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For democracy. For everyone.

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Committee on the Human Rights of Parliamentarians

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Algeria

Decision adopted by consensus by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)¹



© Abdelkader Djedei

DZA-01 – Abdelkader Djedei

Alleged human rights violations

- ✓ Violation of freedom of opinion and expression
- ✓ Violation of freedom of movement
- ✓ Failure to respect parliamentary immunity
- ✓ Undue invalidation, suspension or revocation or other acts obstructing the exercise of the parliamentary mandate

A. Summary of the case

A senator since 2019, Mr. Abdelkader Djedei was nominated by the members of his political party (the National Liberation Front) for the post of Vice-President of the Council of the Nation on 30 May 2023. However, Mr. Djedei reportedly came under intense pressure and multiple threats aimed at forcing him to resign from his new post, on account of his critical stance towards the Government.

After refusing to give in to the various threats, Mr. Djedei had legal proceedings brought against him for “contempt of a state institution”, “defamation of the public authorities”, “dissemination of posts likely to harm the national interest” and “dissemination of information endangering public order or public security” for comments he had made during a discussion in 2019 with the Minister of Energy and the CEO of Sonatrach, the Algerian national oil and gas company. Mr. Djedei had filmed this discussion before posting it on social media in 2019.

The comments that led to Mr. Djedei's indictment were made in the exercise of his right to freedom of expression, as guaranteed by Article 52 of the Algerian Constitution. These non-abusive and non-hostile comments questioned national policies implemented in southern Algeria and criticized the Algerian Government's failures towards citizens in the south. On 17 September 2023, the Member of Parliament

Case DZA-01

Algeria: Parliament affiliated to the IPU

Victim: Former Member of Parliament from the majority party

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

Submission of complaint: June 2025

Recent IPU decision: October 2025

IPU mission(s): - - -

Recent Committee hearing: Hearings with the complainant and the Algerian authorities, represented by the President of the Council of the Nation, at the 151st IPU Assembly (October 2025)

Recent follow-up:

- Communication from the authorities: Letter from the President of the Council of the Nation (August 2025, April 2026)
- Communication from the complainant: April 2026
- Communication to the authorities: Letter to the President of the Council of the Nation (March 2026)
- Communication to the complainant: April 2026

¹ The delegation of Algeria expressed its reservations regarding the decision.

was summoned and questioned by the national gendarmerie in Touggourt about his statements, even though he enjoyed parliamentary immunity and no formal procedure to lift his immunity had yet been initiated.

After refusing to waive his parliamentary immunity, as provided for in the Algerian Constitution, the President of the Council of the Nation referred the matter of immunity to the Constitutional Court for a ruling. On 13 November 2023, the Court decided to lift the senator's parliamentary immunity, finding that the charges against him were sufficient and were unrelated to his parliamentary mandate.

On 5 February 2024, the Touggourt court sentenced Mr. Djedei *in absentia* to three years' imprisonment and a fine for the charges against him.

In his letter of 26 August 2025, the current President of the Council of the Nation, Mr. Azouz Nasri, explained that in September 2023 the former President of the Council of the Nation had taken precautionary measures against Mr. Djedei, removing him from the Council's bureau, because he was convinced that the investigations conducted by the judicial police against him would be successful. However, Mr. Nasri added that these measures had not hindered the exercise of Mr. Djedei's parliamentary mandate. This information is disputed by the complainant, who alleges that Mr. Djedei was unable to complete his term of office because he was forced into exile in Spain with his family in 2023–2024 due to the threats and risk of imprisonment he faced. His emoluments ceased to be paid by Parliament from the moment he left Algeria.

With regard to the lifting of Mr. Djedei's parliamentary immunity, in the same letter dated 26 August 2025, the President of the Council of the Nation stated that the Algerian Constitutional Court was the sole competent authority to rule on requests for the lifting of parliamentary immunity. As for the legal proceedings, the President of the Council of the Nation emphasized in the same letter that these were at the discretion of the public prosecutors. The President of the Council of the Nation added that Mr. Djedei still had two legal remedies open to him to challenge the decision: appeal and petition to the Court of Cassation. However, these remedies do not suspend the sentence handed down.

On 16 September 2025, Mr. Djedei was reportedly approached by two individuals near the home where he was living in exile, whom he believed to be affiliated to the Algerian intelligence service. They allegedly urged him to withdraw the complaint he submitted to the Committee in exchange for a return to Algeria without risk of imprisonment.

On 14 October 2025, Mr. Djedei received a summons from the Spanish National Court regarding an official extradition request submitted by the Algerian authorities to their Spanish counterparts. There is an extradition treaty between Algeria and Spain for crimes related to drug and human trafficking.

During the 151st IPU Assembly (October 2025) in Geneva, the Committee met with the President of the Council of the Nation, Mr. Azouz Nasri, in the context of a hearing, during which he reiterated the arguments set out in his letter of 26 August 2025.

In November 2025, the complainant added that the Algerian consulate in Spain had refused to issue consular cards and identity documents to Mr. Djedei's children. In this regard, the President of the Council of the Nation provided further clarification in his letter of 14 April 2026, in which he stated that "the Algerian consular authorities in Spain cannot respond favourably to the requests of the complainant, who is in an irregular situation under Algerian law and who cannot, therefore, avail himself of its protection, unless he returns to Algeria, places himself at the disposal of the Algerian authorities and accepts the judgment delivered against him on 5 February 2024".

On 27 January 2026, the Central Investigating Court of Madrid rejected the request for the extradition of Mr. Djedei submitted by the Algerian authorities on 27 May 2025 for the purpose of prosecution on charges of corruption, money laundering and fraud. The complainant provided a copy of the decision refusing extradition, which included the grounds put forward by the Algerian authorities. In its decision of 27 January 2026, the Investigating Court of Madrid considered that, in view of the lack of sufficient factual detail regarding the charges against Mr. Djedei in the extradition documentation, and their general nature, it could not grant the request.

In his letter of 14 April 2026, the President of the Council of the Nation explained that Mr. Djedei's case was

being handled by the Algerian Ministry of Justice, in cooperation with the Algerian Ministry of Foreign Affairs, with a view to unblocking the extradition procedure, which had reportedly been rejected by the Central Investigating Court of Madrid on procedural grounds. In his letter, the President of the Council of the Nation also indicated that the Algerian authorities had not yet received a copy of the said judgment from the Spanish authorities.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the President of the Council of the Nation for his letter of 14 April 2026; *nevertheless regrets* the lack of information concerning the extradition request submitted by the Algerian authorities against Mr. Djedei;
2. *Reiterates its concern* at the disproportionate sentence of three years' imprisonment handed down *in absentia* to Mr. Djedei for comments made in the exercise of his fundamental right to freedom of expression; *reaffirms* that Mr. Djedei's comments were made in the exercise of his parliamentary duties, as they were intended to promote the interests of the citizens of the southern region from where he comes and which he represents in the Council of the Nation;
3. *Calls once again* on the competent authorities, in view of the charges against Mr. Djedei, to drop the proceedings against him, to reconsider their position with regard to him and to put an end to the intimidation he is facing in exile;
4. *Notes with satisfaction* that Mr. Djedei was not extradited to Algeria following the decision of the Investigating Court of Madrid of 27 January 2026; *is nevertheless troubled* by the grounds put forward by the Algerian authorities to justify the extradition request submitted to the Spanish authorities with respect to the former senator, particularly given that the charges against him in the extradition documentation, as identified in the decision of the Central Investigating Court of Madrid, appear to bear no relation to the initial charges brought against him;
5. *Calls once again* on the Algerian authorities to provide information regarding the extradition request submitted to the Spanish authorities against Mr. Djedei, in order to understand the grounds on which that request is based;
6. *Requests* the Secretary General to convey this decision to the President of the Council of the Nation, 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.

Bangladesh

Decision adopted by consensus by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)²



Anti-government protestors display the flag of Bangladesh as they storm former Prime Minister Sheikh Hasina's palace in Dhaka on 5 August 2024.
© K M ASAD / AFP

BGD-16 – Saber Chowdhury
BGD-17 – Fazle Karim Chowdhury
BGD-18 – Habibe Millat
BGD-19 – Asaduzzaman Noor
BGD-20 – Mosharraf Hossain
BGD-21 – Muhammad Faruk Khan

Alleged human rights violations

- ✓ Threats, acts of intimidation
- ✓ Arbitrary arrest and detention
- ✓ Inhumane conditions of detention
- ✓ Lack of due process in proceedings against parliamentarians

A. Summary of the case

According to the complainants, the six former members of the Bangladesh Parliament named in the present case are victims of a revenge spree against prominent members of the ousted Awami League party, of which they were recognized figures. Mr. Habibe Millat was a Member of Parliament in the previous parliamentary term, which ended in January 2024, while Mr. Saber Chowdhury, Mr. Fazle Chowdhury, Mr. Asaduzzaman Noor, Mr. Mosharraf Hossain and Mr. Muhammad Faruk Khan were all sitting parliamentarians at the time of the dissolution of Parliament in August 2024.

The complainants report that Mr. S. Chowdhury, Honorary President of the Inter-Parliamentary Union (IPU), faces numerous charges – including sedition, conspiracy, unlawful assembly, use of explosives and multiple counts of murder – arising from incidents between 2015 and 2024. The complainants also state that due process has not been followed in the proceedings against him. More than 30 cases are still under

Case BGD-COLL-01

Bangladesh: Parliament affiliated to the IPU

Victims: Male majority Members of Parliament

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

Submission of complaints: October and November 2024

Recent IPU decision: October 2025

IPU mission(s): - - -

Recent Committee hearings: Hearing with Mr. Fazle Karim Chowdhury's son, Mr. Faraaz Chowdhury (April 2026), and hearing with the delegation of Bangladesh to the 152nd IPU Assembly (April 2026)

Recent follow-up:

- Communication from the authorities: - - -
- Communication from the complainants: April 2026
- Communication to the authorities: March 2026
- Communication to the complainants: April 2026

² The delegation of Bangladesh expressed its reservations regarding the decision.

investigation and key details are yet to be disclosed. A case has also been brought against him and his wife before the Anti-Corruption Commission, which is ongoing. On 5 October 2024, Mr. S. Chowdhury was arrested and brought to court the following day. Pictures and videos provided by the complainants and available on the internet show Mr. S. Chowdhury entering and leaving the court building with his physical integrity visibly at risk, with eggs, stones and blunt objects being thrown at him. The complainants report that, in this context, Mr. S. Chowdhury was hit on the head with a brick, resulting in severe trauma. On 7 October 2024, he was granted bail in six of the cases for which he had been detained. However, other cases, including at least seven for murder, remain pending, which could result in his re-arrest at any time. Upon his release, Mr. S. Chowdhury was immediately taken to a hospital to receive medical treatment for the injuries sustained in the court building the day before. Medical documentation confirms that he has sustained serious injuries requiring specialized treatment available only outside the country. However, due to his travel ban, he has been unable to access the medical care he needs. According to the complainants, in addition to the alleged politically motivated legal proceedings, Mr. S. Chowdhury's personal safety is under threat. The complainants report that his family residence was attacked and set on fire on 5 August 2024, with the assailants allegedly stating their intent to murder Mr. S. Chowdhury and his family.

Mr. F.K. Chowdhury, former member and President of the IPU Committee on the Human Rights of Parliamentarians, was arrested on 12 September 2024 and has since reportedly been detained under harsh conditions. He has allegedly been subjected to psychological abuse, including humiliating media broadcasts, and his safety in prison is reportedly under threat by assassination plots attributed to political opponents. Mr. F.K. Chowdhury faces multiple criminal charges – among them murder, extortion and bribery – as well as cases before the International Crimes Tribunal (ICT), which the complainants describe as politically motivated and unfounded. His family home was attacked, employees were killed in politically driven violence, and social media campaigns have incited violence against him, his family and his legal counsel. Previous court appearances have been marked by violent mobs calling for his execution and attempting to physically assault him, raising serious concerns that future hearings will likewise endanger his life and security. At a hearing with the Committee during the 152nd IPU Assembly (April 2026), Mr. F.K. Chowdhury's son reported that his father requires specialized medical treatment that is not available in detention. The absence of such treatment results in a serious deterioration of Mr. F.K. Chowdhury's health and places his life at imminent risk. He further provided detailed information on inconsistencies relating to dates, locations, and other factual elements in the ongoing legal proceedings, which he alleges demonstrate that the proceedings are politically motivated and lack a sufficient factual basis.

According to the complainants, Mr. Millat's residence in Sirajganj was attacked and set on fire during anti-government protests in early August 2024. His house was vandalized and set on fire on 4 August, looted on 5 August, and then set on fire again. Later that month, three murder cases were filed against him, alleging that he had ordered attacks on a protest march in Sirajganj in August 2024. In the subsequent months, additional proceedings were initiated in connection with events said to have occurred during his tenure as a Member of Parliament, including charges of extortion and murder. The complainants assert that these allegations are fabricated. Fearing for his safety, Mr. Millat is currently in exile.

According to the complainants, Mr. Noor was arrested without a warrant on 15 September 2024 and brought to court the following day in connection with a murder case. Since then, he has been detained in Keraniganj central prison without formal charges. He is accused in at least three separate murder cases brought following deaths during the anti-government protests in July and August 2024, along with several co-accused in each case. The complainants provided information on discrepancies in the cases, which had allegedly been ignored by the authorities. They also allege that the police have failed to provide any investigation reports detailing how Mr. Noor is connected to the crimes of which he is accused. Despite Mr. Noor's advanced age and severe health conditions, including heart disease, spinal degeneration, diabetes and asthma, and notwithstanding that he was granted bail by the court on the grounds that there was "no specific allegation" against him, the Attorney General's Office subsequently requested a stay order, which remains in force to date. The complainants assert that Mr. Noor's health is worsening and that, without urgent medical intervention, his life is at great risk.

Mr. Hossain was arrested at his residence on 27 October 2024 in connection with an incident that took place in 2022, despite reportedly having an alibi for the time of the alleged event. The complainants allege that Mr. Hossain has been charged without concrete evidence or due process. Both his initial bail application and a subsequent application, which included a request for medical care, have been denied. The complainants also report that Mr. Hossain suffers from Parkinson's disease, heart and lung disease and other serious conditions, and requires constant medical monitoring and physiotherapy. The prison

facilities where he is being held lack the necessary infrastructure for his care, which has led to an alarming deterioration in his health. On 9 December 2024, the High Court granted Mr. Hossain bail. However, the Attorney General filed a motion to stay the bail order. On 19 December 2024, the Appellate Division of the Supreme Court upheld the stay, while ordering the authorities to ensure his medical care. According to the complainants, this order has not been implemented. Family members who have visited him in prison report that he has lost an alarming amount of weight and that his mobility has worsened. The complainants state that without urgent adequate medical intervention, Mr. Hossain's life remains at serious risk.

According to the complainants, Mr. Khan was arrested without a warrant on 15 October 2024, while undergoing physiotherapy at the Combined Military Hospital in Dhaka Cantonment. He was allegedly not allowed to collect his medication before being taken into custody. Despite his advanced age and health conditions, which include Parkinson's disease, hypertension and post-stroke complications, no adequate arrangements have been made for his care, all bail applications have been denied, and he remains in custody under harsh conditions. According to the complainants, Mr. Khan was initially arrested in connection with a murder case for an incident in December 2022 involving the death of a member of the Bangladesh Nationalist Party. The complainants assert that the case documents fail to establish a link between Mr. Khan and the crime of which he is accused. Additional charges have been brought against him in connection with deaths during the 2024 student-led protests. He has also been named in a case before the ICT, where he and other former officials face unclear allegations. In this case, Mr. Khan and 13 other co-accused former government officials were brought before the ICT for a hearing on 18 November 2024. The defence lawyers reported that, despite several attempts to obtain clarification, no details of the specific charges against Mr. Khan had been provided. The same applied to all the cases brought against him, which has prevented Mr. Khan's legal team from adequately preparing his defence. The complainants also report that Mr. Khan's lawyers have been subjected to aggressive behaviour within the court premises.

The IPU has received reports indicating that more than 100 former parliamentarians, all members of the Awami League, are currently in detention in Bangladesh, facing multiple ongoing criminal proceedings. These detentions appear to have taken place under circumstances very similar to those described in the situations outlined above. On two separate occasions, the independent trial observer mandated by the IPU to monitor the legal proceedings in these cases was unable to travel to Bangladesh, as the necessary visas were not granted on time by the interim authorities, and repeated requests for support in facilitating visa delivery for an IPU delegation to travel to Bangladesh remained unanswered.

At a hearing with the Committee during the 152nd IPU Assembly (April 2026), the Bangladeshi delegation expressed its openness to dialogue and its willingness to cooperate with the IPU. It stated that all ongoing proceedings against former Members of Parliament are being conducted in accordance with applicable national legislation and without political interference. The delegation further affirmed the full commitment of the new authorities, following the February 2026 elections, to the rule of law and the protection of human rights. With regard to detention conditions and access to healthcare, the delegation reported that measures are being taken to ensure humane treatment of all detainees and the provision of adequate medical care where required. The delegation also stated that the country is currently undergoing a process of democratic restoration, and that justice is being pursued in relation to events that occurred during the 2024 protest period as well as during the previous Government's term.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the delegation from Bangladesh for participating in the 152nd IPU Assembly (April 2026), for the information provided and for the constructive spirit and openness to dialogue it demonstrated during its hearing with the Committee; *thanks also* Mr. Faraaz Chowdhury for his personal testimony and the abundant information submitted;
2. *Takes note with interest* of the statements made by the delegation on ongoing national efforts, including to ensure respect for due process and humane conditions of detention; *reiterates, however, its deep concern* at the continued detention of Mr. Fazle Karim Chowdhury, Mr. Asaduzzaman Noor, Mr. Mosharraf Hossain and Mr. Muhammad Faruk Khan, in light of the disturbing allegations of the appalling conditions of detention and the irreversible effects that these conditions are allegedly having on their health; *urges*, in this regard, the newly established national authorities to take all necessary steps to ensure the full enjoyment of the rights of these four former parliamentarians, as a matter of

urgency, including considering releasing them on bail on humanitarian grounds on a case-by-case basis; and *requests* the competent Bangladeshi authorities to keep it informed of any measures taken in this regard;

3. *Remains deeply concerned* about the allegations of serious violations of the right to a fair trial in the proceedings against the six former parliamentarians listed in the present case, as well as about the nature and severity of the charges, some of which reportedly may carry the death penalty, and about allegations suggesting that the initiation and proliferation of criminal proceedings against former members of the Awami League may be politically motivated; *requests* in this regard, the relevant authorities to provide official and detailed information on the facts justifying each of the charges brought against them; and *hopes* that the competent authorities will take all necessary measures to ensure that these cases are handled fairly and independently, fully respecting international fair trial standards;
4. *Reiterates its wish* to mandate a trial observer to monitor the upcoming court proceedings in the present collective case; *calls on* the relevant authorities to extend their full cooperation to the IPU, including by ensuring timely communications and facilitating the issuance of visas to enable independent observation of the trials; and *wishes* to be kept informed of the dates of the trials when available and of any other relevant judicial developments in the cases;
5. *Reiterates its wish* to send a delegation to Bangladesh as soon as possible in order to meet with the relevant national authorities, as well as with the prison authorities and any other institution, civil society organization or individual in a position to provide relevant information regarding the situation of the six former parliamentarians; *tasks* the delegation with visiting those in detention; *hopes* that the newly established Parliament and other relevant national authorities will cooperate fully and that the mission will help to find satisfactory solutions to this case swiftly and in accordance with applicable national and international human rights standards;
6. *Welcomes* the willingness expressed by the delegation to engage in cooperation with the IPU; *confirms*, in this regard, that the IPU stands ready to provide capacity-building assistance to the newly established Parliament, with a view to contributing to the strengthening of its institutional and technical capacities; *and expresses the wish* to receive official information on the best way to provide this assistance, if it is deemed appropriate;
7. *Requests* the Secretary General to convey this decision to the Parliament of Bangladesh and the complainants;
8. *Requests* the Committee to continue examining the case and to report back to it in due course.

Belarus

Decision adopted unanimously by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)



Victor Gonchar © Photo courtesy of the Gonchar family

BLR-05 – Victor Gonchar

Alleged human rights violations

- ✓ Enforced disappearance
- ✓ Impunity

A. Summary of the case

Mr. Victor Gonchar disappeared in September 1999, along with his friend, Mr. Anatoly Krasovsky. Mr. Gonchar was the Deputy Speaker of the 13th Supreme Soviet and a major political opponent of the President of Belarus, Mr. Aleksandr Lukashenko. He was the third prominent opposition figure in Belarus to have disappeared since April 1999. Mr. Gonchar was expected to play a leading role in the talks organized by the Organization for Security and Co-operation in Europe between the opposition and the President. At the time of his disappearance, he was due to chair an extended parliamentary session which could have set in motion the process to impeach the President.

His disappearance was attributed to State-run death squads known as SOBR (special rapid response unit) on the personal order of the former Minister of the Interior and of the Secretary General of the Belarusian Security Council. Official investigations have proved unavailing. Key officials suspected of involvement were never questioned and were subsequently promoted. A report on disappearances in Belarus issued in February 2004 by the

Case BLR-05

Belarus: 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: August 1998

Recent IPU decision: November 2020

IPU mission(s): November 1999

Recent Committee hearing: Hearing with a member of the Belarusian delegation to the 144th IPU Assembly in Nusa Dua, Indonesia (March 2022)

Recent follow-up:

- Communications from the authorities: Letters from the Chair of the Committee on National Security of the House of Representatives (January 2013)
- Communication from the complainant: August 2023
- Communication addressed to the authorities: Letter addressed to the Chair of the House of Representatives (December 2025)
- Communication addressed to the complainant: March 2026

Parliamentary Assembly of the Council of Europe concluded that no proper investigation had been conducted, and that senior State officials may be implicated in the disappearances of several opposition figures, including Mr. Gonchar. The report mentioned numerous pieces of evidence pointing towards the involvement of the State in the disappearance, including evidence that a gun used for carrying out the death penalty against Mr. Gonchar was signed out by order of the Minister of the Interior on the date of Mr. Gonchar's disappearance. The authorities objected to the report's conclusions.

In March 2012, the United Nations Human Rights Committee also concluded, in the case of the enforced disappearance of Mr. Krasovsky, that Belarus had violated its obligations to investigate and take appropriate remedial action. It requested Belarus to provide the victims with an effective remedy, including a thorough and diligent investigation into the disappearance, prosecution and punishment of the perpetrators. No implementation measures have been taken by the authorities.

No information from the Parliament of Belarus or from the judicial authorities has been forthcoming since January 2013. Meetings with the leader of the Belarusian delegation to the 132nd IPU Assembly (Hanoi, March–April 2015) have been inconclusive, as the authorities have continued to affirm that the investigation was ongoing and confidential and that they did not need assistance.

The families and their lawyers have never been granted access to the investigation files, despite numerous petitions. Their requests – and those of the opposition United Civil Party – for the investigation into State officials and other leaders have remained unanswered. They had, *inter alia*, asked for the Prosecutor General to take into account, and investigate, documentaries and video testimonies aired on TV pointing to the involvement of the same top officials, in particular the important video testimony (allegedly dating from 2003 and aired in September 2018) of Mr. Viktor Zabolotsky, a Belarusian citizen who claimed to have been near the crime scene at the time of Mr. Gonchar's disappearance. The complainant indicated that the families had been informed on 6 December 2018 by the investigative authorities that the investigation had been suspended for failure to identify a perpetrator, but that the case would be reopened, should a suspect be identified.

In December 2019, a prominent journalism investigation story based on the accounts of Mr. Yuri Garavsky, a new witness and self-confessed accomplice to the alleged murder of Mr. Gonchar, caused a sensation in the country when it came out. According to an official letter provided by the complainant, the investigation into the disappearance of Mr. Gonchar was reopened on 24 December 2019 but was suspended once again in February 2020. During its session in October 2020, the Committee heard Mr. Garavsky's account and adopted a decision which questioned the suspension in the face of the detailed account of a self-confessed accomplice to the enforced disappearance, who went as far as sharing the coordinates of the location where the bodies had allegedly been buried by his unit within the former base compound of Begoml by order of his superior, Lt. Colonel Pavlichenko.

Mr. Garavsky would later recount these details in a hearing with the IPU Committee on the Human Rights of Parliamentarians and Swiss judicial authorities, which prosecuted and indicted him for his involvement in the enforced disappearance of political opponents in 1999 in a historical universal jurisdiction trial. On 28 September 2023, the Swiss District Court of Rorschach acquitted Mr. Garavsky of his personal responsibility for the disappearance of the men on account of lingering doubts mentioned by the district judge as to the participation of Mr. Garavsky in the act, despite the fact that both the prosecution and the defence were aligned in their certainty as to his responsibility as an accomplice to the crime. However, in his ruling, the judge stressed that "not acquitted were the authorities" of Belarus, adding that the facts of the enforced disappearance at hand "should not be in doubt". The lawyers representing the families of the disappeared appealed the decision and sought to hold Mr. Garavsky accountable for his role in the murder and disappearance of Mr. Gonchar and other opposition leaders. As of March 2026, the appeal is pending before the appellate court. In April 2026, the IPU was informed that the trial at the appellate court would commence in June 2026.

The United Nations Human Rights Council has repeatedly expressed its deep concern at the continuing violations of human rights in Belarus, which it found were of a systemic and systematic nature, as well as at the use of torture and ill-treatment in custody, the lack of response by the Government of Belarus to cases of enforced disappearances of political opponents, and the lack of participation of opposition political parties in Parliament. The Council held an urgent debate on the situation in Belarus following the presidential elections of August 2020 and adopted a resolution condemning the reported use of violence and torture against thousands of protestors who had mobilized after the elections over allegations of

massive voter fraud. On 30 September 2024, the authorities of Lithuania submitted a referral to the International Criminal Court (ICC) over alleged crimes against humanity committed in Belarus, a non-ICC State party, stating that part of the elements of the alleged crimes were committed on the territory of Lithuania, a State party to the Rome Statute.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Is appalled* by the complete and persistent impunity in this case, over 25 years after the disappearance of Mr. Victor Gonchar;
2. *Regrets* the lack of response from the Belarusian authorities to repeated requests for information in this case;
3. *Denounces* the authorities' decision to suspend the investigation into the disappearance of Mr. Gonchar in spite of unequivocal conclusions reached by the IPU, the United Nations Human Rights Committee and the Parliamentary Assembly of the Council of Europe, regarding violations of their obligations;
4. *Cannot but conclude*, in light of the overwhelming evidence in this case, including the detailed information provided by Mr. Yuri Garavsky during a hearing with the Committee on the Human Rights of Parliamentarians and the conclusion reached by the Swiss District Court of Rorschach, that the authorities of Belarus are responsible for the enforced disappearance of Mr. Gonchar and Mr. Krasovsky;
5. *Calls on* all IPU Member Parliaments and permanent observers, parliamentary assemblies and human rights organizations active in the region to take concrete actions in support of the urgent resolution of this case in a manner consistent with respect for democratic values and human rights; *welcomes* the efforts undertaken by the Swiss judicial authorities in a historical first case of prosecution of an individual for the crime of enforced disappearance by a domestic court; *looks forward* to the resumption of the trial in an appellate court; *requests* the Secretary General to support such efforts, including by making an *amicus curiae* submission in the hope of ending the impunity which has reigned in this longstanding case; and *hopes* to be able to rely on the assistance of all relevant national, regional and international institutions;
6. *Requests* the Secretary General to convey this decision to the relevant authorities and to 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.

Democratic Republic of the Congo

Decision adopted unanimously by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)



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 were 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 are politically motivated, in the context of 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. 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 Head of State" and "spreading false rumours". Mr Kabund's

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: April 2025

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: April 2026
- Communication to the authorities: Letter to the Speaker of the National Assembly (December 2025)
- Communication to the complainant: April 2026

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.

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 of up 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.

On 21 February 2025, Mr. 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 reportedly been dropped, although he does not yet have the final judgment confirming the annulment of his conviction. 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. Since his release, Mr. Kabund has given several interviews to local and international media regarding his detention and his political views critical of the current Government.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Notes with satisfaction* the release of Mr. Kabund in February 2025 and the fact that he is able to express his political opinions freely;
2. *Decides*, therefore, to close the case, in accordance with section IX.25, of its Procedure for the examination and treatment of Complaints, considering that a satisfactory settlement has been reached;
3. *Deplores*, nevertheless, that Mr. Kabund spent two and a half years in detention simply for making critical remarks about the Head of State and government policy; and *recalls* that, even if these remarks were provocative in nature, they fell within the exercise of his fundamental right to freedom of expression and were in no way accompanied by hostile acts aimed at disrupting public order;
4. *Encourages* the National Assembly of the Democratic Republic of the Congo to ensure that its members are able to exercise their right of appeal in order to safeguard their rights of defence in judicial proceedings, on an equal footing with other citizens of the Democratic Republic of the Congo; *calls on* the National Assembly to protect the freedom of expression of its members 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 ensure that such violations do not recur in the future; and *affirms* that the IPU stands ready to support the efforts of the National Assembly in this regard;
5. *Requests* the Secretary General to convey this decision to the parliamentary authorities of the Democratic Republic of the Congo and to the complainant.

Ecuador

Decision adopted unanimously by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)



Esther Cuesta Santana © Revolución Ciudadana

ECU-101 – Esther Cuesta Santana

Alleged human rights violations

- ✓ Lack of due process in proceedings against parliamentarians

A. Summary of the case

According to the complainant, Ms. Esther Cuesta Santana served as Consul General of Ecuador in Genoa, Italy, Vice Minister of Human Mobility, and Member of Parliament for three consecutive terms (2017–2025). She is a prominent member of the Revolución Ciudadana (Citizen Revolution) movement, which is the largest opposition group in the Ecuadorian National Assembly. During her final term, she served as Acting President of the National Assembly from 5 January to 9 February 2025.

According to the complainant, criminal case 17721-2025-00031G was initiated for alleged illicit association on 15 March 2025 against individuals linked to Revolución Ciudadana. Ms. Cuesta Santana's inclusion in the case was requested only on 19 May 2025, six days after her parliamentary term ended.

According to publicly available information, the Prosecution claims that, between November 2024 and January 2025, the defendants allegedly took actions aimed at illegally seizing control of State institutions.

The complainant contends that the criminal charges against Ms. Cuesta Santana represent selective judicial persecution. Despite her residing abroad, no longer holding office and posing no risk of flight or obstruction, pre-trial detention was requested. The complainant also claims that the precautionary measures imposed – monthly appearances in Ecuador and frozen bank accounts – are disproportionate and impracticable.

The complainant further asserts that judicial remedies were delayed and dismissed without justification, violating Ms. Cuesta Santana's parliamentary immunity, constitutional protections, and right to effective judicial review. An extraordinary protection action is pending before the Constitutional Court of Ecuador.

The complainant claims that the political persecution of Ms. Cuesta Santana is directly linked to the exercise of her constitutional functions as a parliamentarian and Acting President of the National Assembly

Case ECU-101

Ecuador: Parliament affiliated to the IPU

Victim: Female opposition Member of Parliament

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

Submission of complaint: January 2026

Recent IPU decision: - - -

Recent IPU mission(s): - - -

Recent Committee hearing: - - -

Recent follow-up:

- Communication from the authorities: - - -
- Communication from the complainant: February 2026
- Communications to the authorities: Letter to the Speaker of the National Assembly (March 2026)
- Communication to the complainant: February 2026

of Ecuador. Ms. Cuesta Santana denies all the charges and maintains that all actions undertaken during her parliamentary mandate were in full compliance with the law.

The Parliament has been requested to provide its official comments and updated information on the case. No response has been received to date.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Notes* that the present complaint was declared admissible by the Committee on the Human Rights of Parliamentarians, considering that the complaint: (i) was submitted in due form by a qualified complainant under section I.1.(b) of the Procedure for the examination and treatment of complaints (Annex I of the Rules and Practices of the Committee on the Human Rights of Parliamentarians); (ii) concerns alleged arbitrary actions directly related to events that took place while the individual was still a Member of Parliament; and (iii) concerns allegations of lack of due process in proceedings against parliamentarians, which are allegations that fall within the Committee's mandate;
2. *Expresses concern* regarding allegations that criminal proceedings have been initiated and are ongoing as a direct consequence of Ms. Cuesta Santana's exercise of her parliamentary mandate;
3. *Regrets* the lack of response from the Ecuadorian parliamentary authorities to the Committee's request for information and official observations regarding the situation of Ms. Cuesta Santana; *recalls* in this regard that, in accordance with its Rules and Practices, the Committee 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 *encourages* in this regard the National Assembly of Ecuador to enter into a constructive and continuous dialogue with the Committee in order to ensure a satisfactory and speedy resolution of this case;
4. *Requests* the Secretary General to convey this decision to the National Assembly of Ecuador and the complainant;
5. *Requests* the Committee to continue examining the case and to report back to it in due course.

Gabon

Decision adopted unanimously by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)



© Justin Ndoundangoye

GAB-04 – Justin Ndoundangoye

Alleged human rights violations

- ✓ Torture, ill-treatment and other acts of violence
- ✓ Arbitrary arrest and detention
- ✓ Lack of due process at the investigation stage
- ✓ Failure to respect parliamentary immunity
- ✓ Impunity

A. Summary of the case

Mr. Justin Ndoundangoye, a former Gabonese Member of Parliament, was arrested and held in detention at the Central Prison of Libreville on 9 January 2020. He was released on 20 October 2023. Initially accused of instigating misappropriation of public funds (*détournement de fonds publics*), bribery (*concussion*), money laundering and conspiracy offences, he was found guilty of bribe-taking (*corruption passive*) and sentenced at first instance on 10 December 2021 to a five-year prison term. He was also fined 10 million CFA francs and ordered to reimburse 145 million CFA francs to the State of Gabon by way of damages and interest. On 4 March 2022, the Court of Appeal of Libreville upheld the ruling.

The complainant claims that Mr. Ndoundangoye was kept in police custody for a period of two weeks in violation of the provisions of article 56 of the Code of Criminal Procedure of Gabon, which provides for a maximum period of 48 hours, renewable once. During those two weeks, he was allegedly questioned by officials of the Directorate General for Counter-Interference and

Case GAB-04

Gabon: Parliament affiliated to the IPU

Victim: Member of the majority

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

Submission of complaint: May 2020

Recent IPU decision: February 2025

IPU mission(s): - - -

Recent Committee hearing: Hearing with the transitional parliamentary authorities at the 147th IPU Assembly (October 2023)

Recent follow-up:

- Communication from the authorities: Letter from the Assistant Secretary General of the National Assembly (May 2022)
- Communication from the complainant: December 2025
- Communication to the authorities: Letter to the Speaker of the National Assembly (March 2026)
- Communication to the complainant: December 2025

Military Security, who were not qualified as criminal investigation officers. He was reportedly unable to speak to his lawyers while in police custody. It is alleged that the lawyers did not have access to the case file, either to the procedural documents or to the evidence against him, and that the only document available to the defence at the start of the proceedings was the pretrial detention order.

According to the complainant, Mr. Ndoundangoye was held in solitary confinement in inhumane and degrading conditions throughout his detention. In particular, he was reportedly held in a very small cell in the disciplinary wing of the Central Prison of Libreville without access to drinking water. He was allegedly only able to keep himself hydrated thanks to the cans of water brought to him by his family every week. He was also forbidden from taking part in the religious services held every Sunday in the prison's multi-purpose room.

On 26 August 2023, legislative elections were held in parallel with the presidential elections. On 30 August 2023, the National Electoral Commission announced the election of President Ali Bongo for a third term in office. On the same day, members of the military, joining forces in a Committee for the Transition and Restoration of Institutions (CTRI), seized power, claiming that the country was facing "a serious institutional, political, economic and social crisis". The CTRI announced the dissolution of all State institutions and annulled the results of the August 2023 elections. It also appointed General Brice Oligui Nguema, former head of the presidential guard, as its head. In September 2023, a Transitional Charter was published, and Mr. Oligui Nguema was sworn in as Transitional President. In October 2023 the bicameral Transitional Parliament held its first sitting.

At its hearing before the Committee on the Human Rights of Parliamentarians, the Gabonese delegation of the Transitional Parliament attending the 147th IPU Assembly (October 2023) expressed the Transitional Parliament's willingness to cooperate with the Committee in seeking a satisfactory resolution of the case.

Between 2024 and 2025, the country undertook the process of returning to constitutional order, including reviewing and adopting a new Constitution, adopting a new electoral law, holding a presidential election and organizing two rounds of legislative elections, following which Mr. Ndoundangoye was elected to the Senate.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Welcomes* the effective restoration of Mr. Ndoundangoye's civil and political rights following his release, which enabled him to stand as a candidate in the most recent elections and subsequently to be elected senator; and *thanks* the transitional authorities for their continued cooperation with the Inter-Parliamentary Union and its Committee on the Human Rights of Parliamentarians;
2. *Decides* to close this case in accordance with section IX, paragraph 25, of its Procedure for the Examination and Treatment of Complaints, considering that a satisfactory settlement has been reached, in particular in view of the positive outcome of the case, marked by Mr. Ndoundangoye's release and the restoration of his civil and political rights;
3. *Expresses its firm hope* that the diligence shown by the national authorities in the present case will set a precedent, and that all necessary measures will be taken to continue to ensure respect for the fundamental rights of all parliamentarians, whether former or current, regardless of their political affiliation, in order to prevent similar situations from arising in the future;
4. *Confirms* that the IPU is ready to provide capacity-building assistance to the Parliament of Gabon in order to identify and remedy any structural problems that gave rise to the case and that may still persist, in particular with regard to the lifting of parliamentary immunity; and *expresses the wish* to receive official information regarding the best way to provide such assistance, should it be deemed appropriate;
5. *Requests* the Secretary General to convey this decision to the parliamentary authorities of Gabon and to the complainant.

Kyrgyzstan

Decision adopted unanimously by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)



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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 was 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), which was one of the largest opposition parties in Parliament at that time.

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

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: April 2025

IPU mission(s): - - -

Recent Committee hearing: Hearing with the authorities during the 148th IPU Assembly (March 2024)

Recent follow-up:

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

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 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. The then GKNB Chairperson Kamchybek Tashiev has 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 undemarcated 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 minutes of the meeting, where the idea of a land swap was flagged.

The complainant stresses that the detention of Mr. Madumarov violated 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 [minutes] 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.

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 Mr. Madumarov 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. According to the authorities, due process had been followed in keeping with the law.

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. Snap elections were held on 30 November 2025 under new rules resulting in a Parliament with virtually no members of opposition parties. According to the complainant, Mr. Madumarov was not allowed to take part in the elections due to the verdict of 26 March 2024; other candidates were also prevented from taking part in the elections due to past sentences or a wave of arrests that occurred on 22 November 2025, which included the arrest of members of the Social Democrats party. According to the complainant, Mr. Madumarov was taken from his home and interrogated by law enforcement in connection with this wave of arrests, without a warrant or any charges brought against him. The European Parliament adopted a Resolution urging the authorities to halt the persecution of members of that party and other opposition members in December 2024.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Regrets* that the delegation of Kyrgyzstan was not able to meet with the IPU Committee on the Human Rights of Parliamentarians in the course of the 152nd Assembly; *recalls* in this regard that, in line with its Rules and Practices, the Committee is doing its utmost to promote dialogue with the authorities of the country in question, particularly its Parliament, to settle the cases at hand in a satisfactory manner; and *hopes* that such a meeting with the parliamentary authorities will take place at a future IPU Assembly to discuss this case further;
2. *Deplores* that Mr. Madumarov was not allowed to take part in the legislative elections of November 2025; *regrets* that the outgoing Parliament failed to ensure that Mr. Madumarov is able to exercise his political rights by reviewing and aligning its domestic norms with international standards as urged by the Governing Council in its decision of 9 April 2025; and *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;
3. *Strongly believes* that the newly-elected Parliament bears a responsibility to review its domestic norms to ensure their compatibility with international standards in order to prevent the recurrence of such cases and to guarantee that the rights and mandate of parliamentarians are respected, which is a key condition for preserving the independence of parliament;
4. *Recalls* that the IPU Committee on the Human Rights of Parliamentarians has consistently expressed its concern in all cases where parliamentarians lose their mandate as a result of laws which foresee a low threshold for such a serious penalty; *considers* that the protection of the mandate of parliamentarians is of the utmost importance and that the loss of the mandate of a parliamentarian elected by the people must be reserved for exceptional circumstances in compliance with the general principle of the free representational mandate, failing which the independence and capacity of parliament to play its role as an institution would be compromised;
5. *Strongly regrets* that Mr. Madumarov remained in arbitrary detention for over six months without bail as a result of criminal proceedings that far exceeded the statute of limitations, even though his immunity had not been lifted by Parliament for the charges he faced; *remains concerned* that the trial was conducted in secret and that the then GKNB Chairperson 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; *believes* that the fact that he 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; and *remains convinced* that 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. *Is deeply concerned* that Mr. Madumarov was taken from his home and interrogated by law enforcement ahead of the November 2025 elections, without an explanation amidst a wave of arrests of members of the opposition; and *wishes* to receive information from the authorities on this point;
7. *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;
8. *Requests* the Committee to continue examining the case and to report back to it in due course.

Madagascar

Decision adopted unanimously by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)



© Facebook - Fetra Ralambozafimbololona Razafitsimalona

MDG-17 – Fetra R. Razafitsimalona

Alleged human rights violations

- ✓ Threats, acts of intimidation
- ✓ Arbitrary arrest and detention
- ✓ Excessive delays in proceedings
- ✓ Violation of freedom of expression and opinion
- ✓ Violation of freedom of assembly and association
- ✓ Violation of freedom of movement
- ✓ Failure to respect parliamentary immunity

A. Summary of the case

On 8 November 2023, during a demonstration by a group of 10 presidential candidates, Member of Parliament Fetra R. Razafitsimalona was arrested for taking part in an unauthorized demonstration held to protest against the lack of transparency of the presidential election. According to the complainant, the presidential election was considered fraudulent in view of the measures taken by the incumbent Government, including the excessive use of force to break up the demonstrators. In addition, seven months before the official start of the presidential election, the Minister of the Interior had reportedly announced a ban on political demonstrations in public places.

The complainant claims that the Member of Parliament was detained on the premises of the Criminal Investigation Unit of Fiadanana and that his appearance before the Public Prosecutor's Office was extended by 48 hours for no valid reason. He was subsequently charged with inciting the population to take

Case MDG-17

Madagascar: Parliament affiliated to the IPU

Victim: An opposition Member of Parliament

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

Submission of complaint: November 2023

Recent IPU decision: March 2024

IPU mission(s): - - -

Recent Committee hearing: - - -

Recent follow-up:

- Communication from the authorities: Letter from the Speaker of the National Assembly (February 2026)
- Communication from the complainant: February 2026
- Communication to the authorities: Letters to the Speaker of the National Assembly (March 2026)
- Communication to the complainant: February 2026

part in unauthorized demonstrations and was briefly remanded in custody before being released on 17 November 2023 under judicial supervision.

Mr. Razafitsimalona was supposed to be tried on 19 December 2023, but the decision was postponed several times. The complainant stated that the court had referred the case to the High Constitutional Court because of the objection of unconstitutionality raised by the parliamentarian's lawyers, who claimed that Mr. Razafitsimalona had been arrested, detained and charged in violation of his constitutional right to parliamentary immunity as guaranteed under article 73 of the Constitution of Madagascar.

The complainant states that the accusations made against Mr. Razafitsimalona violate his right to freedom of expression and assembly. Further, the complainant alleges that the proceedings were brought against him because he had peacefully expressed his opposition to the conditions in which the presidential election was held.

In her letter of 18 March 2024, the former Speaker of the National Assembly, Ms. Christine Razanamahasoa, stated that the National Assembly had taken a number of measures to protect Mr. Razafitsimalona's rights. After meeting with the members of the Standing Bureau, Ms. Razanamahasoa referred the matter to the Minister of Justice in a letter sent on 6 December 2023, requesting that Mr. Razafitsimalona's parliamentary immunity be respected, and recalling the relevant constitutional provisions applicable during the legislative period. In her letter to the Minister of Justice, Ms. Razanamahasoa recalled that, in line with the provisions of article 73, paragraph 2 of the Constitution, and article 112 of the National Assembly's Rules of Procedure, any proceedings brought against parliamentarians during a parliamentary session required their parliamentary immunity to be lifted. The former Speaker of the National Assembly recalled that the request to lift parliamentary immunity should be made in writing, by the Minister of Justice, to the Standing Bureau of the National Assembly, which was not done.

Ms. Razanamahasoa added in her letter that some Members of Parliament had heckled the Minister of Justice when she visited the National Assembly during its recent extraordinary sitting in February 2024. The former Speaker of the Assembly said in her letter that she had received no official, satisfactory response.

Further, Ms. Razanamahasoa said in her letter of 18 March 2024 that the objection of unconstitutionality raised by Mr. Razafitsimalona's lawyers had been deemed inadmissible by the High Constitutional Court in its decision of 22 February 2024, a copy of which was forwarded to the Committee by the National Assembly. In its decision, the High Constitutional Court considered that the objection of unconstitutionality formulated by Mr. Razafitsimalona, seeking to interpret article 73 of the Constitution on parliamentary immunity and *flagrante delicto*, could be likened to a request for an opinion for the purposes of interpretation of a constitutional provision. However, under article 119 of the Constitution, that privilege was reserved exclusively for heads of institutions and for all decentralized local government bodies. The High Constitutional Court thus considered that the parliamentarian's referral of the case to the court could not be considered to be an objection of unconstitutionality within the meaning of article 118³ of the Constitution, and that it should therefore be declared inadmissible.

In May 2024, Mr. Razafitsimalona was given a one-year suspended prison sentence, and the appeal remains pending. He was also re-elected as a Member of Parliament in the legislative elections held in May 2024.

In his letter of 3 February 2026, the Speaker of the National Assembly indicated that the Member of Parliament's situation had returned to normal and that no legal proceedings were currently under way against him, and that no pending proceedings were hindering the exercise of his civil and political rights. The Speaker also noted that Mr. Razafitsimalona was elected Vice-President of the National Assembly of the Province of Antananarivo in October 2025. The Speaker concluded in his letter that the case of the Member of Parliament no longer posed any particular difficulties and that no further action was required to resolve it, as the matter had now been settled both *de facto* and *de jure*.

³ Article 118, paragraph 1, of the Constitution of Madagascar: "A Head of Institution or one quarter of the members of one of the Parliamentary Assemblies or the bodies of the decentralized local government or the High Council for the Defence of Democracy and the Rule of Law may refer to the Constitutional Court, for review of constitutionality, any legislative or regulatory text as well as all matters falling within its jurisdiction".

In February 2026, the complainant also confirmed that Mr. Razafitsimalona was not under any political pressure and was able to carry out his political duties freely. The complainant further confirmed that the Member of Parliament was awaiting the outcome of the appeal, which he believed would be favourable, and that he no longer wished the Committee to continue examining his case.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the parliamentary authorities for their letter of 3 February 2026;
2. *Welcomes* the measures taken by the National Assembly to protect Mr. Razafitsimalona's rights; and *notes with satisfaction* that he is able to exercise his civil and political rights without hindrance;
3. *Decides* to close the case in accordance with section IX, paragraph 25 of its Procedure for the examination and treatment of complaints, considering that a satisfactory solution has been reached, in particular in light of the positive outcome of the case, as illustrated by Mr. Razafitsimalona's return to the National Assembly and the information that his appeal proceedings are reportedly close to a satisfactory conclusion;
4. *Affirms* that the Inter-Parliamentary Union remains ready to support the efforts of the National Assembly to strengthen the parliamentary institution as a whole, as well as the fundamental rights of its members, including the right to freedom of opinion and expression, in order to guarantee that such violations do not recur;
5. *Requests* the Secretary General to convey this decision to the parliamentary authorities of Madagascar and the complainant.

Mongolia

Decision adopted unanimously by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)



© Ms. Bulgantuya Khurelbaatar

MNG-09 – Bulgantuya Khurelbaatar

Alleged human rights violations

- ✓ Threats, acts of intimidation
- ✓ Lack of due process at the investigation stage
- ✓ Lack of fair trial proceedings
- ✓ Right of appeal
- ✓ Violation of freedom of opinion and expression
- ✓ Violation of freedom of movement
- ✓ Failure to respect parliamentary immunity

A. Summary of the case

On 16 October 2025, Ms. Bulgantuya Khurelbaatar (Ms. Bulgantuya.Kh), a member of the State Great Hural of Mongolia and then Deputy Speaker, chaired a plenary session to deliberate on a motion regarding the dismissal of the then Prime Minister of Mongolia. The then Speaker of Parliament, who was also the subject of a dismissal motion due to be discussed on the same day, unexpectedly resigned a day prior to the session. Ms. Bulgantuya.Kh was therefore the official acting Speaker of the State Great Hural.

On the day of the vote (16 October 2025), several members of the State Great Hural were allegedly physically prevented from entering the plenary chamber and threatened with criminal prosecution if they attempted to participate in the vote. The complainant also stated that the members of the Standing Committee on State Structure, who had initially supported the motion to dismiss the former Prime Minister, had backtracked on their decision. The Standing Committee's unexpected decision, coupled with threats directed at several MPs, made it impossible to reach a quorum on 16 October to proceed with the vote. According to article 27 of the Mongolian Constitution on quorum, "the presence of an overwhelming majority of members of the National Parliament is required to consider a session valid, and decisions are taken by a majority of all members present if the Constitution and other laws do not provide otherwise." In

Case MNG-09

Mongolia: Parliament affiliated to the IPU

Victim: Female majority Member of Parliament

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

Submission of complaint: February 2026

Recent IPU decision: - - -

Recent IPU mission(s): - - -

Recent Committee hearing: - - -

Recent follow-up:

- Communication from the authorities: Letter from the Chairman of the State Great Hural (April 2026)
- Communication from the complainant: April 2026
- Communication addressed to the authorities: Letter addressed to the Chairman of the State Great Hural (March, April 2026)
- Communication addressed to the complainant: April 2026

addition, Article 7, paragraph 1 of the Law on the Rules of Procedure of the Plenary Session of the State Great Hural states: "A session shall be deemed valid if a majority of the members are present."

In his letter to the IPU Secretary General dated 8 April 2026, the Chairman of the State Great Hural stated that immediately thereafter, and before a vote was cast in Parliament, the then Prime Minister submitted a petition to the Constitutional Court challenging the Deputy Speaker's actions and affirming that they violated Article 43.1 of the Constitution and Articles 101.3 and 101.4 of the Law on the Rules of Procedure of the Plenary Session of the State Great Hural.

However, following legal advice from the Secretariat of the State Great Hural, Ms. Bulgantuya.Kh maintained the parliamentary session open until the next day, and voting took place based on the number of MPs who had registered their attendance the day before and those present on 17 October 2025. In his letter to the IPU Secretary General dated 8 April 2026, the Chairman of the State Great Hural provided additional information, stating that the wording used by Ms. Bulgantuya.Kh to introduce the motion was the subject of a debate between Members of Parliament. The complainant explained that the parliamentary Secretariat had advised the acting Speaker to proceed with the vote to respect the legal timeframe for discussing the motion to dismiss the then Prime Minister. As such, on 17 October 2025, based on the number of MPs present and those who had registered their attendance the day before, 71 out of 126 MPs voted to oust the then Prime Minister.

The complainant argued that, in handling the then Prime Minister's petition, the Constitutional Court consolidated two distinct matters – an institutional resolution and an individual official's conduct, despite differing constitutional procedures for each, and rejected Ms. Bulgantuya.Kh's request to separate the two cases, arguing in its decision of 22 October 2025, that "these issues were interrelated and there was therefore no basis to decide them separately". According to the complainant, the Court also denied Ms. Bulgantuya.Kh's right to a fair trial as she had limited time to prepare her defence and was prevented from calling specialists knowledgeable in parliamentary proceedings to justify her decision to maintain the parliamentary session open.

On 22 October 2025, the Constitutional Court convened in a closed hearing and found that Ms. Bulgantuya.Kh's conduct and the procedure that led to the dismissal of the then Prime Minister were unconstitutional. The Court identified irregularities in the way attendance and voting were recorded during the two relevant plenary sittings of 16 and 17 October. In particular, the Court found that the attendance and vote counts from the two consecutive sittings had been improperly aggregated. In its decision, the Court also found that the wording used by Ms. Bulgantuya.Kh to announce the vote, "I support the proposal that the Standing Committee did not support" (i.e. the dismissal of the Prime Minister), or words to that effect, violated Article 43, paragraph 1 of the Constitution. The Court concluded that this wording effectively changed the legal nature of the voting act and created conditions for procedural irregularity. According to the Court, this formulation was inconsistent with the procedural safeguards required by the Constitution for decisions of such gravity.

Despite the Constitutional Court's decision reinstating the then Prime Minister, the latter filed a separate complaint under Criminal Law 19.2 against Ms. Bulgantuya.Kh accusing her of organizing the unlawful seizure of the State Great Hural. The General Intelligence Agency initiated proceedings within a day of that complaint, as the matter was considered a threat to national security.

In the same letter dated 8 April 2026, the Chairman of the State Great Hural stated that following the decision of the Constitutional Court of Mongolia, the caucus of the Mongolian People's Party (MPP), Ms. Bulgantuya.Kh's own political party, had sent the other Deputy Speaker, Mr. B. Purevdoj, an official letter on 30 October 2025 deciding to dismiss Ms. Bulgantuya.Kh as Deputy Speaker. On 12 November 2025, during a plenary session, the State Great Hural dismissed Ms. Bulgantuya.Kh from her position of Deputy Speaker. The Chairman added that her parliamentary mandate, however, had not been terminated and that no further decision nor additional measures had been taken by the State Great Hural against her. In his letter, the Chairman also stated that while it would not be appropriate to express a definitive view on a matter that has not yet been finally resolved, the State Great Hural remained firmly committed to the principles of the rule of law and due process and would continue to pay due attention to the protection of the legal right of Ms. Bulgantuya.Kh as a Member of Parliament.

As a result of the proceedings initiated against her, Ms. Bulgantuya.Kh is subject to a travel ban without any formal justification from the General Intelligence Agency, which has also denied her requests to call

specialists knowledgeable in parliamentary proceedings. Although her parliamentary immunity has yet to be lifted, the complainant alleges that since October 2025, Mr. Bulgantuya.Kh has been a victim of social media campaigns aiming to discredit her, harm her image, and foster the public's hatred towards her, including by assuming her guilt and stating that the Prosecutor General has already requested the lifting her immunity, which has yet to happen. However, the complainant argues that it is only a matter of time before the State Great Hural lifts her parliamentary immunity.

Simultaneously, the Parliament is currently examining a bill submitted by the President of the country on the "Right to Recall" Members of Parliament if they commit ethical violations or have a court decision pending against them, including a Constitutional Court ruling. The proposed bill also enables political parties to recall their own MPs if they deem it necessary. According to the complainant, the bill was submitted to Parliament under an expedited procedure, following consultations with the Government. On 16 April 2026, the State Great Hural approved the draft bill for an initial discussion.

If convicted, Ms. Bulgantuya.Kh could face imprisonment for 10 to 12 years and expulsion from her political party, in accordance with the provisions of the "Right to Recall" bill.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the Chairman of the State Great Hural for his letter received on 15 April 2026 and the information provided, including a copy of the decision of the Constitutional Court of Mongolia;
2. *Notes* that the complaint concerning the case of Ms. Bulgantuya Khurelbaatar (Ms. Bulgantuya.Kh) is admissible, considering that the complaint: (i) 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 Rules and Practices of the Committee on the Human Rights of Parliamentarians); (ii) concerns an incumbent Member of Parliament at the time of the allegations; and (iii) deals with allegations of lack of fair trial proceedings, lack of due process at the investigation stage, failure to respect parliamentary immunity, threats, acts of intimidation and violations of the rights to appeal, freedom of movement, and freedom of expression, which are allegations that fall within the Committee's mandate;
3. *Is deeply concerned* about the disproportionate criminal proceedings initiated against Ms. Bulgantuya.Kh by the General Intelligence Agency on accusations of unlawful seizure of the State Great Hural for carrying out her duties as the official acting Speaker of the State Great Hural and chairing a parliamentary session aiming to discuss a motion submitted by another Member of Parliament to vote on the dismissal of the then Prime Minister;
4. *Regrets* the failure to respect Ms. Bulgantuya.Kh's parliamentary immunity, given that she is currently the subject of criminal charges before any formal proceedings to waive her immunity have been initiated;
5. *Is concerned* about the online intimidation reportedly suffered by Ms. Bulgantuya.Kh and the harassment campaigns initiated against her which aim to discredit her, harm her image and foster the public's hatred towards her, including by portraying her as guilty before the conclusion of the legal proceedings against her; and *calls on* the Mongolian authorities to ensure Ms. Bulgantuya.Kh's safety and right to a fair trial by identifying the individuals responsible for such campaigns and holding them to account;
6. *Notes with concern* that the decision issued by the Constitutional Court against Ms. Bulgantuya.Kh has led the State Great Hural to adopt a resolution dismissing her from her position of Deputy Speaker in the absence of any independent parliamentary procedure that would have provided her with the opportunity to defend herself and argue her case before Parliament and her peers;
7. *Takes note* of the current "Right to Recall" bill under review by the Parliament of Mongolia; *expresses concern* about the bill's significant consequences for the exercise of the parliamentary mandate, the individual rights of Members of Parliament and the Parliament as a whole; *calls on* the parliamentary authorities of Mongolia to ensure that the draft bill is in line with the Mongolian Constitution; and *affirms* the IPU's readiness to support its review to ensure its compliance with established human rights

standards;

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.

Nicaragua

Decision adopted unanimously by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)



© Wikimedia - Brooklyn Rivera Bryan

NIC-32 – Brooklyn Rivera Bryan
NIC-33 – Nancy Elizabeth Henríquez James

Alleged human rights violations

- ✓ Enforced disappearance
- ✓ Threats, acts of intimidation
- ✓ Arbitrary arrest and detention
- ✓ Inhumane conditions of detention
- ✓ Lack of due process in proceedings against parliamentarians
- ✓ Violation of freedom of opinion and expression
- ✓ Abusive revocation or suspension of the parliamentary mandate
- ✓ Failure to respect parliamentary immunity

A. Summary of the case

In April 2023, Mr. Brooklyn Rivera Bryan, a Miskitu indigenous leader, prominent member of the YATAMA organization (*Yapti Tasba Masraka Nanih Aslatakanka*, "Children of Mother Earth United") and elected member of Nicaragua's National Assembly, participated in the 22nd session of the United Nations Permanent Forum on Indigenous Issues. According to the complainant, during this event Mr. Rivera Bryan denounced the treatment of indigenous peoples and Afro-descendants in Nicaragua. Upon attempting to return to his country on 24 April 2023, the Nicaraguan Government allegedly blocked his entry. After a few days abroad, Mr. Rivera Bryan returned to Nicaragua, where he was reportedly persecuted by the national police. According to the information received, on 29 September 2023, State agents forcibly entered his home, assaulted him and arrested him without a warrant. His whereabouts have remained unknown since then. According to the complainant, his family has been denied any information, leading to growing concerns about his health and safety, especially given his pre-existing health conditions, which require specialized medical attention. The complainant also states that Mr. Rivera Bryan's family faces continued threats and intimidation, and that some family members have been forced into exile.

Case NIC-COLL-02

Nicaragua: Parliament affiliated to the IPU

Victims: Two opposition Members of Parliament (male and female)

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

Submission of complaint: April 2024

Recent IPU decision: October 2024

Recent IPU mission(s): - - -

Recent Committee hearing: - - -

Recent follow-up:

- Communication(s) from the authorities: Letter from the Speaker of Parliament (October 2024)
- Communication from the complainant: March 2026
- Communication to the authorities: Letter to the Speaker of the National Assembly (March 2026)
- Communication to the complainant: March 2026

Ms. Nancy Elizabeth Henríquez James, also a Miskitu indigenous leader and member of the YATAMA organization, took over Mr. Rivera Bryan's parliamentary seat in April 2023 as his alternate. The complainant alleges that she was arrested by undercover police officers on 1 October 2023. Her whereabouts remained unknown for approximately two months. On 13 December 2023, Ms. Henríquez James was sentenced to eight years' imprisonment during a trial held at the women's prison "La Esperanza", where she was allegedly denied legal representation, an interpreter and due process. It appears that the conviction was in response to charges brought against Ms. Henríquez James for "undermining national integrity" and "spreading false information to the detriment of the Nicaraguan State and society". Her family has expressed concern for Ms. Henríquez James' health, considering that she suffers from several chronic health conditions requiring specialized medical attention, which she was reportedly unable to receive while in detention. In March 2026, the complainant reported that Ms. Henríquez James was released on 21 March 2026.

The complainant claims that what happened to both parliamentarians is a direct consequence of their actions as indigenous leaders in opposition to the current Government and of their parliamentary activities in opposition, and that there is no basis for any criminal charges against them. The complainant also reported that, to date, Mr. Rivera Bryan and Ms. Henríquez James have not been subject to any procedure for the termination of their parliamentary mandate. However, both have been removed from the list of members of the National Assembly.

The IPU has formally requested information and official comments from the National Assembly regarding this case on several occasions since receipt of the complaint. To date, Parliament has not submitted any information, and repeated requests for support in facilitating an IPU delegation's visit to Nicaragua have gone unanswered.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Welcomes* the release of Ms. Henríquez James and *commends* all efforts undertaken by the relevant authorities and stakeholders that contributed to this outcome; *remains concerned*, however, at the allegations of serious violations of the right to a fair trial in the legal proceedings against Ms. Henríquez James; and *calls on* the competent authorities to provide official and detailed information on the facts justifying each of the charges brought against Ms. Henríquez James and on the current status of her case;
2. *Regrets* the lack of response from the Nicaraguan parliamentary authorities to the Committee on the Human Rights of Parliamentarians' repeated requests for information and official observations regarding the situation of Mr. Rivera Bryan and Ms. Henríquez James; *recalls*, in this regard that, in accordance with its Rules and Practices, the Committee 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 *reiterates its call* to the National Assembly of Nicaragua to engage in constructive and continuous dialogue with the Committee in order to ensure a satisfactory resolution of this case;
3. *Remains gravely alarmed* that Mr. Rivera Bryan's whereabouts have remained unknown since 29 September 2023 and that the Nicaraguan authorities have not provided any official information on the place and conditions of his detention; *solemnly recalls* that the national authorities have an obligation to spare no effort to shed light on the fate of Mr. Rivera Bryan through a thorough investigation, that they should initiate the search immediately and expeditiously and that the search should continue until his whereabouts have been established with certainty; *stresses*, furthermore, the legitimate right of Mr. Rivera Bryan's relatives to be informed of his fate; and *remains deeply concerned* that Mr. Rivera Bryan's arrest appears to be linked to his parliamentary activities as an opposition Member of Parliament and indigenous leader, and that it took place after he had raised the issue of the situation of indigenous peoples and Afro-descendants in Nicaragua at the 22nd session of the United Nations Permanent Forum on Indigenous Issues in New York;
4. *Strongly reaffirms* that attacks and threats against the life and security of parliamentarians, as well as any reprisals for carrying out their work, if left unpunished, violate, *inter alia*, their rights to life, security and freedom of expression, and undermine their ability to exercise their parliamentary

mandate, thereby affecting the ability of Parliament as an institution to fulfil its role; *considers* that the National Assembly of Nicaragua has a direct responsibility to ensure that every effort is made by all relevant authorities to investigate thoroughly and diligently the many concerns that have emerged in this case and to identify and punish those responsible for the human rights violations allegedly perpetrated against two of its members; and *wishes* to be kept informed of action taken by Parliament in this respect;

5. *Is concerned* about the allegation that both Mr. Rivera Bryan and Ms. Henríquez James have been removed from the list of members of the National Assembly without being subject to any procedure; and *wishes* to receive official information on the steps taken by Parliament, if any, to terminate the parliamentary mandates of the two parliamentarians and the legal basis for doing so;
6. *Reiterates its request* to the Committee to dispatch a delegation to Nicaragua as soon as possible so as to meet with all relevant authorities and any other institution, civil society organization or individual in a position to provide relevant information in the present case; and *sincerely hopes* that the competent national authorities will cooperate fully and that the mission will help to find satisfactory solutions to this case in accordance with applicable national and international human rights standards;
7. *Requests* the Secretary General to convey this decision to the National Assembly of Nicaragua, the complainant and any third party likely to be in a position to supply relevant information or contribute to the settlement of the case;
8. *Requests* the Committee to continue examining the case and to report back to it in due course.

Pakistan

Decision adopted unanimously by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)



Police commandos escort Mr. Imran Khan (centre) as he arrives at the Islamabad High Court. © Aamir QURESHI / AFP

PAK-26 – Muhammad Azam Khan Swati

PAK-27 – Imran Khan

PAK-28 – Aliya Hamza Malik (Ms.)

PAK-29 – Ejaz Chaudhary

PAK-30 – Kanwal Shauzab (Ms.)

Alleged human rights violations

- ✓ Enforced disappearance
- ✓ Torture, ill-treatment and other acts of violence
- ✓ Threats, acts of intimidation
- ✓ Arbitrary arrest and detention
- ✓ Inhumane conditions of detention
- ✓ Lack of due process in proceedings against parliamentarians
- ✓ 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
- ✓ Impunity
- ✓ Other violations: right to privacy
- ✓ Other violations: gender-based discrimination
- ✓ Other violations: right to take part in the conduct of public affairs

A. Summary of the case

The current case concerns five parliamentarians from the *Pakistan Tehreek-e-Insaf* (PTI) party who have faced violations as a result of their opposition to the authorities following a vote of no confidence that ousted Mr. Imran Khan's government on 14 April 2022. The complainant reports that, since then, the authorities have arrested thousands of PTI protesters and banned rallies over vaguely defined security concerns. The complainant reports that protesters were frequently met with a disproportionate use of force, which left the leader of the PTI's Women's Wing, Ms. Kanwal Shauzab, with long-term injuries. The complainant reports that her complaints and the threats against her that followed to try to force her to leave

Case PAK-COLL-01

Pakistan: Parliament affiliated to the IPU

Victims: Five opposition Members of Parliament (two females and three males)

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

Submission of complaints: December 2022 and September 2023

Recent IPU decision: October 2025

IPU Mission(s): - - -

Recent Committee hearing: Hearing with a member of the delegation of the Senate of Pakistan to the 152nd IPU Assembly (April 2026).

Recent follow-up:

- Communication from the authorities: March 2026
- Communication from the complainant: March 2026
- Communication to the authorities: March 2026
- Communication to the complainant: March 2026

politics, were not acted upon. The complainant submits that what followed was a campaign of escalating violations against Mr. Khan and PTI Members of Parliament who remained loyal to him, violations that remain unpunished to this day.

The complainant reports that in late 2022, Senator Azam Swati was abducted twice by the Federal Investigation Agency (FIA), tortured and arbitrarily detained hours after posting tweets criticizing the outgoing Chief of Staff, General Qamar Javed Bajwa. In November 2022, Mr. Swati was detained at an undisclosed location, raising fears that he was the victim of enforced disappearance. He was eventually freed on bail on 3 January 2023 following a campaign to secure his release by the Senate. A trial observer mandated by the IPU, who travelled to Pakistan in 2023 to follow his trial, concluded that his arrest and detention “may be described as a punishment for his exercise of the right to freedom of expression”. The observer also concluded that the authorities interpreted laws in such a way that “no citizen is allowed to criticize [the] army”. In addition, she expressed concern at the use of multiple charges for the same offence, suggesting that the motive of that practice was to keep Mr. Swati in custody.

On 4 November 2022, Mr. Khan was shot and wounded while leading a peaceful protest. The complainant stresses that this incident was never fully investigated. The complainant further stresses that Mr. Khan’s complaints to the police against Director General of Counterintelligence, Mr. Faisal Naseer, have remained unregistered, despite the intervention of the Supreme Court instructing the authorities to do so and to investigate the murder attempt. Mr. Khan later declared that if he were to be killed, Mr. Asim Munir, the new Chief of Army Staff would be responsible. According to the complainant, following a deadly police raid on Mr. Khan’s residence, the media were banned from mentioning his name.

On 9 May 2023, Mr. Khan was arrested on a charge of misdeclaration of the proceeds from the sale of State gifts, prompting mass protests. Some locations became a scene of violence, as State facilities were attacked amid an internet blackout. The complainant alleges that the incidents were staged by the military as part of a false-flag operation to frame Mr. Khan and disintegrate the PTI party. The authorities blamed the PTI and unfurled a widespread campaign of violent arrests, killing five PTI activists in the process and detaining over 5,000 people, including Senator Ejaz Chaudhary and Ms. Aliya Hamza Malik, while other PTI parliamentarians went into hiding. The complainant adds that all PTI members who left the party had all their charges dropped immediately, whereas all production orders delivered by the parliamentary authorities to allow detained parliamentarians to take part in sessions were ignored, and that the authorities stopped requesting such production orders altogether. The complainant also alleges that the ruling coalition has sought to ban the PTI.

According to the complainant, Mr. Khan was released following a Supreme Court ruling that his arrest was illegal, only to be violently arrested again on 5 August 2023. He was then sentenced in the “State gifts case” to three years in prison, was deprived of his seat and barred from taking part in elections for five years. Since then, Mr. Khan has faced over 180 charges, including leaking State secrets, corruption, treason and organizing violent protests. On 29 August 2023, the Islamabad High Court suspended his conviction and freed him on bail, yet Mr. Khan remained in prison based on a multitude of other charges. Since then, a succession of court orders acquitting and freeing Mr. Khan have been handed down, but Mr. Khan has remained in maximum security prisons.

According to the UN Special Rapporteur on torture, Mr. Khan has been kept for prolonged periods of time in solitary confinement as defined by international standards, in conditions that meet the criteria for torture, and has been denied visits from a physician of his choice. Mr. Khan has allegedly been kept in solitary confinement for prolonged periods of time during which no visits were allowed as a form of pressure, raising fears that he had been killed. At a hearing during the 152nd IPU Assembly (April 2026), a member of the delegation of Pakistan shared an *amicus curiae* report from Mr. Khan’s lawyer, Mr. Salman Safdar, on the detention conditions of his client. Although the report confirms the authorities’ assertions that Mr. Khan was placed in two rooms in a dedicated 8-cell compound and had access to a small outdoor space, custom meals, books and specialized medical care, and while it expresses Mr. Khan’s “satisfaction regarding his safety” and his “contentment with his living conditions”, it also raises a number of concerns. Among others, the report notes that Mr. Khan has been “subjected to solitary confinement” since his transfer to Adiala jail on October 2023, that he nearly lost all vision in his right eye due to the jail superintendent’s neglect to act on his repeated requests for treatment by an independent physician, and that he has faced restricted access to a legal counsel and prolonged periods during which he has been denied any visits or contact with his family.

The complainant also shared concerns regarding the health of Ms. Hamza Malik and Mr. Chaudhary, who had a heart operation and suffers from liver and kidney disease. According to the complainant, their trials are also riddled with violations of due process. Ms. Hamza Malik was released on bail on 7 August 2024 and was briefly re-arrested in April 2025.

Elections were held in Pakistan on 8 February 2024 after a delay beyond the constitutionally mandated deadline. However, none of the parliamentarians in the case were able to take part in elections, as all of them were either detained or in hiding, with the exception of Ms. Shauzab, who faced overwhelming obstacles and threats, as well as an unjustified refusal to accept her election registration papers. In its 27 March 2024 decision, the IPU Governing Council concluded that the rights of the PTI parliamentarians to take part in the conduct of public affairs had been violated.

According to the complainant, following the elections, the issues of administration of justice in Pakistan came to the fore following a complaint by six of the eight judges of the Islamabad High Court on 26 March 2024, accusing Pakistan's security agencies of threatening and intimidating them and their relatives in an attempt "to engineer judicial outcomes" in cases involving Mr. Khan. The complainant reports that in the months that followed, the ruling coalition secured a constitutional amendment that the complainant described as an attempt to curb judicial independence. The complainant stresses that since then, there were no more verdicts ordering the release of Mr. Khan.

On 18 June 2024, the UN Working Group on Arbitrary Detention found that the detention of Mr. Khan was arbitrary and politically motivated. It noted that his arrest lacked a legal basis. It called for his immediate release with compensation, and for an investigation into violations of due process during his trial.⁴ This was echoed by Amnesty International, which decried the weaponization of the legal system. In December 2024, the UN Human Rights Committee urged the authorities to revise its legislation to address the deteriorating state of freedom of expression and judicial independence following a number of constitutional legislative amendments it found concerning.

On 30 August 2025, Ms. Kanwal Shauzab received a 10-year sentence from the Anti-Terrorism Court of Pakistan (ATC) over her alleged role in the 9 May 2023 protests, along with 49 other PTI members, forcing her to go into hiding. The complainant decries several violations of due process, including the court's reliance on contested evidence from security personnel, the unjustified dismissal of defence witnesses and the disregard of the principle of proportionality among other international standards. Senator Chaudhary was also the subject of a 10-year sentence handed down by the ATC and lost his seat as a result. On 26 March 2026, Ms. Hamza Malik was also re-arrested and given a 10-year sentence over similar accusations.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the senior member of the delegation of Pakistan to the 152nd IPU Assembly for the extensive information provided in response to questions submitted by the Committee on the Human Rights of Parliamentarians; and *looks forward* to receiving more information on the detention conditions of Ms. Aliya Hamza Malik and Mr. Ejaz Chaudhary as well as on the possibility of carrying out a mission in Pakistan;
2. *Takes note* of the assurance given by the delegation that the human rights of Ms. Hamza Malik, Mr. Khan and Mr. Chaudhary are being fully respected; *remains concerned* about allegations of the deterioration they have already suffered to their state of health as a result of the lack of timely and adequate care provided to them; and *would look favourably* on the possibility of arranging a visit by a physician of their choice with the approval of the relevant penitentiary medical staff to avoid any risk of further deterioration to the health of the parliamentarians concerned;
3. *Is convinced*, in light of the divergent accounts given by the authorities and the complainant, as well as the persistently grave concerns in this long-standing case, that a Committee mission to Pakistan to meet the detained parliamentarians face to face, and to discuss the issues at hand directly with all the relevant authorities and other stakeholders, is needed more than ever to help find swift, satisfactory solutions that comply with applicable national and international human rights standards;

⁴ [Opinion of the UN Working Group on Arbitrary Detention](#)

sincerely hopes, therefore, that the Pakistani authorities will make arrangements to receive this mission as soon as possible; *requests* the Secretary General to engage with the parliamentary authorities of Pakistan with a view to conducting the mission as soon as possible; and *is resolved* that the Committee should continue examining this case until such a mission has taken place or until the rights of all parliamentarians concerned are restored in full;

4. *Recalls* that it has previously affirmed the continued detention of the parliamentarians concerned to be arbitrary and has called for their release; *urges* the Parliament to pursue all available avenues to help ensure that less restrictive detention measures are applied pending the outcome of the remaining legal proceedings regarding detained parliamentarians; and *wishes* to receive information on action taken to that end;
5. *Considers* that Parliament has a vested interest and a duty to ensure that the rights of all its members, irrespective of their views or political allegiance, are fully protected and that no affront to their rights and dignity is left unpunished, irrespective of the rank of those perpetrating the violations; and *renews its call* on Parliament to establish a commission of enquiry to identify the root causes of the multiple violations in this case and to take any other appropriate measures necessary to avoid the recurrence of violations of the rights of parliamentarians;
6. *Notes* the concerns expressed by the United Nations Human Rights Committee in their Concluding Observations adopted on 2 December 2024 regarding recent legislative amendments, given their impact on the independence of the judiciary and on the process of judicial appointments; *can only agree with* the United Nations Human Rights Committee's call for the authorities to carry out a review of its constitutional and legislative framework to strengthen judicial independence, including by holding broad public consultations, in order to align its legislation with international standards as urged by the UN Human Rights Committee; *calls on* the authorities to make use of the expertise of the United Nations human rights mechanisms, including the Special Rapporteur on the independence of judges and lawyers, to protect the independence of the judiciary and put an end to the rampant impunity that has been evident in this case and other cases in the country; and *suggests* also that the IPU offer assistance to the Pakistani authorities in any such legal review;
7. *Requests* the Secretary General to convey this decision to the competent authorities, the complainant and any third party likely to be in a position to supply relevant information;
8. *Requests* the Committee to continue examining this case and to report back to it in due course.

Palestine/Israel

Decision adopted unanimously by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)



Men walk past a section of Israel's separation barrier painted with a portrait of Palestinian Marwan Barghouti held in an Israeli jail. ©HAZEM BADER / AFP

PSE-02 – Marwan Barghouti

Alleged human rights violations

- ✓ Torture, ill-treatment and other acts of violence
- ✓ Arbitrary arrest and detention
- ✓ Lack of fair trial proceedings

A. Summary of the case

Mr. Marwan Barghouti, an elected member of the Palestinian Legislative Council (PLC) in the constituency of Ramallah on the West Bank since January 1996 and widely known, according to several sources, for advocating a just and lasting peace in the Middle East, was arrested on 15 April 2002 in Ramallah by the Israeli Defence Forces and transferred to a detention facility in Israel. He was charged with murder, attempted murder and involvement in terrorist organizations. His trial before the Tel Aviv District Court started on 14 August 2002 and ended on 6 June 2004, when the court sentenced him to five life sentences and two 20-year prison terms. Despite being in prison, Mr. Barghouti was re-elected as a Member of Parliament for his constituency in the 2006 Palestinian legislative elections.

The complainants have raised a series of legal objections to Mr. Barghouti's arrest and prosecution, alleging that he was ill-treated, especially at the start of his detention, and was denied access to legal counsel. The Committee appointed a legal expert and lawyer, Mr. Simon Foreman, to report on the trial. His 2003 report, on which the Israeli authorities have not provided their observations, stated that, "the numerous breaches of international law ... make it impossible to conclude that Mr. Barghouti was given a fair trial" and that guilt had therefore not been established.

Case PSE-02

Palestine/Israel: The Palestinian Legislative Council and the Israeli Knesset are affiliated to the IPU

Victim: Member of the Palestinian Legislative Council, member of the majority

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

Submission of complaint: April 2002

Recent IPU decision: October 2025

IPU mission(s): - - -

Recent Committee hearing: Hearing with the Palestinian delegation during the 152nd IPU Assembly (April 2026)

Recent follow-up:

- Communication from the authorities: Letter from the head of the Knesset delegation to the IPU (February 2026); letter from the Permanent Observer of the State of Palestine to the United Nations in Geneva (April 2026)
- Communication from the complainant: February 2026
- Communication to the authorities: Letter to the Knesset Speaker (December 2025)
- Communication to the complainant: February 2026

Mr. Foreman stated in his report that those breaches started with the illegal arrest and transfer of Mr. Barghouti to Israel in violation of the Oslo Agreements and the Fourth Geneva Convention. According to the report, Mr. Barghouti's claims that he was subjected to cruel, inhuman and degrading treatment during the interrogations have never been investigated. The trial observer indicated that none of the prosecution witnesses, all Palestinians, had testified against Mr. Barghouti and provided any evidence of his involvement in the acts of which he is accused. On the contrary, some of them contested their "confessions" as having been obtained under duress, while others stated that they were forced to sign documents in Hebrew that they did not understand, and others took the opportunity to denounce Israeli politics in the occupied territories. Moreover, according to one of the sources, on 6 April 2003 the court reportedly accepted as Mr. Barghouti's testimony a report written by the Israeli intelligence service that Mr. Barghouti had refused to sign.

According to Mr. Barghouti's defence counsel, the charges brought against Mr. Barghouti were entirely based on secret reports that he had not seen, and the questions put to him by his interrogators were only about documents taken from Palestinian National Authority (PNA) offices, namely requests for financial or social support addressed to Mr. Barghouti. As a parliamentarian and former Secretary General of Fatah-West Bank, Mr. Barghouti used to receive such requests, which he forwarded to Mr. Arafat's office.

In 2006, Mr. Barghouti initiated the drafting of the Prisoners' Document, which was signed by the leaders of the most prominent Palestinian factions imprisoned in Israel. The document was an attempt to create a platform for the different Palestinian factions to unite behind, following Hamas' electoral victory. Mr. Barghouti's popularity, his initiatives to unite the different Palestinian factions and his negotiation skills, led several members of the Knesset to call for his release, such as Knesset member Mr. Amir Peretz in March 2008, when he stated that Mr. Barghouti could be a key element in attaining stability and assuming responsibility of the PNA, and Mr. Gideon Ezra, a member of Kadima. Following Mr. Barghouti's election in August 2009 to Fatah's Central Committee, the Israeli Minister for Minority Affairs, Mr. Avishai Braverman, also expressed support for his release.

In their letter of 10 March 2022, the Israeli parliamentary authorities declined the Committee's invitation for a hearing, considering that Mr. Barghouti had been duly convicted in a fair trial conducted in an Israeli court for murder, attempted murder and membership in a terrorist organization. Since then, the Israeli authorities have reiterated their position, as recently as in their letter of 5 February 2026.

Since the 7 October 2023 terrorist attack carried out by Hamas against Israel, the Israeli authorities have taken serious and deliberate measures to worsen the detention conditions of Palestinian detainees. Mr. Barghouti has reportedly been transferred three to five times to unknown detention facilities in Israel, was reportedly beaten during each transfer and in his cell, and was placed in solitary confinement without any legal justification. Mr. Barghouti's family stated that the Israeli Prison Service (IPS) officers were torturing him with regular beatings and sleep deprivation. Mr. Barghouti has no access to medical care and has lost significant weight due to the severe limitations imposed by the IPS on the food supply in all prison cells. On 7 September 2025, the Supreme Court of Israel found that the State of Israel had failed to provide Palestinian detainees with a diet adequate for "a basic level of existence," ruling that thousands of prisoners held since 7 October 2023 had been systematically deprived of sufficient food. The Court ordered the Israeli authorities to guarantee that "security prisoners" are provided with food of a suitable quantity and composition for maintaining health, and that this must be demonstrable by verifiable information.

Mr. Barghouti's family fears that the continued physical torture and the lack of medical care will have life-threatening consequences. Mr. Barghouti has been denied visits from his family since 2023, and since the 7 October attack, the International Committee of the Red Cross (ICRC) has been denied access to Israeli prisons, with family visits facilitated by the ICRC likewise prohibited. Mr. Barghouti was last seen in a video published on 15 August 2025 by Israel's National Security Minister, Itamar Ben-Gvir, who visited him in prison and publicly taunted and threatened him — an incident widely condemned as a provocation.

According to a public report⁵ issued by Israeli human rights organizations, including the Public Committee Against Torture in Israel and Physicians for Human Rights Israel, on 16 February 2024, "since Hamas' attack on October 7, 2023, and the subsequent Israeli offensive on Gaza, there has been a marked and

5 [Systemic torture and inhumane treatment of Palestinian detainees in Israeli prison facilities since October 7, 2023 – Urgent Appeal to the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, 16 February 2024.](#)

severe escalation in the abuse of Palestinian detainees and prisoners incarcerated in Israeli prisons and detention facilities”.

During the 151st IPU Assembly in Geneva in October 2025, the Committee on the Human Rights of Parliamentarians held an online meeting with representatives of B'Tselem and Physicians for Human Rights, two leading Israeli human rights organizations, documenting human rights abuses faced by Palestinian detainees. Both organizations confirmed that, for the past two years, every fundamental human right of all Palestinian detainees, who remained disconnected from the outside world, had been violated as part of the systematic Israeli policy of collective punishment, aiming to hold every Palestinian accountable for the 7 October attack.

On 31 March 2026, the Israeli Knesset passed a law called the “Death Penalty for Terrorists Law”, introducing capital punishment as a primary or default sentence on Palestinians convicted of certain acts defined as terrorism-related killings. The law is expected to be implemented predominantly in military courts that exercise jurisdiction almost exclusively over Palestinians in the occupied territories. Several European countries, the United Nations and rights groups have underlined the discriminatory nature of the law and called on Israel to repeal it. Several human rights organizations have challenged the decision before the Supreme Court of Israel.

During a hearing with the Palestinian delegation at the 152nd IPU Assembly (April 2026), the Deputy Speaker of the Palestinian National Council and President of the IPU Group, Mr. Musa Hadid, stated that 15 April 2026 marked the 24th anniversary of Mr. Barghouti's detention in Israel and that he was unlikely to be released any time soon. Mr. Hadid also informed the Committee that since 7 October 2023, the number of Palestinian detainees in Israel has increased to 9,600, including up to 3,000 Palestinian detainees held in administrative detention, and that their conditions of detention have seriously deteriorated. Regarding the Death Penalty Law, Mr. Hadid stated that the adoption of such a law by the Knesset illustrated the discriminatory treatment to which Palestinians are subjected, adding that the lack of accountability of Israel for its continued violation of international human rights standards, including the decisions adopted by the international community, have empowered it to adopt such a law and continue committing atrocities against Palestinians.

The Deputy Speaker expressed the hope that the international community will not remain silent about the Death Penalty Law and the violations committed against Palestinian detainees in Israel.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the Palestinian delegation, in particular the Deputy Speaker of the Palestinian National Council, for the information provided at the 152nd IPU Assembly;
2. *Deplores* the Israeli parliamentary authorities' continued unwillingness to provide updated information about the case of Mr. Marwan Barghouti;
3. *Expresses deep concern* about recent information regarding Mr. Barghouti's conditions of detention in Israeli prisons, including repeated physical abuse, medical neglect, and ill-treatment, which place his life at serious and immediate risk;
4. *Urges*, once again, the Israeli authorities to release Mr. Barghouti immediately, considering the numerous human rights violations he has been subjected to, including his arrest and transfer to Israeli territory in violation of international law, the failure of his trial to meet the fair-trial standards that Israel is bound to respect as a party to the International Covenant on Civil and Political Rights, and the compelling legal arguments put forward in Mr. Foreman's report;
5. *Is shocked* by Israel's continued violations of the rights of Mr. Barghouti and of all Palestinian detainees, despite the existence of several reports published by Israeli entities about the inhumane and degrading treatment the detainees have faced in Israeli prisons since 7 October 2023;
6. *Urges* the Israeli authorities to treat Mr. Barghouti and all Palestinian detainees with respect for their inherent dignity and value as human beings, to prevent torture and other forms of ill-treatment, to

investigate thoroughly the very serious allegations about Mr. Barghouti's current treatment and to enable the International Committee of the Red Cross (ICRC) to visit him in detention immediately;

7. *Is appalled* by the adoption of the "Death Penalty for Terrorists Law" by the Knesset, which in and of itself is discriminatory, as it targets only Palestinians and is very problematic in terms of application, as it is likely to be implemented through military courts exercising jurisdiction over Palestinians in the occupied territories, while not being applied in a comparable manner within the civilian legal system; *is concerned* that this disparity, combined with reduced procedural safeguards, may result in unequal exposure to capital punishment based on national or ethnic origin and legal status; and *calls on* the Israeli authorities to ensure full compliance with international human rights and humanitarian law and to refrain from any implementation of the law that would undermine the right to life and fair trial guarantees;
8. *Requests* the Secretary General to convey this decision to the competent authorities, the complainants 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.

Palestine/Israel

Decision adopted unanimously by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)



Palestinian supporters of the Popular Front for the Liberation of Palestine (PFLP) take part in a protest calling for the release of Ahmad Sa'adat, imprisoned in Israel.
© Majdi Fathi/Nur Photo

PSE-05 – Ahmad Sa'adat

Alleged human rights violations

- ✓ Arbitrary arrest and detention
- ✓ Inhumane conditions of detention
- ✓ Lack of fair trial proceedings

A. Summary of the case

On 14 March 2006, Mr. Ahmad Sa'adat was abducted by the Israeli Defence Forces from Jericho prison and transferred to Hadarim prison in Israel, together with four other prisoners, after being accused by the Israeli authorities of involvement in the October 2001 murder of Mr. R. Zeevi, the Israeli Minister of Tourism. The Israeli authorities concluded one month later that Mr. Sa'adat had not been involved in the killing but went on to charge the other four suspects. Subsequently, 19 other charges were brought against Mr. Sa'adat, all arising from his leadership of the Popular Front for the Liberation of Palestine (PFLP), which Israel considers a terrorist organization. None of the charges allege direct involvement in crimes of violence. On 25 December 2008, Mr. Sa'adat was sentenced to 30 years' imprisonment. While detained, he reportedly did not receive the medical care he needed, nor was he allowed to receive visits from his family. In March and June 2009, he was placed in solitary confinement, prompting him to go on a nine-day hunger strike in June 2009. He remained in solitary confinement for three years, until May 2012.

At a hearing held by the Committee on the Human Rights of Parliamentarians in October 2020 with the Palestinian complainants, the latter confirmed the dire detention conditions

Case PSE-05

Palestine/Israel: The Palestinian Legislative Council and the Israeli Knesset are affiliated to the IPU

Victim: Majority member of the Palestinian Legislative Council

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

Submission of complaint: July 2006

Recent IPU decision: October 2025

IPU mission(s): - - -

Recent Committee hearing: Hearing with the Palestinian delegation during the 152nd IPU Assembly (April 2026)

Recent follow-up:

- Communications from the authorities: Letter from the head of the Knesset delegation to the IPU (February 2026); letter from the Permanent Observer of the State of Palestine to the United Nations in Geneva (April 2026)
- Communication from the complainant: October 2025
- Communications to the authorities: Letters to the Speaker of the Knesset and the head of the Knesset delegation to the IPU (December 2025)
- Communication to the complainant: February 2026

and limited visitation rights of Mr. Sa'adat. In their letter of 18 October 2020, the Israeli parliamentary authorities did not provide any information on Mr. Sa'adat's conditions of detention and suggested that the IPU should consider whether future correspondence relating to the case of Mr. Sa'adat was appropriate, given his involvement in terrorism-related crimes.

In their letter of 10 March 2022, the Israeli authorities declined the Committee's invitation to attend a hearing, considering that Mr. Sa'adat had been sentenced to 30 years' imprisonment for heading a terrorist group which, among other things, had assassinated a member of the Israeli Parliament. According to the authorities, Mr. Sa'adat was duly convicted of murder, attempted murder and membership in a terrorist organization, in a fair trial conducted before an Israeli court. Since then, the Israeli authorities have reiterated their position, as recently as in their letter of 5 February 2026.

Since the 7 October 2023 terrorist attack carried out by Hamas against Israel, the Israeli authorities have taken serious and deliberate measures to worsen the conditions of detention of Palestinian detainees. Mr. Sa'adat was reportedly transferred from Rimon prison to an unknown detention facility in Israel. He was also reportedly placed in solitary confinement, with no access to medical care. In this regard, on 7 September 2025, the Supreme Court of Israel found that the State of Israel had failed to provide Palestinian detainees with a diet adequate for "a basic level of existence", ruling that thousands of prisoners held since 7 October 2023 had been systematically deprived of sufficient food. The Court ordered the Israeli authorities to guarantee that "security prisoners" were provided with food of a suitable quantity and composition for maintaining health, and that this must be demonstrable by verifiable information.

Mr. Sa'adat is also being denied access to showers, hygiene essentials and is being held in conditions that fall below minimum sanitary standards. The International Committee of the Red Cross (ICRC), the only organization allowed by the Israeli authorities to visit Palestinian detainees held in Israel, has been denied access to Israeli prisons, while family visits facilitated by the ICRC have been prohibited. Only lawyers have been granted the right to visit their clients.

According to a public report⁶ issued on 16 February 2024 by Israeli human rights organizations, including the Public Committee Against Torture in Israel and Physicians for Human Rights Israel, "since Hamas' attack on 7 October 2023, and the subsequent Israeli offensive on Gaza, there has been a marked and severe escalation in the abuse of Palestinian detainees and prisoners incarcerated in Israeli prisons and detention facilities".

In 2025, Mr. Sa'adat continues to face harsh detention conditions in Israeli prisons. Reports indicate that his health has been deteriorating, with concerns over inadequate medical care.

During the 151st IPU Assembly in Geneva in October 2025, the Committee on the Human Rights of Parliamentarians held an online meeting with representatives of B'Tselem and Physicians for Human Rights, two leading Israeli human rights organizations documenting human rights abuses faced by Palestinian detainees. The representative from Physicians for Human Rights stated that the organization had visited Mr. Sa'adat two years earlier and had noted that all his belongings had been confiscated. The organization had to contact the Israeli Prison Service to ensure that Mr. Sa'adat, whose medical condition had severely deteriorated, received his treatment. Both organizations also confirmed that, for the past two years, the fundamental human rights of all Palestinian detainees, who remained cut off from the outside world, had been violated as part of a systematic Israeli policy of collective punishment, aimed at holding all Palestinians accountable for the 7 October 2023 attack.

On 31 March 2026, the Israeli Knesset passed a law entitled the "Death Penalty for Terrorists Law", introducing capital punishment as a primary or default sentence for Palestinians convicted of certain acts defined as terrorism-related killings. The law is expected to be implemented predominantly in military courts, which exercise jurisdiction almost exclusively over Palestinians in the occupied territories. Several European countries, the United Nations and human rights organizations have underlined the discriminatory nature of the law and called on Israel to repeal it. Several human rights organizations have also challenged the law before the Supreme Court of Israel.

During a hearing with the Palestinian delegation at the 152nd IPU Assembly (April 2026), the Deputy Speaker of the Palestinian National Council and President of the IPU Group, Mr. Musa Hadid, informed the

⁶ Systemic torture and inhumane treatment of Palestinian detainees in Israeli prison facilities since October 7, 2023 – Urgent Appeal to the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, 16 February 2024.

Committee that since 7 October 2023, the number of Palestinian detainees in Israel has increased to 9,600, including up to 3,000 Palestinian detainees held in administrative detention, and that their conditions of detention have seriously deteriorated. Regarding the Death Penalty Law, Mr. Hadid stated that the adoption of such a law by the Knesset illustrated the discriminatory treatment to which Palestinians are subjected, adding that the lack of accountability of Israel for its continued violations of international human rights standards, including decisions adopted by the international community, has empowered it to adopt such a law and continue committing atrocities against Palestinians.

The Deputy Speaker expressed the hope that the international community would not remain silent about the Death Penalty Law and the violations committed against Palestinian detainees in Israel.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the Palestinian delegation, in particular the Deputy Speaker of the Palestinian National Council, for the information provided at the 152nd IPU Assembly;
2. *Deplores* the Israeli authorities' continued unwillingness to provide updated information about the case of Mr. Ahmad Sa'adat;
3. *Expresses deep concern* about recent information regarding Mr. Ahmad Sa'adat's conditions of detention in Israeli prisons, including repeated physical abuse, medical neglect and ill-treatment, which place his life at serious and immediate risk;
4. *Urges*, once again, the Israeli authorities to release Mr. Sa'adat immediately, considering the numerous violations to which he has been subjected, including his abduction and transfer to Israel in breach of the Oslo Agreements and the Fourth Geneva Convention, which were in no way related to the original murder charge but rather to his political activities as General Secretary of the Popular Front for the Liberation of Palestine (PFLP);
5. *Is shocked* by Israel's continued violations of the rights of Mr. Sa'adat as well as of all Palestinian detainees, despite the existence of several reports published by Israeli entities on the inhuman and degrading treatment they have faced in Israeli prisons since 7 October 2023;
6. *Urges* the Israeli authorities to treat Mr. Sa'adat and all Palestinian detainees with respect for their inherent dignity and value as human beings, to prevent torture and other forms of ill-treatment, to investigate thoroughly the very serious allegations about his current treatment and to enable the International Committee of the Red Cross (ICRC) to visit him in detention immediately;
7. *Is appalled* by the adoption by the Knesset of the Death Penalty for Terrorists Law, which is in itself discriminatory as it targets Palestinians only, and is highly problematic in terms of its application, as it is likely to be implemented through military courts exercising jurisdiction over Palestinians in the occupied territories, while not being applied in a comparable manner within the civilian legal system; *is concerned* that this disparity, combined with reduced procedural safeguards, may result in unequal exposure to capital punishment based on national or ethnic origin and legal status; and *calls on* the Israeli authorities to ensure full compliance with international human rights and humanitarian law and to refrain from any implementation of the law that would undermine the right to life and fair trial guarantees;
8. *Requests* the Secretary General to convey this decision to the competent authorities, the complainants 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.

Palestine/Israel

Decision adopted unanimously by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)



Hamas parliamentarians Mr. Ahmed Attoun (right), Mr. Mohammed Totah (second from right) and Mr. Khaled Abu Arafah (left) in front of the International Red Cross offices, where they had been living for the past 162 days fearing expulsion by the Israeli authorities. Picture taken 9 December 2010 © AFP Photo/Marco Longari

Parliamentarians in administrative detention:

- PSE-57 – Hasan Yousef
- PSE-61 – Mohammad Jamal Natsheh
- PSE-90 – Anwar Al Zaboun
- PSE-28 – Muhammad Abu-Tair
- PSE-103 – Naser Abd Al Jawad

Parliamentarians previously in administrative detention:

- PSE-32 – Basim Al-Zarrer
- PSE-47 – Hatem Qfeisheh
- PSE-62 – Abdul Jaber Fuqaha
- PSE-63 – Nizar Ramadan
- PSE-64 – Mohammad Maher Bader
- PSE-65 – Azam Salhab
- PSE-75 – Nayef Rjoub
- PSE-84 – Ibrahim Dahbour
- PSE-85 – Ahmad Mubarak
- PSE-86 – Omar Abdul Razeq Matar
- PSE-87 – Mohammad Ismail Al-Tal
- PSE-89 – Khaled Tafesh
- PSE-82 – Khalida Jarrar (Ms.)
- PSE-79 – Riyadh Radad
- PSE-30 – Muhammad Totah
- PSE-80 – Abdul Rahman Zaidan
- PSE-78 – Husni Al Borini
- PSE-29 – Ahmad Attoun

Alleged human rights violations

- ✓ Arbitrary arrest and detention
- ✓ Inhumane conditions of detention
- ✓ Lack of due process at the investigation stage
- ✓ Lack of fair trial proceedings
- ✓ Violation of freedom of movement

A. Summary of the case

The original case concerned several former members of the Palestinian Legislative Council (PLC) who, in mid-2006, were seized by Israeli Defence Forces in the occupied West Bank and Jerusalem and transferred to Israeli prisons. All of the former parliamentarians had been elected in January 2006 on the Electoral Platform for Change and Reform (Hamas). On 25 September 2006, an Israeli military appeal court in the West Bank overturned a court decision to release them and ordered that they remain in prison pending trial. Several were charged with being members of a terrorist organization, namely Hamas, carrying out activities on its behalf and providing it with services. Most received prison sentences of about 40 months and were released after serving them.

Over the years, however, several have been rearrested, with most of them subject to administrative detention and some to criminal prosecution. Currently, five former PLC members, namely Mr. Hasan Yousef, Mr. Mohammad Jamal Natsheh, Mr. Anwar Al Zaboun, Mr. Muhammad Abu-Tair, and Mr. Naser Abd Al Jawad, are in administrative detention.

In addition to their repeated detentions in the absence of any charges, several former PLC members, including Mr. Ahmad Attoun, Mr. Muhammad Abu-Tair, and Mr. Muhammad Totah had their Jerusalem residence permits withdrawn and are subject to a deportation order.

Since the 7 October 2023 terrorist attack carried out by Hamas against Israel, the Israeli authorities have taken serious and deliberate measures to worsen the conditions of detention of Palestinian detainees, particularly former PLC members. According to a public report⁷ of 16 February 2024 issued by Israeli human rights organizations, including the Public Committee Against Torture in Israel and Physicians for Human Rights Israel, “since Hamas’ attack on October 7, 2023 and the subsequent Israeli offensive on Gaza, there has been a marked and severe escalation in the abuse of Palestinian detainees and prisoners incarcerated in Israeli prisons and detention facilities”.

During the 151st IPU Assembly in Geneva in October 2025, the Committee on the Human Rights of Parliamentarians held an online meeting with representatives of B’Tselem and Physicians for Human Rights, two leading Israeli human rights organizations documenting human rights abuses faced by Palestinian detainees. The representative from Physicians for Human Rights confirmed that, for the past two years, every fundamental human right of all Palestinian detainees, who remained disconnected from the outside world, had been violated as part of the systematic Israeli policy of collective punishment, aiming to hold every Palestinian accountable for the 7 October attack.

In February 2026, the complainant reported that the five former PLC members who were being held in administrative detention suffer from poor health, neglect and severe detention conditions, particularly after

PSE-COLL-01

Palestine/Israel: The Palestinian Legislative Council and the Israeli Knesset are affiliated to the IPU

Victims: 23 majority members of the Palestinian Legislative Council, of whom one is a woman

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

Submission of complaint: June 2014

Recent IPU decision: October 2018

Recent IPU mission(s): - - -

Recent Committee hearings: Hearing with the Palestinian delegation during the 152nd IPU Assembly in Istanbul (April 2026)

Recent follow-up:

- Communication from the authorities: Letter from the head of the Knesset delegation to the IPU (February 2026); letter from the Permanent Observer of the State of Palestine to the United Nations in Geneva (April 2026)
- Communication from the complainant: February 2026
- Communication to the authorities: Letter to Speaker of the Knesset and the Head of the Knesset delegation to the IPU (December 2025)
- Communication to the complainant: February 2026

⁷ [Systemic torture and inhuman treatment of Palestinian detainees in Israeli prison facilities since October 7, 2023 – Urgent Appeal to the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, 16 February 2024.](#)

the 7 October attack. The complainant also reported that six former PLC members were released in 2025, including Ms. Khalida Jarrar and Mr. Ahmed Attoun, as part of the prisoner-exchange deal struck between Hamas and the Israeli authorities in 2024. Ms. Jarrar suffers from severe physical and psychological consequences as a result of prolonged solitary confinement and humiliating body searches during her detention. The complainant added that four other former PLC members, Mr. Riyadh Radad, Mr. Muhammad Totah, Mr. Abdul Rahman Zaidan, and Mr. Husni Al Borini were also released. However, they are subject to strict security surveillance and repeated summons by intelligence services, along with travel bans and restrictions on their movement, in order to maintain pressure on them and politically subjugate them.

On 31 March 2026, the Israeli Knesset passed a law called the “Death Penalty for Terrorists Law” introducing capital punishment as a primary or default sentence on Palestinians convicted of certain acts defined as terrorism-related killings. The law is expected to be implemented predominantly in military courts that exercise jurisdiction almost exclusively over Palestinians in the occupied territories. Several European countries, the United Nations and rights groups underlined the discriminatory nature of the law and called on Israel to repeal it. Several human rights organizations have challenged the decision before the Supreme Court of Israel.

During a hearing with the Palestinian delegation at the 152nd IPU Assembly (April 2026), the Deputy Speaker of the Palestinian National Council and President of the IPU Group, Mr. Musa Hadid, informed the Committee that since 7 October 2023, the number of Palestinian detainees in Israel has increased to 9,600, including up to 3,000 Palestinian detainees held in administrative detention, and that their conditions of detention have seriously deteriorated. Mr. Hadid also added that former PLC members who were released suffer from serious mental health issues due to the severe conditions in which they were held, as well as the beatings, torture and medical neglect they faced while in detention.

Regarding the Death Penalty Law, Mr. Hadid stated that the adoption of such a law by the Knesset illustrated the discriminatory treatment to which Palestinians are subjected, adding that the lack of accountability of Israel for its continued violation of international human rights standards, including the decisions adopted by the international community, have empowered it to adopt such a law and continue committing atrocities against Palestinians.

The Deputy Speaker expressed the hope that the international community will not remain silent on the Death Penalty Law and the violations committed against Palestinian detainees in Israel.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the Palestinian delegation, in particular the Deputy Speaker of the Palestinian National Council, for the information provided at the 152nd IPU Assembly; and *welcomes* the Palestinian authorities’ willingness to supply the Committee with updated information about individuals included in this case;
2. *Deplores* the Israeli authorities’ continued unwillingness to provide information about this case, including data about the number of former PLC members currently detained in Israel, their conditions of detention and the legal status of their cases;
3. *Is deeply concerned* that five former PLC members, including Mr. Hasan Yousef, Mr. Mohammad Jamal Natsheh, Mr. Anwar Al Zaboun, Mr. Muhammad Abu-Tair and Mr. Naser Abd Al Jawad, several of whom have been previously held in administrative detention, are currently in administrative detention in Israel, illustrating the repeated use of administrative detention by the Israeli authorities against Palestinians; *is also particularly concerned* with their cases, considering the inhumane and degrading conditions of detention in Israeli prisons since 7 October 2023, which were extensively documented by Israeli human rights groups and echoed by the Palestinian Deputy Speaker;
4. *Is shocked* in this regard by Israel’s continued violations of the rights of all Palestinian detainees in Israeli prisons; and *urges* the Israeli authorities to treat all Palestinian detainees with respect for their inherent dignity and value as human beings, to prevent torture and other forms of ill-treatment, to investigate thoroughly the very serious allegations about the current treatment and to enable the

International Committee of the Red Cross (ICRC) to visit them in detention immediately;

5. *Remains deeply concerned* about the excessive use of administrative detention, an arbitrary measure used against Palestinians, as it often relies on classified evidence and prevents Palestinian detainees from the effective possibility to defend themselves; and *calls once again* on the Israeli authorities to abandon the practice of administrative detention and to make use only of the regular criminal procedure to justify detention;
6. *Notes with satisfaction* that six former PLC members, namely Ms. Khalida Jarrar, Mr. Riyadh Radad, Mr. Muhammad Totah, Mr. Abdul Rahman Zaidan, Mr. Husni Al Borini and Mr. Ahmad Attoun were released in 2024; *expresses* grave concern at credible reports that they continue to suffer from serious mental health consequences as a result of the conditions of their detention in Israel; and *hopes* they will receive the necessary medical assistance;
7. *Is appalled* by the adoption of the Death Penalty for Terrorists Law by the Knesset which in and of itself is discriminatory as it targets Palestinians only and is very problematic in terms of application, as it is likely to be implemented through military courts exercising jurisdiction over Palestinians in the occupied territories, while not being applied in a comparable manner within the civilian legal system; *is concerned* that this disparity, combined with reduced procedural safeguards, may result in unequal exposure to capital punishment based on national or ethnic origin and legal status; and *calls on* the Israeli authorities to ensure full compliance with international human rights and humanitarian law and to refrain from any implementation of the law that would undermine the right to life and fair trial;
8. *Requests* the Secretary General to convey this decision to the competent 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.

Thailand

Decision adopted by consensus by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)⁸



Former Move Forward Party (MFP) leader Pita Limjaroenrat (centre) and fellow MFP Members of Parliament attend a press conference at the Thai Parliament in Bangkok. © Jack TAYLOR / AFP

Former parliamentarians deprived of their mandate and political rights for 10 years:

THA-184 – Pita Limjaroenrat
THA-185 – Apichat Sirisoontorn
THA-186 – Bencha Saengchan (Ms.)
THA-187 – Chaithawat Tulathon
THA-188 – Suthep Ou-Oun
THA-189 – Amarat Chokepamitkul (Ms.)
THA-190 – Nateepat Kulsetthasith (Ms.)
THA-191 – Somchai Fungcholjit
THA-335 – Padipat Suntiphada

Parliamentarians who may lose their political rights for life:

THA-240 – Nattacha Boonchaiinsawat
THA-243 – Natthaphong Ruengpanyawut
THA-249 – Nutthawut Buaprathum
THA-252 – Pakornwut Udompipatskul
THA-276 – Rangsiman Rome
THA-291 – Sirikanya Tansakun (Ms.)
THA-304 – Surachet Pravinvongvuth
THA-310 – Taopiphop Limjitrakorn
THA-312 – Teerajchai Phuntumas
THA-326 – Wayo Assawarungruang

Former parliamentarians who may lose their political rights for life:

THA-219 – Jirat Theangsuwan	THA-333 – Yanathicha Buapuean (Ms.)
THA-228 – Khamphong Thephakham	THA-336 – Chavalit Laohaudomphan

⁸ The delegation of Thailand expressed its reservations regarding the decision.

THA-236 – Manop Keereepuwadol
 THA-244 – Nitipon Piwmow
 THA-250 – Ongkan Chaibut
 THA-269 – Prasertpong Sornnuvatar
 THA-282 – Sakdinai Numnu
 THA-306 – Surawat Thongbu
 THA-323 – Wanvipa Maison (Ms.)
 THA-330 – Wiroj Lakkanaadisorn
 THA-331 – Woraphop Wiriyaroj
 THA-332 – Wuttinan Boonchoo

THA-337 – Kanphong Chongsuttanamanee
 THA-338 – Nattaphon Suepsakwong
 THA-339 – Parinya Chuaigate Keereerut
 THA-340 – Phicharn Chaowapatanawong
 THA-341 – Somkiat Chaivisuttigul
 THA-342 – Somkiat Thanomsin
 THA-343 – Supisarn Bhakdinarinath
 THA-344 – Suttawan S. Na Ayuthaya (Ms.)
 THA-345 – Taweesak Taksin
 THA-346 – Thongdaeng Benjapak

Parliamentarians charged with lèse-majesté:

THA-266 – Piyarat Chongthep
 THA-210 – Chonthicha Jangrew (Ms.)
 THA-280 – Rukchanok Srinork (Ms.)

Alleged human rights violations

- ✓ Lack of due process in proceedings against parliamentarians
- ✓ 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

Thailand's Move Forward Party (MFP) obtained most seats in the May 2023 parliamentary elections after campaigning on a progressive agenda, which included a promise to reform the lèse-majesté rules contained in section 112 of the Criminal Code.

The complainant reports that, on 31 January 2024, the Constitutional Court of Thailand ruled that an initial proposal to discuss the amendment of this law by several MFP Members of Parliament in March 2021, including MFP leader and prime ministerial candidate Mr. Pita Limjaroenrat, was deemed to be sufficient grounds to be construed as “an endeavour to overthrow the democratic nature of the government with the King as Head of State”. The Court had found that such a proposal contravenes Article 49(1) of the Constitution, which explicitly prohibits any individual from exercising their fundamental rights to overthrow the monarchy.

The complainant specifies that the court ruling ordered the MFP to cease and desist from any action to reform section 112 of the Criminal Code, including by expressing opinions by speaking, writing, publishing or conveying messages by any other means in pursuit of amending section 112. According to the complainant, the MFP agreed to comply with the ruling and made it clear that it had no intention of overthrowing the monarchy, while regretting that Thai society would lose the opportunity to make use of its Parliament to find a solution to the conflicts arising from section 112, which provides for sentences of up to 50 years' imprisonment for critical posts on social media.

In another procedure, the complainant claims that, on 12 March 2024, the Election Commission decided to petition the Constitutional Court to dissolve the MFP. According to the complainant, this step was politically motivated and violated the political rights of the Members of Parliament concerned as well as their parliamentary mandate. On 7 August 2024, the Constitutional Court unanimously decided to dissolve the MFP and to ban the 11 members of the MFP executive board from exercising their political rights for 10 years. The judgment is entirely devoid of any reference to international human rights obligations, except for

Case THA-COLL-02

Thailand: Parliament affiliated to the IPU

Victims: 47 opposition members of the National Assembly of Thailand (9 female and 38 male)

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

Submission of complaint: March 2024

Recent IPU decision: October 2025

IPU mission(s): - - -

Recent Committee hearing: Hearing with the Thai delegation to the 151st IPU Assembly (October 2025)

Recent follow-up:

- Communication from the authorities: July 2025
- Communication from the complainant: October 2025
- Communication to the authorities: Letter to the Speaker of the House of Representatives (April 2026)
- Communication to the complainant: April

a reference to objections raised by the MFP. In response to another objection concerning the proportionality of the sanctions to the harm caused, the Court declared that the actions of the MFP were grave enough to endanger the monarchy, without explaining how it had reached that conclusion based on the facts of the case. The same reasoning was repeated in the Court's main finding that the party should be dissolved and its leaders deprived of their political rights on the ground that their actions amounted to an attempt to "overthrow" the monarchy.

The remaining 143 Members of Parliament who were elected in 2023 would have lost their seats if they had not joined another party within 60 days. On 9 August 2024, the People's Party was established to carry on the legacy of the MFP under the leadership of a new executive board led by Mr. Natthaphong Ruengpanyawut, thereby allowing his colleagues to retain their seats.

Several United Nations human rights mechanisms have criticized the existence and use of section 112 of the Criminal Code as running counter to Thailand's international obligations with regard to freedom of expression.⁹ In its decision of 19 February 2025, the IPU Committee on the Human Rights of Parliamentarians called on the Thai authorities once again to revise their legislation within the current constitutional framework to ensure its compliance with international standards. However, the complainant reports that this was not done and that, in the course of 2025, the House of Representatives rejected two proposals to amend section 112 and to provide amnesty in some cases of violations of section 112.

On 27 May 2024, the Thanyaburi provincial court convicted a MFP Member of Parliament, Ms. Chonthicha Jangrew, of violating section 112 of the Criminal Code and sentenced her to two years' imprisonment for comments she had made about the King in 2021. On 8 September 2025, Ms. Jangrew was sentenced to two years and eight months' imprisonment by the Criminal Court under section 112 and the Computer Crime Act; she appealed the judgment and was later released on bail pending appeal. The International Federation for Human Rights urged Thailand to overturn the judgment against her and allow her to carry out her work without reprisals for exercising her freedom of expression.¹⁰ On 30 September 2025, an appellate court dismissed her appeal; she was released on bail once again pending an appeal to the Supreme Court. Previously, MFP Member of Parliament Ms. Rukchanok Srinork was also sentenced for violating section 112 over a retweet and was later freed on bail on the condition that she refrain from activities that could offend the monarchy.

Shortly after the Constitutional Court's ruling of 31 January 2024, a petition was filed with the National Anti-Corruption Commission (NACC) asking it to investigate claims of a "serious ethical violation" by the 44 lawmakers who had submitted the bill to amend section 112 of the Criminal Code in 2021. Section 235 of the Thai Constitution stipulates that if the NACC finds grounds for misconduct by political office holders, it must forward the case to the Supreme Court's Criminal Division for Holders of Political Positions. The investigation carried out by the NACC into these allegations resulted in an indictment of the 44 current and former parliamentarians concerned on 9 February 2026. In the event that the Supreme Court decides to accept the charges, the parliamentary mandate of the 10 parliamentarians concerned would thereby be suspended with immediate effect. If convicted, the parliamentarians would lose their political rights for life.

In August 2025, the Constitutional Court removed Prime Minister Paetongtarn Shinawatra from office after ruling that a leaked telephone call with Cambodian leader Hun Sen violated ethical standards in the aftermath of the border clashes that took place between the two countries in July 2025. Her successor, Prime Minister Anutin Charnvirakul, announced a road map to dissolve Parliament in January 2026 and to hold elections in early 2026. Elections were eventually held on 8 February 2026, with most seats going to the party of Mr. Charnvirakul, whereas the People's Party remained one of the largest parties in opposition. These elections coincided with a referendum on the adoption of a new constitution, which was approved by the people of Thailand.

⁹ See the press release [here](#).

¹⁰ See the statement [here](#).

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Regrets* that the representatives of the delegation of Thailand to the 152nd IPU Assembly were not able to meet with the Committee on the Human Rights of Parliamentarians; *thanks* the Thai parliamentary authorities for their continued engagement with the Committee; and *fails to comprehend* how a proposal by the MFP parliamentarians to discuss a legislative amendment of the Criminal Code in Parliament could be interpreted as an attempt to overthrow the monarchy;
2. *Recalls* its earlier decision endorsing the conclusion reached by the United Nations Human Rights Committee that section 112 of the Criminal Code of Thailand as presently constituted is not in conformity with the International Covenant on Civil and Political Rights (ICCPR) and that Thailand, as a State party to the Covenant, is under an obligation to bring section 112 into conformity with applicable international standards on freedom of expression, which rule out any imprisonment of persons exercising their freedom of expression; and *strongly believes* that the Thai Parliament has a vested interest and an undeniable duty to lead the way to that end;
3. *Urges*, once again, the Thai parliamentary authorities to carry out a review of all legislation that is inconsistent with Thailand's international obligations in that regard and to make the necessary changes in the Criminal Code, the Organic Act on Political Parties (2017), the codes of ethics applicable to parliamentarians, as well as any other relevant legislation, to prevent the recurrence of arbitrary or disproportionate measures against parliamentarians exercising their rights and fulfilling their duties, including by reviewing the gravity of the sanctions foreseen by these laws; *recalls* that the IPU remains ready to offer assistance to the Thai authorities in any such legal review; and *wishes* to receive information on action taken to give effect to this decision;
4. *Notes with interest* that the people of Thailand voted in favour of adopting a new Constitution on 8 February 2026; *wishes* to receive further information on that point, including on the modalities for the drafting process; and *urges* Parliament to promote the holding of broad, transparent and effective consultations with judges, prosecutors, lawyers, bar associations and civil society prior to the onset of the constitutional process with the aim of ensuring that the text is aligned with relevant international standards, including the ICCPR;
5. *Is deeply concerned* that 44 current and former parliamentarians from the dissolved MFP party could lose their political rights for life following a process before the National Anti-Corruption Commission (NACC) and that 10 sitting parliamentarians may be immediately suspended following a referral to the Supreme Court by the NACC; and *believes* that such a decision would amount to a serious violation of the right of the parliamentarians concerned to take part in the conduct of public affairs as enshrined in article 25 of the ICCPR;
6. *Remains concerned* that Ms. Chonthicha Jangrew and Ms. Rukchanok Srinork have been sentenced to several years of imprisonment for exercising their freedom of expression; *reiterates* that the Thai parliamentary authorities have a duty to ensure that the rights of all their Members of Parliament are duly protected and that members are not imprisoned under laws that are not in conformity with international human rights law; *calls on* the Thai Parliament to do its utmost to protect the rights of all parliamentarians; and *wishes* to receive updated information on steps taken to that end;
7. *Decides* to mandate a trial observer to report on the trial related to Ms. Jangrew, Ms. Srinork and the 44 parliamentarians concerned by accusations put forward by the NACC before the courts;
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.

Türkiye

Decision adopted unanimously by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)



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

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| 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-112 – Lezgin Botan |
| TUR-76 – Besime Konca (Ms.) | TUR-113 – Mehmet Ali Aslan |
| TUR-77 – Burcu Çelik Özkan (Ms.) | TUR-114 – Mehmet Emin Adiyaman |
| TUR-78 – Çağlar Demirel (Ms.) | TUR-115 – Nadir Yildirim |
| TUR-79 – Dilek Öcalan (Ms.) | TUR-116 – Nihat Akdoğan |
| TUR-80 – Dilan Dirayet Taşdemir (Ms.) | TUR-118 – Osman Baydemir |
| TUR-81 – Feleknaş Uca (Ms.) | TUR-119 – Selahattin Demirtaş |
| TUR-82 – Figen Yüksekdağ (Ms.) | TUR-120 – Sirri Süreyya Önder |
| TUR-83 – Filiz Kerestecioğlu (Ms.) | TUR-121 – Ziya Pir |
| TUR-84 – Hüda Kaya (Ms.) | TUR-122 – Mithat Sancar |
| TUR-85 – Leyla Birlik (Ms.) | TUR-123 – Mahmut Toğrul |
| TUR-86 – Leyla Zana (Ms.) | TUR-124 – Aycan Irmez (Ms.) |
| TUR-87 – Meral Daniş Beştaş (Ms.) | TUR-125 – Ayşe Acar Başaran (Ms.) |
| TUR-88 – Mizgin Irgat (Ms.) | TUR-126 – Garo Paylan |
| TUR-89 – Nursel Aydoğan (Ms.) | TUR-128 – Aysel Tuğluk (Ms.) |
| TUR-90 – Pervin Buldan (Ms.) | TUR-129 – Sebahat Tuncel (Ms.) |
| TUR-91 – Saadet Becerikli (Ms.) | TUR-130 – Leyla Güven (Ms.) |
| TUR-92 – Sibel Yiğitalp (Ms.) | TUR-131 – Ayşe Sürücü (Ms.) |
| TUR-93 – Tuğba Hezer Öztürk (Ms.) | TUR-132 – Musa Farisogullari |
| TUR-94 – Abdullah Zeydan | TUR-133 – Emine Ayna (Ms.) |
| TUR-95 – Adem Geveri | TUR-134 – Nazmi Gür |
| TUR-96 – Ahmet Yildirim | TUR-135 – Ayla Akat Ata (Ms.) |
| TUR-97 – Ali Atalan | TUR-136 – Beyza Ustün (Ms.) |
| TUR-98 – Alican Önlü | TUR-137 – Remziye Tosun (Ms.) |
| TUR-99 – Altan Tan | TUR-138 – Kemal Bulbul |

TUR-100 – Ayhan Bilgen
TUR-101 – Behçet Yildirim
TUR-102 – Berdan Öztürk
TUR-106 – Ertuğrul Kürkcü

TUR-140 – Gültan Kışanak (Ms.)
TUR-141 – Semra Güzel (Ms.)
TUR-142 – Salihe Aydeniz (Ms.)
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 for offences such as defamation of the President, Government or State of Türkiye. Some of the individuals concerned also face earlier charges linked to proceedings in connection with the Kurdistan Communities Union (*Koma Civakên Kurdistan – KCK*) while others face more recent charges. In these cases, their parliamentary immunity was allegedly not lifted.

Since November 2016, scores of parliamentarians have been detained, and others have gone into exile. Over 30 parliamentarians have been sentenced to prison terms in recent years, and several have lost their parliamentary mandates, largely as a result of their criminal convictions.

Seven current and 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, Ms. Emine Ayna and Mr. Can Atalay.

Some of the aforesaid individuals had been arrested in September 2020, although the accusations against them relate to events in the distant past that unfolded soon after the siege of Kobane in Syria in 2014. It is in this context that 108 HDP members 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. In May 2024, several of the former HDP parliamentarians, including Mr. Demirtaş, were convicted in this context and sentenced to lengthy prison terms, while others were acquitted or released pending appeal. In parallel, Mr. Can Atalay (TUR-143), elected to Parliament in 2023, remains in prison despite an August 2024 Constitutional Court ruling declaring the revocation of his mandate null and void. Authorities have not implemented that ruling. Moreover, in October 2025, Member of Parliament Mr. Berdan Öztürk was sentenced to six years and four months in prison on charges of aiding a terrorist organization and engaging in terrorist propaganda.

According to the complainant, the charges against HDP parliamentarians are groundless and stem primarily from peaceful political speech and activities, including public statements, participation in demonstrations and other actions carried out in the exercise of their parliamentary functions, which fall within the scope of the rights to freedom of expression, assembly and association.

Case TUR-COLL-02

Türkiye: Parliament affiliated to the IPU

Victims: 66 opposition Members of Parliament (32 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: October 2025

IPU mission(s): June 2019; December 2025

Recent Committee hearings: Hearings with the Turkish delegation and the complainant at the 151st and 152nd IPU Assemblies (October 2025 and April 2026)

Recent follow-up:

- Communication from the authorities: Letter from the President of the Turkish IPU Group (November 2025)
- Communication from the complainant: March 2026
- Communication to the authorities: Letter to the President of the Turkish IPU Group (February 2026)
- Communication to the complainant: March 2026

The European Court of Human Rights has, in several judgments, found violations of the rights of HDP parliamentarians, notably of the rights to freedom of expression, liberty and security and free elections, and has called for the immediate release of Mr. Demirtaş. The Court has also found violations relating to the lifting of parliamentary immunity and the pre-trial detention of several parliamentarians, and has emphasized that such measures must not pursue the ulterior purpose of stifling political pluralism. In this regard, on 8 July 2025, the European Court of Human Rights delivered its judgment in *Selahattin Demirtaş v. Türkiye (No. 4)*, finding that Mr. Demirtaş's renewed detention since 2019 violated Article 5, paragraphs 1, 3 and 4, and Article 18 in conjunction with Article 5, paragraph 1 of the European Convention on Human Rights. The Court concluded that the Turkish authorities had deliberately circumvented its previous Grand Chamber judgment of 2020, which had ordered Mr. Demirtaş's release, by filing new but substantially identical charges with the aim of prolonging his detention. It ordered Türkiye to secure Mr. Demirtaş's immediate release, to pay him 55,745 euros in compensation, and to take general measures to prevent similar politically motivated detentions in the future.

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. It should be noted that, on 17 July 2022, the Constitutional Court ruled in one of the cases against Ms. Yüksekdağ that her rights to freedom of thought and expression, as well as to be elected, were violated when she was stripped of her parliamentary immunity in 2016. A 2018 IPU review of 12 court decisions issued against HDP members reached similar conclusions.

The Turkish authorities have provided extensive information on the legal status of the criminal proceedings against the HDP parliamentarians, without, however, providing information on the precise facts to support the charges or convictions. 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; that this does not fall within the acceptable limits of freedom of expression; that the Constitutional Court has reached such conclusions in several cases and, in other cases, domestic remedies have not yet been exhausted; that the independence of the judiciary and the rule of law in Türkiye must be respected; and that the average implementation rate of European Court of Human Rights judgments for Türkiye sat at 90%, well above the average for all Council of Europe Member States.

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. It appears that the prosecution drew heavily on the trial against several HDP politicians in the 2014 Kobane case referred to earlier. Facing dissolution, the HDP leadership refrained from formally dissolving the party; its members decided to run in all 2023 elections under the Green 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.

Recent political developments have included renewed references to a possible peace process and initiatives aimed at addressing the underlying causes of violent conflict in Türkiye. In this context, the Grand National Assembly of Türkiye established a National Solidarity, Sisterhood/Brotherhood and Democracy Committee, whose report was adopted in February 2026 following consultations with a broad range of stakeholders. This report is intended to contribute to efforts aimed at strengthening democratic governance, social cohesion and the rule of law. At the hearing with the Committee held during the 152nd IPU Assembly (April 2026), a member of the Turkish delegation from the AK Party stated that it was very likely that the Grand National Assembly was going to adopt the necessary legislation to this effect.

Following continued engagement with the Turkish authorities, a delegation of the IPU Committee on the Human Rights of Parliamentarians carried out an on-site mission to Türkiye from 10 to 12 December 2025

in order to obtain updated first-hand information on the issues arising in these cases, as well as on the broader legal and political context. The delegation met with representatives of the executive, judiciary and parliamentary authorities, as well as with lawyers and affected parliamentarians. Following the on-site mission, the Committee mandated the IPU Secretary General to continue discussions with the Turkish parliamentary authorities to see how progress in the cases at hand could be made. These discussions took place in Ankara on 1 April 2026.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the Turkish authorities for facilitating the on-site mission of the IPU Committee on the Human Rights of Parliamentarians (10–12 December 2025) and for the engagement demonstrated throughout its preparation and conduct, including by enabling the delegation to meet a broad range of interlocutors and to visit Mr. Selahattin Demirtaş in detention; *considers* that, at a time when respect for human rights is under strain in many parts of the world, such cooperation reflects a real openness and willingness to maintain dialogue with the Committee and to engage with the concerns raised; and *encourages* the authorities to pursue and deepen this engagement with a view to achieving tangible progress in the cases under examination;
2. *Also thanks* the Turkish authorities for the information and observations they have provided following the mission, as well as the complainant for its comments; and *takes note* of the positions expressed by both parties;
3. *Further thanks* the Committee delegation for carrying out the mission and for its report, which constitutes an important basis for the Committee's ongoing examination of these cases; and *endorses* its findings and recommendations;
4. *Expresses the hope* that ongoing consultations with the Turkish authorities will help address lingering questions and concerns, notably with regard to: (i) the practical impact of legal developments on cases involving political expression; (ii) the use and cumulative effect of criminal proceedings in such cases; (iii) the situation of detained current and former parliamentarians and the implementation of relevant judicial decisions; and (iv) the effectiveness of judicial remedies and the timely execution of binding national and international rulings; and *trusts* that continued dialogue with the Turkish authorities will lead to tangible progress in line with international human rights standards, which is all the more important given the high number of individuals affected in this case;
5. *Welcomes* the report adopted in February 2026 by the Grand National Assembly of Türkiye's National Solidarity, Sisterhood/Brotherhood and Democracy Committee; *expresses confidence* that its recommendations will contribute to strengthening democratic governance and the rule of law, in particular by reinforcing the protection of political expression, the application of counter-terrorism legislation in line with human rights standards and the effective exercise of parliamentary mandates; *acknowledges* that it will take time to put in place the corresponding legal framework; *trusts*, nevertheless, that the authorities will proceed with the urgency that the situation warrants; and *wishes* to be kept informed in this regard;
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.

Türkiye

Decision adopted unanimously by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)



Peoples' Equality and Democracy Party (DEM) on 15 October 2023 in Ankara.
© DEM Party press office

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| TUR-144 – Ayten Kordu (Ms.) | TUR-168 – Pero Dunder (Ms.) |
| TUR-145 – Beritan Güneş Altın (Ms.) | TUR-169 – Sabahat Erdoğan Sarıtaş (Ms.) |
| TUR-146 – Burcugül Çubuk (Ms.) | TUR-170 – Sait Dede |
| TUR-147 – Ceylan Akça Cupolo (Ms.) | TUR-171 – Serhat Eren |
| TUR-148 – Dilan Kunt Ayan (Ms.) | TUR-172 – Serpil Kemalbay (Ms.) |
| TUR-149 – Fatma Kurtulan (Ms.) | TUR-173 – Sezai Temelli |
| TUR-150 – Gülcan Kaçmaz Sayyigit (Ms.) | TUR-174 – Sümeyye Boz (Ms.) |
| TUR-151 – Gülderen Varlı (Ms.) | TUR-175 – Tülay Hatimoğulları Oruç (Ms.) |
| TUR-152 – Gülistan Kılıç Koçyiğit (Ms.) | TUR-176 – Yılmaz Hun |
| TUR-153 – Hakkı Saruhan Oluç | TUR-177 – Zeynep Oduncu (Ms.) |
| TUR-154 – Hasan Özgüneş | TUR-178 – Zülküf Uçar |
| TUR-155 – Hüseyin Kaçmaz | TUR-179 – Çiğdem Kılıçgün Uçar (Ms.) |
| TUR-156 – Hüseyin Olan | TUR-180 – Ömer Öcalan |
| TUR-157 – Kamuran Tanhan | TUR-181 – Öznur Bartin (Ms.) |
| TUR-158 – Kemal Peköz | TUR-182 – Ömer Faruk Gergerlioğlu |
| TUR-159 – Keskin Bayındır | TUR-184 – Çiçek Otlı (Ms.) |
| TUR-160 – Keziban Konukcu Kök (Ms.) | TUR-185 – George Aslan |
| TUR-161 – Mehmet Rüştü Tiryaki | TUR-186 – Heval Bozdağ |
| TUR-162 – Mehmet Zeki Irmez | TUR-187 – Sinan Çiftyürek |
| TUR-163 – Murat Çepni | |
| TUR-164 – Nejla Demir (Ms.) | |
| TUR-165 – Nevroz Uysal Aslan (Ms.) | |
| TUR-166 – Nuran İmir (Ms.) | |
| TUR-167 – Oya Ersoy (Ms.) | |

Alleged human rights violations

- ✓ Ill-treatment
- ✓ Threats, acts of intimidation
- ✓ Lack of due process in proceedings against parliamentarians
- ✓ Violation of freedom of opinion and expression
- ✓ Violation of freedom of assembly and association

A. Summary of the case

This case concerns 43 incumbent and former opposition parliamentarians from the Peoples' Equality and Democracy Party (DEM Party), the Democratic Regions Party (DBP), and the Peoples' Democratic Party (HDP) in Türkiye. The alleged violations concerning them span from 2018 to 2025 and reflect an intensifying pattern of harassment, intimidation, criminal prosecution and violence targeting Kurdish and other opposition parliamentarians.

According to the complainant, the violations occurred in multiple locations across Türkiye, particularly in provinces with significant Kurdish populations, including Diyarbakır, Van, Hakkari, Şırnak, Siirt, Mardin and İstanbul, as well as in Ankara, where legal proceedings are centralized at the investigative bureau of parliamentary crimes. Several incidents took place during demonstrations, party-organized events, parliamentary debates and peaceful marches such as the "Great Freedom March" (February 2024) and protests against electoral interventions in Van and Bitlis (April 2024). Many incidents also date back to earlier events, including the 2014 Kobane protests and Newroz celebrations between 2019 and 2023.

The complainant points out that most of the parliamentarians are under investigation for charges such as "terrorist propaganda", "membership of a terrorist organization", "incitement", or "participating in unlawful assemblies". The alleged offences often involve peaceful activities such as giving speeches, attending funerals, joining public marches, making social media posts, or expressing solidarity with hunger strikes. Several former and current members have also been subjected to travel bans, police raids and confiscation of passports, preventing them from carrying out their parliamentary duties or participating in international forums. At least four members – Ms. Fatma Kurtulan, Ms. Ayşe Acar Başaran, Ms. Besime Konca and Ms. Pero Dundar – have sought asylum abroad, citing fear of persecution and threats to their safety.

Several Members of Parliament, including female members, reported physical assaults, intimidation, and surveillance by law enforcement, particularly during protests in Hakkari, Van, Silopi, İzmir, Şanlıurfa and Diyarbakır. Complaints against police violence are reportedly frequently dismissed or remain unresolved, contributing to a climate of impunity. Smear campaigns and death threats, often amplified by senior government officials, have allegedly further undermined the safety of Members of Parliament and their ability to represent their constituents.

Most of the legal proceedings are handled by public prosecutor's offices in Ankara, reflecting the centralization of judicial control over political cases. Parliamentary immunity has often been disregarded or lifted in summary proceedings, and vague anti-terror and disinformation laws are systematically applied to criminalize political speech and dissent. Although none of the 39 parliamentarians has been convicted at final instance, the constant pressure of overlapping prosecutions, threats, bans and violence severely impairs their ability to perform their mandate. In addition, former Members of Parliament fail to pursue political careers after their term, often due to ongoing criminal proceedings based on their actions as Members of Parliament.

The complainant argues that these developments are part of a broader deterioration of the democratic space in Türkiye and the use of the judiciary and State institutions against legitimate opposition voices.

Case TUR-COLL-04

Türkiye: Parliament affiliated to the IPU

Victims: 43 opposition Members of Parliament (20 men and 23 women)

Qualified complainant(s): Section I.1(a), (b) and (c) of the Committee Procedure (Annex I)

Submission of complaint: March 2025

Recent IPU decision: October 2025

IPU mission(s): December 2025

Recent Committee hearings: Hearings with the Turkish delegation and the complainant at the 151st and 152nd IPU Assemblies (October 2025 and April 2026)

Recent follow-up:

- Communication from the authorities: Letter from the President of the Turkish IPU Group (November 2025)
- Communication from the complainant: March 2026
- Communication to the authorities: Letter to the President of the Turkish IPU Group (February 2026)
- Communication to the complainant: March 2026

At the hearing with the Committee on the Human Rights of Parliamentarians held during the 151st IPU Assembly (October 2025), the Turkish delegation – further to a letter from the Head of the Delegation dated 19 October 2025 – requested that the Committee discontinue its examination of the following cases, affirming that the individuals concerned were no longer facing any legal proceedings: Ms. Ayten Kordu, Ms. Beritan Günes Altın, Mr. Kamuran Tanhan, Ms. Dilan Kunt Ayan, Ms. Gülcan Kalmaz Sayyigit, Ms. Keziban Konukçu Kök, Ms. Nejla Demir, Ms. Sabahat Erdogan Saritas, Ms. Sümeyye Boz Çaki and Mr. Yilmaz Hun.

The complainant contests this assertion and has provided specific information in this regard, including copies of *fezleke*, which are prosecutorial case summaries transmitted to the Grand National Assembly of Türkiye requesting the lifting of a parliamentarian's immunity so that criminal proceedings may be pursued. At a subsequent hearing with the Committee held during the 152nd IPU Assembly (April 2026), a member of the Turkish delegation from the AK Party stated, however, that *fezleke* are rarely acted upon and, unless they concern serious matters, are generally left for consideration by the Parliament until the end of the parliamentarian's mandate, referring in this respect to the authorities' observations on the mission report. These observations indicated that in the nearly ten years since 2016, only ten immunity files concerning five members have been approved by the relevant parliamentary committee and judicial proceedings have been authorized in only three cases concerning two parliamentarians, while the remaining files have not been placed on the parliamentary agenda.

Recent political developments have included renewed references to a possible peace process and initiatives aimed at addressing the underlying causes of violent conflict in Türkiye. In this context, the Grand National Assembly of Türkiye established a National Solidarity, Sisterhood/Brotherhood and Democracy Committee, whose report was adopted in February 2026 following consultations with a broad range of stakeholders. This report is intended to contribute to efforts aimed at strengthening democratic governance, social cohesion and the rule of law. At the hearing with the Committee held during the 152nd IPU Assembly (April 2026), a member of the Turkish delegation from the AK Party stated that it was very likely that the Grand National Assembly was going to adopt the necessary legislation to this effect.

Following continued engagement with the Turkish authorities, a delegation of the IPU Committee on the Human Rights of Parliamentarians carried out an on-site mission to Türkiye from 10 to 12 December 2025 in order to obtain updated first-hand information on the issues arising in these cases, as well as on the broader legal and political context. The delegation met with representatives of the executive, judiciary and parliamentary authorities, as well as with lawyers and affected parliamentarians. Following the on-site mission, the Committee mandated the IPU Secretary General to continue discussions with the Turkish parliamentary authorities to see how progress in the cases at hand could be made. These discussions took place in Ankara on 1 April 2026.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the Turkish authorities for facilitating the on-site mission of the IPU Committee on the Human Rights of Parliamentarians (10–12 December 2025) and for the engagement demonstrated throughout its preparation and conduct, including by enabling the delegation to meet a broad range of interlocutors; *considers* that, at a time when respect for human rights is under strain in many parts of the world, such cooperation reflects a real openness and willingness to maintain dialogue with the Committee and to engage with the concerns raised; and *encourages* the authorities to pursue and deepen this engagement with a view to achieving tangible progress in the cases under examination;
2. *Also thanks* the Turkish authorities for the information and observations they have provided following the mission, as well as the complainant for its comments; and *takes note* of the positions expressed by both parties;
3. *Further thanks* the Committee delegation for carrying out the mission and for its report, which constitutes an important basis for the Committee's ongoing examination of these cases; and *endorses* its findings and recommendations;

4. *Expresses the hope* that ongoing consultations with the Turkish authorities will help address lingering questions and concerns, notably with regard to: (i) the practical application of existing legislation and its impact on the exercise of political rights; (ii) the situation of opposition parliamentarians who may continue to face legal or other forms of pressure in connection with their legitimate political activities; (iii) the situation of 8 out of the 10 parliamentarians for whom closure of their cases has been requested, who appear to remain subject to pending *fezleke*, and the implications of such proceedings for legal certainty and the effective exercise of parliamentary mandates; and *trusts* that continued dialogue with the Turkish authorities will contribute to tangible progress on these matters in line with international human rights standards, which is all the more important given the high number of individuals affected in this case;
5. *Notes*, however, that with regard to Ms. Beritan Günes Altın and Ms. Gülcan Kagmaz Sayyigit, who do not appear to be subject to *fezleke*, but who have allegedly been subject to intimidation and pepper spray, sufficient evidence is lacking to conclude that the alleged events took place and amount to a human rights violation; and *decides* to close these two cases pursuant to section IX, paragraph 25, of its Procedure for the examination and treatment of complaints, while reserving the right to re-open them should concrete and convincing evidence be made available;
6. *Welcomes* the report adopted in February 2026 by the Grand National Assembly of Türkiye's National Solidarity, Sisterhood/Brotherhood and Democracy Committee; *expresses confidence* that its recommendations will contribute to strengthening democratic governance and the rule of law, in particular by reinforcing the protection of political expression, the application of counter-terrorism legislation in line with human rights standards and the effective exercise of parliamentary mandates; *acknowledges* that it will take time to put in place the corresponding legal framework; *trusts*, nevertheless, that the authorities will proceed with the urgency that the situation warrants; and *wishes* to be kept informed in this regard;
7. 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;
8. Requests the Committee to continue examining this case and to report back to it in due course.

Committee on the Human Rights of Parliamentarians

Report on the on-site mission to Türkiye (10–12 December 2025)

TUR-69 – Gülser Yıldırım	TUR-107 – Ferhat Encü
TUR-70 – Selma İrmak	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	TUR-111 – Kadri Yıldırım
TUR-76 – Besime Konca	TUR-112 – Lezgin Botan
TUR-77 – Burcu Çelik Özkan	TUR-113 – Mehmet Ali Aslan
TUR-78 – Çağlar Demirel	TUR-114 – Mehmet Emin Adiyama
TUR-79 – Dilek Öcalan	TUR-115 – Nadir Yıldırım
TUR-80 – Dilan Dirayet Taşdemir	TUR-116 – Nihat Akdoğan
TUR-81 – Feleknaş Uca	TUR-118 – Osman Baydemir
TUR-82 – Figen Yüksekdağ	TUR-119 – Selahattin Demirtaş
TUR-83 – Filiz Kerestecioğlu	TUR-120 – Sirri Süreyya Önder
TUR-84 – Hüda Kaya	TUR-121 – Ziya Pir
TUR-85 – Leyla Birlik	TUR-122 – Mithat Sancar
TUR-86 – Leyla Zana	TUR-123 – Mahmut Toğrul
TUR-87 – Meral Daniş Beştaş	TUR-124 – Aycan Irmez
TUR-88 – Mizgin Irgat	TUR-125 – Ayşe Acar Başaran
TUR-89 – Nursel Aydoğan	TUR-126 – Garo Paylan
TUR-90 – Pervin Buldan	TUR-128 – Aysel Tuğluk
TUR-91 – Saadet Becerikli	TUR-129 – Sebahat Tuncel
TUR-92 – Sibel Yiğitalp	TUR-130 – Leyla Güven
TUR-93 – Tuğba Hezer Öztürk	TUR-131 – Ayşe Sürücü
TUR-94 – Abdullah Zeydan	TUR-132 – Musa Farisogullari
TUR-95 – Adem Geveri	TUR-133 – Emine Ayna
TUR-96 – Ahmet Yıldırım	TUR-134 – Nazmi Gür
TUR-97 – Ali Atalan	TUR-135 – Ayla Akat Ata
TUR-98 – Alican Önlü	TUR-136 – Beyza Ustün
TUR-99 – Altan Tan	TUR-137 – Remziye Tosun
TUR-100 – Ayhan Bilgen	TUR-138 – Kemal Bulbul
TUR-101 – Behçet Yıldırım	TUR-140 – Gültan Kışanak
TUR-102 – Berdan Öztürk	TUR-141 – Semra Güzel
TUR-105 – Erol Dora	TUR-142 – Salihe Aydeniz
TUR-106 – Ertuğrul Kürkcü	TUR-143 – Can Atalay
TUR-144 – Ayten Kordu	TUR-166 – Nuran İmir
TUR-145 – Beritan Güneş Altın	TUR-167 – Oya Ersoy
TUR-146 – Burcugül Çubuk	TUR-168 – Pero Dundar
TUR-147 – Ceylan Akça Cupolo	TUR-169 – Sabahat Erdoğan Sarıtaş
TUR-148 – Dilan Kunt Ayan	TUR-170 – Sait Dede
TUR-150 – Gülcan Kaçmaz Sayyigüt	TUR-172 – Serpil Kemalbay
TUR-151 – Gülderen Varlı	TUR-173 – Sezai Temelli
TUR-152 – Gülistan Kılıç Koçyiğit	TUR-174 – Sümeyye Boz
TUR-153 – Hakkı Saruhan Oluç	TUR-175 – Tülay Hatimoğulları Oruç
TUR-154 – Hasan Özgüneş	TUR-176 – Yılmaz Hun
TUR-155 – Hüseyin Kaçmaz	TUR-177 – Zeynep Oduncu

TUR-156 – Hüseyin Olan	TUR-178 – Zülküf Uçar
TUR-157 – Kamuran Tanhan	TUR-179 – Çiğdem Kılıçgün Uçar
TUR-158 – Kemal Peköz	TUR-180 – Ömer Öcalan
TUR-159 – Keskin Bayındır	TUR-181 – Öznur Bartin
TUR-160 – Keziban Konukcu Kök	TUR-182 – Ömer Faruk Gergerlioğlu
TUR-161 – Mehmet Rüştü Tiryaki	TUR-184 – Çiçek Otlı
TUR-162 – Mehmet Zeki Irmez	TUR-185 – George Aslan
TUR-163 – Murat Çepni	TUR-186 – Heval Bozdağ
TUR-164 – Nejla Demir	TUR-187 – Sinan Çiftiyürek
TUR-165 – Nevroz Uysal Aslan	TUR-181 – Öznur Bartin

Executive Summary

From 10 to 12 December 2025, a delegation of the IPU Committee on the Human Rights of Parliamentarians conducted an on-site mission to Türkiye in the context of its examination of cases TUR-COLL-02 and TUR-COLL-04 concerning 109 current and former opposition members of parliament. The mission took place at a critical political moment, marked by evolving regional dynamics and the Kurdistan Workers' Party's (PKK's) declared move towards disarmament and dismantlement, creating new opportunities for peace and democratic reform.

The delegation held extensive discussions with representatives of the executive, the judiciary, independent oversight bodies and parliamentary political groups, as well as with legal counsel and affected parliamentarians. It was also able to meet Mr. Selahattin Demirtaş in Edirne prison; this access was welcomed by the delegation as a constructive step. Discussions revealed sharply divergent assessments of the application of counter-terrorism legislation, the functioning of judicial institutions and the state of political pluralism.

The delegation noted that legislative and jurisprudential clarifications introduced since 2022, notably the clearer separation between the offences of terrorist propaganda and membership in a terrorist organization, constitute a positive but limited development. While these changes seem to have reduced certain types of prosecutions, they do not appear to have fundamentally altered the legal and political pressures affecting opposition parliamentarians.

A central concern raised by the delegation during the mission relates to the continued use of terrorism-related provisions in cases involving political speech and activity, the cumulative impact of repeated proceedings, and allegations of excessive use of force by law enforcement officials during protests. The delegation also took note of concerns that, in 2025, legal pressure increasingly extended beyond Peoples' Equality and Democracy Party (DEM) politicians to include members of the Republican People's Party (CHP), raising broader questions about democratic space.

The delegation further observed persistent challenges regarding the effective implementation of certain judgments of the European Court of Human Rights involving politicians and activists and the Turkish Constitutional Court, as well as long-standing concerns about judicial independence. In this context, it welcomed the commitment by the Ministry of Justice to provide detailed information on pending cases against the current and former opposition parliamentarians, and emphasized the importance of follow-up.

Finally, the delegation considers that the work of the Grand National Assembly of Türkiye's National Solidarity, Sisterhood/Brotherhood and Democracy Committee, and the follow-up to its report, could provide an important opportunity to consolidate peace and strengthen democracy. The delegation expresses the hope that ongoing political efforts will contribute to conditions enabling all currently and formerly elected representatives, including Mr. Selahattin Demirtaş and other Peoples' Democratic Party (HDP) parliamentarians, to recover their freedom and fully exercise their political rights.

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A. Origin, purpose and conduct of the mission

1. The delegation of the IPU Committee on the Human Rights of Parliamentarians (CHRP), comprising its Vice-President, Ms. Nominchimeg Odsuren (MP, Mongolia), and its member Mr. Mladen Grujic (MP, Serbia), accompanied by Committee Secretary Mr. Rogier Huizenga, conducted an on-site mission to Türkiye from 10 to 12 December 2025. The mission took place in the context of the Committee's ongoing examination of cases TUR-COLL-02 and TUR-COLL-04, concerning 109 current and former opposition members of parliament. The mission followed an earlier on-site engagement in June 2019 and took place against the backdrop of significant political and security developments, including the aftermath of the attempted coup of July 2016, the challenging security environment Türkiye has faced in recent years, and signs of a more stable situation emerging on its southern border.

2. The objectives of the mission were to obtain updated information on the legal and political context affecting the rights of parliamentarians; to assess the implementation of domestic and international judicial decisions relevant to the cases under examination; to examine the application of counter-terrorism legislation to political activity; and to explore whether recent political initiatives, including the work of the Grand National Assembly of Türkiye's National Solidarity, Sisterhood/Brotherhood and Democracy Committee, could contribute to addressing long-standing concerns identified by the delegation.

3. The delegation expresses its appreciation to the Turkish parliamentary authorities for facilitating the mission and ensuring access to a broad range of interlocutors. In the course of the mission, the delegation had the opportunity to meet with Mr. Selahattin Demirtaş at Edirne Prison, for which it expressed its deep gratitude.

4. The delegation met with the following people during its mission:

• Turkish IPU Group

- Ms. Asuman Erdoğan, President of the IPU Group, member of the Grand National Assembly of Türkiye
- Mr. Ali Özkaya, member of the Grand National Assembly of Türkiye
- Ms. Fatma Öncü, member of the Grand National Assembly of Türkiye

• Parliamentary and independent oversight authorities

- Mr. Mehmet Akarca, Chief Ombudsman

• Judicial authorities

- Mr. Adem Albayrak, First Deputy President of the Court of Cassation
- H.E. Mr. Kadir Özkaya, President of the Constitutional Court

• Executive authorities

- Ambassador Mr. Levent Gümrükçü, Deputy Minister of Foreign Affairs
- H.E. Mr. Yılmaz Tunç, Minister of Justice

• Parliamentary political groups

- Mr. Abdullah Güler, President of the Justice and Development Party (AK Party) Parliamentary Group
- Mr. Murat Emir, Vice-President of the Republican People's Party (CHP) Parliamentary Group
- Mr. Erkan Akçay, Vice-President of the Nationalist Movement Party (MHP) Parliamentary Group
- Mr. Sezai Temelli, Vice-President of the Peoples' Equality and Democracy Party (DEM)
- Mr. M. Satuk Buğra Kavuncu, Vice-President of the İYİ Party Parliamentary Group

The delegation also met with legal counsel and representatives of affected parliamentarians.

B. Outline of the cases and concerns before the mission

5. Prior to the mission, the Committee remained seized of long-standing concerns relating, *inter alia*, to the lifting and application of parliamentary immunity; the use of anti-terrorism legislation against elected representatives; alleged violations of freedom of expression, assembly and association; lack of due process and fair trial guarantees; arbitrary detention; and the revocation or suspension of parliamentary mandates. These concerns had been articulated in earlier Committee decisions and were reiterated in the most recent decisions adopted in 2025.

6. Since the Committee's previous on-site mission in 2019, the scope of the cases before it has expanded, including through the opening of a new collective case concerning members of the DEM Party and related political formations. At the same time, the legal and political environment has evolved, notably through constitutional and legislative amendments, further judicial reform packages, and important rulings by the European Court of Human Rights (ECHR) and the Turkish Constitutional Court.

C. Information gathered during the mission

1. Counter-terrorism legislation and the definition of terrorism

7. A recurrent and central theme in the delegation's discussions concerned the scope, interpretation and application of counter-terrorism legislation. Judicial authorities consistently recalled the exceptional security challenges Türkiye has faced over the past decades, including the attempted coup of July 2016, large-scale terrorist attacks and continued regional instability. In their view, the counter-terrorism framework must be assessed against this background, as it has played a decisive role in preserving public order and constitutional stability.

8. At the same time, interlocutors referred to legislative amendments adopted in 2022 and subsequent interpretative guidance by higher courts, which clarified the distinction between membership in a terrorist organization and terrorist propaganda as separate criminal offences. Membership now requires evidence of an organic or hierarchical link to the organization, continuity of conduct and intent, while propaganda concerns the dissemination of messages that legitimize or praise violence or terrorist methods. These clarifications were presented as a conscious effort to move away from earlier practice whereby expressive conduct was sometimes subsumed under membership offences.

9. Judicial interlocutors stated that this reform has had tangible effects. They reported a reduction in the number of prosecutions qualifying as membership cases, greater emphasis on individualized assessment of conduct, and an overall decline in terrorism-related indictments. They also indicated that courts increasingly distinguish between violent conduct, organizational involvement and political expression, thereby narrowing the scope of criminal liability.

10. However, opposition representatives, lawyers and civil society actors emphasized that these changes address only part of the problem. They argued that a number of terrorism-related offences remain broadly framed and that divergent interpretations persist across different courts and regions. In practice, they said, peaceful political activity, including speeches, participation in demonstrations, symbolic acts and association with lawful political actors, continues to attract criminal investigation.

11. The delegation notes that this assessment broadly corresponds to observations made by the European Commission in its 2025 Türkiye Report, which found that, despite certain legislative and jurisprudential clarifications, there has been no substantial progress in practice in ensuring that counter-terrorism legislation is applied in a manner consistent with freedom of expression and political participation. The Commission reiterated concerns regarding the continued broad interpretation of

terrorism-related offences, the chilling effect on political debate and the absence of effective safeguards in judicial practice.

12. Several interlocutors stressed that inconsistent interpretation of terrorism-related provisions undermines predictability and equality before the law. Reference was made in this regard to cases before the CHRP, including those of Mr. Can Atalay and Mr. Selahattin Demirtaş, where differing legal interpretations have contributed to prolonged detention, repeated proceedings or non-execution of judicial decisions.

13. In this context, particular attention was drawn during the mission to the case of Mr. Can Atalay and to the convictions arising from the Gezi Park protests. Several interlocutors emphasized that the conduct attributed to Mr. Atalay consisted of political speech, advocacy and participation in a broad-based protest movement, and that it did not involve violence, incitement to violence or any other inherently criminal act. They argued that the Gezi Park protests constituted a form of collective political expression and peaceful assembly protected under international human rights law and expressed serious concern that such conduct has been retrospectively characterized as criminal. In their view, the case illustrates the risks inherent in an expansive interpretation of terrorism-related and public order offences that blurs the distinction between legitimate protest activity and criminal liability.

14. In addition, lawyers and opposition representatives described a pattern whereby indictments frequently rely on a cumulative reading of disparate acts and statements over extended periods, without a clear articulation of how such conduct meets the constituent elements of terrorism-related offences. According to these interlocutors, this approach shifts the focus from concrete criminal acts to an overall assessment of political positioning, thereby blurring the boundary between criminal liability and political dissent.

2. Terrorism-related cases against parliamentarians

15. Discussions revealed deeply contrasting assessments of terrorism-related proceedings against current and former parliamentarians. Judicial and executive authorities emphasized that parliamentary office does not confer immunity for criminal acts and recalled that proceedings often concern conduct predating election to Parliament. They stressed that each case must be assessed individually, on the basis of evidence and applicable law, and rejected assertions that prosecutions are politically motivated.

16. Opposition representatives and legal counsel countered that many cases rely primarily on political expression, participation in protests or association with lawful political actors. They referred in particular to the cases of Mr. Selahattin Demirtaş and Ms. Figen Yüksekdağ, which they described as emblematic of the criminalization of opposition leadership and discourse.

17. Several opposition interlocutors further expressed concern that, during the course of 2025, legal pressure had expanded beyond the DEM Party and its predecessors. They stated that investigative measures, prosecutions and administrative actions increasingly targeted members of the Republican People's Party (CHP), including mayors and parliamentarians. In their view, this development marked a significant shift, extending legal pressure to mainstream opposition actors and heightening fears of a generalized shrinking of democratic space.

18. Interlocutors also drew attention to the cumulative impact of multiple investigations and prosecutions against the same individuals, even where earlier proceedings had resulted in acquittals or findings of violation. This pattern was described as creating a situation of legal attrition that effectively weakens the capacity of parliamentarians to carry out their mandate.

19. Several interlocutors emphasized that the use of pre-trial detention in such cases has a particularly severe impact on political representation. Even where detention is later found to be unjustified, the prolonged absence of elected representatives from the Grand National Assembly of Türkiye (GNAT) was said to produce irreversible consequences for constituents and to undermine confidence in democratic institutions. This pattern was described as creating a situation of legal attrition that effectively weakens the capacity of parliamentarians to carry out their mandate.

3. Freedom of expression, assembly and political pluralism

20. The mission devoted extensive attention to the relationship between counter-terrorism law, freedom of expression and freedom of assembly. Authorities stressed the obligation of the State to prevent incitement to violence, glorification of terrorism and threats to public order. They emphasized that freedom of expression is not absolute and must be balanced against security considerations.

21. Other interlocutors recalled the established jurisprudence of the European Court of Human Rights affording heightened protection to political expression, particularly when exercised by elected representatives. They expressed concern that criminal law continues to be applied to speeches, slogans, attendance at demonstrations, commemorations and funerals, and to social media activity that falls within the realm of political discourse.

22. Several interlocutors also raised concerns that, in the context of recent demonstrations and political tensions, certain opposition parliamentarians had allegedly been subjected to excessive use of force by law enforcement officials. These allegations, which feature in the new collective case TUR-COLL-04, were described as compounding the impact of legal proceedings and contributing to a climate of intimidation.

23. Particular concern was voiced regarding proceedings with potentially systemic consequences for representation, including the pending request for the dissolution of the HDP before the Constitutional Court and related demands for political bans affecting several politicians. Opposition representatives warned that such measures could have far-reaching implications for political pluralism, while judicial authorities reiterated their independence and commitment to European standards.

4. Parliamentary immunity and interactions between institutions

24. The legacy and consequences of the 2016 constitutional amendment providing for the wholesale lifting of parliamentary immunity were revisited in several meetings. Authorities recalled that the amendment was adopted by Parliament itself and applied across party lines, allowing long-standing investigations to proceed and responding to public concerns regarding impunity.

25. Other interlocutors argued that, in practice, the amendment has disproportionately affected opposition parliamentarians and, when combined with broad terrorism-related offences, has weakened the protective function of parliamentary immunity. They maintained that the amendment has facilitated the use of criminal proceedings as a means of political pressure.

26. Discussions with judicial authorities also addressed institutional tensions linked to the implementation of high court judgments. While interlocutors consistently affirmed that decisions of the Constitutional Court are binding, differing interpretations of jurisdiction and procedure due to alleged ambiguity in the current Constitution were acknowledged as having led to delayed or incomplete execution, particularly in cases concerning detention and parliamentary mandates.

27. Several interlocutors noted that these tensions are exacerbated by structural issues affecting judicial independence, including concerns relating to the composition and functioning of the

Council of Judges and Prosecutors. They argued that appointment and disciplinary mechanisms were perceived as limiting the autonomy of judges and prosecutors, thereby weakening safeguards against external influence in sensitive cases involving political actors.

5. The National Solidarity, Sisterhood/Brotherhood and Democracy Committee

28. The establishment of the GNAT National Solidarity, Sisterhood/Brotherhood and Democracy Committee featured prominently in discussions. Representatives of the parliamentary majority and the executive described the committee as a forum for inclusive dialogue intended to address the social and political foundations of unity and to contribute to conditions conducive to lasting peace.

29. The mission took place in a broader context in which several interlocutors referred to prospects for de-escalation, including developments related to the PKK's move to disarm and dismantle. In this light, the committee was presented by some as an opportunity to translate a changing security environment into political and legal reform.

30. Opposition representatives and civil society interlocutors welcomed the creation of the committee in principle, while stressing that its credibility would depend on its willingness to address structural rule-of-law and human rights issues. They emphasized that dialogue alone would be insufficient in the absence of tangible legal and institutional follow-up.

31. Several interlocutors expressed the view that, if its report is made public and followed by meaningful action, the committee could contribute to rebuilding trust, reducing polarization and addressing some of the underlying causes of recurrent tension between security imperatives and democratic rights.

D. Findings and recommendations

32. The delegation wishes to thank the Turkish authorities for receiving and facilitating the smooth conduct of the mission. At a time when human rights are in retreat in many places across the world, the fact that the Turkish authorities allowed for the mission to take place attests to their openness and willingness to discuss and assess the state of human rights in Türkiye and to address concerns raised.

33. The delegation considers that the discussions held during the mission confirm a fundamental tension that has characterized the cases before the CHRP for several years: the coexistence of a security-driven legal framework developed in response to genuine threats, and a democratic constitutional order that requires a high level of protection for political representation, expression and pluralism. While the authorities emphasize the necessity of robust counter-terrorism measures, the delegation observed that the continued application of broadly framed offences to political activity has produced lasting structural effects on parliamentary life.

34. The delegation notes positively that legislative and jurisprudential clarifications introduced since 2022 have sought to distinguish more clearly between terrorist propaganda and membership in a terrorist organization, and that these changes appear to have contributed to a reduction in the number of prosecutions qualifying as membership cases. However, the delegation emphasizes that these reforms, while welcome, address only a narrow segment of the issues raised in the cases before it and have not fundamentally altered the dynamics affecting opposition parliamentarians.

35. In particular, the delegation remains concerned that terrorism-related charges continue to be brought in circumstances where the underlying conduct consists primarily of political speech, participation in demonstrations or symbolic acts. This concern is compounded by the cumulative effect of

repeated investigations and proceedings against the same individuals, which, even when not resulting in conviction, can significantly impair the effective exercise of a parliamentary mandate.

36. The delegation further observes that the expansion, during 2025, of legal pressure beyond DEM Party politicians to include members of the Republican People's Party (CHP) marks a significant qualitative development. If confirmed, this trend risks normalizing the use of criminal and administrative law against mainstream opposition actors and could have profound implications for the functioning of parliamentary democracy.

37. With regard to parliamentary immunity, the delegation considers that the experience following the 2016 constitutional amendment providing for the wholesale lifting of immunity warrants careful reassessment. While adopted in a context of acute political and security crisis, its continued effects raise questions as to whether sufficient safeguards exist to prevent disproportionate interference with representative functions.

38. The delegation underscores the binding nature of judgments of the ECHR and the Turkish Constitutional Court and reiterates that their timely and effective implementation is indispensable to the rule of law. In this respect, the delegation recalls that European institutions, including within the Council of Europe framework, have consistently emphasized that effective judicial independence and the execution of binding judgments are preconditions for restoring confidence in democratic institutions. It considers that persistent difficulties in executing such judgments point not only to procedural shortcomings but also to broader challenges affecting judicial independence and institutional checks and balances. The delegation remains concerned that institutional disagreements and procedural uncertainties have resulted in delayed or incomplete execution of a very few, but critical judgments, such as in the case of Mr. Can Atalay. In this respect, the delegation notes that concerns relating to the execution of judgments in the case of Mr. Atalay cannot be dissociated from the substance of the underlying conviction, which raises serious questions regarding the criminalization of political expression and participation in peaceful assembly.

39. In this context, the delegation welcomes the commitment expressed by the Ministry of Justice to provide detailed factual and legal information on individual cases before the CHRP where such information is currently lacking. The delegation underlines that it will, as a matter of priority, seek clarification regarding the situation of the ten parliamentarians referred to in the most recent CHRP decisions who, according to the authorities, are not currently subject to legal proceedings.

40. The delegation notes with concern allegations of excessive use of force by law enforcement officials against opposition parliamentarians, as raised in the context of the collective case TUR-COLL-04. It emphasizes that such allegations, if substantiated, would constitute serious violations of the rights of parliamentarians and further undermine trust in State institutions.

41. Turning to the National Solidarity, Sisterhood/Brotherhood and Democracy Committee, the delegation considers that the imminent publication of its report represents a critical moment. In a context where the PKK has announced the end of its armed struggle and where regional dynamics appear to be evolving, the delegation believes that the committee's conclusions and follow-up could play a decisive role in shaping a transition from a security-dominated approach to a more inclusive political framework.

42. The delegation therefore encourages the Turkish authorities and parliamentary actors to ensure that the committee's report:

- explicitly addresses the human rights and rule-of-law implications of counter-terrorism legislation and practice;

- includes reflection on the protection of political expression, parliamentary immunity and effective remedies;
- is followed by a structured and time-bound process of parliamentary debate and legislative or institutional follow-up.

43. Finally, the delegation calls on all stakeholders to seize the current context to rebuild trust between institutions, strengthen judicial independence and reaffirm Parliament's central role as a forum for inclusive democratic debate and representation. In particular, it considers that meaningful progress will require renewed efforts to strengthen guarantees of judicial independence, including through a review of the composition and operation of the Council of Judges and Prosecutors, as well as sustained parliamentary oversight of the application of counter-terrorism legislation. In this regard, the delegation reiterates its appreciation to the Turkish authorities for the cooperation extended during the mission, including the opportunity to meet Mr. Selahattin Demirtaş in detention, and expresses the hope that he and other current and former opposition parliamentarians will soon be able to recover their freedom in the context of ongoing efforts towards peace and reconciliation.

Geneva, January 2026

E. Observations provided by the authorities

Pluralist democracy, respect for human rights, and the rule of law remain the core principles to which Türkiye is firmly committed. As a country with a long-standing democratic tradition, Türkiye has, over the past two decades, implemented comprehensive reforms aimed at strengthening democracy, the rule of law and human rights.

We welcomed the visit of the IPU Committee on the Human Rights of Parliamentarians to Türkiye from 8 to 10 December 2025, which took place in a constructive and positive atmosphere. As the IPU Turkish Group, we ensured that all necessary preparations were carried out with due diligence, in coordination with our Speaker and relevant institutions.

The Committee's report has been carefully reviewed in coordination with the competent national authorities. In this context, we wish to present our observations on the issues raised.

First, the definition of terrorism under the Anti-Terror Law is clearly formulated and consistent with the principle of legal certainty. For an act to qualify as terrorism, it must involve offences carried out with force and violence, within an organizational framework, and directed towards a common political objective. Acts involving violence without an organizational link may create fear and panic but do not constitute terrorism in the legal sense. What distinguishes terrorism is its systematic nature, carried out within an organized structure through coercion, intimidation or suppression.

Accordingly, a person may be considered a terrorist only if they act as a member of an organization, assist it, or maintain affiliation with it. An armed terrorist organization possesses the structural capacity to commit crimes, and the presence of weapons is one of its defining elements. However, it is not necessary for all members to be armed; it suffices that some members possess weapons sufficient to carry out intended acts.

Membership entails adopting the organization's aims, integrating into its hierarchical structure and subordinating one's will to that of the organization. While those assisting the organization may act under instructions, the defining feature of membership is the individual's unconditional submission to the organization's authority.

In 2013, significant amendments were introduced to Articles 6 and 7 of the Anti-Terror Law in line with the jurisprudence of the European Court of Human Rights. The offences of "publishing statements of terrorist organizations" and "terrorist propaganda" were clarified, and an additional requirement was introduced: such acts must legitimize, praise, or encourage the use of violence or coercion.

Furthermore, a 2019 amendment explicitly stipulated that expressions of opinion within the limits of reporting or criticism shall not give rise to criminal liability, thereby ensuring alignment with the jurisprudence of the European Court of Human Rights.

Second, regarding parliamentary immunity, it should be emphasized that immunity is not a personal privilege but a functional safeguard to ensure the uninterrupted exercise of legislative duties. It does not eliminate criminal responsibility but provides for the temporary suspension of proceedings.

The collective lifting of immunities in 2016 was carried out through a temporary constitutional provision of an exceptional and one-off nature. This measure was general and abstract, not targeting individuals. Following this amendment, case files concerning 144 members of parliament from different political parties were referred to the judiciary. These included various offences such as violations of the constitutional order, terrorism-related crimes, forgery, bodily harm, and insult, and were applied without discrimination. Importantly, these proceedings did not prevent members from participating in legislative activities.

The European Court of Human Rights has recognized that the granting of parliamentary immunity falls within the margin of appreciation of States and has noted that immunity in Türkiye is, in certain respects, broader than in other countries (*Kart v. Türkiye*, 2008).

Moreover, in the nearly ten years since 2016, only ten immunity files concerning five members have been approved by the relevant parliamentary committee, and the Turkish Parliament has authorized judicial proceedings in only three cases concerning two members, while the others have not been placed on the agenda.

Third, the principle of separation of powers is clearly enshrined in the Constitution and has been further strengthened through reforms. Judicial independence and impartiality are constitutionally guaranteed. Investigations and prosecutions are conducted with full respect for fundamental rights, particularly the right to a fair trial. Judges render decisions based solely on the Constitution and the law, free from external influence, and their rulings are subject to effective legal remedies.

Individuals may apply to the Constitutional Court and the European Court of Human Rights, as well as relevant United Nations mechanisms. Judgments of the European Court of Human Rights are legally binding, and Türkiye complies with them diligently. The domestic legal framework provides mechanisms such as retrial and other judicial remedies to address violations, and such judgments are taken into account by all levels of the judiciary.

In 2023, the execution process for 111 cases concerning Türkiye was completed, ranking the country third overall, with 21 leading cases, placing Türkiye first in that category. In 2024, 88 cases were finalized, ranking Türkiye second, including 16 leading cases, again placing it first. In 2025, 64 cases were concluded, with 7 classified as leading cases.

According to the Committee of Ministers of the Council of Europe, Türkiye's execution rate of European Court judgments exceeds 90%, above the member State average. This demonstrates that there is no systemic issue regarding the non-execution of judgments.

The legal framework governing the execution of Constitutional Court and European Court rulings is clearly defined. Any interpretative differences among judicial bodies are addressed through established legal procedures and independent judicial review.

Fourth, in cases of alleged excessive use of force by law enforcement, individuals have access to both administrative and judicial complaint mechanisms. Such allegations are thoroughly examined, and investigations and prosecutions are initiated where necessary.

Finally, the Turkish Parliament's Committee on National Solidarity, Brotherhood and Democracy was established to eliminate terrorism, strengthen social cohesion and enhance democratic standards. The Committee conducted an inclusive consultation process involving political actors, public institutions, academia, civil society and opinion leaders.

Its report, published on 18 February 2026, was adopted with broad support and contains comprehensive recommendations guiding future steps in democratization and social unity. It serves as an important reference for advancing shared objectives.

In conclusion, the findings and recommendations contained in the Committee's report are assessed in the light of Türkiye's legal framework, which incorporates universal standards. Effective remedies remain available before independent and impartial judicial bodies, and forthcoming reforms, particularly those inspired by the Turkish Parliament Committee's work, will further strengthen the Turkish legal system.

F. Observations provided by the complainant (27 March 2026)

The IPU's December 2025 mission report makes a genuine attempt to present a balanced overview of the regression of parliamentary space in Türkiye. While the report makes honest attempts at balance, it does not sufficiently describe the structural and systematic reality of the political crackdown underway. This crackdown cannot be reduced to a "tension between security and democracy." That framing is the rhetorical shield authorities use to justify the dismantling of democratic space. As of April 2026, neither the judiciary nor the Government has successfully linked any opposition politician to an actual violent act. Türkiye has established a permanent, institutionalized model of political exclusion. The State deploys "security challenges" as a pretext to normalize emergency rule (*OHAL*) tools that have remained in place since 2016. Decree laws from that period continue, to this day, to be converted into permanent legislation. While the IPU views the 2022 legislative clarifications on "terrorist propaganda" positively, these reforms are purely formal and have failed to change the practice of criminalizing peaceful political speech. Notably, State authorities have failed to provide reliable statistics to substantiate their contrary claims.

The assertion that the 2016 immunity lifting was applied "across party lines" is demonstrably false. While hundreds of files concerning members of other parties remain untouched, HDP/DEM members were systematically arrested in coordinated "midnight operations." The Government has equally failed to provide statistics to support this claim. In March 2026, Ms. Ceylan Akça submitted a parliamentary motion demanding that the Minister of Justice share disaggregated data on prosecutions and convictions of MPs. As of 13 April 2026, the Minister has not responded — in direct violation of parliamentary rules, which require authorities to reply to motions within two weeks.

The mission report's optimism about judicial progress is directly contradicted by the State's recent appointments. On 11 February 2026, Mr. Akın Gürlek was appointed Minister of Justice. Minister Gürlek is the very judge who presided over the courts that handed down severe, unlawful sentences against the parliamentarians the IPU is monitoring, including Mr. Selahattin Demirtaş and Mr. Sırrı Süreyya Önder. He is also the architect of the judicial offensive against the main opposition party. The judiciary operates in political synchronization with the executive; investigations are routinely accelerated or initiated only after individuals obtain political representation or parliamentary mandates.

The refusal to implement European Court of Human Rights (ECHR) and Constitutional Court rulings is a deliberate political choice to keep opposition leadership imprisoned.

While the IPU report places hope in the National Solidarity, Sisterhood/Brotherhood and Democracy Committee, its February 2026 final report amounts to little more than a "pelure paper" — a thin, transparent veil concealing a lack of genuine intent. As of April, the Government has not shared any roadmap for how the report's findings, specifically its sixth and seventh points, would be translated into legislative amendments. New *fezleke* (immunity-lifting summaries) continue to be filed against DEM and CHP members. Political officials continue to override the elected will of the people, and ECHR rulings remain unimplemented. Resolving these issues requires no new legislation, only political will.

Furthermore, the Government and its parliamentary ally, the Nationalist Action Party (MHP), speak openly of slowing the dialogue process, declaring “there is no rush”. In response to politicians demanding concrete steps to progress current talks, Vice President Cevdet Yılmaz said in April that DEM politicians “should stop imposing demands on the State and focus on what they should do,” while the ruling party spokesperson Mr. Ömer Çelik said, “DEM serves a certain algorithm.” In the meantime, politically motivated dawn raids have resumed. At least 200 people were detained for participating in Newroz celebrations in March. MPs are harassed in the field by police while simultaneously being selectively excluded from parliamentary proceedings.

The Committee must:

- Continue pressing for the implementation of ECHR rulings, which require no legislative amendments — only enforcement of the existing constitution.
- Continue consulting independent researchers and human rights organizations to maintain a balanced understanding of the political environment in Türkiye.
- Closely monitor the Ministry of Justice under Mr. Akın Gürlek, whose record strongly suggests a further escalation of politically motivated trials.
- Demand disaggregated data to substantiate any improvements the Government claims to have made.

The current situation in Türkiye is not a “risk” to democratic space. It is an ongoing, active effort to dismantle the expressed will of millions of voters — not only Kurds, but Turks as well.

Ukraine

Decision adopted unanimously by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)



Mr. Artem Dmytruk serves as a subdeacon of the Ukrainian Orthodox Church. © Amsterdam & Partners

UKR-03 – Artem Dmytruk

Alleged human rights violations

- ✓ Enforced disappearance
- ✓ Torture, ill-treatment and other acts of violence
- ✓ Threats, acts of intimidation
- ✓ Arbitrary arrest and detention
- ✓ 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
- ✓ Impunity
- ✓ Other violations: discrimination

Case UKR-03

Ukraine: Parliament affiliated to the IPU

Victim: Independent 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 2026

IPU mission(s): - - -

Recent Committee hearing: Hearing with the delegation of Ukraine at the 152nd IPU Assembly (Istanbul, April 2026)

Recent follow-up:

- Communication from the authorities: March 2026
- Communication from the complainant: April 2026
- Communication to the authorities: April 2026

A. Summary of the case

Mr. Artem Dmytruk was elected to Parliament in 2019. He was expelled from the ruling Servant of the People party in 2021 after expressing disappointment at the lack of any genuine progress in fighting corruption and has since joined other parliamentary groups. According to the complainant, Mr. Dmytruk has been repeatedly targeted by the authorities of Ukraine for his views, including his vocal opposition to a bill banning all activities of the Ukrainian Orthodox Church (UOC).

On 24 February 2022, the day the invasion of Ukraine started, Mr. Dmytruk enlisted himself and many of his followers in a Ukrainian territorial defence battalion under the authority of the police. According to the complainant, on 3 March 2022, as part of his territorial defence work, Mr. Dmytruk was manning a checkpoint with his fellow battalion members and police officers during curfew, when he was approached and threatened by agents of the Security Service of Ukraine (SBU), leading to a heated exchange at a local police station. According to the complainant, Mr. Dmytruk was attacked by one of the agents later that night, but he managed to disarm him by using proportionate force and confiscated the agent's weapon with the intention of submitting it to the local SBU head, whom he knew. However, the complainant submits that, when Mr. Dmytruk called the local SBU head the next morning, he was met with a threat, being told that he was a "dead man".

The complainant reports that, on the evening of 4 March 2022, Mr. Dmytruk and two of his assistants were abducted by a detachment of heavily armed SBU agents and taken to the local SBU office, where they were held incommunicado and subjected to torture. According to the complainant, Mr. Dmytruk's teeth, nose, fingers and toes were broken, his eyes sustained damage and his spine was deformed. The complainant adds that Mr. Dmytruk was repeatedly beaten until he lost consciousness, only to be revived and tortured again. The complainant adds that Mr. Dmytruk was forced to record a video where he renounced his views and pledged to cooperate with the SBU, under threat of further violence. The three men were released later that day. Although the complainant has provided photographic evidence of the signs of violence inflicted on Mr. Dmytruk, the complainant insists that the pictures were not reported to the police, as the SBU had threatened that if Mr. Dmytruk reported the acts of torture or sought medical treatment he would be tortured again. The Ukrainian Prosecutor's Office later confirmed that Mr. Dmytruk was questioned between 10:10 p.m. on 4 March 2022 and 12:05 a.m. on 5 March 2022. The complainant further reports that Mr. Dmytruk did not resume his activities on social media until 17 March 2022, after the SBU forced him to give a sign of life to his followers to assuage their concerns about his silence, demanding that he resume his social media activity under threat of them "finishing what they had started". Mr. Dmytruk complied and later resumed his parliamentary duties, but his vocal stance was notably subdued.

According to a report by the Office of the United Nations High Commissioner for Human Rights (OHCHR), 91 individuals were subjected to enforced disappearance, torture or extrajudicial killings by Ukrainian State agents after the outbreak of the armed conflict.¹¹ Two parliamentarians who had briefly disappeared at the same time resurfaced soon after and changed their stance as well.

The complainant reports that, in 2024, Mr. Dmytruk resumed his public criticism of the Government on account of mounting human rights violations, including the detention and prosecution of another parliamentarian, Mr. Oleksandr Dubinsky, and arrests and intimidation faced by members of his Church. Furthermore, he became a prominent critic of a bill¹² effectively banning all UOC activities. According to the complainant, by then Mr. Dmytruk had been facing intensified threats to cease his advocacy, especially after the then head of the Office of the President, Mr. Andriy Yermak, published a post on

¹¹ [Report on the human rights situation in Ukraine, 1 August 2022 - 31 January 2023, UNHCR](#)

¹² Bill 8371 was adopted on 20 August 2024 as the Law on the Protection of the Constitutional Order in the Field of Activities of Religious Organizations, informally known as the Law on the Prohibition of the Russian Orthodox Church in Ukraine.

Telegram that was interpreted by his followers as an encouragement to use violence against Mr. Dmytruk. Since then, numerous prominent Ukrainian social media figures and radicals have offered bounties for his death, including Mr. Yevhen Karas and Mr. Andriy Serhiyovych.¹³ The complainant stresses that the pleas for protection and the complaints filed with the police by Mr. Dmytruk were summarily dismissed and that the security detail previously assigned to him was in fact withdrawn without explanation. Mr. Dmytruk was left with no choice but to leave the country on 24 August 2024.

The complainant further submits that Mr. Dmytruk sought asylum in the United Kingdom. On 5 September 2024, the Ukrainian authorities requested the extradition of Mr. Dmytruk on charges of hooliganism and bodily harm in events dating back to 3 March 2022 and 29 October 2023, which led to the beginning of an extradition proceedings. The complainant adds that the General Prosecutor's note submitted as part of the arrest notice manipulates and obfuscates the facts, which prove that it was Mr. Dmytruk who was attacked on both occasions and who reported the events to the police. According to the complainant, the extradition of Mr. Dmytruk to Ukraine would violate the non-refoulement principle, as Ukrainian authorities cannot guarantee he would not be tortured or killed.

On 31 December 2024, the parliamentary authorities responded to the IPU's request for information by stating that Parliament had not adopted any decisions concerning Mr. Dmytruk and that they could not comment on the merits of a case under investigation. The complainant has shared that Mr. Dmytruk has been denied access to his online parliamentary portal and has been dismissed from his parliamentary committee, which effectively deprives him of the ability to exercise his mandate.

In October 2025, an IPU trial observer was able to attend Mr. Dmytruk's extradition trial at the Westminster Magistrates' Court. In her report, the observer concluded that, in Mr. Dmytruk's testimony as a witness at the trial, Mr. Dmytruk was "detailed and consistent". She also reported that experts appointed by the defence shared a medical report concluding that the evidence provided by Mr. Dmytruk is consistent with his account of torture and testimonies indicating that "Ukrainian judges and prosecutors are particularly vulnerable to political pressure and corruption". On 4 March 2026, the Court rejected the extradition request on the basis of the UK's obligations under Article 8 of the European Convention on Human Rights (right to respect for private and family life). Although the Court accepted that "past ill-treatment occurred", it was satisfied "that the assurances provided sufficiently mitigate any real risk of recurrence". However, the Court concluded that given "the cumulative and overall interference with [Mr. Dmytruk's rights] ..., surrender would be a disproportionate interference with private and family life". The Ukrainian authorities did not appeal the decision.¹⁴

By letter of 26 March 2026, the Chairman of the Verkhovna Rada submitted additional information to the IPU Committee on the Human Rights of Parliamentarians regarding Mr. Dmytruk's remote access to online parliamentary platforms and shared the decision terminating his membership of the Law Enforcement Committee. During a hearing with the Ukrainian delegation at the 152nd Assembly in Istanbul (2026), a member of the delegation recalled that Mr. Dmytruk is suspected of committing acts of bodily harm but that, in the absence of a judgment, he is presumed innocent until proven guilty. The delegation member added that Mr. Dmytruk may return to Ukraine to resolve what he described as a personal legal matter without escalating it to a political dispute, and assured the IPU Committee that it would be welcome to visit Ukraine to better ascertain the situation.

¹³ https://t.me/karas_evgen/9436

¹⁴ [The Government of Ukraine -v- Artem Dmytruk - Courts and Tribunals Judiciary](#)

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the Ukrainian delegation for the information provided during a hearing with the Committee on the Human Rights of Parliamentarians at the 152nd Assembly;
2. *Takes note with great interest* of the comprehensive report of the trial observer on the court hearings in Mr. Dmytruk's extradition case; and *welcomes* the judgment delivered by the Westminster Magistrates' Court on 4 March 2026 refusing to extradite Mr. Dmytruk to Ukraine on the basis of the obligations of the United Kingdom under Article 8 of the European Convention on Human Rights;
3. *Notes with grave concern* the evidence presented in court by an expert appointed by Mr. Dmytruk's counsel, which appears to confirm the veracity of his account of the torture he suffered at the hands of SBU agents on the night of 4 March 2022; and *is deeply concerned* by the assertions of other experts heard during the trial regarding the risks to his rights and his physical integrity should he return to Ukraine;
4. *Remains concerned* by the allegations of death threats, acts of intimidation and other violations that interfered with the exercise of Mr. Dmytruk's parliamentary mandate and compelled him to seek asylum in the United Kingdom; *wishes* to receive information on the reasons for the seemingly unjustified dismissal of Mr. Dmytruk's numerous complaints to the Ukrainian police and Ministry of the Interior, as well as the reasons for the termination of his security detail in August 2024, even though he continued to receive mounting death threats and had requested additional protection for himself and his family; and *also wishes* to receive information on any action taken to investigate the alleged responsibility of Mr. Yevhen Karas, Mr. Andriy Serhiyovych and the other alleged perpetrators of these threats and acts of intimidation, and to hold those responsible to account;
5. *Urges* the parliamentary authorities to make reasonable arrangements to enable Mr. Dmytruk to exercise his right to fulfil his parliamentary mandate remotely without having to return to Ukraine in person, including by allowing his assistants to access the Verkhovna Rada;
6. *Wishes* to receive further information on the points mentioned above from the parliamentary authorities; and *trusts* that the Verkhovna Rada will seek the requested information from the relevant Ukrainian authorities, as appropriate;
7. *Takes note* of the assurance of the Ukrainian authorities that nothing prevents Mr. Dmytruk from returning to his country to resume his parliamentary duties and to seek a resolution to the legal proceedings brought against him; *acknowledges* that the ongoing international armed conflict creates exceptional challenges for the timely and effective administration of justice in legal proceedings in the country; *remains hopeful*, nevertheless, that, as soon as circumstances allow, Ukrainian authorities will ensure that the investigation and trial relating to Mr. Dmytruk proceed and conclude with full respect for his right to a fair trial, including by ensuring that he is provided with access to the case file, as requested by his counsel;
8. *Considers*, in the light of the concerns raised by the complainant, that the resolution of this case would be facilitated by a visit by members of the Committee to Ukraine to meet with the relevant authorities and obtain the necessary information on the procedural, legal and factual circumstances of the case; *is highly appreciative* of the openness of the Ukrainian delegation to receive such a visit as part of efforts to facilitate a satisfactory resolution of the case in line with universal

democratic values; and *hopes* to receive proposed dates on which the Ukrainian parliamentary authorities could receive a visit by the Committee;

9. *Requests* the Secretary General to convey this decision to the Ukrainian parliamentary authorities, the relevant authorities of the United Kingdom, 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.

Committee on the Human Rights of Parliamentarians

UKR-03 – Artem Dmytruk

Report by Ms H       MASSIN-TRACHEZ (France)¹⁵

At the request of the Inter-Parliamentary Union (IPU), I travelled to London (United Kingdom) from 20 to 23 October to observe the case before Westminster Magistrates' Court concerning Mr Artem Hennadiyovych DMYTRUK, whose hearings were scheduled from 20 to 24 October 2025 inclusive.

These hearings concerned the extradition request made by the Ukrainian authorities to the British authorities on 5 September 2024 against Mr DMYTRUK, after he fled Ukraine on 24 August 2024 to seek refuge in the United Kingdom.

Mr DMYTRUK has applied to the British authorities for asylum. However, this application is *de facto* suspended pending the decision on the extradition proceedings. In any event, asylum application hearings are not public, and observers are therefore unable to attend.

Prior to my trip, contact was made with Katy O'MARA, a member of Mr DMYTRUK's defence team. I was provided with all the findings, claims, expert reports and documents submitted to the court, which facilitated my understanding of the claims of the various parties and enabled me to follow the hearings and the issues at stake.

I was able to exchange views formally and informally with members of Mr DMYTRUK's defence team, and received answers to all my requests and questions, even though the exchanges were generally brief due to the intensity of the week's hearings.

The team responsible for defending the interests of the Ukrainian State (the "prosecution team"), led by Mr Joel SMITH, a barrister at the law firm Furnival Chambers, took the time to inform me that they were unable to discuss the case with me while it was ongoing.

It should also be noted that the prosecution team pointed out to the experts, who were using the decision adopted by the Committee on the Rights of Parliamentarians of the Inter-Parliamentary Union at its 175th session (Geneva, 12–16 October 2024) as a basis, that this decision was based solely on the statements of Mr DMYTRUK and that the facts reported had not been independently investigated by the IPU. The prosecution team therefore considered that the evidential value of this decision with respect to the allegations made by the complainant should be seen in relative terms. In this regard, it should be noted that, as mentioned in the decision adopted by the Committee at its 176th session, the Ukrainian authorities had been invited to provide their observations, which they had. Nevertheless, it appears that the authorities did not deem it appropriate to respond to the Committee's questions regarding the substance of the case.

¹⁵ This report was submitted by the observer on 13 December 2025, before the adoption of a verdict by the Westminster Magistrates' Court. On 4 March 2026, the Court rejected the extradition request on the basis of the UK's obligations under Article 8 of the European Convention on Human Rights. The authorities of Ukraine did not appeal the verdict.

Mr DMYTRUK's Ukrainian counsel, Mr Petro SHERSTIUK, was present throughout the proceedings, as was Mr Egor LUKANOV, political analyst at Amsterdam & Partners (counsel for the Ukrainian Orthodox Church).

Although I did not have the opportunity to meet Chief Magistrate Paul GOLDSRING (Senior District Judge), who presided over the proceedings, he raised no objection to my presence in the courtroom itself. The rest of the public is normally seated in a room separated from the courtroom by a glass partition.

Few people were present in the public gallery. Mr DMYTRUK's mother attended every hearing. His wife and daughter came on the first day, which prompted a reaction from the judge, who did not object but did say that, with the exception of families, he was not in favour of children being present in the public gallery.

On the second day of the hearing, the judge announced that the press had requested access to the parties' statements to the court and asked the parties for their authorization to do so. Mr Joel SMITH said that the agreement of the Crown Prosecution Service (CPS) was required to grant this request.

Drafted in Lyon, 13 December 2025

BACKGROUND

Mr Artem DMYTRUK is the Ukrainian member of parliament for the constituency of Odesa, elected in 2019 to the *Verkhovna Rada* (Ukrainian Parliament) as a member of the "Servant of the People" party of the current President, Volodymyr ZELENSKY. In 2021, he criticized the Ukrainian President's policies and expressed his disappointment at the lack of any real fight against corruption. He was expelled from the presidential party and continued to sit as an independent.

Mr DMYTRUK reported that he had been subjected to threats and acts of intimidation after speaking out against the illegal transfer of land to state-controlled companies in his Odesa constituency, even though he had not been allowed to attend local council meetings when land issues were being discussed.

Before his expulsion from the party, Mr DMYTRUK said he had been summoned by President ZELENSKY himself to be reprimanded and urged to cease his criticism.

Following Russia's invasion of Ukraine on 24 February 2022, Mr DMYTRUK enlisted in a police-controlled territorial defence battalion in his Odesa constituency. He used his status as a member of parliament to raise awareness of the burning issues, but also to organize food distributions.

During the hearing at Westminster Magistrates' Court in London, he stated that he had been the victim of at least two assassination attempts by the authorities, which he believes were ordered by President ZELENSKY, on 3 March and 5 March 2022 and in August 2024.

On 3 March 2022, while manning a checkpoint with his colleagues from the defence battalion and several police officers during the curfew, he was threatened by agents of the Security Service of Ukraine (SBU). He was confronted by one of the armed SBU men, who attempted to assassinate him. Mr DMYTRUK disarmed him, stating that he had used proportionate force, and handed the man over to the police.

On 4 March 2022 at 5.47 p.m., Mr DMYTRUK posted a video of the incident on his Telegram account. This video was deleted on 4 March 2022 at 11.10 p.m.

In the early evening of 4 March 2022, Mr DMYTRUK and two of his assistants, Mr Dmytro MIKHU and Mr Ivan MARZAK, were abducted by a detachment of SBU agents and taken to the SBU premises. The Ukrainian Prosecutor's Office confirmed that Mr DMYTRUK was questioned between 10.10 p.m. on 4 March 2022 and 12.05 a.m. on 5 March 2022.

Mr DMYTRUK claims he was arbitrarily detained and subjected to inhuman and degrading treatment and acts of torture. Mr DMYTRUK states that he was forced to record videos in which he had to declare that he was giving up his activities and his criticism of the Ukrainian Government. Threatened with reprisals if he made the events public and if he went to hospital, Mr DMYTRUK did not seek medical treatment and remained in hiding at a friend's house until any signs of the torture he had suffered had disappeared. He photographed his injuries and the after-effects of the torture on the morning of 5 March 2022, after his release.

He did not resume his activities on social media until 17 March 2022, after, in his own statements, the SBU forced him to give a sign of life to his followers, who were concerned about his silence.

In 2024, he again expressed criticism of the Ukrainian Government due to the increase in human rights violations, including the prolonged detention and prosecution of parliamentarian Oleksandr DUBINSKY, and the arrests and acts of intimidation suffered by members of the Ukrainian Orthodox Church (UOC), of which he is a member. He also clearly opposed the law "on the protection of constitutional order in the field of religious organizations" (Law No. 3894-IX). This law allows for the dissolution of "religious organizations affiliated to centres of influence whose leadership is located in a country that is conducting armed aggression against Ukraine". This law primarily concerns the Ukrainian Orthodox Church (UOC), a church which, until May 2022, was officially attached to the Moscow Patriarchate, while enjoying a significant degree of autonomy. However, it is considered by the Ukrainian Government to be affiliated to and under the control of the Moscow Patriarchate. It should not be confused with the Orthodox Church of Ukraine created in 2018.

In October 2023, Mr DMYTRUK was one of 14 parliamentarians who voted against this law and openly denounced on social media the seizure of temples and attacks against UOC worshippers.

On 5 October 2023, according to information provided by Mr DMYTRUK, while he was conducting an investigation in the city of Kyiv on behalf of the *Verkhovna Rada's* Committee on Law Enforcement, during which he had found evidence of fraud, his colleague was attacked by an individual who attempted to steal his telephone containing evidence of the fraud. He also attacked Mr DMYTRUK with a knife. Mr DMYTRUK and the individual fought, and the latter suffered actual bodily harm. Mr DMYTRUK and his colleague subsequently called the police to apprehend the individual and filed a complaint. The Ukrainian indictment only states that "A. DMYTRUK (...) seriously disturbed public order, in disregard of the rules and norms of behaviour generally recognized in society, due to a manifest lack of respect for society, accompanied by particular insolence, struck the victim B. SIROSA, inflicting moderate bodily harm". It makes no mention of the knife recovered at the scene.

In July 2024, Mr DMYTRUK was ordained a subdeacon in the UOC.

On 18 August 2024, Andriy YERMAK, Chief of Staff to President Volodymyr ZELENSKY, posted a message on his Telegram channel that was widely interpreted by his followers as encouraging violence against Mr DMYTRUK and other opponents of Bill No. 83711.¹⁶

On 20 August 2024, the Ukrainian Parliament adopted Bill No. 8371 (Law No. 3894-IX) at its final reading (entry into force on 23 September 2024). On the same day, Mr DMYTRUK spoke at length against the bill before parliament.

On 23 August 2024, he posted a message concerning an assassination attempt against him and, on the same day, filed a request for close protection due to the numerous threats to his life and the lives of his family.

On 24 August 2024, he posted a video on his Facebook page entitled "ZELENSKY has banned orthodoxy in Ukraine". On the same day, Mr DMYTRUK left Ukraine and travelled to the United Kingdom via Moldova.

¹⁶ <https://t.me/ermaka2022/5150>:

On 25 August 2024, President ZELENSKY posted an announcement on social media stating that he had "scheduled a meeting for tomorrow with the Security Service of Ukraine (SBU), the National Bureau of Investigation (DBR), the Specialized Anti-Corruption Prosecutor's Office (SAP), the Prosecutor General and others. There are many things to discuss. The meeting will focus on the traitors who fled Ukraine. Dmytruk, are you sleeping?"¹⁷

On the same day, a warrant was issued for Mr DMYTRUK for inflicting minor bodily harm on an SBU agent in Odesa on 3 March 2022 and for hooliganism, having caused actual bodily harm in Kyiv on 5 October 2023.

On 28 August 2024, during his speech at the "Ukraine 2024. Independence" forum, Prosecutor General Andriy KOSTIN said: "My indignation is even greater than that of the public... Physical and technical prevention, namely closing the borders, is an absolute priority... Suspicions have been raised against this member of parliament in two criminal cases. I expected the files for both cases to be prepared carefully. As soon as the files were prepared and carefully reviewed, I immediately signed the notice of suspicion. Dmytruk still has the opportunity to come forward for questioning by the investigator."¹⁸

On 29 August 2024, the Pechersk District Court in Kyiv issued a pretrial detention order against Mr DMYTRUK.

On 1 October 2024, a request for the extradition of Mr DMYTRUK was issued by the Ukrainian authorities and sent to the British authorities.

Upon his arrival on British soil, Mr DMYTRUK immediately consulted his lawyers, who were then able to contact the authorities in anticipation of the expected extradition request. When the extradition request was filed, the police gave him a few days to surrender voluntarily. He was therefore arrested at his home without incident. After a brief period in police custody and half a day in a cell, he was released on bail and then placed under house arrest with electronic surveillance. He will soon be applying for this measure to be lifted.

III. APPLICABLE LEGISLATION

A. Extradition proceedings in the United Kingdom

Part 2 of the Extradition Act 2003 applies to territories with which the United Kingdom has formal agreements through the European Convention on Extradition, the Commonwealth Scheme or a bilateral treaty (also known as category 2 territories). These territories are separated into two types, A and B. Type A countries, including Ukraine, are not required to provide *prima facie* evidence in support of their requests for extradition. The extradition process to these territories follows these steps:

1. Extradition request by the requesting State to the Secretary of State

The extradition request is made to the UK Central Authority (UKCA) at the Home Office. Generally, an initial draft request is submitted to the Crown Prosecution Service (CPS) so that any potential problems can be resolved at the outset. The Secretary of State decides whether to order extradition.

2. Issuing a certificate by the Secretary of State

The extradition request is valid if extradition is stated to be for the purpose of prosecuting or punishing a person accused or convicted of an offence in a category 2 territory, and if the request is made by an

¹⁷ <https://t.me/truexanewsua/97052>:

¹⁸ <https://www.youtube.com/watch?v=Ni8Zd3zDgAo>

appropriate authority on behalf of that territory. Where these basic criteria are fulfilled, the Secretary of State certifies the request and sends it to the competent court. In London, this is Westminster Magistrates' Court.

3. Issuing a warrant

If the court is satisfied that enough information has been supplied, an arrest warrant can be issued. The court must be satisfied that there are reasonable grounds for believing that the conduct described in the request is an extradition offence (which includes the requirement for dual criminality).

Provisional arrest: For urgent cases where a requested person is deemed to be a flight risk and insufficient time is available to prepare a full request, a requesting State can make a provisional arrest request.

4. Arrest and preliminary hearing

After the person has been arrested, they are brought before the court and the judge sets a date for the extradition hearing.

5. Extradition hearing

The extradition hearing before the District Judge is where most of the issues in the case are decided. The Crown Prosecution Service (CPS) represents the requesting State in the proceedings. The judge must ensure the following in the context of this hearing:

- That the alleged conduct amounts to an extradition offence (dual criminality).
- That there is *prima facie* evidence of guilt (where applicable and in accusation cases).
- That none of the bars to extradition apply, in particular that extradition will not breach the human rights of the requested person.

6. Secretary of State's decision

The Secretary of State must order extradition unless the surrender of a person is prohibited by certain statutory provisions of the 2003 Act. The requested person may make any representations as to why they should not be extradited within four weeks of the case being sent to the Secretary of State. The Secretary of State is not required to consider any representations received after the expiry of the four-week period.

Extradition is prohibited by statute if:

- o the person could face the death penalty (unless the Secretary of State gets adequate written assurance that the death penalty will not be imposed or, if imposed, will not be carried out)
- o there are no speciality arrangements with the requesting country – "speciality" requires that the person must be dealt with in the requesting State only for the offences for which they have been extradited (except in certain limited circumstances)
- o The person has already been extradited to the United Kingdom from a third State or transferred from the International Criminal Court, and consent for onward extradition is required from that third State or that Court (unless the Secretary of State has received consent)

If none of these prohibitions apply, the Secretary of State must order extradition. Or, if surrender is prohibited, the person must be discharged.

7. Possible remedies

Appealing the District Judge's decision whether or not to refer a case to the Secretary of State:

The judge's decision may be appealed within 14 days of notification of the decision. However, the High Court will only consider the appeal if and when the Secretary of State orders the extradition of the requested person.

If the District Judge orders the discharge of the requested person, the requesting State may apply to the High Court for leave to appeal against that decision.

If the High Court grants leave, it will hear the appeal.

If the High Court allows the appeal, it will set aside the order for the release of the requested person and refer the case back to the District Judge for a new decision.

Appealing Secretary of State's decision: High Court. Appeal is only possible with the (leave) permission of the High Court. Notice of application for leave to appeal must be sought within 14 days of extradition being ordered by the Secretary of State or discharge being ordered by the Secretary of State.

Appealing High Court decisions: Supreme Court. A requested person, or a requesting State, can apply for leave to appeal to the Supreme Court against the High Court's decision. Notice of application for leave to appeal must be given within 14 days of the High Court decision. Such an appeal can only be made if the High Court has certified that the case involves a point of law of general public importance.

8. Extraditing a requested person

Unless there is an appeal, a requested person must be extradited within 28 days of the Secretary of State's decision to order extradition.

B. Martial law in the territory of the Republic of Ukraine

At 5.30 a.m. on 24 February 2022, martial law was declared throughout Ukraine, imposing a curfew in the Odesa region from 11 p.m. to 5 a.m. The implementation of this martial law has been regularly renewed by the *Verkhovna Rada* since that date. Men aged 18 to 60 were thus prohibited from leaving Ukraine, with some exceptions.¹⁹

Ukraine is a signatory to the International Convention for the Protection of All Persons from Enforced Disappearance of 20 December 2006²⁰ and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ETS No. 126) of 26 November 1987.²¹

Ukraine is also a signatory to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 005) of 4 November 1950 (ECHR), which it ratified in 1997.²²

On 28 February 2022, the Ukrainian authorities declared a derogation from the ECHR in accordance with Article 15 of the Convention. Citing martial law and armed conflict, the Ukrainian authorities derogated from several provisions, including Articles 4.3 (forced labour), 8 (right to respect for private and family life), 9 (freedom of thought, conscience and religion), 10 (freedom of expression), 11 (freedom of assembly and association) and 14 (prohibition of discrimination). Subsequently, the Ukrainian authorities also derogated from Articles 5 (right to liberty and security), 6 (right to a fair trial) and 13 (right to an effective remedy). This gives the Ukrainian authorities greater leeway to restrict the above-mentioned rights.

On 4 April 2024, Ukraine announced that the derogations would no longer apply to Articles 4.3, 9,

¹⁹ It is only since 26 August 2025 that men aged 18 to 22 have been able to leave Ukraine to travel abroad.

²⁰ See: https://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsg_no=iv-16&chapter=4&clang=en

²¹ See: <https://www.coe.int/en/web/conventions/full-list?module=signatures-by-treaty&treaty=126>

²² See: <https://www.coe.int/en/web/conventions/full-list?module=signatures-by-treaty&treaty=005>

13, 14 and 16 (restrictions on the political activity of foreigners) of the ECHR.

Despite the lifting of the derogation from Article 9 of the ECHR, Ukraine nevertheless adopted a law four months later restricting and/or prohibiting the activities of the Ukrainian Orthodox Church.

The derogation from Article 6 on the right to a fair trial remained in force.

In addition, the imposition of martial law and the recognition that the functioning of the courts will be affected by the ongoing war have led to significant changes in the Code of Criminal Procedure concerning the powers of the Public Prosecutor's Office in criminal cases.

Under section 615 of the Criminal Code, "where it is objectively impossible for the investigating judge to exercise the powers provided for in sections 140, 163, 164, 170, 173, 206, 219, 232, 233, 234, 235, 245 to 248, 250 and 294 of the Code, these powers shall be exercised by the head of the relevant Public Prosecutor's Office at the request of the Public Prosecutor or at the request of the investigator in agreement with the Public Prosecutor".

A prosecutor can now decide, without judicial oversight, to arrest and extend the detention of an accused person, conduct secret investigations, search private property and homes, and seize assets. The duration of the preliminary investigation can also be extended by a prosecutor without simultaneous judicial intervention. Ukrainian law allows an accused person to be detained for 72 hours before a judge is required to authorize continued detention.

The same section provides:

"11. Testimony obtained during the questioning of a witness or victim, including during the simultaneous questioning of two or more persons who have already been questioned, in criminal proceedings conducted under martial law, may be used as evidence in court only if the contents and results of the questioning have been recorded using available technical means of video recording.

Testimony obtained during the questioning of a suspect, including the simultaneous questioning of two or more persons who have already been questioned, in criminal proceedings conducted under martial law, may only be used as evidence in court if a defence lawyer participated in the questioning and if the contents and results of the questioning were recorded using available technical means of video recording."

C. Criminal provisions applicable to the charges brought by the Ukrainian authorities against Mr Artem DMYTRUK

According to the extradition request issued by the Ukrainian authorities, with regard to the maximum penalty, the request states:

"The penalty for the offences referred to in section 345(2), section 262(1) and section 122(1) of the Ukrainian Criminal Code is **imprisonment for up to seven years.**"

IV. HEARING KEY ISSUES AND HIGHLIGHTS

First, it should be noted that Mr DMYTRUK was assisted by an interpreter throughout the hearing. In addition, the Chief Magistrate was particularly mindful of time differences when witnesses were heard via videoconference, in particular Ms Colleen ROHAN, who was testifying from Australia.

A. The torture alleged by Mr Artem DMYTRUK

Mr DMYTRUK is basing his opposition to extradition primarily on the alleged risk of violations of Article 3 of the ECHR if he is returned to Ukraine (see Appendix 3).

In its judgment in *Ireland v. the United Kingdom* (5310/71, 18 January 1978), the European Court of Human Rights (ECtHR) held that:

*"The Court agrees with the Commission's approach regarding **the evidence on which to base the decision whether there has been violation of Article 3 (art. 3)**. To assess this evidence, the Court adopts **the standard of proof "beyond reasonable doubt"** but adds that such proof may follow from the coexistence of sufficiently strong, clear and concordant inferences or similar unrebutted presumptions of fact. In this context, the conduct of the Parties when evidence is being obtained has to be taken into account." (§161, p.79)*

It must therefore be determined whether there are substantial grounds for believing that the person concerned, if extradited (or expelled), faces a real risk of being subjected to torture or to inhuman or degrading treatment or punishment in the requesting (or receiving) country.²³ Whether, at the time of expulsion, there have been **serious grounds for believing that the extradited person would be at real risk of being subjected to treatment contrary to Article 3** must also be examined. This examination involves, on the one hand, establishing the facts concerning the personal history of the requested person and, on the other, assessing the general situation in the requesting country. This point was the focus of two key moments during the hearing.

First was the hearing of two medical experts.

Dr Julia COHEN, at the request of Mr DMYTRUK's defence team, drew up a medical report based on an interview with Mr DMYTRUK on 15 January 2025 and on the examination of photographs and a video provided by the complainant. Dr Julia COHEN concluded that, in accordance with the criteria set out in Annex IV of the Istanbul Protocol, Mr DMYTRUK shows signs of post-traumatic stress disorder (PTSD) and that his history, symptoms, clinical findings and the photographic and video evidence provided are consistent with the account of torture and ill-treatment described by the complainant. However, she expressed a reservation about the date of the photographs, of which she could not be entirely sure, but relied on the date of the video provided. This video was viewed and discussed at the hearing before the Court. The discussions focused in particular on the question of whether the photographs of the torture alleged by Mr DMYTRUK, in terms of the stage of wound development and healing and their severity, are indeed those of injuries inflicted during the events that occurred on the night of 4 to 5 March 2022. The issue of PTSD was also discussed at length in order to assess whether Mr DMYTRUK could have invented all the acts of torture he claims to have suffered. The issue of the existence of post-traumatic stress and the date of the photographs were the focus of the prosecution team's cross-examination of the expert.

The second expert, Prof. Jason PAYNE-JAMES, prepared a report at the request of the requesting State, which was also the subject of questioning and cross-examination by video link. The expert's report mainly consists of a commentary on Dr Julia COHEN's report.

It should be noted that the Ukrainian Government also called on the services of a psychiatric expert, Dr Matthew HARTLEY, who examined Mr DMYTRUK on 2 September 2025, and whose hearing will take place on 16 December 2025.

The Ukrainian counsel for the complainant, Mr Petro SHERSTIUK, raised the issue of the long time lapse between the various medical examinations. He recalled that the fact that Mr DMYTRUK was in a better mental state during the second examination does not mean that the alleged acts of torture did not occur and that they could not happen again if he were extradited to Ukraine.

The second key moment was the hearing of Mr DMYTRUK as a witness, which lasted a day and a half, during which he was questioned at length about the facts. He confirmed the three written statements in the file. He was detailed and consistent in his description of the torture he had suffered.

Judge GOLDSRING emphasized two fundamental principles. First, he reminded the Ukrainian Government's lawyers, whose cross-examinations were generally lengthy, that in view of the acts of torture alleged by Mr DMYTRUK, there was not only no need to pressurize him into making statements, but also

²³ The application of this principle to cases of expulsion was confirmed in the *Cruz Varas and a. v. Sweden* case of 20 March 1991 (application no. 15576/89).

that caution and sensitivity should be exercised in the questions asked so that the questioning did not run the risk of harassment. In addition, the judge interrupted the cross-examination when the Ukrainian Government began questioning Mr DMYTRUK about the alleged offences of which he is accused by the Ukrainian State, which are the subject of the extradition request, in order to remind it that Mr DMYTRUK might be led to provide details that could later be used against him in the Ukrainian courts if he were to be extradited. The judge therefore reminded Mr DMYTRUK of his right to remain silent and not to incriminate himself. Mr DMYTRUK therefore referred to his already very full written statements on the reported facts.

Mr Joel SMITH, counsel for the Ukrainian State, asked Mr DMYTRUK whether he would agree to provide the original photographs of the torture he had suffered in order to remove any doubt, through the use of metadata, about the dates on which the photographs were taken and their undeniable link to the alleged torture. Mr DMYTRUK said he had no objection but feared that the original photographs had been deleted from the device on which they were taken. He also said he was no longer sure which telephone had been used to take the photographs or how to retrieve them.

B. The right to a fair trial in Ukraine

This principle is guaranteed by Article 6 of the ECHR, as is the right to the presumption of innocence. (see Appendix 3).

One of the points relating to the issue of a fair trial concerns the application of the above-mentioned section 615 §11 of the Criminal Code. Mr DMYTRUK's defence team has been requesting the Ukrainian authorities since 30 June 2025 to provide it with the recordings of Mr DMYTRUK's questioning during which he stated he had been tortured, as the provisions of section 615 §11 apply given the imposition of martial law.

The Ukrainian State argued that section 615 does not apply in Mr DMYTRUK's case, as the derogations from Article 6 of the ECHR and martial law only apply in the temporarily occupied territories of Ukraine. Moreover, the Ukrainian Government stated that Mr DMYTRUK had been questioned by the SBU on the night of 4 to 5 March 2022 as a witness and not as a suspect. It also mentioned that Mr DMYTRUK made a confession and gave a full account of the facts. Mr DMYTRUK claimed he was forced to sign this confession under torture.

The question of the Ukrainian system's ability, in its current state and in the circumstances of this case, particularly given Mr DMYTRUK's status as a politician, to guarantee him a fair trial was debated at length. Mr DMYTRUK's defence team called on two experts for this purpose.

First, Ms Colleen ROHAN, an expert in fair trials and a specialist in international and national criminal law, who co-authored the *Defense Counsel Handbook: A Guide for Ukrainian Lawyers Practicing in Domestic War Crimes Cases (2024)*. She concluded in general terms that Ukrainian judges and prosecutors are particularly vulnerable to political pressure and corruption. The questions focused mainly on the ability of the Ukrainian courts to try Mr DMYTRUK independently and without pressure from the political authorities, in view of the improvements noted in several reports and the Ukrainian structures put in place to combat corruption and increase respect for human rights.

During the expert's re-examination, the judge challenged Mr DMYTRUK's defence counsel on the relevance of asking the witness to clarify his analysis of the various political statements made by Ukrainian officials. The defence explained that these political statements were an integral part of the witness's report and analysis of the Ukrainian courts' ability to grant him a fair trial. The judge then questioned Ms ROHAN on how she could know that President ZELENSKY's statements concerned specifically and solely Mr DMYTRUK. He also asked her why she had used the questionnaire on war crimes when Mr DMYTRUK is accused of minor offences and whether, therefore, this parallel was relevant given Mr DMYTRUK's particular status and position.

Second, Prof. William BOWRING, Emeritus Professor of Law at the University of London and an expert on corruption and fair trials in Ukraine, was heard. He expressed serious doubts about the Ukrainian judicial

system's ability to ensure a fair trial for Mr DMYTRUK, given, in his experience, the close relationship between judges and the Public Prosecutor's Office. He highlighted certain elements specific to Mr DMYTRUK's situation, in particular the fact that the Ukrainian Government is unable to explain why no investigation was opened against Mr DMYTRUK after the events of 2022, but only much later, after Mr DMYTRUK's statements to parliament and his flight from Ukraine; but also on the fact that Mr DMYTRUK is a special case among the parliamentarians who opposed the vote on the law against the UOC, in particular because of his status as a member of the UOC, his very firm positions and his popularity.

These two experts were cross-examined at length by the Ukrainian counsel. The judge reminded the Council that these two experts were testifying based on their expertise and knowledge of the Ukrainian system and the information currently available to them, and that they could not predict what would happen in the coming months or if Mr DMYTRUK was returned to Ukraine. Prof. William BOWRING's hearing led to the judge reprimanding not only the expert himself but also the Ukrainian counsel and the wording of his questions during the cross-examination. He stressed that the prosecution team's questions focused on very specific points, which led the witness to feel compelled not to answer the question and to point out that the answer could be found elsewhere in the report. The judge therefore reminded them of the rules of cross-examination. The judge's irritation was palpable.

During my informal discussions with Prof. William BOWRING, he shared with me his feeling that the judge had already made up his mind (without specifying in which direction, however) but that this could change with the submissions. The witness also told me that he had been giving this type of testimony for many years and had never been questioned so "harshly", with many closed questions that left no room for detailed answers and many speculative views on the situation in Ukraine, which is very fluid and makes it difficult to predict what will be likely to happen even next week.

During his testimony, Mr DMYTRUK had the opportunity to respond clearly to the prosecution's question about the possibility of receiving a fair trial if he returned to Ukraine. He said that he had no confidence in the judges who might put him on trial, not only because of the circumstances surrounding the charges against him, but also because of the current application of martial law, which greatly extends President ZELENSKY's powers. Mr DMYTRUK argues that in these circumstances, President ZELENSKY can directly influence the judges and the Public Prosecutor's Office.

The Ukrainian Government pointed out that, as an IPU observer was present at the current hearing, it was only to be expected that this would also be the case should there be a hearing in Ukraine and that it would be likely to guarantee a fair trial. Mr DMYTRUK said that, while appreciating the measures adopted by the IPU, the presence of an observer could not, unfortunately, guarantee respect for this principle. The same question had been put not only to Ms Colleen ROHAN, but also to Prof. William BOWRING. Both replied that such a presence was not sufficient to guarantee a fair trial.

When asked whether he thought he would be physically safe if he returned to Ukraine, Mr. DMYTRUK replied clearly in the negative. He said that he was convinced he would not even make it to court and would be murdered before reaching it. As proof, he cited the murder of another member of parliament in the street.

Mr DMYTRUK was asked by the Ukrainian counsel whether, should he be extradited, he would wish to be tried in person or whether he would agree in any event to appear via video link before the Ukrainian courts, which would guarantee his safety. Mr DMYTRUK has made it clear that he wants to be able to be heard and to exchange views with the prosecution face to face and that he would therefore refuse a video hearing.

During cross-examination, Mr DMYTRUK also answered in the affirmative when asked by Mr SMITH whether he believed he would receive a fair trial in the United Kingdom. During a telephone conversation on 28 October 2025, Mr DMYTRUK expressed his feeling that, overall, the proceedings had been conducted objectively, even though he felt that some of the questions asked by the prosecution team had been biased. He nevertheless noted the objectivity shown by all the experts who were called to testify. He

also noted that being questioned for a day and a half was a difficult and tiring exercise, especially as he felt that many of the questions were not relevant to the extradition proceedings. The Ukrainian counsel repeatedly returned to the charges brought against him in Ukraine, which he perceived as an attempt to provoke him and lead him into making mistakes in his statements, to find flaws and possible inconsistencies in his various written statements. He recalls, for example, being questioned about the style of his eyebrows or moustache in the photographs. Similarly, he was asked the same questions at the beginning and end of the cross-examination. This feeling is shared by the complainant's Ukrainian counsel, who saw possible underlying intentions, as part of delaying tactics. As previously stated, Mr DMYTRUK is facing two separate charges from the Ukrainian authorities. At this stage, the proceedings in Ukraine are frozen until Mr DMYTRUK returns to Ukraine.

➤ The proceedings relating to the events of 5 October 2023.

These proceedings relate to alleged acts of violence by Mr DMYTRUK. The investigation has been completed and is therefore closed. According to Mr DMYTRUK's Ukrainian counsel, the purpose of this closure is to prevent any further investigation, and the case has therefore been referred to a judge. At the last hearing in December 2024/January 2025, the investigating authorities did not provide the judge with the material evidence from the investigation, thereby violating the principle of a fair trial and the adversarial principle, preventing the judge from handing down a ruling. The next hearing will be held in mid-January 2026.

Given that the principle of legality of prosecution prevails in Ukraine, the Prosecutor had no choice but to investigate not only the allegations against Mr DMYTRUK, but also the acts of violence reported by Mr DMYTRUK himself, of which he was a victim and injured, and for which he filed a complaint. The police therefore had to investigate and question him about the facts. However, Mr DMYTRUK was not informed of his rights as a victim in these proceedings and the investigation was closed, preventing him from providing his own evidence as a victim.

An appeal was lodged with the investigating judge, who handed down a ruling upholding the decision of the Prosecutor to close the investigation. An appeal against this decision is pending before the Court of Appeal.

C. Conditions of detention in the event of extradition

This issue refers to the provisions of Articles 3 and 5 of the ECHR (see Appendix 3).

This point will be addressed in a testimony provided by Mr George TUGUSHI, an expert on detention and an expert with the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), requested by Mr DMYTRUK's defence. This expert will be heard on 16 December 2025. In the meantime, reference will be made to his report and in particular to Ukraine's seventh periodic report (CAT/C/UKR/7) dated 25 April 2025.

Mr DMYTRUK's Ukrainian counsel confirmed during our discussions that it is unrealistic to think that the complainant's safety could be guaranteed in detention, not only because of his specific status and popularity, but also in view of the overall security situation in Ukrainian territory.

D. The risk of political and religious prejudice during trials in Ukraine in the event of extradition

Section 81 of the British Extradition Act states:

"81 Extraneous considerations

A person's extradition to a category 2 territory is barred by reason of extraneous considerations if (and only if) it appears that—

(a) the request for his extradition (though purporting to be made on account of the extradition offence) is in fact made for the purpose of prosecuting or punishing him on account of his race, religion, nationality, gender, sexual orientation or political opinions, or

(b) if extradited he might be prejudiced at his [or her] trial or punished, detained or restricted in his personal liberty by reason of his race, religion, nationality, gender, sexual orientation or political opinions.”

Under section 81(a), it is incumbent on the requested person to demonstrate a causal link between the extradition request and the particular extraneous consideration. The state of mind of the requesting State at the time the request was made must be assessed, to determine whether its objective was to prosecute or punish the requested person for one of the extraneous reasons. With regard to section 81(b), it is not necessary to prove, on the balance of probabilities, that the requested person will be prejudiced by reason of religion or political opinion. It is sufficient to demonstrate that there is a real risk of prejudice at trial on one of the prohibited grounds.

It was in order to demonstrate this real risk of prejudice that Mr DMYTRUK's defence called on two experts in religious matters, in relation to the status of the UOC and the law to which Mr DMYTRUK objected. First, Dr Timothy CARROLL, an anthropologist of Eastern Orthodox Christianity at University College London and a priest in the Antiochian Orthodox Church. This expert was heard on 24 October 2025, so I was unable to attend the hearing. Second, Prof. Nadieszda KIZENKO, professor of history and director of religious studies at the University of Albany (SUNY). She was heard by the Court via videoconference from the United States. She stated that it is difficult to believe that the sanctions against Mr DMYTRUK are not linked to his opinions and his opposition to Law No. 3894-IX. She also reaffirmed that there is no objective evidence to confirm that the UOC is affiliated to Moscow and receives its orders from Russia.

According to Mr DMYTRUK's defence, it is clear that the extradition request against the requested person is the result of political factors, in particular the persecution of the UOC, and that it was introduced because of his religious and political opinions, in particular those he expressed in the *Rada* as an elected representative, which run counter to the discourse held by the State. These same opinions would cause him to suffer prejudice during his trial and sentencing.

The significant delay before Mr DMYTRUK was charged and the fact that he was charged with the offences alleged against him by the Ukrainian State only immediately after he openly opposed Bill No. 8371 seeking to ban the UOC would irrefutably indicate the political motivation behind the proceedings against him and the subsequent extradition request. It would also be particularly significant that criminal proceedings were only brought against Mr DMYTRUK the day after he left Ukraine, on 25 August 2024, when it became clear to senior officials, including President ZELENSKY, that he remained opposed, would not change his mind, would continue to be a political problem and had fled Ukraine for his own safety.

Mr DMYTRUK's Ukrainian counsel is surprised at the amount of funds spent by the Ukrainian State on prosecuting Mr DMYTRUK for minor offences. He questions the social interest of these proceedings, which justify their being pursued with such determination and with such a delay in relation to the charges against him. In its view, there is no doubt that this is a political trial against Mr DMYTRUK.

Moreover, Mr DMYTRUK's Ukrainian counsel points out that, in Ukraine, only the prosecutor and investigators can publicly comment on criminal proceedings or issue orders or take decisions. However, in Mr DMYTRUK's case, the facts and proceedings have been widely commented on publicly and orders have been given by politicians, which clearly demonstrates the political nature of the charges brought against the complainant.

V. CONCLUSIONS

All fair trial principles were scrupulously observed by the parties to the proceedings, both by the prosecution and the defence as well as by Westminster Magistrates' Court in this case, at least during my presence.

None of the parties raised any particular issues, not even Mr DMYTRUK, who was clearly able to confirm unequivocally that this principle was respected in these proceedings.

The concerns of all the parties questioned relate to the plausible risk of a violation of this right and its corollary principles in the event of Mr DMYTRUK's extradition to Ukraine.

However, this British hearing is not yet over and, at the time of writing, two further days of hearings are scheduled to take place:

- 16 December 2025, for the hearing of the remaining two experts called on by the requested person and the requesting State.
- 9 January 2026, for the parties to present their submissions on the law and evidence.

At the end of the proceedings, the case will be adjourned so that the judge can draft his ruling. The counsel for Mr DMYTRUK therefore expects a ruling in February 2026, although the exact date is not known at this stage, and it should be noted that the ruling could be handed down earlier or later.

The principle of non-refoulement is currently guaranteed by the practice of the various British courts responsible for examining Mr DMYTRUK's extradition request and asylum application.

Thus, regardless of the judge's ruling on the extradition proceedings, Mr DMYTRUK cannot be handed over to the Ukrainian authorities until a decision has been made on his asylum application. The latter proceedings, which are still ongoing, are being slowed down by the extradition proceedings themselves, as the issues at stake in the two proceedings are closely linked.

It is surprising, however, that the asylum application is not being treated as a priority, or at least not being pursued in parallel with the extradition proceedings. Indeed, the recognition of Mr DMYTRUK's refugee status by the British asylum authorities would likely put an end to any question over the truth of the acts of torture suffered by the member of parliament, leading to the judge's outright refusal to extradite.

Lyon, 13 December 2025

Appendix 1: LIST OF CONTACTS AND VARIOUS INTERLOCUTORS

- **Crown Prosecution Service:**
Specialist Prosecutor – Extradition Unit: Paula Craven
- **Westminster Magistrates' Court:**
- Senior District Judge (Chief Magistrate): Paul GOLDSRING
- **Prosecution Team:**
- Senior Counsel - Barrister: Joel SMITH KC (Furnival Chambers)
- Junior Counsel - Barrister: Amanda BOSTOCK (3 Raymond Buildings Law – 3RBlaw)
- **Mr Dmytruk's Defence team:**
- Senior Solicitor: Katy O'MARA (Head of the Extradition Department at Hodge Jones Allen LLP (Solicitors))
- Senior Counsel (Barrister): Edward FITZGERALD KC (Doughty Street Chambers)
- Junior Counsel (Barrister): Benjamin JOYES (9 BR Chambers)
- Political Analyst: Egor Lukanov (Amsterdam & Partners)
- Ukrainian legal services provider: Petro SHERSTIUK (MIU legal firm)

**Appendix 2: HEARING SCHEDULE – EXTRADITION PROCEEDINGS
20 TO 24 OCTOBER 2024**

	Morning – 10 a.m. to 1 p.m.	Afternoon: 2pm-4pm/4.30pm
Monday 20/10/2025	Ms Colleen ROHAN: Examination and cross-examination (via videoconference from Australia)	Prof. William BOWRING: Witness examination and cross-examination
Tuesday 21/10/2025	10–11 a.m.: Ms Colleen ROHAN: Completion of cross-examination and re-examination (via videoconference from Australia) 11 a.m.–12 p.m.: Prof. William BOWRING: Completion of cross-examination and re-examination	2–2.45 p.m.: Oral arguments by the parties on the right to a fair trial in Ukraine 3–5.05 p.m.: Prof. Nadieszda KIZENKO (via videoconference from the United States): Examination, cross-examination and re-examination
Wednesday 22/10/2025	Prof. PAYNE-JAMES (via videoconference): Examination, cross-examination and re-examination	Dr Julia COHEN: Examination, cross-examination and re-examination
Thursday 23/10/2025	Mr Artem DMYTRUK: examination	Mr Artem DMYTRUK: cross-examination
Friday 24/10/2025	Mr Artem DMYTRUK cross-examination	Dr Timothy CARROLL (University College London)

SCHEDULE OF PENDING HEARINGS:

	Morning – 10 a.m. to 1 p.m.	Afternoon: 2pm-4pm/4.30pm
Tuesday 16/12/2025	Dr George TUGUSHI (report on detention conditions in Ukraine)	Psychiatric expert appointed by the prosecution team that examined Mr Artem DMYTRUK
Friday 9 January 2026	Presentation of observations relating to the law and evidence (submissions, i.e. other words "pleadings") by the parties	

Meetings alongside the hearings:

- **21/10/2025:** Informal discussions after the hearing with Prof. William BOWRING
- **28/10/2025:** Mr Artem DMYTRUK, in the presence of Mr Egor LUKANOV (Amsterdam & Partners law firm - for translation) by telephone
- **25/11/2025:** Email exchanges with Katy O'MARA on the next steps in the extradition proceedings
- **27/11/2025:** Telephone conversations with Petro SHERSTIUK, counsel for Mr Artem DMYTRUK in Ukraine

Appendix 3: RELEVANT PROVISIONS OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS OF 4 NOVEMBER 1950

Article 2: Right to life

"1. Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law.

2. Deprivation of life shall not be regarded as inflicted in contravention of this Article when it results from the use of force which is no more than absolutely necessary:

- (a) in defence of any person from unlawful violence;
- (b) in order to effect a lawful arrest or to prevent the escape of a person lawfully detained;
- (c) in action lawfully taken for the purpose of quelling a riot or insurrection."

Article 3: Prohibition of torture

"No one shall be subjected to torture or to inhuman or degrading treatment or punishment."

Article 5: Right to liberty and security

"1. Everyone has the right to liberty and security of person. No one shall be deprived of his liberty save in the following cases and in accordance with a procedure prescribed by law:

- (a) the lawful detention of a person after conviction by a competent court;
- (b) the lawful arrest or detention of a person for non-compliance with the lawful order of a court or in order to secure the fulfilment of any obligation prescribed by law;
- (c) the lawful arrest or detention of a person effected for the purpose of bringing him before the competent legal authority on reasonable suspicion of having committed an offence or when it is reasonably considered necessary to prevent his committing an offence or fleeing after having done so;
- (d) the detention of a minor by lawful order for the purpose of educational supervision or his lawful detention for the purpose of bringing him before the competent legal authority;
- (e) the lawful detention of persons for the prevention of the spreading of infectious diseases, of persons of unsound mind, alcoholics or drug addicts or vagrants;
- (f) the lawful arrest or detention of a person to prevent his effecting an unauthorised entry into the country or of a person against whom action is being taken with a view to deportation or extradition.

2. Everyone who is arrested shall be informed promptly, in a language which he understands, of the reasons for his arrest and of any charge against him.

3. Everyone arrested or detained in accordance with the provisions of paragraph 1 (c) of this Article shall be brought promptly before a judge or other officer authorised by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release pending trial. Release may be conditioned by guarantees to appear for trial.

4. Everyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings by which the lawfulness of his detention shall be decided speedily by a court and his release ordered if the detention is not lawful.

5. Everyone who has been the victim of arrest or detention in contravention of the provisions of this Article shall have an enforceable right to compensation."

Article 6: Right to a fair trial

"1. In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal

established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interests of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.

2. Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law.

3. Everyone charged with a criminal offence has the following minimum rights:

(a) to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him;

(b) to have adequate time and facilities for the preparation of his defence;

(c) to defend himself in person or through legal assistance of his own choosing or, if he has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require;

(d) to examine or have examined witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;

(e) to have the free assistance of an interpreter if he cannot understand or speak the language used in court."

Article 9: Freedom of thought, conscience and religion

"1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.

2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others."

Zambia

Decision adopted unanimously by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)



© Twitter@Given Katuta Mwelwa

ZMB-21 – Given Katuta Mwelwa

Alleged human rights violations

- ✓ Threats, acts of intimidation
- ✓ Arbitrary arrest and detention

A. Summary of the case

According to the complainant, Ms. Given Katuta Mwelwa is an independent member of the National Assembly of Zambia who regularly expresses opinions critical of the governing party.

On 25 July 2023, Ms. Katuta was arrested by the police on charges of “common assault” when she voluntarily presented herself at Emmasdale police station. Her arrest took place after Mr. Henry Chunza, a photojournalist from a local newspaper, the *Times of Zambia*, reported that he had been assaulted by the Member of Parliament on 21 July 2023. Ms. Katuta was subsequently released.

The complainant states that Ms. Katuta had been suspended from the National Assembly for seven days. After this period, she was able to resume her parliamentary duties. On 21 July 2023, as part of the suspension, she was

Case ZMB-21

Zambia: Parliament affiliated to the IPU

Victim: Female independent member of the National Assembly

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

Submission of complaint: July 2023

Recent IPU decision: February 2024

Recent IPU mission(s): - - -

Recent Committee hearing: - - -

Recent follow-up:

- Communication from the authorities: Letter from the Clerk of the National Assembly (October 2023)
- Communication from the complainant: December 2025
- Communication to the authorities: Letter to the Speaker of the National Assembly (December 2025)
- Communication to the complainant: January 2026

made to take a “walk of shame” out of Parliament. The alleged “common assault” reportedly took place as she was leaving the parliamentary chambers, and the above-mentioned photojournalist was taking pictures of her.

According to the complainant, Ms. Katuta’s arrest was excessive, arbitrary and meant to intimidate and silence her. She was allegedly arrested in reprisal for carrying out her duties as an independent Member of Parliament and being a vocal opponent to the Government.

Ms. Katuta was temporarily re-arrested on 21 August 2023 on charges of “threatening violence” relating to the above-mentioned altercation with the photojournalist on 21 July 2023. According to the complainant, “through this calculated strategy, Ms. Katuta’s opponents aim to prevent her from visiting her constituency” and these new charges “only serve to perpetuate the Government’s efforts to marginalize, intimidate and isolate her”.

In a formal communication received on 26 October 2023, the parliamentary authorities stated that Ms. Katuta had been suspended from Parliament in accordance with the applicable parliamentary rules and procedures. The letter also noted that legal proceedings were being carried out against Ms. Katuta in compliance with national law, affording her the opportunity to defend her case in a court of law.

On 22 December 2025, the Magistrates’ Court in Lusaka rendered its judgment acquitting Ms. Katuta of all charges. According to information provided by the complainant, the presiding magistrate found that the prosecution had failed to establish the charges beyond reasonable doubt, that the evidence presented was marked by material inconsistencies, and that the investigation process did not meet the standards of impartiality and procedural integrity required under the criminal justice system.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Welcomes* Ms. Katuta’s acquittal on all charges and the fact that she is exercising her parliamentary duties without limitation; and *thanks* the National Assembly for cooperating 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, as reflected in the final outcome of the national legal proceedings, which appears to have ensured respect for the human rights of the parliamentarian concerned;
3. *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; and *expresses the wish* to receive official information on the best way to provide this assistance, if it is deemed appropriate;
4. *Requests* the Secretary General to convey this decision to the parliamentary authorities of Zambia and the complainant.

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