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Concept note for the General Debate on

Strengthening international law: Parliamentary roles and mechanisms, and the contribution of regional cooperation

The international legal order, as established at the end of the Second World War and based on a comprehensive framework of legally-binding global commitments, is the bedrock for peace and security in the world today. Violations of this legal order breed conflict, insecurity and human suffering.

Heads of State and Government, as well as parliamentary leaders meeting in the context of IPU Assemblies and World Conferences of Speakers of Parliament, have reiterated their solemn commitment to the purposes and principles of the UN Charter, international law and justice, and to an international order based on the rule of law. They have pledged their allegiance to a wide range of international treaties and covenants—such as the International Covenants and conventions on human rights, the Treaty on the Non-Proliferation of Nuclear Weapons, the International Law of the Sea, the 2030 Development Agenda, and many more.

World leaders have also expressed their support for settlement and verification bodies such as the International Court of Justice, the International Criminal Court and other international tribunals. The international justice system plays a critical role in settling legal disputes between States, ensuring accountability for genocide, war crimes, crimes against humanity and the crime of aggression, combating impunity and verifying that States abide by their international commitments.

Since its creation 130 years ago, the IPU has established political dialogue, the rule of law and the peaceful resolution of conflict at the foundation of its work. It has also striven to strengthen parliament as the institution which is the key player in ensuring the wellbeing of citizens and preserving the rule of law at the national and international levels. The United Nations, too, in its high-level Declaration of 2012, acknowledged the essential role of parliaments in the rule of law and welcomed the interaction between the United Nations, national parliaments and the IPU. Time and time again, the IPU has reiterated its position of principle which rejects all action that is not in compliance with international law.

In their Millennium Declaration of September 2000, Heads of State and Government agreed that "*men and women have the right to live their lives and raise their children in dignity, free from hunger and from the fear of violence, oppression or injustice*". To help transform this vision into reality, they pledged to further strengthen cooperation between the UN system and national parliaments, through the IPU as their world organization. The ensuing partnership between the UN, parliaments and the IPU was framed around the three fundamental freedoms that needed to be promoted: freedom from fear to address peace and security challenges, freedom from want of development, and freedom to live in dignity to advance human rights and the rule of law.

Regional cooperation is also an essential component in enhancing the international legal order, contributing to peaceful settlement of disputes and advancing sustainable peace. After centuries of bloody conflict, culminating in the Second World War with its over 80 million fatalities, former adversaries in Europe created a European Coal and Steel Community, which went on to become the European Union and what is today a community of over 520 million citizens who enjoy an unprecedented level of peace, freedom and prosperity. Regional cooperation in Latin American and the Caribbean brought about the Treaty of Tlatelolco of 1967, which for the first time in history established an entire continent as a nuclear-weapon-free zone. In Africa, regional and sub-regional cooperation, in particular through the African Union, has been a driver of political stability and economic development. The vast majority of regional organizations benefit from parliamentary assemblies and unions which complement the inter-governmental components and aim to promote greater understanding and cooperation within and among regions.

The IPU is a unique platform for the dissemination of experiences and best practices of regional cooperation, and its role in the field needs to be promoted and strengthened in the coming years. The adoption of model laws on a variety of issues—including the most sensitive ones—is a good example of effective regional inter-parliamentary cooperation which in turn contributes to the development of national legislation and the harmonization of laws and law enforcement among countries in the region.

The world today is at a crossroads, witnessing repeated violations of the rules and principles of international law, including basic tenants such as respect for the territorial integrity and political independence of States, refraining from the use of force without authorization from the UN Security Council, non-interference in the internal affairs of States, and the duty of governments to uphold human rights and fundamental freedoms.

Trust in institutions at national, regional and global levels is eroding. We are witnessing an ever-growing trend of disenchantment with our governance models at all levels, due to the perception that they are disconnected from citizens' real needs and expectations. There is an urgent call to establish a stronger link between the people and the institutions that represent them and, through this bond, to generate a real and tangible impact on people's daily lives. Our world today requires that national, regional and international institutions undergo a thorough self-assessment and reinforce their accountability mechanisms. Governance and its institutions, as we know them today, need to be reformed so as to effectively deliver on the needs of constituencies and end the perception of institutions being far removed from the citizenry. Parliaments and parliamentarians must step up to courageously drive and promote the changes that are needed to transform the vision for a better world into reality. This includes ratifying and implementing international treaties, making sure that national legislation is in compliance with international obligations, and overseeing government's actions to ensure that they are not in violation of the rule of law.

Delegates at the 141st IPU Assembly in Belgrade will be invited to consider the following questions:

- What actions has your Parliament undertaken to preserve the international legal order?
- To what extent has your Parliament exercised its oversight function in terms of making sure that government action is in compliance with international law?
- Are decisions of international tribunals as well as resolutions of the UN General Assembly and Security Council duly taken into consideration by your Parliament?
- How can parliaments and parliamentary organizations affect the degree of transparency of international organizations?
- How can national, regional and international governance institutions be redefined and strengthened in order to meet the present demands and expectations of the people they represent?
- How can parliamentarians better identify and tackle the root causes of conflict before they spiral out of control?
- What regional initiatives have proven to be most effective in helping to enhance peace, security and the rule of law?
- How can parliaments help build greater coherence in regional inter-parliamentary cooperation?
- What good practices have contributed to preserve and strengthen the international legal order? How can these be given more visibility?
- How can the IPU better deliver its core mandate to foster political dialogue and help preserve the international legal order?