fines by Mr. Moraes. The complainant refers in particular to a daily fine of 50,000 reais (roughly US\$ 8,900) for social media use by Senator do Val deemed to be improper by Mr. Moraes, and for re-posts of speeches by Senator do Val in the Senate making critical remarks of Mr. Moraes' actions shared by other internet users. The complainant further reports that Senator do Val has been compelled to temporarily live within the Senate chamber – an extraordinary measure which, he stresses, was not taken by choice or as a form of protest, but out of necessity. According to the complainant, the economic sanctions against Senator do Val undermined his autonomy and his right to an adequate standard of living.

The Brazilian delegation met with the IPU Committee on the Human Rights of Parliamentarians during the 150th IPU Assembly (April 2025) and provided additional information on the case.

1

<https://www.loc.gov/item/global-legal-monitor/2024-06-19/brazil-federal-supreme-court-signs-agreement-with-digital-media-platforms-to-combat-misinformation/>

## B. Decision

### The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the President of the Senate and the Brazilian delegation to the 150th IPU Assembly in Tashkent for the precious information provided to the Committee on the Human Rights of Parliamentarians; *acknowledges* the parliamentary authorities' assurance that diligent action had been taken to ensure that Senator do Val's parliamentary prerogatives and related legal requirements had been respected by the Federal Congress of Brazil as per the Constitution; and *hopes* that the parliamentary authorities will continue to engage with the Committee in the same constructive spirit to find a satisfactory settlement of the present case as well as previous cases concerning three left-wing parliamentarians that remain on the Committee's agenda;
2. *Believes*, given the mounting concerns raised by the complainant in this case, which touch on the institutional boundaries and the balance of power between the Federal Supreme Court and the Federal Congress of Brazil, that the speedy resolution of this case would be facilitated by a visit by members of the Committee to Brazil to meet with the relevant parliamentary, executive and judicial authorities and obtain the requisite information about the procedural, legal and factual circumstances raised by this case; and *hopes* that such a visit could play a positive role in fostering dialogue and cooperation, which seem essential for the resolution of the case;
3. *Is highly appreciative* of the openness of the Brazilian IPU Group to welcome such a visit and their readiness to support the IPU Committee in its efforts to facilitate the satisfactory resolution of this case in line with universal core democratic values that bind together all members of the inter-parliamentary community; and *hopes* to receive suggested dates for when the Brazilian parliamentary authorities may receive a visit by the Committee;
4. *Requests* the Secretary General to convey this decision to the President of the Brazilian IPU Group, the President of the Senate and the complainant;
5. *Requests* the Committee to continue examining the case.

## Chile/Argentina

*Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)*



Chilean former Senator Jaime Guzmán Errázuriz (1946–1991) speaks to the press in Santiago on 20 December 1990 | Juan Carlos CACERES / AFP

### CHL-87 – Jaime Guzmán Errázuriz

#### Alleged human rights violations

✓ Murder

#### A. Summary of the case

Chilean senator, Mr. Jaime Guzmán Errázuriz, was assassinated in Chile in April 1991. Two members of the Chilean Manuel Rodríguez Patriotic Front (*Frente Patriótico Manuel Rodríguez* – FPMR), Mr. Ricardo Palma Salamanca and Mr. Mauricio Hernández Norambuena, were found guilty and sentenced for their involvement in the murder. In 1996 both escaped from a high-security prison in Santiago de Chile.

In February 2002, Mr. Hernández Norambuena was arrested and sentenced for another crime in Brazil. He served part of the 30-year sentence handed down to him by the Brazilian courts until August 2019, when he was extradited to Chile. On 2 September 2019, he received two sentences of 15 years in prison each, one for his involvement in the senator's assassination and the second for his participation in another crime. According to information received, he is currently serving these sentences in a Chilean prison.

Two other accomplices to the murder have been tried in Chile, Mr. Enrique Villanueva Molina, who was sentenced to five years of probation (*libertad vigilada*) in August 2014, and Ms. Marcela Mardones, who was sentenced to a prison term of 10 years and one day in March 2018.

On 22 September 2021, Mr. Raúl Escobar Poblete was extradited from Mexico to Chile, accused of being the perpetrator of the murder of the senator. Mr. Escobar hid in Mexico for 20 years under a false identity until June 2017, when he was arrested and sentenced to 60 years in prison for another crime. In August 2022, he was sentenced to 18 years of prison by the Chilean courts. The court found him guilty of the crime of carrying out a terrorist attack resulting in the death of Senator Guzmán. On 6 April 2023, the Court of Appeal of Santiago upheld the first-instance decision. On 25 October 2023,

#### Case CHL-87

**Chile and Argentina:** Parliaments affiliated to the IPU

**Victim:** A male opposition member of parliament

**Qualified complainant(s):** Section I.(1)(b) of the Committee Procedure (Annex I)

**Submission of complaint:** October 2010

**Recent IPU decision:** November 2021

**IPU mission(s):** - - -

**Recent Committee hearing:** Hearing with Senator Juan Antonio Coloma, member of the Chilean delegation to the 150th IPU Assembly (April 2025)

#### Recent follow-up:

- Communication from the authorities: Letter from the Argentine President of the Senate (December 2017)  
Communication from IPU Group of Chile (January 2023)
- Communication from the complainant: January 2023
- Communication to the authorities: Letter to the Argentine President of the Senate and President of the Chamber of Deputies (February 2025)
- Communication to the complainant: December 2022



Mr. Escobar was sent back to Mexico to continue serving the Mexican sentence. In 2004, Mr. Galvarino Sergio Apablaza Guerra, one of the alleged masterminds of Mr. Guzmán's assassination, was apprehended in Argentina, where he asked for asylum the following year. In September 2010, the Argentine Supreme Court accepted Chile's request for the extradition of Mr. Apablaza; however, a few weeks later, Mr. Apablaza was granted refugee status in Argentina. The Chilean authorities initiated a series of legal actions and proceedings, which led the Argentine National Refugee Commission to revoke Mr. Apablaza's refugee status in December 2017. The Argentine Supreme Court approved his extradition in March 2018. The Chilean courts subsequently issued an international arrest warrant for Mr. Apablaza, who still lives in Argentina, where he regularly appears in public.

## **B. Decision**

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* Senator Coloma from Chile for the information provided and for meeting with the Committee on the Human Rights of Parliamentarians (CHRP) at the 150th IPU Assembly;
2. *Notes with satisfaction* that, over the years, successive Chilean governments, regardless of their position on the political spectrum, have supported the efforts of parliament and the Chilean judiciary to seek justice in this emblematic case of impunity surrounding the murder of an opposition senator as a result of his political activities and opinions;
3. *Also notes with satisfaction* that significant progress has been made in recent years to help ensure accountability in the case of the assassination of Senator Guzmán, particularly through the prosecution and conviction of several individuals involved in the crime; and *considers* that these developments, made possible in part through the valuable cooperation of countries such as Brazil and Mexico, represent a commendable example of joint international efforts to combat impunity in cases of politically motivated assassinations of parliamentarians;
4. *Regrets* the lack of response from the Argentine parliamentary authorities to its repeated requests for information and official observations regarding the situation of Mr. Apablaza; *recalls* in this regard that, in accordance with its revised Rules and Practices, the CHRP does everything possible to promote dialogue with national authorities, and primarily with parliaments, with a view to reaching a satisfactory settlement in the cases before it; and *sincerely hopes* that the Parliament of Argentina will renew its dialogue with the Committee with a view to exploring possible avenues for a resolution of this case;
5. *Recalls* that impunity, by shielding those responsible from judicial action and accountability, decisively encourages the perpetration of further serious human rights violations, and that attacks against the life of members of parliament, irrespective of their opinions, when left unpunished, not only violate the fundamental rights of individual parliamentarians and of those who elected them, but also affect the integrity of parliament and its ability to fulfil its role as an institution; and *calls on* the Parliament of Argentina to take concrete actions within its powers in support of the resolution of this case in a manner consistent with the respect for democratic values and human rights;
6. *Requests* the Secretary General to convey this decision to the parliamentary and other relevant national authorities of Chile and Argentina, the complainant, and any third party likely to be in a position to supply relevant information to assist it in its work;
7. *Requests* the Committee to continue examining this case and to report back to it in due course.

# Democratic Republic of the Congo

*Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)*



Jean Marc Kabund © Twitter (now "X")

## COD-150 – Jean Marc Kabund

### Alleged human rights violations

- ✓ Threats, acts of intimidation
- ✓ Arbitrary arrest and detention
- ✓ Lack of due process in proceedings against parliamentarians
- ✓ Lack of due process at the investigation stage
- ✓ Violation of freedom of opinion and expression
- ✓ Failure to respect parliamentary immunity

### A. Summary of the case

On 9 August 2022, Mr. Jean Marc Kabund, member of parliament at the time of the alleged acts and former First Deputy Speaker of the National Assembly, was arrested and prosecuted for defaming the authorities, public insults and spreading false rumours after he delivered a speech on 18 July 2022 in which he criticized the President of the Republic. The member of parliament was arrested after the Bureau of the National Assembly allegedly lifted his parliamentary immunity on 8 August 2022.

The acts of which Mr. Kabund is accused are covered in Ordinance Law No. 300 of 16 December 1963 on defamation against the Head of State and several other provisions of the criminal law of the Democratic Republic of the Congo (DRC). The allegations against the former member of parliament are reportedly a violation of his right to freedom of expression and politically motivated given the growing political differences between him and President Tshisékédi's party, to which he belonged until he decided to join the opposition.

On 12 August 2022, the Court of Cassation ordered that Mr. Kabund be placed under house arrest. However, this decision was never implemented. The case was adjourned to 17 October 2022. At the hearing on 14 November 2022, Mr. Kabund's lawyers raised an objection of unconstitutionality, which was rejected by the Court of Cassation. His lawyers then filed a complaint with the Constitutional Court, which rejected Mr. Kabund's complaint on 27 April 2023 on the grounds that it was admissible but unfounded and referred the case back to the Court of Cassation. On 13 September 2023, the Court of Cassation sentenced Mr. Kabund to seven years' imprisonment for "defamation against the

### Case COD-150

**Democratic Republic of the Congo:**  
Parliament affiliated to the IPU

**Victim:** An opposition member of parliament

**Qualified complainant(s):** Section I.1(a) of the Committee Procedure (Annex I)

**Submission of the complaint:** August 2022

**Recent IPU decision:** October 2024

**Recent IPU mission(s):** - - -

**Recent Committee hearing:** Hearing with the delegation of the DRC at the 149th IPU Assembly in Geneva (October 2024)

### Recent follow-up:

- Communication from the authorities: Letter from the First Deputy Speaker of the Senate (September 2022)
- Communication from the complainant: March 2025
- Communication to the authorities: Letter to the Speaker of the National Assembly (March 2025)
- Communication to the complainant: March 2025



Head of State” and “spreading false rumours”. Mr Kabund’s lawyers stressed that this sentence was unjust and excessive, adding that they had no other means of appeal due to the lack of any reform of judicial proceedings applicable to members of parliament allowing the possibility of appeal.

At a hearing with the Committee on the Human Rights of Parliamentarians at the 147th IPU Assembly in October 2023, the Congolese delegation stated that the National Assembly had followed the required procedure to protect Mr. Kabund’s rights of defence, including continuing to enjoy his allowances during the judicial investigation phase. After finding that the offences committed by Mr. Kabund were sufficiently serious, the Public Prosecutor’s Office ordered the lifting of his parliamentary immunity in order to prosecute him. However, before lifting his immunity, the Bureau of the National Assembly reportedly invited Mr. Kabund to meet with its members in the presence of a lawyer, an invitation he allegedly declined on two occasions. Instead, Mr. Kabund is said to have asked the Bureau to stay the proceedings against him, which the Bureau was unable to accommodate, considering that this request fell outside its remit.

With regard to the severity of the sentence handed down against Mr. Kabund simply for making remarks, the delegation pointed out that, under Congolese law, judges have the discretionary power to impose sentences ranging from one to 10 years’ imprisonment for similar offences. Thus, although the sentence handed down against Mr. Kabund appears severe, it remains within the limits of the law.

During a further hearing with the Committee during the 149th IPU Assembly in October 2024, the delegation underlined that the remarks for which Mr. Kabund was tried and sentenced were not made in the context of the exercise of his parliamentary duties. The delegation stated that in his speech, Mr. Kabund had insulted the honour of the Head of State on the basis of unfounded accusations. As a result, he had been prosecuted, his immunity had been lifted, and he had been sentenced in accordance with the Congolese legislation in force. Regarding the Committee’s request for a mission to the DRC, the delegation stated that the mission would be welcome and that the National Assembly was available to facilitate its organization and to host it in the near future.

On 21 February 2025, Mr. Jean-Marc Kabund was released following an extraordinary appeal lodged through a review procedure before the Court of Cassation, which acquitted him. According to the complainant, the charges against Mr. Kabund have been dropped. The review procedure was reportedly made possible following an order granting a collective pardon signed by the President of the Republic on 1 January 2025. The complainant added that the review procedure brought by Mr. Kabund’s lawyer, which resulted in his release, could give rise to damages in his favour.

## **B. Decision**

The Governing Council of the Inter-Parliamentary Union

1. *Notes with satisfaction* that Mr. Kabund has finally been released;
2. *Deplores*, nevertheless, the fact that Mr. Kabund only spent three years in detention after being sentenced to seven years’ imprisonment, a heavy penalty for simply making critical remarks about the Head of State and government policy; and *recalls* that, even if these remarks were provocative in nature, they were part of the exercise of his fundamental right to freedom of expression and were in no way accompanied by hostile acts aimed at disrupting public order;
3. *Notes*, also, that Mr. Kabund’s release reportedly took place following a review procedure made possible following the order granting pardon issued by President Tshisekedi; and, although it welcomes this measure, *regrets* that this happened after three years of detention and was the only means for Mr. Kabund to exercise his right of appeal, as the judicial proceedings to which he is subject prevents him from doing so; *recalls* that the existence of an appeals mechanism constitutes one of the main guarantees of a fair trial; and *calls on* the Parliament of the Democratic Republic of the Congo to create such a mechanism, so that parliamentarians’ right to a defence in legal proceedings is protected in the same way as that of other citizens of the Democratic Republic of the Congo;
4. *Notes* that the review procedure that led to the acquittal and release of Mr. Kabund could give rise to the payment of damages; *wishes* to receive additional information regarding this procedure, including a copy of the court’s decision acquitting Mr. Kabund; and *wishes* to receive a copy of the order granting pardon as well in order to better understand its link with the release of Mr. Kabund and to be kept informed of the member of parliament’s intention to sue the DRC for the

damage suffered;

5. *Reiterates* that the conviction of Mr. Kabund is not in line with the DRC's international commitments on freedom of expression, given that it is a party to the International Covenant on Civil and Political Rights, which recognizes the right to security of the person and the rights to freedom of opinion, expression and assembly; *calls on* the National Assembly, once again, to protect the freedom of expression of its members, regardless of their political affiliation, by taking all appropriate measures to strengthen the protection of this fundamental right, in particular by repealing Ordinance Law No. 300 of 16 December 1963, on the offence of insulting the Head of State, or by bringing it into line with international human rights standards as quickly as possible in order to prevent the recurrence of such cases; and *wishes* to be kept informed in this regard;
6. *Hopes* that a mission of the Committee on the Human Rights of Parliamentarians can take place soon under the best possible conditions and that it will include meetings with the relevant Congolese authorities, in particular the President of the National Assembly, the Prosecutor General and the Minister of Justice, as well as Mr. Kabund and the third parties concerned, in order to promote a satisfactory and definitive resolution of this case;
7. *Requests* the Secretary General to convey this decision to the parliamentary authorities, the complainant and any third party likely to be in a position to supply relevant information;
8. *Requests* the Committee to continue examining the case and to report back to it in due course.

# Democratic Republic of the Congo

*Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)*



Chérubin Okende Senga © Complainant

## COD-158 – Chérubin Okende Senga

### Alleged human rights violations

- ✓ Murder
- ✓ Abduction

### A. Summary of the case

On 13 July 2023, Mr. Chérubin Okende – opposition member of parliament, former Minister of Transport and spokesperson for the *Ensemble pour la République* (Together for the Republic), a political party led by opposition candidate in the presidential elections Moïse Katumbi – was found murdered, according to the complainants, shot in the head, inside his vehicle which had been abandoned on a road near Kinshasa city centre. Mr. Okende had reportedly disappeared the day before he was killed.

The same day, the Public Prosecutor's Office at Kinshasa-Gombe High Court, on the instruction of the Prosecutor General at the Court of Cassation, opened a murder investigation against persons unknown. Shortly after Mr. Okende's death, the contents of a confidential report attributed to the National Intelligence Agency (ANR) were published by *Radio France International* (RFI) and *Jeune Afrique* media outlets on 31 August 2023, according to which military intelligence was responsible for his death. The journalist who accessed this report was imprisoned in September 2023 and then convicted of disseminating false information. He was released in March 2024 after serving his six-month prison sentence. The Congolese authorities have stated that the report was wrongly attributed to the ANR and that its contents were totally false.

On 29 February 2024, the Public Prosecutor announced that the cause of Mr. Okende's death was suicide, according to the analyses carried out and following the discovery of his personal diary in which he had written that he was "at the end of his tether". Mr. Okende's family strongly criticized the authorities' conclusion, and, in September 2024, the family's lawyer announced that the family had again filed a complaint with the Public Prosecutor asking for the investigation to be reopened. However, it appears that they have not had any response from the Congolese judiciary to their complaint.

At the Committee's request, the Congolese delegation met with the Committee during the 147th and 149th IPU Assemblies in 2023 and 2024 respectively. During its first meeting, the Congolese

### Case COD-158

**Democratic Republic of the Congo:**  
Parliament affiliated to the IPU

**Victim:** An opposition member of parliament

**Qualified complainant(s):** Section I.1(a) of the Committee Procedure (Annex I)

**Submission of the complaint:** July 2023

**Recent IPU decision:** October 2024

**Committee mission(s):** - - -

**Recent Committee hearings:** Hearing with the DRC delegation at the 149th IPU Assembly in Geneva (October 2024)

#### Recent follow-up:

- Communication(s) from the authorities: - - -
- Communication from the complainant: November 2024
- Communications to the authorities: Letter to the Speaker of the National Assembly (March 2025)
- Communication to the complainant: March 2025

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delegation had confirmed the opening of a judicial investigation and that it had sought the assistance of international experts from Belgium, South Africa and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), who agreed to collaborate with the Congolese authorities in this case. The delegation stated that the report drawn up at the end of this judicial investigation would be published shortly and that the National Assembly would send it to the Committee as soon as it was available. This investigation report has still not been made available.

In October 2024, during its second meeting with the Committee, the delegation stated that Mr. Okende's family and lawyers had been given access to the whole case file, as they had brought proceedings in Belgian courts against Major-General Christian Ndaywell. Concerning the evidence supposedly proving that Mr. Okende had committed suicide, the delegation explained that analyses and samples relating to the deceased's car and body had been carried out and that this evidence had been backed up by the findings of international experts who had been invited to work with the Congolese Public Prosecutor's Office in this investigation. The delegation stated that the teams from South Africa and MONUSCO had concluded that it was indeed suicide, while the Belgian team had allegedly expressed doubts that it was a case of murder, but without concluding that Mr. Okende had committed suicide. The delegation emphasized that the media had wrongly reported on the case, which explained the differences between the investigation findings and the allegations of murder.

With regard to the lodging of a complaint in Belgium, the complainant confirmed that, on 7 November 2023, Mr. Okende's family had referred to the Belgium courts the case against Major-General Christian Ndaywell, former head of the Congolese military intelligence who remains in the DRC and whom they suspect of involvement in the death of the member of parliament. The complaint was lodged as a civil action with a Brussels investigating judge on charges of war crimes. As a Belgian national, Mr. Ndaywell is subject to Belgian justice, which can prosecute him under its universal jurisdiction in criminal matters. The case was referred to the Brussels Public Prosecutor's Office, which notified the federal Public Prosecutor's Office on 14 December 2023. The federal Public Prosecutor's Office is currently considering whether the case can be handled at the federal level. According to the complainant, proceedings are under way in Belgium but are progressing slowly as they are cumbersome.

Some members of Mr. Okende's family and his lawyers are said to have left the DRC because of the various threats they received following their request to the Public Prosecutor to examine the complaint lodged and to re-open Mr. Okende's case.

Mr. Chérubin Okende's death occurred within a particularly difficult context for political opponents in the Democratic Republic of the Congo (DRC), where the democratic space is shrinking, and violations are committed against those speaking out against the incumbent regime.

## **B. Decision**

The Governing Council of the Inter-Parliamentary Union

1. *Deeply deplores* the absence of specific measures to establish the truth about the death of the opposition member of parliament, Mr. Chérubin Okende, and the unclear circumstances surrounding his death, circumstances that seem to be known only to the Congolese authorities, rather than to his family and his lawyers or the Committee, which to date has received neither the judicial investigation report nor the findings of international teams;
2. *Strongly reaffirms* that Mr. Okende's family still rejects the Public Prosecutor's conclusion that the member of parliament committed suicide, and that it has lodged a case with the Congolese courts to re-open the investigation, as well as lodging a case with the Belgian courts to bring charges against Major-General Christian Ndaywell, who allegedly played a role in Mr. Okende's death and who continues to carry out his duties in the Democratic Republic of the Congo (DRC);
3. *Urges the* Congolese authorities to show greater transparency by sending a copy of the legal investigation report, with all the relevant elements, as well as the findings of international teams, to the Committee as soon as possible in order to establish the truth in this case;
4. *Considers* that the existence of international investigation reports into the death of Mr. Okende is a valuable source of information; *avails itself* of its mandate to request assistance from the

authorities of Belgium, South Africa and MONUSCO to shed light on the causes of the member of parliament's death; and *decides* to approach the authorities of the countries concerned to enquire about the outcome of its request;

5. *Is concerned* by the decision of Mr. Okende and his lawyers to leave the DRC in view of the threats received, which are aimed at intimidating them and dissuading them from pursuing their complaint, especially since Major-General Christian Ndaywel continues to carry out his duties in the DRC; *calls on* the relevant authorities to take all necessary measures to investigate these threats and to guarantee the safety and physical integrity of Mr. Okende's family and any person likely to be able to establish the truth in this case without risk of reprisal;
6. *Regrets* the absence of a response from the Congolese parliamentary authorities to the Committee's requests for information and, more broadly, the absence of specific measures to support his family in the quest for the truth and to help them dispel their doubts over the cause of his death; and *calls on* the National Assembly once again, as the guardian of human rights, to take serious steps to preserve the integrity of parliament by joining Mr. Okende's family in bringing a civil action and to support his complaint in the DRC in order to gain access to the judicial investigation report in its entirety;
7. *Hopes* that a mission of the Committee on the Human Rights of Parliamentarians to the DRC can take place soon under the best possible conditions and that there will be an opportunity to meet with the Congolese authorities, in particular the Speaker of the National Assembly, the Prosecutor General and the Minister of Justice, and to have access to the reports of the judicial investigation, the autopsy and the reports of the international teams who assisted the Congolese Public Prosecutor's Office; *considers* it essential that the delegation also meets with Mr. Okende's family and lawyers and relevant third parties; and *hopes* that the National Assembly will facilitate all these meetings during the Committee's mission;
8. *Requests* the Secretary General to convey this decision to the parliamentary authorities, the complainant and any third party likely to be in a position to supply relevant information;
9. *Requests* the Committee to continue examining the case and to report back to it in due course.

# Israel

*Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)*



© Member of Knesset Ofer Cassif

## ISR-22 – Ofer Cassif

### Alleged human rights violations

- ✓ Threats, acts of intimidation
- ✓ Lack of due process at the investigation stage
- ✓ Violation of freedom of opinion and expression
- ✓ Violation of freedom of assembly and association
- ✓ Undue invalidation, suspension, revocation or other acts obstructing the exercise of the parliamentary mandate

### A. Summary of the case

On 10 January 2024, Mr. Ofer Cassif was subjected to an expulsion procedure initiated by a fellow member of the Knesset, who accused him of supporting armed struggle and terrorism against the State of Israel for publicly supporting South Africa's case at the International Court of Justice (ICJ). South Africa had filed a case at the ICJ alleging that Israel was engaging in "genocidal acts" in Gaza following its response to the 7 October 2023 attack by Hamas.

After collecting the signatures of 85 members of the Knesset supporting Mr. Cassif's expulsion, the issue was referred to the Knesset House Committee for approval. According to the Israeli Basic Law, the Knesset can expel a member if (s)he expresses support for armed struggle against the State of Israel, provided that 90 Knesset members, or 75 per cent, have voted in favour of the motion. On 30 January 2024, after a sitting that lasted two days, the Knesset House Committee endorsed the motion to expel Mr. Cassif. Fourteen Committee members had voted in favour of and two against the motion, which moved the motion for expulsion to the Knesset plenary. Mr. Cassif has reiterated that his support for South Africa's case against Israel is a plea to end the war in Gaza. He also said in several interviews that he had condemned the 7 October attack against Israel and that he had never shown any support to the terrorist group Hamas.

### Case ISR-22

**Israel:** Parliament affiliated to the IPU

**Victim:** An opposition member of parliament

**Qualified complainant(s):** Section I.(1)(a) and (d) of the Committee Procedure (Annex I)

**Submission of complaint:** January 2024

**Recent IPU decision:** February 2025

**IPU mission(s):** - - -

**Recent Committee hearing(s):** - - -

### Recent follow-up:

- Communication from the authorities: Letter from the parliamentary authorities (April 2025)
- Communication from the complainants: (March 2025)
- Communication to the authorities: Letter to the Knesset Speaker: March 2025
- Communication to the complainants: March 2025



On 19 February 2024, the motion to expel Mr. Cassif failed to gain the needed majority in plenary, as only 85 of the 120 members of the Knesset backed the motion to oust Mr. Cassif. The complainant points out that those who voted in favour of Mr. Cassif's expulsion included the Knesset Speaker, Prime Minister Netanyahu and the Chair of the Ethics Committee. Given that the expulsion did not garner the necessary votes at the time, the IPU Governing Council, based on the recommendation of the IPU Committee on the Human Rights of Parliamentarians, found Mr. Cassif's complaint inadmissible in March 2024.

However, in November 2024, the Committee was informed about the Knesset Ethics Committee's decision to suspend Mr. Cassif from participating in Knesset plenary debates and committee discussions for six months and to stop the payment of his parliamentary salary for two weeks. According to the complainants, ever since the original attempt to expel Mr. Cassif failed, he has been the victim of an intimidation campaign led by the Knesset Ethics Committee, which relentlessly targets him for his outspoken criticism of the State of Israel and the Israeli Defence Forces (IDF) actions against Palestinians in Gaza since 7 October 2023. The complainants add that, even though the four members of the Knesset Ethics Committee are members of both the ruling coalition and the opposition, they all share the same right-wing political views and have reportedly failed to hold accountable Knesset members of right-wing and far-right political parties in Israel who had incited violence against Palestinians.

Mr. Cassif is allowed to vote in the plenary of the Knesset but is prevented from participating in plenary debates and committee meetings and cannot address the plenary to raise his constituents' concerns and exercise his parliamentary mandate effectively inside the Knesset to hold the Israeli Government accountable for its actions. According to the complainants, despite the daily threats and acts of intimidation he faces from the public due to his political views, the Israeli authorities have not granted Mr. Cassif personal security, considering that his situation does not warrant state protection. The complainants also state that opposition Knesset members and critical voices of the Israeli Government are being increasingly repressed and punished. According to the complaint, Mr. Cassif is allegedly the target of a new harassment campaign and serious threats due to a post on social media, which has led several members of the Knesset to call for another expulsion process.

In April 2025, the Committee invited the Israeli parliamentary authorities for a hearing during the 150th IPU Assembly in Tashkent (Uzbekistan) to discuss the case of Mr. Cassif. However, in a letter received on 4 April 2025, the Head of the IPU group, member of the Knesset, Mr. Dan Illouz, stated that "Israel respects the rights of its parliamentarians, including freedom of speech. However, freedom of expression does not grant immunity from consequences when that speech crosses into the realm of incitement or undermines national security". The authorities added that "Mr. Cassif's suspension followed due legal process and was not arbitrary" without providing any information about the process followed by the Knesset Ethics Committee or any copies of the decisions adopted against Mr. Cassif.

In the same letter of 4 April 2025, the Head of the IPU group also stated that they "cannot engage with a committee [CHRP] that seeks to whitewash terrorism under the guise of human rights advocacy".

## **B. Decision**

The Governing Council of the Inter-Parliamentary Union

1. *Deeply regrets* the Israeli parliamentary authorities' unwillingness to meet with the Committee to specifically discuss the case of Mr. Cassif and their continued lack of response regarding the issues raised in the complaint despite its repeated requests; and *considers* that, as representatives of a democratic parliament, the Israeli parliamentary authorities could have seized the opportunity to meet with the Committee to engage in a constructive dialogue about the case of an elected member of the Knesset;
2. *Reiterates its deep concern* about the Knesset Ethics Committee's decision to severely restrict Mr. Cassif's participation in the Knesset for six months after an earlier attempt to strip him of his parliamentary mandate for expressing opinions and views deemed to be against the State of Israel had failed;
3. *Is also deeply concerned* that Mr. Cassif continues to be the target of hateful comments and intimidation due to his political affiliation; and *urges* the Israeli authorities to afford Mr. Cassif the necessary security measures his situation requires given the hostile security situation in Israel

- and the serious threats he has been receiving over the past couple of months;
4. *Expresses its concern* about the inability of Mr. Cassif, an opposition member of the Knesset, to attend Knesset plenary sessions and committee meetings, engage in debates and address parliament during the suspension period; *considers* that, in severely restricting Mr. Cassif's exercise of his parliamentary mandate, the Knesset Ethics Committee punished him on account of his rightful exercise of freedom of speech by expressing a political position against the State of Israel's policies and actions in Gaza; and *considers*, therefore, that the Knesset's decision against Mr. Cassif was arbitrary and that it hinders his ability to exercise the mandate entrusted to him by his constituents and to represent them effectively in the Knesset;
  5. *Expresses grave concern* in this regard that Knesset opposition members cannot express their views without risking reprisals; and *reiterates* that freedom of expression goes to the heart of democracy, is essential to members of parliament and includes not only speech, opinions and expressions that are favourably received or regarded as inoffensive, but also those that may offend, shock or disturb others;
  6. *Calls*, therefore, on the Israeli authorities to remedy his situation by fully restoring his parliamentary rights while ensuring that the rights of all Knesset members, regardless of their political affiliation and views, are upheld, in particular their right to freedom of opinion and expression, and that their parliamentary immunity is protected at all times;
  7. *Requests* the Secretary General to convey this decision to the Speaker of the Knesset and the complainants;
  8. *Requests* the Committee to continue examining this case and to report back to it in due course.

# Kyrgyzstan

*Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)*



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## KGZ-02 – Adakhan Madumarov

### Alleged human rights violations

- ✓ Torture, ill-treatment and other acts of violence
- ✓ Arbitrary arrest and detention
- ✓ Inhumane conditions of detention
- ✓ Lack of due process in proceedings against parliamentarians
- ✓ Violation of freedom of opinion and expression
- ✓ Failure to respect parliamentary immunity

### A. Summary of the case

Mr. Adakhan Kumsanbayevich Madumarov is a seasoned parliamentarian and former Speaker of the Kyrgyz Parliament, the *Jogorku Kenesh* (Supreme Council). Mr. Madumarov was the main challenger to interim President Sadyr Japarov in the disputed 2021 presidential elections and is also the leader of *Butun Kyrgyzstan* (United Kyrgyzstan), one of the largest opposition parties in parliament.

According to the complainant, on 2 September 2023, as Mr. Madumarov was out on a stroll with his then 13-year-old son, they were both arrested by a *Spetsnaz* (special forces) unit led by agents of the Interior Ministry. His son was later released and the parliamentarian transferred to the Bishkek Pervomaysky District Court, where he was charged with high treason and ordered to be held in pretrial detention in a State Committee on National Security (GKNB) remand prison. The complainant stresses that Mr. Madumarov remained in prison for over six months with no possibility of carrying out his mandate, as every appeal for his release was rejected without justification. In addition, the complainant claims that Mr. Madumarov faced mistreatment and inhumane conditions of detention while being detained in violation of applicable legal norms.

The complainant adds that the arrest violated Mr. Madumarov's parliamentary immunity, as in March 2022, parliament had rejected the Prosecutor General's initial request to lift Mr. Madumarov's immunity. The complainant shares that, following a new request in June 2023, parliamentarians rejected charges related to preparing mass riots and attempting to seize power but allowed the abuse of power case against Mr. Madumarov to go ahead. However, the complainant stresses that the fact that the authorities subsequently upgraded the abuse of power charge to the charge of high treason

### Case KGZ-02

**Kyrgyzstan:** Parliament affiliated to the IPU

**Victim:** Opposition member of parliament

**Qualified complainant(s):** Section I.(1)(a) of the Committee Procedure (Annex I)

**Submission of complaint:** January 2024

**Recent IPU decision:** March 2024

**IPU Mission(s):** - - -

**Recent Committee hearing(s):** - - -

#### Recent follow-up:

- Communication from the authorities: March 2025
- Communication from the complainant: March 2025
- Communication to the authorities: January 2025
- Communication to the complainant: March 2025

was never explained. The complainant adds that the authorities later introduced fraud charges related to a 2015 electoral donation supported by questionable evidence. Parliament's approval to prosecute in the fraud charge case was reportedly never sought. According to the complainant, the Pervomaysky District Court further violated Mr. Madumarov's rights by extending his custody and declaring the proceedings a closed trial. The complainant highlights the arbitrary classification of the case as "secret", imposing a non-disclosure obligation on Mr. Madumarov's lawyers and undermining their ability to defend their client. According to the complainant, the aim of the secret nature of the trial was to hide statements of witnesses supporting Mr. Madumarov's innocence from the public. The authorities have also made statements that seem to presume Mr. Madumarov's guilt.

According to the complainant, the charge of high treason against Mr. Madumarov is linked to his participation in a bilateral meeting with Tajikistan in March 2009, where he was sent, together with a larger delegation, as Secretary of the Security Council to discuss long-standing issues related to the un-demarcated border between the two countries. The complainant adds that Mr. Madumarov was acting on instructions from the Head of State at the time when he co-signed the protocol (minutes) of the meeting, where the idea of a land swap was flagged. According to the complainant, the document carries no legal value, as it was never endorsed by parliament, nor implemented.

The complainant stresses that the detention of Mr. Madumarov violates due process, which they see as a punishment for his criticism of the authorities, including his opposition to a recent controversial land swap deal with Uzbekistan, and an attempt to stamp out opposition in parliament. Statements from his party describe a campaign of "unthinkable threats, psychological pressure and criminal prosecution" following the 2020 elections and the subsequent political upheaval. Regarding Mr. Madumarov specifically, the statement reads that there is "no doubt that the protocol of 2009 is just a pretext for the total destruction of our party and our leader".

During the 148th IPU Assembly in March 2024, the IPU Committee on the Human Rights of Parliamentarians met with representatives of the Kyrgyz Government, who responded to its questions related to the case. In particular, they elaborated on the sensitive nature of the border dispute with Tajikistan following an armed attack by Tajik armed forces in September 2022, which had caused 64 casualties and 250,000 internally displaced persons. According to the authorities, the seriousness of this matter had led the presiding judge to conduct the trial in secret. As a result, much of the information sought by the Committee could not be made available. Nevertheless, the representatives of the authorities undertook to share with the Committee any information that was made available.

On 26 March 2024, the complainant shared that Mr. Madumarov was found guilty but received no prison sentence, as the statute of limitations had expired. The complainant reports that he had to remain in detention until the proceedings were concluded, which is apparently unlawful. As Mr. Madumarov had not appealed the court decision by 26 April 2024, it entered into force, and he was released from the GKNB prison. On the same day, the Central Electoral Commission terminated his parliamentary mandate in line with Article 79 of the Constitution, which holds that a parliamentarian is to be recalled following the entry into legal force of a court verdict against them. Addressing a crowd of supporters who came to greet him upon his release, Mr. Madumarov declared that "all this happened due to my mandate ... Everything that happened over the [last] months brought shame to Kyrgyzstan in front of the entire world". In a letter dated March 2025, the parliamentary authorities of Kyrgyzstan stressed that the trial had followed due process, and that Mr. Madumarov had chosen not to appeal, whereas the decision to terminate his mandate did not fall within the competence of parliament.

On 13 March 2025, the Heads of State of Kyrgyzstan and Tajikistan signed an agreement demarcating their shared border in Bishkek, putting an end to their long-standing border dispute. Both presidents hailed the agreement as historic.

## **B. Decision**

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the parliamentary authorities of Kyrgyzstan for providing their official views on this case; *takes note* of the assurance made that the trial of Mr. Madumarov followed due process and that the revocation of his mandate was in conformity with constitutional norms; *fails to understand*, however, why Mr. Madumarov was arrested with overwhelming force without a warrant and later charged with treason over facts dating back to 2009; *is dismayed* that he remained in prison for more than six months with no possibility of exercising his mandate, even

though his immunity had not been lifted by parliament for that charge; and *wishes* to meet with the parliamentary authorities at a future IPU Assembly to discuss this case further;

2. *Fails to understand*, based on information provided by the complainant and the authorities, why Mr. Madumarov's engagement in diplomacy with his counterparts from Tajikistan in 2009 was the subject of criminal proceedings featuring extensive restrictions, including prolonged detention without bail, in light of the latest progress made by the Heads of State of the two countries, who reached a binding agreement including difficult compromises that allowed the resolution of a long-simmering dispute that had led to hostilities; and *sees no reason* not to assume that Mr. Madumarov's actions were aimed at resolving this dispute that had plagued the two States for decades;
3. *Is deeply concerned* that Mr. Madumarov's immunity was not respected, that the trial was conducted in secret and that GKNB Chairperson Kamchybek Tashiev made statements that seemed to presume the guilt of Mr. Madumarov soon after his arrest in violation of the right to be presumed innocent until proven guilty;
4. *Acknowledges* the fact that Mr. Madumarov was ultimately freed on 26 April 2024, as requested in the decision of the Governing Council of 27 March 2024; *regrets*, nevertheless, that the Central Electoral Commission deprived Mr. Madumarov of his parliamentary mandate upon the entry into force of a guilty verdict against him; and *believes* that the fact that Mr. Madumarov was detained without bail for more than six months and was only freed on the day his mandate was terminated as a result of the entry into force of a guilty verdict lends serious weight to the allegation made by the complainant that the proceedings initiated against Mr. Madumarov were politically motivated and that their purpose was to silence him and deprive him of his mandate;
5. *Notes*, moreover, that the verdict acknowledges that the statute of limitations has long been exhausted in all charges against Mr. Madumarov; and *believes* that, as a result, Mr. Madumarov should never have been prosecuted in the first place, much less deprived of the parliamentary mandate bequeathed to him by the people;
6. *Takes note* of the information submitted by the authorities that Article 79 of the April 2021 Constitution makes the premature termination of a parliamentarian's mandate by the Central Electoral Commission automatic when a court verdict finding him guilty of an offence enters into force; *is concerned* that such a serious measure is provided for without defining a sufficiently serious threshold for revoking the mandate of a duly elected parliamentarian; and *urges* the parliamentary authorities of Kyrgyzstan to consider reviewing their domestic norms to ensure that such cases do not recur in the future and to guarantee that the rights and mandate of parliamentarians are respected, which is a key condition for preserving the independence of parliament;
7. *Requests* the Committee on the Human Rights of Parliamentarians to continue monitoring the situation of Mr. Madumarov, including with regard to respect for his right to freely take part in future legislative elections;
8. *Requests* the Secretary General to convey this decision to the Speaker of the Kyrgyz Parliament (*Jogorku Kenesh*), the complainant and any third party likely to be in a position to supply relevant information;
9. *Requests* the Committee to continue examining the case and to report back to it in due course.



# Libya

*Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)*



© Courtesy of the Sergiwa Family

## LBY-01 – Seham Sergiwa

### Alleged human rights violations

- ✓ Abduction
- ✓ Threats, acts of intimidation
- ✓ Failure to respect parliamentary immunity
- ✓ Impunity

### A. Summary of the case

Ms. Seham Sergiwa was abducted from her home on 17 July 2019. According to the complainants, more than a dozen masked, armed men raided her house at 2 a.m. During the attack, Ms. Sergiwa's husband was shot in the legs, while one of her sons was beaten up. The abductors allegedly confiscated the telephones belonging to members of Ms. Sergiwa's family to prevent them from alerting the media.

The complainants claim that the abductors are members of the 106th Brigade of the Libyan National Army (LNA) led by Mr. Khalifa Haftar, an assertion based on the modus operandi of the abductors and the SUV vehicles used. The perpetrators allegedly spray-painted the message "the army is a red line [not to be crossed]" and the name of the Brigade responsible for Ms. Sergiwa's abduction, "Awliya al-Dam" (Avengers of Blood) across her house. The complainants explained that the attackers allegedly arrived in cars belonging to Libya's Criminal Investigation Department of the interim government in eastern Libya.

Ms. Sergiwa's abduction was allegedly in response to her political stance against the military operations in Tripoli, as she was taken from her home shortly after she gave an interview criticizing the military offensive and calling for an end to the bloodshed. The complainants believe that Ms. Sergiwa's abduction was not a random act of violence, given her vocal criticism of Mr. Khalifa Haftar and the circumstances in which the attack took place. They added that several Libyan officials living nearby, including the mayor of Benghazi, could have intervened with their armed guards to prevent or at least thwart the attack, but deliberately refrained from doing so.

In a statement issued on 18 July 2019, the Libyan House of Representatives in Tobruk strongly

### Case LBY-01

**Libya:** Parliament affiliated to the IPU

**Victim:** Female independent member of the House of Representatives

**Qualified complainant(s):** Section I.(1)(a) of the Committee Procedure (Annex I)

**Submission of complaint:** July 2019

**Recent IPU decision:** March 2023

**Recent IPU mission(s):** - - -

**Recent Committee hearing:** Hearing with the Libyan delegation to the 146th IPU Assembly (March 2023)

### Recent follow-up:

- Communication from the authorities: Letter from the Speaker of the House of Representatives (July 2020)
- Documents provided during the delegation's hearing in March 2023
- Communication from the complainants: February 2025
- Communication to the authorities: Letter to the Speaker of the House of Representatives (March 2025)
- Communication to the complainants: February 2025



condemned Ms. Sergiwa's abduction by unknown individuals and called on the Ministry of the Interior, as well as all security forces, to scale up their efforts to find Ms. Sergiwa, ensure her prompt release and hold to account those responsible for her abduction. In a hearing held with the Libyan parliamentary delegation in October 2019, the IPU Committee on the Human Rights of Parliamentarians learned that the Minister of the Interior of the interim government in eastern Libya had indicated that terrorist groups might be responsible for Ms. Sergiwa's abduction, that the House of Representatives continued monitoring the case, which was still under investigation, and that it could well be that Ms. Sergiwa would turn up alive.

In its report of October 2021, the United Nations Independent Fact-Finding Mission on Libya, set up to investigate human rights violations committed in the country since 2016, concluded that there were reasonable grounds to believe that Ms. Sergiwa was a victim of enforced disappearance and found that the relevant authorities in Libya had failed to protect her life. The mission's report also stated that the evidence indicated that Ms. Sergiwa was abducted by either the LNA or affiliated armed groups. On 24 January 2022, the United Nations Secretary-General's Special Adviser on Libya, Ms. Stephanie Turco Williams, publicly expressed her concern about Ms. Sergiwa's case and called on the "concerned authorities to provide information on her whereabouts".

During a hearing with the Libyan parliamentary delegation at the 146th IPU Assembly in March 2023, the Committee on the Human Rights of Parliamentarians gathered information about the steps taken by the Libyan authorities to investigate Ms. Sergiwa's abduction. While several steps have been taken, Ms. Sergiwa's case is still under criminal and judicial investigation by the Attorney General and the House of Representatives is monitoring the case through its Legal Affairs Committee. The lack of progress could be attributed to the fact that the Ministry of Justice does not have executive power.<sup>2</sup>

The Libyan delegation reiterated that the House of Representatives had done everything possible to find out what had become of Ms. Sergiwa. Based on the preliminary findings of the investigations, it appears that the 106th Brigade which, according to the delegation, is not under the command of the LNA, is the primary suspect in this case. This rogue brigade took advantage of the fragile security situation in Libya between 2018 and 2019 to carry out several crimes that have remained unpunished. The delegation called on the Committee, the Inter-Parliamentary Union and the entities of the United Nations system, including its Independent Fact-Finding Mission on Libya and the Special Representative of the Secretary-General for Libya, to denounce and condemn similar violations and to scale up their efforts to end division and violence in Libya and protect the lives of all Libyans, including members of parliament.

In 2025, the complainant reported that the case of Ms. Sergiwa was at a standstill, with no progress achieved so far.

## **B. Decision**

The Governing Council of the Inter-Parliamentary Union

1. *Deplores* the continued lack of progress of the investigation into Ms. Sergiwa's abduction and the authorities' inability to shed light on her fate and establish accountability, which is largely due to the formidable challenges to law and order in the country;
2. *Urges* the Libyan authorities, in particular the Attorney General, to make all possible efforts to hold those responsible for Ms. Sergiwa's abduction to account and to obtain and provide information on what has happened to her;
3. *Reaffirms*, once again, the long-lasting effects of impunity on the integrity of parliament and its ability to fulfil its role as an institution – even more so when leading figures of parliament are targeted for their political views, as in the present case; and *stresses* that, when they go unpunished, crimes of this nature are bound to recur;
4. *Reiterates* its support to all members of the House of Representatives in Libya, in particular

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<sup>2</sup> Further details on the information gathered by the Committee during its hearing with the Libyan parliamentary delegation about the investigations into Ms. Sergiwa's abduction can be found in the IPU's decision of March 2023, available at [https://www.ipu.org/sites/default/files/documents/libya-e\\_4.pdf](https://www.ipu.org/sites/default/files/documents/libya-e_4.pdf).

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women parliamentarians who are primarily targeted because of their gender and their political work, both online and offline; and *emphasizes*, once again, that the human rights of a member of the Libyan House of Representatives should be upheld at all costs;

5. *Reiterates* its wish to learn more about the work of the United Nations Independent Fact-Finding Mission on Libya and the newly appointed Special Representative of the United Nations Secretary-General for Libya with a view to exploring avenues of cooperation to help resolve Ms. Sergiwa's case;
6. *Requests* the Secretary General to convey this decision to the parliamentary authorities, the Attorney General in Libya, the Minister of Justice, the United Nations Independent Fact-Finding Mission on Libya, the Special Representative for Libya, the complainants and any third party likely to be in a position to supply relevant information;
7. *Requests* the Committee to continue examining this case and to report back to it in due course.

# Myanmar

*Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)*



Prison officials stand outside Insein prison in Yangon on 12 February 2022 | STRINGER/AFP

## **Parliamentarians who were arbitrarily detained:**

MMR-267 - Win Myint	MMR-320 - U Mann Nyunt Thein
MMR-268 - Aung San Suu Kyi (Ms)	MMR-321 - Khin Myat Thu
MMR-269 - Henry Van Thio	MMR-323 - Hung Naing
MMR-270 - Mann Win Khaing Than	MMR-324 - Shwe Pon (Ms.)
MMR-272 - Tun Hein	MMR-325 - Wai Lin Aung
MMR-274 - Than Zin Maung	MMR-326 - Pyae Phyo
MMR-275 - Dr. Win Myat Aye	MMR-327 - Mr. Lin Oo
MMR-276 - Aung Myint	MMR-328 - Kyaw Lin
MMR-277 - Ye Khaung Nyunt	MMR-329 - Tin Htwe
MMR-278 - Dr. Myo Aung	MMR-330 - Aung Myint Shain
MMR-280 - Win Mya (Ms.)	MMR-331 - Pital Aung
MMR-281 - Kyaw Min Hlaing	MMR-332 - Ohn Win
MMR-285 - Mya Thein	MMR-333 - Ma Lay (Ms.)
MMR-286 - Tint Soe	MMR-334 - Win
MMR-287 - Kyaw Thaung	MMR-335 - Hla Than
MMR-309 - Aung Kyaw Oo	MMR-336 - Tun Wai
MMR-310 - Naung Na Jatan	MMR-337 - Win Myint Aung
MMR-311 - Myint Oo	MMR-338 - Aung Lin
MMR-312 - Nan Mol Kham (Ms.)	MMR-339 - Aung Min Tun
MMR-313 - Thant Zin Tun	MMR-340 - Khin Sain Hlaing (Ms.)
MMR-314 - Maung Swe	MMR-341 - Aung Sein
MMR-315 - Thein Tun	MMR-342 - Hla Moe
MMR-316 - Than Htut	MMR-348 - U Win Naing
MMR-317 - Aung Oo	MMR-349 - Hla Win
MMR-318 - Ba Myo Thein	MMR-343 - Htay Min Thein
MMR-319 - Soe Win (a) Soe Lay	MMR-350 - Aung Soe Min

## **Parliamentarians who were subjected to threats and intimidation:**

MMR-283 - Okka Min	MMR-302 - Myat Thida Htun (Ms.)
MMR-291 - Htun Myint	MMR-303 - Saw Shar Phaung Awar
MMR-292 - Naing Htoo Aung	MMR-304 - Robert Nyal Yal
MMR-293 - Dr. Wai Phyo Aung	MMR-305 - Lamin Tun (aka Aphyo)
MMR-298 - Nay Myo	MMR-306 - Aung Kyi Nyunt
MMR-299 - Zaw Min Thein	MMR-307 - Lama Naw Aung

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MMR-300 - Win Naing  
MMR-301 - Zay Latt

MMR-308 - Sithu Maung

**Parliamentarians who died while avoiding arrest:**

MMR-345 - Tin Ye (Ms.)  
MMR-346 - Htike Zaw  
MMR-347 - Myint Win  
MMR-348 - Saw Tin Win  
MMR-349 - Thein Shwe  
MMR-354 - Myint U  
MMR-352 - Aung Tin Linn  
MMR-353 - Eit Kha  
MMR-355 - Hla Tun Aung (aka) Mg Mg  
MMR-356 - Kaywal Aung (Ms.)  
MMR-357 - Saw Ngwe Saw

**Parliamentarians who were arbitrarily stripped of their nationality:**

MMR-289 - Phyu Thin (Ms.)  
MMR-290 - Ye Mon (aka Tin Thit)  
MMR-294 - Zin Mar Aung (Ms.)  
MMR-295 - Lwin Ko Latt

**Alleged human rights violations**

- ✓ Murder
- ✓ Enforced disappearance
- ✓ Torture, ill-treatment and other acts of violence
- ✓ Threats, acts of intimidation
- ✓ Arbitrary arrest and detention
- ✓ Inhumane conditions of detention
- ✓ Lack of fair trial proceedings
- ✓ Violation of freedom of opinion and expression
- ✓ Violation of freedom of assembly and association
- ✓ Violation of freedom of movement
- ✓ Arbitrary invalidation of the election of a parliamentarian
- ✓ Abusive revocation or suspension of the parliamentary mandate
- ✓ Failure to respect parliamentary immunity
- ✓ Other acts obstructing the exercise of the parliamentary mandate
- ✓ Other violations: unlawful revocation of citizenship
- ✓ Other violations: right to health

**A. Summary of the case<sup>3</sup>**

After refusing to recognize the results of the November 2020 parliamentary elections, the military declared a state of emergency and proceeded to seize power by force on 1 February 2021, the day that the new parliament was due to take office. The Speaker of the *Pyidaungsu Hluttaw*, State Counsellor Aung San Suu Kyi and six other parliamentarians were placed under house arrest on the day of the coup, while 20 other members of parliament were arbitrarily arrested shortly thereafter; 18 parliamentarians remain in arbitrary detention. The state of emergency was extended on 1 February 2023, effectively nullifying the promise to hold elections by August 2023. However, the military authorities later changed course and declared that elections would be held by January 2026.

**Case MMR-COLL-03**

**Myanmar:** Parliament affiliated to the IPU

**Victims:** 82 parliamentarians from the opposition (71 male and 11 female)

**Qualified complainant(s):** Section I.(1)(a) of the Committee Procedure (Annex I)

**Submission of complaint:** March 2021

**Recent IPU decision:** October 2023

**Recent IPU Mission(s):** - - -

**Recent Committee hearing:** Hearing with the United Nations Special Rapporteur on the situation of human rights in Myanmar (March 2022)

**Recent follow-up:**

- *Note verbale* from the Permanent Mission of the Republic of the Union of Myanmar to the United Nations Office and other international organizations in Geneva: February 2025
- Communication from the complainant: February 2025
- *Note verbale* to the Permanent Mission of the Republic of the Union of Myanmar to the United Nations Office and other international organizations in Geneva: January 2025
- Communication to the complainant: December 2024

<sup>3</sup> For the purposes of this decision, the term “opposition” relates to members of parliament from political groups or parties whose decision-making power is limited and who are opposed to the ruling power.

Although at first the military allowed largely peaceful protests to take place, the situation in Myanmar took a devastating turn for the worse in March 2021 when the military sought to quell the protests with live automatic fire, artillery and air strikes, leading to a full-scale civil war. The United Nations (UN) Special Rapporteur on the situation of human rights in Myanmar has recognized the widespread and systematic nature of the extrajudicial killings, enforced disappearances and other violations carried out by the military (known as the “*Tatmadaw*”) and declared that their scale reached the threshold of crimes against humanity. According to the Assistance Association for Political Prisoners (AAPP), as of 18 March 2025, some 6,410 people have been killed and 28,879 have been arbitrarily arrested, while 22,094 remain in detention. In April 2023, the IPU received reports from a released prisoner who witnessed detained parliamentarians being held in overcrowded prisons, where they are facing mistreatment and torture, with little or no access to medical care. The complainant has also reported that 10 elected parliamentarians have died while avoiding arrest.

On 4 February 2021, 70 elected members of parliament met in Naypyidaw and took an oath of office pledging to abide by the mandate granted to them by the people. The next day, 300 members of parliament met online and established the Committee Representing the *Pyidaungsu Hluttaw* (CRPH). The CRPH is considered as a terrorist organization by the military-appointed State Administration Council. On 31 March 2021, the CRPH appointed a National Unity Government (NUG), which they see as the legitimate interim government. In addition, their relatives have reportedly been subjected to harassment by the military, with the father of Mr. Sithu Maung allegedly being tortured to death. Former Speaker and Prime Minister of the NUG, Mr. Mann Win Khaing Than, was charged with high treason, while other members of parliament face criminal charges for inciting civil disobedience and other charges carrying heavy penalties. On 16 November 2021, Ms. Aung San Suu Kyi and 15 other officials were charged with election fraud during the 2020 elections, and on 5 December 2021 she was found guilty and convicted to four years in prison, which was followed by another conviction on three charges. Altogether, she was sentenced to 27 years in prison. United Nations Security Council resolution 2669 (2022) urged the military to release her and fellow arbitrarily detained prisoners immediately. The complainant has confirmed that the military have released 23 members of parliament since the coup. According to the complainant, CRPH members have been forced into hiding, fearing reprisals because of their political activities, and four of them have been arbitrarily stripped of their nationality.

On 24 April 2021, the Association of Southeast Asian Nations (ASEAN) held a leaders’ meeting, inviting a representative from the military authorities of Myanmar to attend. This led to the adoption of a five-point consensus on Myanmar, calling for the immediate cessation of violence and the nomination of a special envoy to visit the country to meet with all parties concerned. As the military authorities showed no willingness to implement the five-point consensus, they have been excluded from ASEAN meetings as of October 2021. Most observers agree that the five-point consensus failed.

At a hearing with the IPU Committee on the Human Rights of Parliamentarians in March 2022, the UN Special Rapporteur called for more concerted pressure on the military authorities by the entire international community. He also renewed his call to halt the flow of arms towards the military, which had reportedly received air fuel and weapons that were used in strikes against civilians from a limited number of countries well after the coup d’état, as described in one of his reports.<sup>4</sup> Meanwhile, the IPU Secretariat has received correspondence from the military authorities accusing the CRPH of choosing the path of confrontation and fostering terrorism and disorder, which has allegedly claimed over 1,000 lives. They also indicated a commitment to implementing the five-point consensus and the possibility of resuming dialogue, provided that trust and confidence-building measures are taken first. The military authorities also reported that Mr. Henry Van Thio was not subjected to any legal action, which was confirmed by the complainant. The latter also confirmed that the situations faced by Mr. Naung Na Jatan and seven others did not fall under the mandate of the IPU Committee.

In July 2022, the complainant communicated that the situation of detained members of parliament had deteriorated further, as the military authorities had banned all visits and communication with detained members of parliament, who have reportedly been transported to secret locations. The whereabouts of some of them has been hidden, prompting fears that they may be victims of enforced disappearance. This move followed the news that the *Tatmadaw* had executed four activists – including former parliamentarian Phyo Zayar Thaw – which provoked consternation among prisoners;

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4 Report by the UN Special Rapporteur on the situation of human rights in Myanmar – *Enabling Atrocities: UN Member States’ Arms Transfers to the Myanmar Military*. Available at: <https://reliefweb.int/sites/reliefweb.int/files/resources/Myanmar.pdf>.



some have reportedly gone on hunger strike. After the first executions in three decades, the *Tatmadaw* claimed that more would follow.

In January 2025, the complainant shared that in the preceding months a few parliamentarians had been released or freed by NUG-affiliated forces, which had made significant gains in the civil war. According to reports, as of 2025 the military's control extends to only 21 per cent of the territory, although they retain control over 275 of the country's 350 townships, most of which have been surrounded or fought over by NUG-affiliated forces. It is in this context that General Min Aung Hlaing declared that elections would be held by January 2026, which was immediately rejected by the opposition as a sham.

## B. Decision

### The Governing Council of the Inter-Parliamentary Union

1. *Notes* that the current case also includes a new complaint regarding the situation of Mr. Aung Soe Min, Mr. U Win Naing, Mr. Hla Win and Mr. Htay Min Thein, who were all detained by the military authorities in recent months, but also the situations of Mr. Myint U, Mr. Aung Tin Linn, Mr. Eit Kha, Mr. Hla Tun Aung, Ms. Kaywal Aung and Mr. Saw Ngwe Saw, who reportedly died while avoiding arrest; *notes* that the complaint is admissible, considering that: (i) it was submitted in due form by a qualified complainant under section I.(1)(a) of the Procedure for the examination and treatment of complaints (Annex I) of the revised Rules and Practices of the Committee on the Human Rights of Parliamentarians; (ii) it concerns incumbent members of parliament at the time of the initial allegations; and (iii) it concerns allegations of murder, enforced disappearance, torture, ill-treatment and other acts of violence, arbitrary arrest and detention, inhumane conditions of detention, lack of fair trial proceedings, violation of freedom of opinion and expression, violation of freedom of assembly and association, failure to respect parliamentary immunity and violations of the right to health, allegations that fall under the Committee's mandate; *takes note* of the confirmation by the complainant that the situation of Mr. Henry Van Thio (MMR-269), Mr. Naung Na Jatan (MMR-310) and Mr. Hung Naing (MMR-323) did not fall under the mandate of the IPU Committee, which corresponds to information received from the military authorities in the past; and *decides*, therefore, to close the examination of their case in line with paragraph 25 of Annex I to the revised Rules and Practices of the Committee on the Human Rights of Parliamentarians;
2. *Is dismayed* to learn that five additional national parliamentarians have lost their lives as they attempted to avoid arbitrary arrest; *is appalled* by eye-witness reports that 18 parliamentarians are being held incommunicado in prisons where they reportedly face ill-treatment, torture and gender-based violence, and that they are being held in inhumane detention conditions with limited access to medical care or legal counsel; *is dismayed* by reports that their situation has deteriorated even further following a ban on all communications and visits enforced by the military authorities after the execution of four men by hanging on 23 July 2022, including former parliamentarian Mr. Phyo Zayar Thaw; and *is appalled* by official declarations that following these first executions in 30 years, more executions would follow, indicating that the lives of detained parliamentarians are threatened;
3. *Demands*, once again, that the military authorities release the parliamentarians without delay, as required under UN Security Council resolution 2669 (2022), in light of the serious reports of ill-treatment and poor prison conditions and in the absence of any concrete evidence showing that the parliamentarians have done anything other than merely exercise their basic human rights; *urges* the military authorities, once again, for as long as the parliamentarians' release fails to materialize, to provide specific information on each detained parliamentarian, including on their location, state of health and access to humane and safe detention conditions, family visits and confidential meetings with their lawyers, as well as on the trial of each detained parliamentarian; also *urges* the military authorities, once again, to allow the International Committee of the Red Cross (ICRC) access to visit parliamentarians in detention; and *demands* that the military authorities cease and desist from any attempts to arrest parliamentarians on political grounds and thus expose them to the risk of death;
4. *Reiterates its belief* that the release of all detained parliamentarians is an essential step towards ending violence and building the trust that would allow for de-escalation and a return to dialogue, as prescribed by the five-point consensus brokered by ASEAN; *calls on* the military



authorities to protect the lives and respect the rights of all members of parliament elected in November 2020 and hence to allow them to associate, assemble, express their views, receive and impart information and move about without fear of reprisals; *urges* the military authorities to refrain from taking physical or legal action against the 20 members of the CRPH, and any other person elected in November 2020, in connection with their parliamentary activities; *wishes* to receive, as a matter of urgency, specific information on these points from the military authorities; and *urges* the military authorities also to honour their commitment by: implementing in earnest the five-point consensus brokered by ASEAN, and UN Security Council resolution 2669 (2022); immediately ceasing the use of lethal force against non-combatants and employing genuine restraint against those exercising their human rights; allowing the free flow of aid to reach populations affected by war, the 2025 earthquake or other natural disasters; and abiding by the international principles of human rights and international humanitarian law;

5. *Considers* that the silence of the military authorities gives serious weight to reports of the widespread use of torture, rape, enforced disappearance and extrajudicial killings against political prisoners, including elected legislators; and *stresses* that the widespread and systematic practice of enforced disappearance, imprisonment and torture constitutes a crime against humanity; and *believes* that the international community can and must do more to put an end to these crimes and ensure that the current conflict comes to an end as soon as possible;
6. *Calls on* all IPU Member Parliaments to urge their relevant national authorities to exercise their jurisdiction by prosecuting any person responsible for crimes against humanity in Myanmar, in keeping with the principle of universal jurisdiction; *renews its call on* all IPU Member Parliaments and observers, in particular in Asia, to press for respect for human rights and democratic principles in Myanmar and to show solidarity with the members of parliament who were elected in 2020, including members of the CRPH; *welcomes* the actions taken thus far and *calls on* IPU Member Parliaments to do more, including by raising the case publicly; *hopes* to be able to rely on the assistance of all relevant regional and international organizations, including ASEAN, to ensure that justice is done in this case; and *calls on* all IPU Member Parliaments and observers to support the International Parliamentarians Alliance for Myanmar and the UN Special Rapporteur on the situation of human rights in Myanmar to that end;
7. *Requests* the Secretary General to convey this decision to the military authorities, the complainant and any third party likely to be in a position to supply relevant information; and *also requests* the Secretary General to explore all other possibilities for effectively addressing the concerns and requests for information raised in this decision;
8. *Requests* the Committee to continue examining this case and to report back to it in due course.

# Senegal

*Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)*



Dakar's mayor and head of the African Union's observation team, Khalifa Ababacar Sall, speaks during a press conference, on 13 March 2011, AFP Photo/Seyllou

## SEN-07 – Khalifa Ababacar Sall

### Alleged human rights violations

- ✓ Arbitrary arrest and detention
- ✓ Lack of due process at the investigation stage and lack of fair trial proceedings
- ✓ Failure to respect parliamentary immunity

### A. Summary of the case

Mr. Khalifa Ababacar Sall was elected as a member of parliament in July 2017, while he was on remand in custody in connection with accusations of misappropriation of public funds. On 25 November 2017, at the request of the Public Prosecutor, the National Assembly lifted his parliamentary immunity. The complainant is calling into question the validity of the procedure that led to the lifting of parliamentary immunity, citing several failings.

At the conclusion of a trial that lasted nearly two and a half months, Mr. Sall was sentenced on 30 March 2018 to a five-year prison sentence without parole and a fine of 5 million CFA francs, for forgery and use of forgery in business documents, forgery and use of forgery in administrative documents, and fraud involving public funds.

Having had Mr. Sall's case referred to it, the Court of Justice of the Economic Community of West African States (ECOWAS) raised several irregularities in the conduct of the trial and preliminary investigation. The ECOWAS court's findings and the irregularities it raised were not taken into account by the Court of Appeal of Senegal, which upheld the first-instance judgment on 30 August 2018. Mr. Sall's lawyers withdrew from the appeal process in order to denounce the arbitrary nature of the trial. They then took the case to the Supreme Court (Court of Cessation), the last possible remedy. On 3 January 2019, the Supreme Court dismissed all the appeals brought by Mr. Sall on the grounds that they were "inadmissible or ill-founded" and upheld his sentence.

Once the conviction had been upheld, Mr. Sall's parliamentary mandate was permanently revoked by

### Case SEN-07

**Senegal:** Parliament affiliated to the IPU

**Victim:** Opposition member of parliament, mayor of Dakar

**Qualified complainant(s):** Section I.(1)(a) of the Committee Procedure (Annex I)

**Submission of complaint:** November 2017

**Recent IPU decision:** March 2023

**IPU mission(s):** - - -

**Recent Committee hearing:** Hearing with the Senegalese delegation at the 147th IPU Assembly in Luanda (October 2023)

#### Recent follow-up:

- Communication from the authorities: Letter from the Secretary General of the National Assembly (January 2024)
- Communication from the complainant: March 2021
- Communication to the authorities: Letter to the Speaker of the National Assembly (February 2024)
- Communication to the complainant: February 2024

the Bureau of the National Assembly. From his cell, he applied to stand in the 2019 presidential elections, but his candidacy was declared inadmissible by the Constitutional Court. Pardoned by the President of the Republic, Mr. Sall was released on 29 September 2019.

In January 2024, in an official letter the National Assembly responded to the Committee's requests for information. In particular, it was stated that at its extraordinary session of 5 August 2023 the National Assembly had adopted Law No. 16/2023 amending the Electoral Code. The amendment was the result of an inclusive national dialogue that enabled certain people, including Mr. Sall, to reclaim their voting rights and become eligible. Prior to this, certain provisions of the Constitution had been revised to allow for subsequent amendments to the electoral law.

As a result of this process, Mr. Sall was able to add his name to the electoral lists, file his candidacy, campaign and participate as a candidate in the presidential elections held in Senegal in March 2024.

## **B. Decision**

The Governing Council of the Inter-Parliamentary Union

1. *Welcomes* the fact that Mr. Sall was able to be registered on the electoral roll, submit his candidacy, campaign and take part as a candidate in the presidential elections organized in Senegal in March 2024; and *notes with satisfaction* that the National Assembly made a decisive contribution to the process leading to this result, in accordance with the recommendations of the Committee on the Human Rights of Parliamentarians;
2. *Decides* to close this case pursuant to section IX, paragraph 25, of its Procedure for the examination and treatment of complaints, given that a satisfactory solution has been found, in particular with regard to the positive outcome of the case, marked by the restoration of Mr. Sall's civil and political rights;
3. *Expresses the firm hope* that the diligence shown in this case by the national authorities, in particular by parliament, will set a precedent and that all necessary measures will be taken to continue to ensure respect for the fundamental rights of all members of the National Assembly, past or present, regardless of their political affiliation, in order to prevent similar situations from recurring in the future;
4. *Confirms* that the IPU is willing to provide capacity-building assistance to the National Assembly in order to identify and address any remaining structural issues underlying the complaint, in particular with regard to the lifting of parliamentary immunity; and *expresses the wish* to receive official information on the best way to provide this assistance, if it is deemed appropriate;
5. *Requests* the Secretary General to convey this decision to the parliamentary authorities of Senegal and to the complainant.

# Senegal

*Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)*



Senegal's Prime Minister Ousmane Sonko speaks during a press conference to present the government's economic action plan, in Dakar, on 26 September 2024. © AFP/SEYLOU

## SEN-08 – Ousmane Sonko

### Alleged human rights violations

- ✓ Arbitrary arrest and detention
- ✓ Lack of due process at the investigation stage
- ✓ Violation of freedom of opinion and expression
- ✓ Failure to respect parliamentary immunity

### A. Summary of the case

Mr. Ousmane Sonko was elected as a member of parliament in 2017. He came third in the 2019 presidential elections and had officially announced that he would run in the 2024 presidential elections.

On 8 February 2021, Mr. Sonko was summoned by the *Section de recherche de la Gendarmerie nationale* (National Gendarmerie's Research Section) after a complaint of rape was filed against him, which he categorically denied. On the same day, the Public Prosecutor requested the opening of a judicial investigation, and the investigating judge requested the lifting of the member of parliament's parliamentary immunity. The National Assembly plenary voted in favour of lifting Mr. Sonko's parliamentary immunity on 26 February 2021.

On 3 March 2021, Mr. Sonko was summoned to court and went accompanied by a crowd of activists. According to the complainant, the procession was stopped halfway by security forces, who arrested Mr. Sonko. He had allegedly mobilized members and supporters of his party and refused to follow the route to the court designated by the law enforcement authorities, thus creating public disorder problems. All this took place against a background of a ban on gatherings and

### Case SEN-08

**Senegal:** Parliament affiliated to the IPU

**Victim:** Opposition member of parliament

**Qualified complainant(s):** Section I.1(a) of the Committee Procedure (Annex I)

**Submission of complaint:** March 2021

**Recent IPU decision:** February 2024

**Recent IPU mission(s):** - - -

#### Recent Committee hearings:

- Hearing with the Senegalese delegation at the 147th IPU Assembly in Luanda (October 2023)
- Online hearing during the 147th IPU Assembly in Luanda (October 2023) with Mr. Guy Marius Sagna, member of parliament in the Senegalese National Assembly, member of *PASTEF-Les Patriotes*

#### Recent follow-up:

- Communication from the authorities: Letter from the Secretary General of the National Assembly (January 2024)
- Communication from the complainant: January 2024
- Communication to the authorities: Letter to the Speaker of the National Assembly (February 2024)
- Communication to the complainant: January 2024

demonstrations due to the health emergency declared because of COVID-19. These acts were reportedly the reason for his arrest and detention for insurgency and practices and acts likely to disrupt public security, which are offences provided for and punished in the Senegalese Criminal Code. The complainant alleges several irregularities in the member of parliament's detention, the criminal proceedings and the procedure for lifting parliamentary immunity. Mr. Sonko was released under judicial supervision on 8 March 2021.

Given that the list of candidates for the proportional vote submitted by his coalition, on which he was included, had been declared inadmissible, Mr. Sonko could not participate in the legislative elections of July 2022 as a candidate.

In another court case, Mr. Sonko was sentenced at first instance and on appeal to a six-month suspended prison sentence and a fine for defaming the Minister of Tourism. He challenged this decision before the Supreme Court, which it upheld in January 2024. Between May and July 2023, he was placed under strict surveillance, prevented from travelling freely, then arrested on 28 July 2023 and charged with serious offences, including conspiracy against the authority of the State.

At the hearings held during the 146th and 147th IPU Assemblies (March and October 2023), the Senegalese delegation stated that this case was in no way political, that Mr. Sonko's rights had been respected throughout the proceedings and that justice should follow its course.

In January 2024, the complainant informed the Committee that Mr. Sonko had not been included in the final list of candidates authorized by the Constitutional Council for the 2024 presidential elections. The parliamentary authorities confirmed in a letter received on 25 January 2024 that the Constitutional Council had deemed Mr. Sonko's candidate file to be incomplete because there was no document proving payment of his deposit and that, as a result, the file had not been considered.

Mr. Sonko was released on 14 March 2024. Since he could not stand in the presidential elections, he supported the candidacy of Mr. Bassirou Diomaye Faye, who was elected in the first round on 25 March 2024. Mr. Sonko was appointed Prime Minister of Senegal, a position he currently holds.

## **B. Decision**

The Governing Council of the Inter-Parliamentary Union

1. *Welcomes* Mr. Sonko's release and the fact that his civil and political rights have been restored; and *thanks the* National Assembly for its continued cooperation with the Committee on the Human Rights of Parliamentarians;
2. *Decides* to close this case pursuant to section IX, paragraph 25, of its Procedure for the examination and treatment of complaints, given that a satisfactory solution has been found, in particular with regard to the positive outcome of the case, marked by the restoration of Mr. Sonko's civil and political rights;
3. *Expresses the firm hope* that the diligence shown in this case by the national authorities will set a precedent and that all necessary measures will be taken to continue to ensure respect for the fundamental rights of all members of the National Assembly, past or present, regardless of their political affiliation, in order to prevent similar situations from recurring in the future;
4. *Confirms* that the IPU is willing to provide capacity-building assistance to the National Assembly in order to identify and address any remaining structural issues underlying the complaint, in particular with regard to the lifting of parliamentary immunity; and *expresses the wish* to receive official information on the best way to provide this assistance, if it is deemed appropriate;
5. *Requests* the Secretary General to convey this decision to the parliamentary authorities of Senegal and the complainant.



# Somalia

*Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)*



© Facebook – Abdullahi Hashi Abib

## SOM-14 – Abdullahi Hashi Abib

### Alleged human rights violations

- ✓ Threats, acts of intimidation
- ✓ Violation of freedom of opinion and expression
- ✓ Violation of freedom of movement
- ✓ Undue invalidation, suspension, revocation or other acts obstructing the exercise of the parliamentary mandate

### A. Summary of the case

Mr. Abib is an independent member of the Somali House of the People. According to the complainant, Mr. Abib has faced escalating threats against him and his family as well as intimidation due to his efforts to expose alleged human rights violations and instances of corruption within the government. He has also been exposed to confrontations within parliament calling him to stop his investigations. As a result, Mr. Abib has been compelled to reside outside the country occasionally for his safety. When in Somalia, he has to take extreme precautions to avoid getting in harm's way, which limits his freedom of movement and ability to work with his constituents. According to the complainant, Mr. Abib has repeatedly requested additional security guarantees from the authorities, as the mounting threats he faced prevented him from taking part in all sessions of parliament but has received no reply in return.

The complainant also shared that Mr. Abib has been repeatedly denied the opportunity to speak in

### Case SOM-14

**Somalia:** Parliament affiliated to the IPU

**Victim:** An independent member of parliament

**Qualified complainant(s):** Section I.(1) (a) of the Committee Procedure (Annex I)

**Submission of complaint:** February 2024

**Recent IPU decision:** March 2024

**IPU mission(s):** - - -

**Recent Committee hearing:** Hearing with the delegation of Somalia at the 150th IPU Assembly (Tashkent, April 2025)

#### Recent follow-up:

- Communication from the authorities: March 2025
- Communication from the complainant: March 2025
- Communication to the authorities: Letter to the Speaker of the National Assembly (March 2025)
- Communication to the complainant: March 2025



parliament, prevented from introducing motions and has faced warnings of sanctions for making critical statements against the authorities. The complainant also notes that, during a parliamentary session where the accession to the Rome Statute of the International Criminal Court (ICC) was to be discussed, the Speaker did not allow any discussion on this item despite broad support among the parliamentarians present. According to the complainant, such a decision violates parliamentary rules, was taken under pressure from outside parliament and was motivated by a desire to protect high-ranking officials for their involvement in numerous human rights violations, including the murder of Mr. Abib's colleague, Ms. Amina Abdi, in March 2022 (see case SOM-13), who was known for her calls for accountability in parliament. Mr. Abib continues to call for accountability in that case in the hope that it could put an end to the endemic impunity of political murders of female leaders in Somalia.

In March 2024, the IPU Governing Council adopted a decision in which it expressed concern over the threats and alleged interference faced by Mr. Abib. It requested additional information on the allegations and urged the parliamentary authorities to do their utmost to guarantee Mr. Abib's security and his rights as a parliamentarian.

In early 2025, tensions between Mr. Abib and the Speaker escalated as the latter reportedly continuously refused to register a motion to impeach the President over controversial foreign policy decisions that Mr. Abib saw as undermining Somalia's sovereignty. In March 2025, the complainant reported that Mr. Abib's mandate may soon be revoked by the Speaker in reprisal for information provided by Mr. Abib during a meeting with the United States State Department alleging multiple cases of misappropriation of overseas aid and corruption allegedly perpetrated by the President of Somalia and other top officials. On 15 March 2025, the Speaker took a decision to terminate the mandate of Mr. Abib under Article 59(1)(d) of the Provisional Constitution for having failed to appear in more than two sessions of parliament without presenting a valid reason for his absence. Mr. Abib and 100 of his fellow parliamentarians decried the decision as a politically motivated, unilateral and arbitrary measure, insisting that, according to existing rules, the matter falls within the jurisdiction of the full parliament and that the recall of members of the House of the People does not feature in the list of powers of the Speaker under Article 14 of the Rules of Procedure.

The complainant adds that Mr. Abib is the first parliamentarian to be stripped of his mandate in Somalia's recent history, which was refuted by the delegation of Somalia to the 150th IPU Assembly in Tashkent.

## **B. Decision**

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the members of the Somali delegation for the information provided during a hearing with the IPU Committee on the Human Rights of Parliamentarians during the 150th IPU Assembly in Tashkent;
2. *Is deeply concerned* that Mr Abib was deprived of his parliamentary mandate and the allegation made by the complainant that this decision came about in reprisal for Mr. Abib's oversight work on issues of corruption, embezzlement of humanitarian aid and human rights violations; and *considers* that the revocation of the mandate of a duly elected parliamentarian is an extremely serious measure, which should only be taken as a last resort and as the outcome of a fair and transparent process in line with clearly established legal requirements and universal principles of human rights;
3. *Is perturbed* by the discrepancy between the position of the complainant, who claims that the decision to recall Mr. Abib was expedited unilaterally by the Speaker of the House of the People in the absence of a clearly defined competency to do so, and the position of the authorities, who insist that the Speaker abided by the Provisional Constitution and Rules of Procedure of the House of the People, which define the Speaker as the custodian of the administration of the House; and *takes note* of the argument put forward by the complainant that all parliamentarians retain their immunity unless they are stripped of it by their peers through a two-thirds majority vote, and that *a fortiori*, no parliamentarian may be subject to the more serious measure of revocation of their parliamentary seat without the entirety of parliament pronouncing itself on such a crucial issue;
4. *Is concerned* by the information submitted by the complainant and confirmed by the authorities that this decision was carried out despite the fact that Mr. Abib had written to the parliamentary

authorities that his absence was justified by particularly grave threats arising from his oversight work, as communicated by an official letter in which Mr. Abib requested additional protection measures to allow him to take part in parliamentary sessions safely; *acknowledges* the position of the authorities, which declare that the security concerns faced by Mr. Abib were not specific enough and that his demands for additional protection were unreasonable; *is shocked* to observe not only that no effort has been made to provide Mr. Abib with additional protection and allow him to take part in the affairs of parliament, but also that the authorities assert that they are not aware of any security concerns faced by Mr. Abib; and *urges* the parliamentary authorities to do everything possible to ensure the physical safety of all Somali parliamentarians and to seek additional protection measures from the executive branch when a request is made by parliamentarians who face threats as a result of their work;

5. *Believes*, in light of the information submitted to it by both parties, that Mr. Abib was deprived of his mandate in a manner which was inconsistent with the requirements of legal clarity and due process, which affected both his rights as a parliamentarian and that of his constituents; *urges* the parliamentary authorities of Somalia to consider reviewing their domestic norms and practices to ensure that such cases do not recur in the future and to guarantee that the rights and mandate of parliamentarians are respected, which is a key condition for preserving parliamentary independence, democratic governance and the rule of law;
6. *Requests* the Secretary General to bring this decision to the attention of the Speaker of the House of the People of Somalia, the complainant and any third party likely to be in a position to supply relevant information;
7. *Requests* the Committee to continue examining this case and to report back to it in due course.

# Tunisia

*Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)*



Abir Moussi (centre), President of the *Parti destourien libre* (Free Destourian Party) (PDL), at the Tunisian Assembly headquarters in the capital Tunis on 26 January 2021. FETHI BELAID/AFP

## TUN-06 – Abir Moussi

### Alleged human rights violations

- ✓ Threats, acts of intimidation
- ✓ Impunity
- ✓ Other violations

### A. Summary of the case

A member of the Assembly of People's Representatives of Tunisia elected in 2019, Ms. Abir Moussi, was the victim in 2019 and 2021 of acts of verbal and physical violence and sexist, degrading insults, directly linked to the exercise of her parliamentary mandate. The abuse suffered by Ms. Moussi is allegedly based on the one hand, on the fact that she is the leader of an opposition political party and, on the other, on her gender. Ms. Moussi also received serious death threats, which she reported to the police, who provided her with security when she was still a member of parliament.

Although the complainant's allegations were supported by videos and excerpts from social media posts that helped identify the alleged perpetrators, including two members of the Assembly of People's Representatives elected in 2019, Mr. Seifedine Makhlouf and Mr. Sahbi Smara, these two members were only sentenced on 26 March 2025 to one year and to six months in prison, respectively. The complainant considers these sentences to be disproportionate given the seriousness of the charges, and an appeal has been lodged to that effect.

In addition to the verbal and physical violence to which she was subjected, Ms. Moussi was also stripped of her parliamentary mandate on 30 March 2022 when the President of the Republic decided to dissolve the Tunisian parliament after suspending it in July 2021. Since that date, the violations of Ms. Moussi's rights to freedom of expression and to demonstration have continued to increase.

### Case TUN-06

**Tunisia:** Parliament affiliated to the IPU

**Victim:** Former female opposition member of parliament

**Qualified complainant(s):** Section I.(1)(a) of the Committee Procedure (Annex I)

**Submission of complaint:** October 2020

**Recent IPU decision:** October 2024

**Recent IPU mission(s):** - - -

**Recent Committee hearing:** Hearing with the Tunisian delegation at the 149th IPU Assembly (October 2024)

#### Recent follow-up:

- Communications from the authorities: Letter from Speaker of the Assembly of People's Representatives (May 2024)
- Communication from the complainant: March 2025
- Communications to the authorities: Letters to the President of the Republic, Minister of Justice and Speaker of the Assembly of People's Representatives (June 2024, March 2025)
- Communication to the complainant: March 2025

On 3 October 2023, a few days after expressing her interest in standing in the next presidential elections, Ms. Moussi was arrested while attempting to lodge an appeal against the presidential decrees on the organization and conduct of local elections scheduled for December 2023, citing a lack of transparency in the electoral process. On 5 October 2023, the investigating judge ordered that she be remanded in custody on charges of “attempting to change the form of government”, “inciting violence on Tunisian territory” and “aggression with the aim of provoking disorder”, as stipulated in section 72 of the Tunisian Criminal Code, and of “processing personal data without consent of the person concerned” and “interfering with freedom of labour”, as stipulated in sections 27 and 87 of the Data Protection Act and section 136 of the Tunisian Criminal Code, respectively. On 30 January 2024, the investigating judge allegedly decided to drop the proceedings relating to section 72 but continued to remand Ms. Moussi in custody on the basis of the two other charges. On 24 December 2024, the indictment division of Tunis Appeal Court closed the investigation and referred Ms. Moussi to the criminal division to be tried.

Ms. Moussi is also the subject of two complaints filed in 2022 and 2023 by the *Instance supérieure indépendante pour les élections*, ISIE (Independent High Authority for Elections), accusing her of having criticized the process for organizing the legislative elections of 2024. In respect of the ISIE 2022 complaint, on 6 August 2024 Ms. Moussi received a two-year non-suspended prison sentence under section 24 of Decree-Law No. 54. On 22 November 2024, the appeal court reduced the prison sentence to 16 months. The case was brought before the Court of Cassation to contest this ruling. Ms. Moussi's conviction is said to be arbitrary, as it is based on the legitimate exercise of her right to freedom of expression.

In respect of the second ISIE complaint, the Court of Cassation allegedly rejected Ms. Moussi's cassation appeal on 30 January 2025, and the case was therefore referred to the criminal division of the court of first instance. The trial was supposed to take place on 25 March 2025, but the former member of parliament and her lawyers boycotted the hearing, denouncing numerous judicial irregularities, including: restrictions on her right to a defence; her lawyers being unable to submit their reports because of the judge's refusal; the request for deferral; and the intervention by the prison authorities to get the lawyers to reveal the content of their reports during their visits to Ms. Moussi. Examination of the case was thus deferred to 24 April 2025 at the request of the Public Prosecutor's Office which, according to the complainant, wishes to impose on Ms. Moussi a court-appointed lawyer, since she is refusing any legal representation, considering that the trial is “political”, and does not recognize the legitimacy of the judiciary which, according to her, is not independent.

The complainant also stated that Ms. Moussi's detention conditions were deplorable, with limited access to medical care and constant supervision, including during her meetings with her lawyers. On 12 February 2025, Ms. Moussi started a hunger strike to protest against her detention conditions, which led to a brief stay in hospital.

In their letter received on 20 December 2023, the parliamentary authorities stated that they did not have official information on the judicial cases in progress, as these proceedings fell within the remit of the judicial authorities, in accordance with the principle of the separation of powers set out in the Tunisian Constitution of 2022. The parliamentary authorities also refuted the allegations that the proceedings brought against Ms. Moussi were political in nature, stating that these allegations were unfounded, without, however, providing any arguments to that effect.

At the Committee's request, it met with the Tunisian parliamentary delegation twice, in 2024, during the 148th and 149th IPU Assemblies. During these two meetings, the Tunisian delegation did not provide any substantial information on the situation of Ms. Moussi, her conditions of detention or progress made in the legal proceedings, citing the same arguments about the separation of powers. Regarding the request for an IPU mission, although the Tunisian delegation indicated that a delegation from the Committee would be welcome, no concrete measures have been taken by the authorities to facilitate its progress.

## **B. Decision**

The Governing Council of the Inter-Parliamentary Union

1. *Deeply regrets* the lack of concrete information from the Tunisian authorities on the case of Ms. Abir Moussi;

2. *Takes note* of the convictions of the two former members of parliament for the violence perpetrated against Ms. Moussi inside the parliament building; *regrets*, however, the slow progress of the legal proceedings in the investigation of this case, especially given that the two former members of parliament remained free throughout the proceedings, while Ms. Moussi has been remanded in custody since 2023 for having simply criticized the authorities in power and the legitimacy of the electoral process; and *considers* that in view of the place of the aggression, namely within parliament, the victim's status of public official, and the premeditated and public nature of the acts committed, these convictions fall short of the sentences provided for under the Tunisian Criminal Code for similar cases;
3. *Deeply regrets* the lack of involvement of the current parliamentary authorities in Ms. Moussi's case, on the grounds of the separation of powers; *notes also with regret* that the new parliamentary authorities elected in 2022 have taken no concrete measures towards the introduction of a code of parliamentary professional ethics with the aim of combating the intimidation of women in the political arena, to prevent similar situations from recurring;
4. *Stresses* once more that, while respecting the independence of the judiciary and the principle of separation of powers, the parliamentary authorities could have followed Ms. Moussi's case as a matter of parliamentary solidarity and exercised their supervisory powers, especially in the case of physical violence perpetrated against a female member of parliament inside the parliament building; *strongly reaffirms* that the acts of aggression against Ms. Moussi mark a step backwards and constitute a danger for both the political rights of women and the proper functioning of parliament; and *hopes* that the Tunisian Parliament will take all necessary measures to guarantee the safety and dignity of all parliamentarians, especially women;
5. *Expresses its concern* at the complaints filed against Ms. Moussi and the charges still brought against her on the grounds that she criticized the legislative election process; and *still does not understand* how simple criticisms can result in the accusation of an attack aimed at changing the form of government and a 16-month prison sentence in deplorable conditions;
6. *Strongly recalls* that Ms. Moussi's remarks were made in the context of her right to freedom of expression, one of the pillars of democracy, which is essential for members of parliament and which covers not only speech, opinions and comments favourably received or considered as being inoffensive, but also those that are likely to offend, shock or disturb; *calls* once again on the Tunisian authorities to release Ms. Moussi and to drop the charges against her, given that they appear to be based solely on the peaceful exercise of her rights to freedom of expression, assembly and association, which are guaranteed under the International Covenant on Civil and Political Rights, to which Tunisia has acceded;
7. *Wishes* to appoint, for the duration of Ms. Moussi's various trials, a judicial observer to monitor the proceedings, bearing in mind the numerous judicial irregularities raised by her lawyers; and *requests* the authorities to inform it of the date of the next hearing scheduled after the 24 April hearing, and to facilitate the observer's mission;
8. *Regrets* the lack of a response from the Tunisian authorities to its request to send a delegation from the Committee on the Human Rights of Parliamentarians to visit Tunisia; *reiterates* this request; and *hopes* that the competent authorities in Tunisia might consider this request for a mission as an opportunity for constructive dialogue to help resolve once and for all Ms. Moussi's case as well as those of several other former Tunisian parliamentarians;
9. *Requests* the Secretary General to convey this decision to the Speaker of the Assembly of People's Representatives, the complainant and any third party likely to be in a position to supply relevant information;
10. Requests the Committee to continue examining this case and to report back to it in due course.



## Tunisia

*Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)*



Tunisian security forces guard the entrance to the country's parliament in Tunis, Tunisia, on 1 October 2021. © Anadolu Agency via AFP

- |                                       |                                |
|---------------------------------------|--------------------------------|
| TUN-07 - Seifedine Makhoulouf         | TUN-39 - Noomane El Euch       |
| TUN-08 - Maher Zid                    | TUN-40 - Abdelhamid Marzouki   |
| TUN-09 - Maher Medhioub               | TUN-41 - Ayachi Zammal         |
| TUN-10 - Yosri Dali                   | TUN-42 - Samir Dilou           |
| TUN-11 - Fethi Ayadi                  | TUN-43 - Habib Ben Sid'hom     |
| TUN-12 - Awatef Ftirch (Ms.)          | TUN-44 - Mabrouk Khachnaoui    |
| TUN-13 - Omar Ghribi                  | TUN-45 - Bechir Khelifi        |
| TUN-14 - Faiza Bouhlef (Ms.)          | TUN-46 - Nouha Aissaoui (Ms.)  |
| TUN-15 - Samira Smii (Ms.)            | TUN-47 - Latifa Habachi (Ms.)  |
| TUN-16 - Mahbouba Ben Dhifallah (Ms.) | TUN-48 - Ferida Laabidi (Ms.)  |
| TUN-17 - Mohamed Zrig                 | TUN-49 - Mohamed Affas         |
| TUN-18 - Issam Bargougui              | TUN-50 - Abdellatif Aloui      |
| TUN-19 - Samira Chaouachi (Ms.)       | TUN-51 - Mehdi Ben Gharbia     |
| TUN-20 - Belgacem Hassan              | TUN-52 - Rached Khiari         |
| TUN-21 - KENZA Ajela (Ms.)            | TUN-54 - Moussa Ben Ahmed      |
| TUN-22 - Emna Ben Hmayed (Ms.)        | TUN-55 - Oussama Khelifi       |
| TUN-23 - Bechr Chebbi                 | TUN-56 - Ghazi Karoui          |
| TUN-24 - Monjia Boughanmi (Ms.)       | TUN-57 - Mohamed Fateh Khelifi |
| TUN-25 - Wafa Attia (Ms.)             | TUN-58 - Ziad El Hachemi       |
| TUN-26 - Jamila Jouini (Ms.)          | TUN-59 - Sofiane Makhouloufi   |
| TUN-27 - Mohamed Lazher Rama          | TUN-60 - Majdi Karbai          |
| TUN-28 - Nidhal Saoudi                | TUN-61 - Anouar Ben Chahed     |
| TUN-29 - Neji Jmal                    | TUN-62 - Yassine Ayari         |
| TUN-30 - Zeinab Brahmi (Ms.)          | TUN-63 - Ghazi Chaouachi       |
| TUN-31 - Mohamed Al Azhar             | TUN-64 - Ahmed Mechergui       |
| TUN-32 - Nouredine Bhiri              | TUN-65 - Mohamed Ben Salem     |
| TUN-33 - Rached Ghannouchi            | TUN-66 - Lazhar Akremi         |
| TUN-34 - Tarek Fetiti                 | TUN-67 - Ali Laraiedh          |
| TUN-35 - Imed Khemiri                 | TUN-68 - Ahmed Ameri           |
| TUN-36 - Walid Jalled                 | TUN-69 - Sayed Ferjani         |
| TUN-37 - Safi Said                    | TUN-70 - Sahbi Atig            |
| TUN-38 - Iyadh Elloumi                |                                |

## Alleged human rights violations

- ✓ Threats, acts of intimidation
- ✓ Arbitrary arrest and detention
- ✓ Lack of due process at the investigation stage and of fair trial proceedings
- ✓ Violation of freedom of opinion and expression
- ✓ Violation of freedom of assembly and association
- ✓ Violation of freedom of movement
- ✓ Abusive revocation or suspension of the parliamentary mandate
- ✓ Failure to respect parliamentary immunity
- ✓ Other acts obstructing the exercise of the parliamentary mandate

### A. Summary of the case<sup>5</sup>

This case concerns 63 members of the Assembly of People's Representatives of Tunisia elected in 2019 who, according to the complainants, are victims of arbitrary prosecutions after expressing their opposition to the exceptional measures adopted by President Kaïs Saïed since 25 July 2021.

More generally, the suspension of parliament in 2021 by President Saïed had an impact on the 217 members of the Assembly of People's Representatives elected in 2019, who were deprived of their parliamentary immunity, allowances, medical insurance and freedom of movement, including to receive medical treatment.

On 30 March 2022, 120 members of parliament elected in 2019 took part in an online plenary session to discuss the presidential decrees. A few hours after the plenary session, President Saïed officially dissolved parliament, and the Public Prosecutor ordered the opening of an investigation into the members of parliament regarding an attempted coup d'état and conspiracy against justice. For fear of reprisal, only nine of the 120 members of parliament concerned, including the former Speaker of the National Assembly, Mr. Rached Ghannouchi, submitted a complaint to the Committee. Mr. Ghannouchi was summoned for questioning at great length on 1 April 2022 about this case.

Moreover, the dissolution of parliament had, according to the complainants, additional consequences for some members of parliament elected in 2019 from the *Ennahda* and *Al Karama* blocs, who were directly targeted because of their opposition to President Saïed and were imprisoned before being released, including Mr. Seifedine Makhoulf and Mr. Nidhal Saoudi. Mr. Nourredine Bhiri, who had initially been arrested and detained on 31 December 2021 before being released on 8 March 2022, was again arrested on 13 February 2023 by officers from the national terrorist crimes investigation unit. On 18 October 2024, Mr. Bhiri was sentenced to 10 years in prison on charges of endangering state security, inciting civil disorder and calling for insurrection. The charges against him relate to a post on social media that has been attributed to him, although Mr. Bhiri and his defence team dispute the existence of this post, claiming that it has never been proven. Cases involving certain members of parliament are also being examined in the military courts, as provided for under Tunisian law. Mr. Makhoulf had served his prison sentence in one of the cases involving him but was arrested in Algeria for attempting to leave Tunisia even though the Tunisian courts had prohibited him from leaving Tunisian territory, as he remained implicated in other cases.

In the same context, former member of parliament Mr. Rached Khiari has been detained since 3 August 2022 on a charge of defamation against President Saïed on social media brought by the Ministry of Education and, as a result, he is to be tried by the military courts. On 3 February 2025, he was sentenced to a one-year year prison term for harming others via social media. This sentence is in addition to previous sentences, bringing his total sentence to more than four years' imprisonment. Similarly, Mr. Mehdi Ben Gharbia has been held in detention since 20 October 2021 on money laundering charges, even though

## Case TUN-COLL-01

**Tunisia:** Parliament affiliated to the IPU

**Victims:** 63 members of the opposition (49 men and 14 women)

**Qualified complainant(s):** Sections I.1(a) and (b) of the Committee Procedure (Annex I)

**Submission of complaints:** August, September and October 2021

**Recent IPU decision:** October 2024

**IPU mission(s):** - - -

**Recent Committee hearing:** Hearing of the parliamentary authorities at the 149th IPU Assembly (October 2024)

### Recent follow-up:

- Communication from the authorities: Letter from the Speaker of the Assembly of People's Representatives (May 2024)
- Communication from the complainants: March 2025
- Communications to the authorities: Letters to the President of the Republic, the Minister of Justice and Speaker of the Assembly of People's representatives (June 2024, March 2025)
- Communication to the complainants (March 2025)

<sup>5</sup> For the purposes of this decision, the term "opposition" refers to members of parliament belonging to political groups or parties with limited decision-making power who are opposed to the ruling power.

CL/215/14(a)-R.1  
Tashkent, 9 April 2025

the legal period of six months has expired. In its Opinion No. 50/2023 of 26 September 2023 concerning the case of Mr. Ben Gharbia, the United Nations Working Group on Arbitrary Detention considered that Mr. Ben Gharbia's detention was arbitrary based on the information provided by the complainants. The working group also called on the Tunisian authorities, who have not sent their official observations to the United Nations mechanism, to release Mr. Ben Gharbia immediately and pay him compensation for the damage suffered. On 27 January 2025, Mr. Ben Gharbia was sentenced to four years' imprisonment. The Public Prosecutor has reportedly appealed this decision.

As for Mr. Rached Ghannouchi, he is allegedly the target of politically motivated persecution, as he has been charged in several cases that the complainants maintain are politically motivated. On 15 May 2023, he was sentenced by Tunisia's anti-terrorism court to a one-year prison term and a fine for public statements he had made in 2022. On 5 February 2025, Mr. Ghannouchi was sentenced to 22 years in the Instalingo case.

In their letter of 28 January 2022, the executive authorities stated that all members of parliament, whose mandates had been suspended, enjoyed freedom of movement and travel, apart from those subject to a legal ruling prohibiting them from leaving the country. In a communication dated 11 October 2022, the executive authorities confirmed that the members of parliament who had taken part in the online session of 30 March 2022 were being investigated. As for Mr. Ben Gharbia, his trial, the first hearing of which took place on 7 July 2022, had been deferred to 13 October 2022. All requests for his release had been rejected.

In May and June 2023, the complainants referred eight new complaints to the Committee concerning the cases of eight former Tunisian members of parliament who were subject to arbitrary prosecutions because of their opposition to the measures taken by the President of the Republic. These include Mr. Sayed Ferjani and Mr. Ahmed Mechergui, who were allegedly arrested on 27 February and 19 April 2023, respectively, in connection with the investigation against Mr. Ghannouchi in the Instalingo case. On 5 February 2025, Mr. Sayed Ferjani was sentenced to 13 years' imprisonment.

Similarly, Mr. Ahmed Laâmar and Mr. Mohamed Ben Salem were reportedly arrested in March 2023 for organizing an illegal border crossing and illegally holding currency. On 11 March 2025, they were sentenced to two- and three-years' imprisonment respectively. Mr. Lazhar Akremi and Mr. Ghazi Chaouachi were reportedly arrested in February 2023 in connection with a plot against state security. Mr. Ali Laraiedh, the former Prime Minister, was arrested on 19 December 2022 on vague terrorism charges. The complainants state that he is being held in detention without having appeared before a judge. Finally, former member of parliament Mr. Sahbi Atig was allegedly arrested on 6 May 2023 and prosecuted for "corruption" and "money laundering". According to the complainants, the aim of all these cases is to silence former members of parliament who had publicly criticized the Head of State.

In their letter of 20 December 2023, the parliamentary authorities stated that they did not have official information on the judicial cases in progress, as these proceedings fell within the remit of the judicial authorities, in accordance with the principle of the separation of powers. The parliamentary authorities also refuted the allegations that the proceedings brought against the former members of parliament were political in nature, stating that these allegations were unfounded, without, however, providing any arguments in this regard.

At the Committee's request, a meeting was held between the latter and the Tunisian parliamentary delegation twice, in 2024, during the 148th and 149th IPU Assemblies. During these two meetings, the Tunisian delegation did not provide any substantial information on the situation of the former members of parliament, their conditions of detention or progress made in the legal proceedings, citing the same arguments about the separation of powers. Regarding the request for an IPU mission, although the Tunisian delegation indicated that a delegation from the Committee would be welcome, no concrete measures had been taken by the authorities to facilitate its progress.

The first hearing in the trial of the alleged conspirators in the plot against state security, which concerns several former members of parliament included in the present case, took place on 4 March 2025. According to the complainants, the defendants were prohibited from appearing in person and were instead to appear by videoconference on the grounds that this would constitute a "danger". According to the lawyers of the former members of parliament involved, the investigation report does not include any solid evidence and requests for face-to-face interaction with the accused were rejected. Shortly before the start of this trial, the United Nations High Commissioner had called on the Tunisian authorities to cease all forms of persecution against opponents and activists. The next

hearing in this trial is scheduled for 11 April 2025.

Currently, 12 of the former members of parliament involved in this case are in detention, while eight others have been referred to the military courts.

## **B. Decision**

The Governing Council of the Inter-Parliamentary Union

1. *Deeply regrets* the lack of concrete information from the Tunisian authorities on the former members of parliament included in this case;
2. *Deplores* the continued detention of 12 former Tunisian members of parliament on grounds that to date remain vague, as well as the referral to the military courts of cases involving civilians, including eight former members of parliament;
3. *Expresses its concern* about the ongoing legal proceedings against several former members of parliament and the charges of endangering state security and of attempting to change the form of government, of which they continue to be accused; *is also concerned* at the heavy prison sentences imposed on them on the basis of vague charges and following trials marred by serious judicial irregularities;
4. *Urges* the Tunisian authorities, once again, to urgently release any former member of parliament detained for expressing opposition to the exceptional measures adopted by the President of the Republic, to drop the charges against them, and to ensure that the military courts dismiss cases against former members of parliament; *urges* the relevant authorities to review the provisions of Tunisian law that authorize this practice; *wishes to* receive detailed information on the situation of all former members of parliament included in the present case; and *calls on* the Tunisian authorities, once again, in particular the Ministry of Justice, to provide detailed information on the cases of each imprisoned former member of parliament;
5. *Wishes to* appoint a judicial observer to monitor the various trials of former members of parliament, including the collective trial for endangering state security that began in March 2025, bearing in mind the numerous judicial irregularities raised by the lawyers of the former members of parliament; and *requests* the authorities to inform it of the date of the next hearing scheduled after the 11 April hearing, and to facilitate the observer's mission;
6. *Deeply regrets* the lack of involvement of the current parliamentary authorities in the cases involving former members of parliament on the grounds of the separation of powers; *stresses* once more that, while respecting the independence of the judiciary and the principle of separation of powers, the parliamentary authorities could have followed the cases of the former members of parliament as a matter of parliamentary solidarity by exercising their power of oversight;
7. *Regrets* the lack of a response from the Tunisian authorities to its request to send a delegation from the Committee on the Human Rights of Parliamentarians to visit Tunisia; *reiterates* this request; and *hopes* that the relevant authorities in Tunisia will consider this request for a mission as an opportunity for constructive dialogue to help resolve once and for all the cases of the former Tunisian parliamentarians;
8. *Requests* the Secretary General to convey this decision to the Speaker of the Assembly of People's Representatives, the complainants and any third party likely to be in a position to supply relevant information;
9. *Requests* the Committee to continue examining the case and to report back to it in due course.

## Türkiye

*Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)*



A demonstrator holds up a picture of Figen Yüksekdağ during the trial of the co-leader of the pro-Kurdish party People's Democratic Party (HDP) in front of the court in Ankara on 13 April 2017. ADEM ALTAN/AFP

- |                                       |                                   |
|---------------------------------------|-----------------------------------|
| TUR-69 - Gülser Yildirim (Ms.)        | TUR-107 - Ferhat Encü             |
| TUR-70 - Selma Irmak (Ms.)            | TUR-108 - Hişyar Özsoy            |
| TUR-71 - Faysal Sariyildiz            | TUR-109 - Idris Baluken           |
| TUR-73 - Kemal Aktas                  | TUR-110 - Imam Taşçier            |
| TUR-75 - Bedia Özgökçe Ertan (Ms.)    | TUR-111 - Kadri Yildirim          |
| TUR-76 - Besime Konca (Ms.)           | TUR-112 - Lezgin Botan            |
| TUR-77 - Burcu Çelik Özkan (Ms.)      | TUR-113 - Mehmet Ali Aslan        |
| TUR-78 - Çağlar Demirel (Ms.)         | TUR-114 - Mehmet Emin Adiyaman    |
| TUR-79 - Dilek Öcalan (Ms.)           | TUR-115 - Nadir Yildirim          |
| TUR-80 - Dilan Dirayet Taşdemir (Ms.) | TUR-116 - Nihat Akdoğan           |
| TUR-81 - Feleknas Uca (Ms.)           | TUR-118 - Osman Baydemir          |
| TUR-82 - Figen Yüksekdağ (Ms.)        | TUR-119 - Selahattin Demirtaş     |
| TUR-83 - Filiz Kerestecioğlu (Ms.)    | TUR-120 - Sirri Süreyya Önder     |
| TUR-84 - Hüda Kaya (Ms.)              | TUR-121 - Ziya Pir                |
| TUR-85 - Leyla Birlik (Ms.)           | TUR-122 - Mithat Sancar           |
| TUR-86 - Leyla Zana (Ms.)             | TUR-123 - Mahmut Toğrul           |
| TUR-87 - Meral Daniş Betaş (Ms.)      | TUR-124 - Aycan Irmez (Ms.)       |
| TUR-88 - Mizgin Irgat (Ms.)           | TUR-125 - Ayşe Acar Başaran (Ms.) |
| TUR-89 - Nursel Aydoğan (Ms.)         | TUR-126 - Garo Paylan             |
| TUR-90 - Pervin Buldan (Ms.)          | TUR-128 - Aysel Tuğluk (Ms.)      |
| TUR-91 - Saadet Becerikli (Ms.)       | TUR-129 - Sebahat Tuncel (Ms.)    |
| TUR-92 - Sibel Yiğitalp (Ms.)         | TUR-130 - Leyla Güven (Ms.)       |
| TUR-93 - Tuğba Hezer Öztürk (Ms.)     | TUR-131 - Ayşe Sürücü (Ms.)       |
| TUR-94 - Abdullah Zeydan              | TUR-132 - Musa Farisogullari      |
| TUR-95 - Adem Geveri                  | TUR-133 - Emine Ayna (Ms.)        |
| TUR-96 - Ahmet Yildirim               | TUR-134 - Nazmi Gür               |
| TUR-97 - Ali Atalan                   | TUR-135 - Ayla Akat Ata (Ms.)     |
| TUR-98 - Alican Önlü                  | TUR-136 - Beyza Ustün (Ms.)       |
| TUR-99 - Altan Tan                    | TUR-137 - Remziye Tosun (Ms.)     |
| TUR-100 - Ayhan Bilgen                | TUR-138 - Kemal Bulbul            |
| TUR-101 - Behçet Yildirim             | TUR-140 - Gültan Kışanak (Ms.)    |
| TUR-102 - Berdan Öztürk               | TUR-141 - Semra Güzel (Ms.)       |
| TUR-105 - Erol Dora                   | TUR-142 - Salihe Aydeniz (Ms.)    |
| TUR-106 - Ertuğrul Kürkcü             | TUR-143 - Can Atalay              |



## Alleged human rights violations

- ✓ Failure to respect parliamentary immunity
- ✓ Lack of due process at the investigation stage
- ✓ Lack of fair trial proceedings and excessive delays
- ✓ Violation of freedom of opinion and expression
- ✓ Violation of freedom of assembly and association
- ✓ Arbitrary arrest and detention
- ✓ Ill-treatment
- ✓ Abusive revocation or suspension of the parliamentary mandate

### A. Summary of the case

Over 600 criminal and terrorism charges have been brought against the members of parliament of the People's Democratic Party (HDP) since 20 May 2016, when the Constitution was amended to authorize the wholesale lifting of parliamentary immunity. They are being tried on terrorism-related charges and charges of defamation of the President, Government or State of Türkiye. Some of them also face older charges in relation to the Kurdistan Communities Union (*Koma Civakên Kurdistan* – KCK) first-instance trial that has been ongoing since 2011, while others face more recent charges. In these cases, their parliamentary immunity was allegedly not lifted.

Since 4 November 2016, scores of parliamentarians have been detained, and others have gone into exile. Since 2018, over 30 parliamentarians have been sentenced to prison terms. At least 15 HDP members of parliament have lost their parliamentary mandates in recent years, largely as a result of their criminal convictions. Six former parliamentarians are in prison, namely the former HDP co-chairs, Mr. Selahattin Demirtaş and Ms. Figen Yüksekdağ, as well as Ms. Leyla Güven, Ms. Semra Güzel, Mr. Nazmi Gür, and Mr. Can Atalay.

In addition to other charges, several of these individuals were prosecuted, together with other former HDP parliamentarians and members, in relation to events that unfolded soon after the siege of Kobane in Syria in 2014. The persons concerned were charged with various offences, including attempts to "destroy the unity and integrity of the State", in connection with protests that erupted over the perceived inaction of the Turkish Government during the Islamic State's siege of the Syrian town of Kobane. On 16 May 2024, the Ankara 22nd High Criminal Court delivered its verdict, sentencing several HDP politicians, including Mr. Demirtaş and Ms. Yüksekdağ, to decades-long prison terms. Spokespersons for the European Parliament and the Parliamentary Assembly of the Council of Europe have denounced these convictions, expressing concern over judicial independence and the rule of law. In their written note provided on 28 March 2025, the Turkish Delegation to the IPU stated that evidence obtained during the Kobane trial established a link between the Kurdistan Workers' Party (*Partiya Karkerên Kurdistanê* – PKK) leadership, the violent events, and the HDP administration. According to the note: "Witness statements confirmed that the incidents of October 6–8 were not spontaneous protests spiralling out of control but were premeditated actions orchestrated by the PKK and KCK terrorist organizations. To ensure mass participation, the PKK, KCK and HDP coordinated efforts, issuing synchronized statements and calls to mobilize people onto the streets". The complainant maintains, however, that the claim that the HDP administration coordinated with the PKK to orchestrate the Kobane protests rests on broad and vague allegations, rather than on specific, individualized evidence tying HDP leaders to violent acts. Many of the witnesses provided their testimony anonymously or in secret, a method that severely limited the defence's ability to cross-examine and challenge the credibility of the testimony. The complainant also states that the HDP's public appeal was framed as a political protest against what it viewed as Turkish complicity in allowing ISIS to overrun a Kurdish town and points out that there is no conclusive evidence that the HDP's call included instructions or support for violence. Protests spiralled into violence in several cities – but this does not prove premeditated orchestration by HDP leaders.

According to the complainant, the charges against HDP members of parliament in the Kobane trial are emblematic of a wider pattern and show that the evidence adduced to support such charges relates to public statements, rallies and other peaceful political activities carried out in furtherance of their

## Case TUR-COLL-02

**Türkiye:** Parliament affiliated to the IPU

**Victims:** 68 opposition members of parliament (34 men and 34 women)

**Qualified complainant(s):** Section I.(1)(c) of the Committee Procedure (Annex I)

**Submission of complaint:** June 2016

**Recent IPU decision:** March 2024

**IPU mission:** June 2019

**Recent Committee hearings:** Hearing with the Turkish delegation at the 150th IPU Assembly (April 2025)

### Recent follow-up:

- Communication from the authorities: Letter from the Head of the Turkish Delegation to the IPU (March 2025)
- Communication from the complainant: April 2025
- Communication to the authorities: Letter to the Head of the Turkish Delegation to the IPU (March 2025)
- Communication to the complainant: April 2025

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parliamentary duties and political party programme. Such activities include mediating between the PKK and the Turkish Government as part of the peace process between 2013 and 2015, publicly advocating political autonomy and criticizing the policies of President Erdoğan. The complainant alleges that these statements, rallies and activities do not constitute any offence and that they fall under the clear scope and protection of the fundamental rights of members of parliament.

An IPU trial observer concluded in 2018 that the prospects for Ms. Yüksekdağ and Mr. Demirtaş receiving fair trials were remote and that the political nature of both prosecutions was evident. A 2018 IPU review of 12 court decisions issued against HDP members reached similar conclusions.

On 22 December 2020, the Grand Chamber of the European Court of Human Rights delivered its judgment in the case of *Demirtaş v. Türkiye* (No. 2) (Application No. 14305/17) and held that there had been violations of his rights to freedom of expression, to freedom and security, to a speedy decision on the lawfulness of detention and to free elections. On 8 November 2022, the European Court of Human Rights ruled that Türkiye had violated Articles 10 (freedom of expression) and 5 (subparagraphs 1, 3 and 4 concerning the right to freedom and security) of the European Convention regarding the pretrial detention of 13 HDP parliamentarians elected to parliament in November 2015.

On 1 February 2022, the European Court of Human Rights ruled that the lifting of the parliamentary immunity of 40 HDP lawmakers, who had brought their case to the European Court following the constitutional amendment in May 2016, had violated their right to freedom of expression. In so doing, the Court responded to their assertion that the lifting of their immunity came in response to their political opinions and drew for its conclusions on this point on its rulings in the cases of *Demirtaş v. Türkiye* and *Demir v. Türkiye*.

On 19 October 2021, in the landmark decision *Vedat Şorli v. Turkey*, the European Court of Human Rights found that Article 299 of the Turkish Criminal Code, which criminalizes insulting the President, was incompatible with the right to freedom of expression, and urged the Government to align legislation with Article 10 of the European Convention on Human Rights.

On 6 July 2023, the European Court of Human Rights ruled in the case *Demirtaş and Yüksekdağ Şenoğlu v. Türkiye* that the surveillance of the meetings between Mr. Demirtaş and Ms. Yüksekdağ and their legal counsel and the seizure of documents violated Article 5 § 4 of the European Convention on Human Rights, which guarantees the right to a speedy review of the lawfulness of detention. In addition, since July 2023, there have been at least three other important rulings by the European Court of Human Rights (*Gümüş v. Türkiye* (Application No. 40303/17) – Judgment of 11 July 2023; *Özlü v. Türkiye* (Application No. 58339/09) – Judgment of 28 November 2023; *Uçar v. Türkiye* (Application No. 52392/19) – Judgment of 16 January 2024), which reflect systemic issues in Türkiye's approach to political dissent and the exercise of fundamental freedoms.

The Turkish authorities have repeatedly justified the legality of the measures taken against the HDP parliamentarians, and invoked the independence of the judiciary, the need to respond to security and terrorism threats and legislation adopted under the state of emergency. The authorities have provided detailed information on parliament's May 2016 "provisional constitutional amendment" on parliamentary immunity, which has been used to prosecute parliamentarians from all parties. They have asserted that there is no "HDP witch hunt" in Türkiye; that women parliamentarians are not being specifically targeted; that there is no Kurdish issue in Türkiye and no current conflict in south-eastern Türkiye; that Türkiye is facing a terrorism issue on many levels involving the PKK and its "extensions"; that the HDP has never publicly denounced the violent activities of the PKK; that HDP members, including members of parliament, have made many statements in support of the PKK and their "extensions"; that HDP members have attended funerals of PKK suicide bombers and called for people to take to the streets, which has resulted in violent incidents with civilian casualties; and that this does not fall within the acceptable limits of freedom of expression. To illustrate the point that the HDP was an extension of the PKK, in the hearing with the Committee on the Human Rights of Parliamentarians at the 150th IPU Assembly (April 2025), the Turkish IPU delegation showed photos of Ms. Semra Güzel with an armed PKK member with whom she was in a relationship at the time. However, it should be noted that Ms. Güzel was not involved with the HDP when the photos were taken. In addition, the photos were taken in 2014 during the peace process, a time when the HDP was engaging directly with the PKK on behalf of the Turkish Government. Moreover, in most legal systems, a photo alone – in the absence of further conduct – would be insufficient to establish criminal liability.

On 17 March 2021, the chief prosecutor of the Turkish Court of Cassation referred a request for the

dissolution of the HDP to the Constitutional Court, accusing the HDP of terrorist activities, by drawing heavily on the trial against several HDP politicians in the 2014 Kobane case referred to earlier. The file is currently at the stage where the Constitutional Court rapporteurs will examine the merits of the case. In the face of dissolution, the HDP leadership refrained from formally dissolving the party; its members decided to run in all 2023 elections under the Gren Left Party (YSP) banner, a legally distinct but politically aligned structure. In October 2023, the YSP renamed itself the DEM Party (Peoples' Equality and Democratic Party), hence becoming the *de facto* successor to the HDP.

On 27 February 2025, Mr. Abdullah Öcalan, the imprisoned founding leader of the PKK, called for the group to disarm and dissolve. In response, the PKK declared a unilateral ceasefire on 1 March 2025. Turkish President Recep Tayyip Erdoğan reportedly characterized the development as an "historic opportunity" to dismantle barriers of terror and foster national unity.

On 28 March 2025, the Head of the Turkish Delegation to the IPU provided an extensive written report on the individual situation of the current and former parliamentarians, as well as on some overarching issues that have arisen in this case. The Turkish delegation further elaborated on the contents of the report in its hearing with the Committee on the Human Rights of Parliamentarians during the 150th IPU Assembly (April 2025). The report makes the following recommendations to the Committee on the Human Rights of Parliamentarians, namely to close the cases of: (i) Erol Dora, Burcu Çelik Özcan, Alican Önlü, Mithat Sancar and Musa Farisoğulları due to the absence of any pending criminal cases against them; (ii) Mr. Kadri Yıldırım, due to his death in 2022; and (iii) Meral Daniş Beştaş, Pervin Buldan, Berdan Öztürk, and Sırrı Süreyya Önder, due to their current status as members of parliament.

## B. Decision

### The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the Head of the Turkish IPU Delegation to the IPU for her latest communication and the extensive information provided on the legal situation of the individuals concerned in this case; *acknowledges* that this required painstaking research and verifications given the high number of persons affected and the multiple legal proceedings brought against them; *also thanks* the Turkish delegation for the information provided at the hearing with the Committee on the Human Rights of Parliamentarians during the 150th IPU Assembly (April 2025) and for their openness to dialogue;
2. *Notes* that the case for the dissolution of the People's Democratic Party (HDP) has not yet been concluded but that the party has in effect been sidelined, with its members now largely operating through its successor Peoples' Equality and Democracy Party (DEM Party); *remains concerned* that the rationale behind the dissolution proceedings continues to conflate, without substantiated legal reasoning, the HDP and the Kurdistan Workers' Party (PKK); *reaffirms* that the HDP is a legally constituted political party that does not advocate violence and that dissolution or banning of political parties should only be considered as a measure of last resort in line with European Court of Human Rights jurisprudence; *calls on* the Constitutional Court to render its judgment in strict accordance with these standards; *notes* in this regard that the Turkish Delegation to the IPU has stated that, as a result of implemented reforms, the closure of political parties has been made more difficult and is considered an exceptional measure; and *wishes* to be kept informed of the final decision of the Constitutional Court;
3. *Is deeply concerned* about the outcome of the Kobane trial, in which a large number of HDP leaders and elected officials were handed heavy prison sentences in May 2024; *strongly believes* that these convictions, including those of Mr. Selahattin Demirtaş and Ms. Figen Yüksekdağ, appear to have been based largely, if not exclusively, on political speech and association and contradict the rulings and legal standards set forth by the European Court of Human Rights; and *considers* that the trial raises serious questions about the independence of the judiciary and the use of the criminal justice system to stifle legitimate political opposition;
4. *Remains deeply concerned* in this regard that six former parliamentarians remain in prison and that many others continue to be prosecuted; *considers* that the information recently received from the Turkish authorities, while extensive, fails to dispel – in the absence of concrete information on the facts underpinning the former parliamentarians' prosecution and/or conviction – its concerns that their continued imprisonment appears to result from their legitimate political activities and expressions; *urges* the Turkish authorities to review their cases and ensure their

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immediate release where appropriate; and *requests* detailed information on the concrete evidence underpinning their convictions and/or conviction;

5. *Decides*, nevertheless, to close the case of Mr. Kadri Yıldırım, who died in 2022, pursuant to paragraph 25(a), section IX, of Annex I to its revised Rules and Practices; *is pleased* to learn from the Turkish Delegation to the IPU, as confirmed by the complainant, that there are no legal proceedings pending against Mr. Erol Dora and *decides* to close her case under paragraph 25 of the same section; and *continues* to examine, however, the situations of the other individuals for which the Turkish Delegation to the IPU has asked to close examination, given that the complainant states that these persons remain subject to legal proceedings;
6. *Expresses the hope* that the renewed calls for dialogue will contribute to the creation of conditions conducive to the resumption of a meaningful peace process between the Turkish Government and representatives of the Kurdish movement, including the PKK, aimed at achieving a comprehensive and lasting resolution to the decades-long conflict in south eastern Türkiye that addresses the root causes and legitimate aspirations of the Kurdish population in accordance with democratic principles and Türkiye's constitutional and international obligations;
7. *Appreciates* the invitation extended by the Turkish Delegation to the IPU to the Committee on the Human Rights of Parliamentarians during the hearing held at the 150th IPU Assembly (April 2025) to come to Türkiye to discuss the different cases in more detail, including by facilitating access to the case files, and to continue its exchange of views directly with the relevant parliamentary, judicial and executive authorities; and *requests* the Secretary General to make the necessary arrangements with the Turkish Delegation to the IPU to facilitate the speedy organization of this mission;
8. *Requests* the Secretary General to convey this decision to the relevant authorities, the complainant and any third party likely to be in a position to supply relevant information;
9. *Requests* the Committee to continue examining this case and to report back to it in due course.

# Uganda

*Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)*



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UGA-24 – Allan Aloizious Ssewanyana  
UGA-25 – Muhammad Ssegirinya

## Alleged human rights violations

- ✓ Abduction
- ✓ Torture, ill-treatment and other acts of violence
- ✓ Arbitrary arrest and detention
- ✓ Inhumane conditions of detention
- ✓ Lack of due process at the investigation stage
- ✓ Lack of fair trial proceedings
- ✓ Failure to respect parliamentary immunity

### A. Summary of the case

On 7 September 2021, the Hon. Muhammad Ssegirinya was arrested together with the Hon. Allan Aloizious Ssewanyana by the Ugandan police on allegations that the two opposition parliamentarians were involved in the murder of two individuals and the attempted murder of a third person. They were charged with the offences of murder, terrorism, aiding and abetting terrorism and attempted murder along with other four co-accused. All these crimes were purportedly committed on 23 August 2021 in Masaka District. The two members of parliament were subsequently remanded in custody and held in Kigo Government Prison.

On 30 September 2021, the two members of parliament were summoned to the Chief Magistrate's Court in Masaka and read additional charges. According to the complainant, they appeared frail and informed the court that they had been brutally tortured through physical beatings while in detention. On the occasions the members of parliament re-appeared in court to hear their cases, they showed physical, festering wounds and complained of torture and humiliation while in detention. The complainant also states that the members of parliament informed the presiding judge that they had been prevented from receiving medical attention by a doctor of their choice and that they had been banned from receiving any visitors, including family members, while in prison. According to the complainant, on 13 February 2023, the two members of parliament were granted bail and transferred

### Case UGA-Coll-02

**Uganda:** Parliament affiliated to the IPU

**Victims:** Two male opposition members of parliament

**Qualified complainant(s):** Section I.1(a) of the Committee Procedure (Annex I)

**Submission of complaint:** January 2022

**Recent IPU decision:** March 2023

**IPU mission(s):** - - -

**Recent Committee hearing:** Hearing with the Ugandan delegation to the 150th IPU Assembly (April 2025)

#### Recent follow-up:

- Communication from the authorities: January 2023
- Communication from the complainant: March 2025
- Communication to the authorities: Letter to the Speaker of the National Assembly (February 2025)
- Communication to the complainant: March 2025



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to hospital for urgent medical attention.

A trial observer mandated by the IPU travelled to Uganda on 11 February and on 6 March 2023 to observe the proceedings against the two members of parliament. The observer reported that, although the hearings had finally been adjourned on both occasions, the general court atmosphere was calm and that court workers were cooperative with the observer.

Mr. Ssegirinya was allowed to travel abroad for specialized medical treatment, after which he decided to return to his country. According to the complainant, Mr. Ssegirinya may have been intentionally infected with an incurable virus while in prison, which led to his death on 8 January 2025. On 17 March 2025, the International Crimes Division of the High Court of Uganda ruled that the charges against Mr. Ssegirinya automatically abated as a result of his death.

At the hearing held during the 150th IPU Assembly (April 2025), the Ugandan delegation asserted that the arrest of the two members of parliament had been carried out in accordance with the applicable laws and procedures and that the privileges of members of parliament under Ugandan law did not include immunity from criminal prosecution. Regarding action taken by parliament, the delegation reported that the Human Rights Committee of the Parliament of Uganda had conducted multiple visits to the two members of parliament in prison. The parliamentary committee also interviewed the prison authorities, the two parliamentarians concerned and other stakeholders. It subsequently produced a report that could be made available to the Committee on the Human Rights of Parliamentarians (CHRP) upon request. The situation of the two members of parliament had been discussed several times in parliament and the Speaker of Parliament had called for a speedy trial. While the criminal case against Mr. Ssewanyana is still pending, he remains free on bail and able to carry out his parliamentary duties. Regarding the allegations of torture and their possible connection to the death of Mr. Ssegirinya, the delegation stated that investigations carried out by the relevant national authorities had not found evidence to support these claims. Finally, the delegation agreed with the CHRP on the value of visiting Uganda and reiterated that the formal request for such a visit had been submitted to the Ministry of Foreign Affairs for consideration.

## **B. Decision**

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the Ugandan delegation to the 150th IPU Assembly for the information provided during the meeting with the Committee on the Human Rights of Parliamentarians (CHRP) and for the constructive spirit of dialogue;
2. *Welcomes* the assertion made by the Ugandan delegation that, despite the proceedings against him, Mr. Ssewanyana is currently able to fulfil his duties as a member of parliament; *is deeply disturbed*, however, by the grave allegation that the death of Mr. Ssegirinya may have resulted directly from acts of torture; *takes note with interest* of the existence of reports issued by parliamentary bodies and relevant state agencies, which set out conclusions and findings concerning the treatment of both parliamentarians during their detention, as well as the causes and circumstances surrounding the death of Mr. Ssegirinya; and *requests* in this regard parliament to provide copies of all reports in its possession, insofar as they contain verified information relevant to assessing the allegations of torture allegedly suffered by the two members of parliament, the factual circumstances and conditions surrounding the death of Mr. Ssegirinya, and any investigative or judicial measures undertaken to establish accountability;
3. *Notes with interest*, once again, that, as already reported by the Ugandan delegation in October 2022, the Ugandan Parliament has brought the CHRP's request for a mission to Uganda to the attention of the Ministry of Foreign Affairs for consideration; *is confident* that, in light of the renewed assurances of support provided by the Ugandan delegation that met with the CHRP during the 150th IPU Assembly, a CHRP delegation can finally travel to Uganda to meet with all relevant authorities exercising legislative, executive and judicial powers and any other institution, civil society organization or individual in a position to provide relevant information on the present case as well as on the other Ugandan cases before the Committee; *calls on* the parliamentary authorities, once again, to do their utmost to obtain a response from the executive authorities regarding such a mission as soon as possible; and *hopes* that the competent national authorities will cooperate fully to help the mission find swift satisfactory solutions to this and the other cases in accordance with applicable national and international human rights standards, and to obtain

first-hand information on the status of the implementation of the CHRP's recommendations following its [mission](#) to Uganda in 2020;

4. *Expresses concern* at the seriousness of the charges against Mr. Ssewanyana, which carry particularly severe penalties under Ugandan law, including life imprisonment and the death penalty; *decides*, in this regard, to mandate a new a trial observer to continue monitoring the upcoming court proceedings; and *wishes* to be kept informed of the dates of future hearings when available and of any other relevant judicial developments in the case;
5. *Requests* the Secretary General to convey this decision to the Speaker of Parliament, the complainant and any third party likely to be in a position to supply relevant information;
6. *Requests* the Committee to continue examining this case and to report back to it in due course.

# Uganda

*Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)*



© Betty Nambooze

## UGA-26 – Betty Nambooze

### Alleged human rights violations

- ✓ Torture, ill-treatment and other acts of violence
- ✓ Threats, acts of intimidation
- ✓ Arbitrary arrest and detention
- ✓ Inhumane conditions of detention
- ✓ Lack of fair trial proceedings
- ✓ Other acts obstructing the exercise of the parliamentary mandate

### A. Summary of the case

The case concerns allegations of human rights violations, including, *inter alia*, ill-treatment and other acts of violence, arbitrary detention, inhumane conditions of detention and acts obstructing the exercise of the parliamentary mandate, affecting one woman opposition member of parliament in Uganda. According to the complainant, the member of parliament has been targeted because of her political opinions and her work as an opposition parliamentarian.

According to the information provided by the complainant, Ms. Betty Nambooze was beaten by a group of security operatives on 27 September 2017 while she was in parliament. The events took place against the backdrop of controversial debates in parliament about the Constitution Amendment Bill No. 2 of 2017.

The complainant reports that during a violent incident in parliament that day, a group of security operatives attacked Ms. Nambooze. They forced her body into uncomfortable contortions, including forcing her shoulders, arms and hands to touch each other behind her back while one of them applied a lot of pressure on her back using a knee. She was then arrested and transferred to the headquarters of the Special Investigations Unit of the Uganda police force located in Kireka, where she remained for seven hours without receiving medical attention, despite her deteriorating condition and her specific requests. None of her children, her husband or friends were permitted to see her, even though they were present at the police station.

### Case UGA-26

**Uganda:** Parliament affiliated to the IPU

**Victims:** A female opposition member of parliament

**Qualified complainant(s):** Section I.1(a) of the Committee Procedure (Annex I)

**Submission of complaint:** February 2023

**Recent IPU decision:** March 2023

**IPU mission(s):** - - -

**Recent Committee hearing:** Hearing with the Ugandan delegation to the 150th IPU Assembly (April 2025)

#### Recent follow-up:

- Communication(s) from the authorities: - - -
- Communication from the complainant: March 2025
- Communication to the authorities: Letter to the Speaker of the National Assembly (February 2025)
- Communication to the complainant: March 2025

After Ms. Namboozé's release, towards midnight on 27 September 2017, she was driven in a police vehicle to Bugolobi Medical Centre where she was admitted for over a fortnight. Subsequent medical examinations revealed that, as a result of the beatings and contortions inflicted, three discs within her lower vertebrae had become compressed, thereby endangering her spinal cord. The complainant asserts that, in total violation of Ms. Namboozé's privacy and security, men and women forced themselves into the examination rooms and read through all reports and notes that were being written as she went through tests and treatment.

Ms. Namboozé travelled to India for surgery and treatment. The complainant claims that pleading with the government medical and administrative departments in charge to allow and enable her to travel took a total of one and a half months, during which time she was hospitalized in Kampala without receiving the specialized treatment required. Ms. Namboozé returned to Uganda in late November 2017. As she was preparing to travel back to India for a check-up in June 2018, and still in the process of healing, she was re-arrested on charges of "offensive communication" and manhandled again by security officers. According to the complainant, Ms. Namboozé remained immobile in a prison cell for nearly a week, unable to sit up or stand and in constant pain. She was then transferred to a hospital but, on the way, a police vehicle struck the ambulance. In the collision, her spine was further damaged, and her knee was severely injured. Doctors later determined that one of the metal screws implanted in her back had been dislodged and was pressing on a major nerve.

Ms. Namboozé was finally given bond and flown to India for another round of surgery in July 2018. She has also been allowed to receive regular treatment in the United States. According to the complainant, many years later she is still experiencing pain and still undergoing tough medical treatment. No action has been taken by the national authorities to identify and punish those responsible for the above-described events.

At the hearing held during the 150th IPU Assembly (April 2025), the Ugandan delegation stated that parliamentary reports exist regarding the 27 September 2017 events, which could be made available to the Committee on the Human Rights of Parliamentarians (CHRP) upon request. Finally, the delegation agreed with the CHRP on the value of it visiting Uganda and reiterated that the formal request for such a visit had been submitted to the Ministry of Foreign Affairs for consideration.

## **B. Decision**

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the Ugandan delegation to the 150th IPU Assembly for the information provided during the meeting with the Committee on the Human Rights of Parliamentarians (CHRP) and for the constructive spirit of dialogue;
2. *Welcomes* the information provided by the Ugandan delegation that reports prepared by parliamentary bodies on the events of 27 September 2017 are available and can be transmitted to the CHRP; and *requests* in this regard parliament to provide copies of all relevant reports in its possession, insofar as they contain information on the steps taken to identify and prosecute those responsible for the acts of violence committed against the member of parliament and the alleged ill-treatment in detention;
3. *Remains deeply concerned* at the alleged treatment suffered by Ms. Namboozé, all the more so given the apparent irreparable damage to her health and the perceived impunity surrounding it; *solemnly recalls* that all forms of violence against women parliamentarians constitute a serious affront to their dignity, contribute to the creation of an intimidating, hostile, degrading, humiliating or offensive environment, and serve to perpetuate gender-based inequality and harmful stereotypes; and *is convinced* that such violence also has a chilling effect on their peers and discourages other women from pursuing political engagement;
4. *Reiterates* that the allegations in this case have to be seen in the context of the CHRP's concerns in other existing cases in Uganda about the lack of respect for the physical integrity of members of the opposition and the lack of accountability whenever they are subject to ill-treatment or torture;
5. *Notes with interest*, once again, that, as already reported by the Ugandan delegation in October 2022, the Ugandan Parliament has brought the CHRP's request for a mission to Uganda to the

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attention of the Ministry of Foreign Affairs for consideration; *is confident* that, in light of the renewed assurances of support provided by the Ugandan delegation that met with the CHRP during the 150th IPU Assembly, a CHRP delegation can finally travel to Uganda to meet with all relevant authorities exercising legislative, executive and judicial powers and any other institution, civil society organization or individual in a position to provide relevant information on the present case as well as on the other Ugandan cases before the Committee; *calls on* the parliamentary authorities, once again, to do their utmost to obtain a response from the executive authorities regarding such a mission as soon as possible; and *hopes* that the competent national authorities will cooperate fully to help the mission find swift satisfactory solutions to this and the other cases in accordance with applicable national and international human rights standards, and to obtain first-hand information on the status of the implementation of the CHRP's recommendations following its [mission](#) to Uganda in 2020;

6. *Requests* the Secretary General to convey this decision to the relevant authorities, the complainant and any third party likely to be in a position to supply relevant information;
7. *Requests* the Committee to continue examining this case and to report back to it in due course.

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