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153rd IPU Assembly

Arusha,
United Republic of Tanzania
5–9 October 2026

IPU 153rd ASSEMBLY Arusha, Tanzania 5 - 9 October 2026

181st session of the Committee on the Human Rights of Parliamentarians

Decisions adopted by the Committee on the Human Rights of Parliamentarians

Arusha, 4–8 October 2026

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#IPU153

India

Decision adopted by the Committee on the Human Rights of Parliamentarians at its 181st session (Arusha, 4–8 October 2026)



© Abhishek Banerjee

IND-02 – Abhishek Banerjee

Alleged human rights violations

- ✓ Ill-treatment and other acts of violence
- ✓ Threats, acts of intimidation
- ✓ Lack of due process in proceedings against parliamentarians
- ✓ Undue invalidation, suspension, revocation or other acts obstructing the exercise of the parliamentary mandate
- ✓ Other violations: Right to privacy

Case IND-02

India: Parliament affiliated to the IPU

Victim(s): Male opposition member of parliament

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

Submission of complaint(s): July 2026

Recent IPU decision: - - -

IPU mission(s): - - -

Recent Committee hearing(s): - - -

Recent follow-up:
- Communication from the authorities: - - -
- Communication from the complainant: September 2026
- Communication to the authorities: Letter to the Speaker of the Lok Sabha (August 2026)
- Communication to the complainant: August 2026

A. Summary of the case

Mr. Abhisek Banerjee is a prominent member of the All India Trinamool Congress (TMC), an opposition party that governed West Bengal State from 2011 to 2026. Mr. Banerjee was first elected to the Lok Sabha (lower house of India's parliament) in 2014 and became general secretary of the TMC in 2021. Prior to May 2026, Mr. Banerjee benefited from a category-Z+ security detail arranged by the Ministry of Home Affairs owing to death threats he had received. However, following regional elections in which the ruling Bharatiya Janata Party (BJP) obtained a majority of seats in the West Bengal Legislative Assembly, his security detail was downgraded then withdrawn without justification, notification or a prior assessment.

The complainant alleges that during the 2026 regional elections and following the transfer of political

power in West Bengal, Mr. Banerjee was subjected to repeated acts of intimidation, threats and acts of violence amid an uptick in tensions; in the weeks following the elections, hostile gatherings were reportedly allowed to take place repeatedly, just outside his family home, and senior figures within the BJP made statements prejudging his guilt in connection with a flurry of legal proceedings initiated against him. On 30 May 2026, Mr. Banerjee was physically attacked in Sonarpur, South 24 Parganas District, West Bengal, while attempting to meet with constituents affected by post-election violence.[1] According to the complainant, legal proceedings have been initiated against five attackers, but others remain at large, and no effort has been made to discover who planned the attack. Several other violent incidents, including attacks on Mr. Banerjee's residence, also remain unpunished. The complainant has drawn parallels to attacks and acts of intimidation against other members of the TMC, including Ms. Mahua Moitra, whose office was surrounded by a threatening crowd that brandished BJP flags and pelted the office windows with stones and other projectiles for four hours in July 2026 (see report IND-01).[2]

The complainant alleges numerous violations of due process, including the demolition of Mr. Banerjee's parliamentary office in Amtala, which the authorities claim was illegally constructed, on 18 July 2026 based on an order issued three days prior. According to the complainant, the demolition was undertaken without application of the binding directions issued by the Supreme Court in *Directions in the Matter of Demolition of Structures, W.P. (C) No. 295 of 2022, 2024 INSC 866*, which requires prior notice, an effective personal hearing, a reasoned final order addressing the objections of the party concerned, and a minimum period of 15 days after receipt of the final order before its implementation to allow the party concerned to seek judicial relief; a pre-demolition inspection report, video footage of the operation and a demolition report identifying the participating police and civil officials must also be provided. Moreover, the complainant states that the demolition order did not allow for the mandatory 15-day period for judicial recourse, nor did it adequately address objections concerning ownership of the building; the underlying complaint and supporting documents were not provided, no possibility of regularization was offered, and there was no consideration as to whether less destructive measures were available. By the time the Calcutta High Court ordered an immediate cessation of the demolition on 19 July 2026, the property had already been completely destroyed. The complainant alleges that BJP members were present during the demolition and removed office equipment and confidential party records from the building.

The complainant further reports that on 27 August 2026, Mr. Banerjee's personal office in Kolkata was stormed by a sizeable contingent of police and riot-control officers, ostensibly to remove a signboard displaying the name of the TMC party. Party members at the office objected that no notice or order had been given, excepting an unsigned document proposing the removal of an unspecified signboard on the same street, and refused to let the police enter until a lawful order was produced. When Mr. Banerjee arrived at the scene, he asked the authorities to produce such an order and stated that his party was ready to comply with any lawful decision, stressing that the Calcutta High Court had granted him leave to file a complaint the following day. Nevertheless, the situation continued to escalate as more police officers arrived, and the scene erupted into violence against Mr. Banerjee, other TMC party members – including Member of Parliament Derek O'Brien – and TMC security personnel, some of whom reported injuries and degrading physical contact.

The complainant asserts that the combined effects of the reduction in Mr. Banerjee's security detail and the violence, intimidation, restrictions on movement and destruction of his party's premises are such that Mr. Banerjee's rights and ability to freely exercise his parliamentary mandate have been compromised. Moreover, the complainant highlights an asymmetrical application of the law with regard to Mr. Banerjee: action taken against him has been rapid and public, but disclosure of those organizing violent acts against him and accountability for failures to protect him remain inadequate. The complainant considers these incidents to be politically motivated and alleges that the authorities encouraged, coordinated, facilitated or tolerated the attacks on Mr. Banerjee, thereby failing to protect an opposition parliamentarian from foreseeable threats while maintaining conditions in which his rights were repeatedly violated and his constituency infrastructure damaged.

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1 See here.

2 See here.

B. Decision

The Committee on the Human Rights of Parliamentarians

1. *Notes* that the complaint was submitted in due form by a qualified complainant under Section I.1(a) of the Procedure for the examination and treatment of complaints (Annex I of the revised Rules and Practices of the Committee on the Human Rights of Parliamentarians);

2. *Notes* that the complaint concerns an incumbent member of parliament at the time of the alleged facts;

3. *Notes* that the complaint concerns allegations of ill-treatment and other acts of violence, threats and acts of intimidation, lack of due process in proceedings against a parliamentarian, undue invalidation, suspension, revocation or other acts obstructing the exercise of the parliamentary mandate, and violation of the right to privacy, allegations which fall within the Committee's mandate;

4. *Considers*, therefore, that the complaint is admissible under the provisions of Section IV of the Procedure; and *declares itself* competent to examine the case;

5. *Requests* the Secretary General to convey this decision to the Speaker of the Lok Sabha, the complainant and any third party likely to be in a position to supply relevant information;

6. *Decides* to continue examining this case.

Mauritania

Decision adopted by the Committee on the Human Rights of Parliamentarians at its 181st session (Arusha, 4–8 October 2026)



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MRT-04 – Ghame Achour Salem
MRT-05 – Mariem Cheick Samba Dieng

Alleged human rights violations

- ✓ Arbitrary arrest and detention
- ✓ Inhumane conditions of detention
- ✓ Lack of due process at the investigation stage and lack of fair trial proceedings
- ✓ Violation of freedom of opinion and expression
- ✓ Failure to respect parliamentary immunity

Case MRT-COLL-01

Mauritania: Parliament affiliated to the IPU

Victim(s): Two female members of the opposition

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

Submission of complaint(s): April 2026

Recent IPU decision: - - -

IPU mission(s): - - -

Recent Committee hearing(s): - - -

Recent follow-up:
- Communications from the authorities: Letter from the President of the National Assembly (October 2026)
- Communication from the complainants: July 2026
- Communications to the authorities: Letters to the President of the National Assembly (May and July 2026)
- Communication to the complainants: July 2026

A. Summary of the case

This case concerns the situation of two female parliamentarians, Ms. Ghame Salem and Ms. Mariem Dieng, both members of the National Assembly of Mauritania.

According to the complainant, on 9 April 2026 Ms. Dieng posted a live video on her Facebook page in which she denounced the violence and discrimination faced by activists of Haratin descent: a community that has long been subjected to servitude and hereditary slavery by the dominant tribes in Mauritania. That same evening, Ms. Dieng was arrested by the authorities and taken into custody along with her three-month-old baby.

In reaction, Ms. Salem reportedly posted her own live video on her Facebook page in which she expressed support for her colleague and denounced Ms. Dieng's arrest as arbitrary. Ms. Salem was also arrested that same day.

On 10 April 2026, the Ministry of Justice released an official statement regarding the arrest of Ms. Dieng and Ms. Salem. The document alleges that they had committed acts that could constitute a criminal offence.

The Ministry claimed that the live videos were an offence committed *in flagrante delicto* and that

parliamentary immunity therefore did not apply. The complainant alleges that from 9 to 15 April 2026, the authorities refused to provide any information regarding the two parliamentarians' place of detention to their families or lawyers.

On 20 April 2026, the parliamentarians were charged with "deliberately insulting national symbols in digital media and spreading racist discourse with the aim of undermining civil peace and social cohesion via social media" as well as "threats and defamation, inciting gatherings intended to disturb public order, slander and inciting violence". Both were placed in pre-trial detention.

According to the complainant, neither Ms. Dieng nor Ms. Salem was allowed a confidential meeting with a lawyer after their respective arrests. The only time either woman was allowed to see her lawyer was during their hearing before the Public Prosecutor on 20 April 2026, which can hardly be considered effective legal assistance as guaranteed under the protections afforded by international human rights law.

Following a hearing on 20 April 2026, the complainant alleges that Ms. Dieng and her baby were transferred to the Police Academy detention centre, an establishment that is separate from the ordinary detention system, created under President Mohamed Ould Ghazouani primarily for the detention of political opponents. The conditions of detention in the centre are reported to be particularly concerning. Ms. Salem was reportedly transferred to the regular women's prison.

On 4 May 2026, Ms. Salem and Ms. Dieng were each sentenced to four years' imprisonment. Following appeal proceedings, on 8 July 2026 their sentences were reduced to two years' imprisonment, and they were stripped of their civil and political rights for a period of five years. The appeal sentence thus had the effect of suspending half of the prison time imposed by the first-instance court (four years).

The day after the appeal sentence was handed down, on 9 July 2026, both parliamentarians received presidential pardons and were released on 10 July 2026. According to the complainant, the pardons included a remission of both parliamentarians' prison sentences and the cancellation of all fines and court fees but did not mention the restoration of their civil and political rights.

As for the continuity of their parliamentary mandates, the Constitutional Council issued a decision on 15 July 2026 stating "that it was not possible to confirm the loss of the two deputies' status as members of the National Assembly, as the decision of the criminal section of the Court of Appeals is itself subject to appeal." According to the complainant, this meant that Ms. Salem and Ms. Dieng would retain their seats in the National Assembly until the Supreme Court issued a decision. Yet, when Ms. Salem and Ms. Dieng attempted to access their offices at the Assembly on 14 July 2026, they were prevented from doing so by the National Guard unit in charge of security at the Assembly building.

On 16 July 2026, Ms. Salem and Ms. Dieng were allowed to access the Assembly building, but the President of the National Assembly barred them from taking part in the ongoing session. Ms. Salem and Ms. Dieng refused to leave the room and decided to hold a sit-in in their offices, considering that their rights were being violated.

On 17 July 2026, the President of the National Assembly signed a decision of temporary expulsion for both parliamentarians for a period of two months because of their sit-in, considered a breach of parliamentary discipline and an attack on the institution's dignity. The decision was announced, with immediate effect, at a public session of the Assembly on 20 July 2026.

On 29 September 2026, the Supreme Court upheld the appeal sentence and confirmed that legal action could be taken against Ms. Salem and Ms. Dieng without a prior procedure to waive their parliamentary immunity, because their offences had been committed *in flagrante delicto*. The Supreme Court also upheld the revocation of their civil rights for a period of five years. On 1 October 2026, the Constitutional Council confirmed the loss of their parliamentary seats. The complainant stated that both deputies would be replaced.

In a letter dated 7 October 2026, the President of the National Assembly, Mr. Bamba Meguett, wrote that the Assembly attached great importance to its cooperation with the IPU and the Committee on the Human Rights of Parliamentarians, as evidenced by the official observations on the case provided by the parliamentary authorities. He stressed that the National Assembly would meet and send copies

of the relevant judicial decisions as soon as possible to give the Committee a better understanding of the situation.

In his letter, the President also stated that, in line with the principle of the separation of powers, the National Assembly had refrained from interfering in proceedings undertaken through the judiciary. He confirmed that both Ms. Salem and Ms. Dieng had received presidential pardons, but that those pardons did not remove their criminal convictions or any of the additional penalties attached thereto. The President thus did not consider that the Assembly's lack of action in the case could be viewed as a renunciation of its constitutional prerogatives.

As for the incident in which Ms. Dieng and Ms. Salem were prevented from entering the Assembly building before they officially lost their parliamentary mandates on 1 October 2026, the President stated that the measures taken with regard to the National Assembly's internal functioning and discipline should be considered in the context of events within parliament and the relevant provisions of its Rules of Procedure.

In the same letter, the President also confirmed that the replacement procedure was under way to allow Ms. Dieng and Ms. Salem's alternates to sit in the Assembly.

B. Decision

The Committee on the Human Rights of Parliamentarians

1. *Notes* that the complaint concerning Ms. Dieng and Ms. Salem is admissible, considering that it: (i) was submitted in due form by qualified complainants under Section I.1.(d) of the Procedure for the examination and treatment of complaints (Annex I of the revised Rules and Practices of the Committee on the Human Rights of Parliamentarians); (ii) concerns two incumbent members of parliament at the time of the alleged facts; and (iii) concerns allegations of arbitrary arrest and detention, inhumane conditions of detention, lack of due process at the investigation stage and lack of fair trial proceedings, violation of freedom of opinion and expression and failure to respect parliamentary immunity, allegations that fall within the Committee's mandate;

2. *Thanks* the President of the National Assembly for the information provided in his letter; and *welcomes* the willingness of the parliamentary authorities to continue cooperating with the Committee towards a satisfactory resolution of the case;

3. *Takes note* of the presidential pardons accorded to Ms. Dieng and Ms. Salem, which allowed them to be released; *regrets*, however, that the pardons did not restore their civil and political rights;

4. *Deplores* that Ms. Dieng and Ms. Salem were prosecuted and convicted for social media posts that appear to be protected by their right to freedom of expression; and *underscores* in that regard that freedom of expression is a fundamental right and central to democracy, that it is essential to members of parliament and includes not only speech, opinions and expressions that are favourably received or regarded as inoffensive, but also those that may offend, shock or disturb others;

5. *Expresses concern* that both individuals concerned in this case are women parliamentarians and that the legal action taken against them, the revocation of their civil and political rights and the subsequent loss of their seats in parliament could have a chilling effect on the political participation of Mauritanian women and their ability to fully carry out their parliamentary mandates and express their opinions publicly in a context where women parliamentarians are exposed to specific forms of violence, intimidation and pressure because of their involvement in politics;

6. *Looks forward* to receiving copies of the judicial decisions from the parliamentary authorities in order to understand the arguments justifying Ms. Salem and Ms. Dieng's criminal convictions and the loss of their parliamentary mandates;

7. *Regrets* that Ms. Salem, Ms. Dieng and Ms. Dieng's baby were detained in unsatisfactory conditions and were not allowed to meet with their lawyers or families immediately upon being

placed in detention;

8. *Stresses* that the accelerated procedue for *flagrante delicto* offences should not prevent the National Assembly, while respecting the principle of the separation of powers, from carrying out its monitoring role as the guardian of its members' fundamental rights, including the right to defence, the right to a fair trial and the right to conditions of detention that meet the standards of human dignity and applicable international norms;

9. *Is also concerned* by decision of the President of the National Assembly to temporarily expel Ms. Salem and Ms. Dieng from parliament before they officially lost their parliamentary mandates for having protested the authorities' refusal to allow them to access the Assembly building; and *wishes* to receive more information in that regard;

10. *Decides* to continue examining the case.

Türkiye

Decision adopted by the Committee on the Human Rights of Parliamentarians at its 181st session (Arusha, 4–8 October 2026)



Aykut Erdoğdu © Complainant

TUR-188 – Aykut Erdoğdu

Case TUR-188

Türkiye: Parliament affiliated to the IPU

Victim(s): Male opposition member of parliament

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

Submission of complaint(s): February 2026

Recent IPU decision: - - -

IPU mission(s): - - -

Recent Committee hearing(s): Hearing with the Turkish delegation to the 153rd IPU Assembly (October 2026)

Recent follow-up:
- Communication from the authorities: Letter from the head of the Turkish delegation (August 2026)
- Communication from the complainant: March 2026
- Communication to the authorities: September 2026
- Communication to the complainant: July 2026

Alleged human rights violations

- ✓ Arbitrary arrest and detention
- ✓ Lack of due process at the investigation stage
- ✓ Lack of fair trial proceedings
- ✓ Violation of freedom of opinion and expression

A. Summary of the case

Mr. Aykut Erdoğdu is a former member of the Grand National Assembly of Türkiye and former Vice-Chairman of the Republican People's Party (*Cumhuriyet Halk Partisi* – CHP). He previously served as a senior official at the Ministry of Treasury and Finance and became known for publicly exposing alleged corruption. The complainant reports that, following Mr. Erdoğdu's candidacy in the March 2024 local elections in Istanbul – where he significantly reduced the electoral margin in a traditionally ruling party stronghold – and his vocal criticism of the March 2025 arrest of Istanbul Mayor Ekrem İmamoğlu and other opposition figures, Mr. Erdoğdu was detained on 31 May 2025 and arrested on 3 June 2025.

According to the complainant, Mr. Erdoğdu has been charged with mediating bribery in connection with a municipal waste-to-energy project, with the alleged acts dating back to 2020, when he was serving as a member of parliament and CHP Vice-Chairman. The complainant affirms that the accusations rely primarily on the statement of a co-accused, who testified under the "effective remorse" provision and that no concrete or corroborating evidence supports the allegations. The complainant further reports inconsistencies in witness statements, delays in gathering testimony from alleged bribe-givers and the absence of investigative steps concerning other individuals allegedly involved,

while noting that key witnesses were released after a brief detention. The complainant also indicates that telecommunications data submitted in the case file do not substantiate the accusations.

The complainant reports that an indictment was issued approximately six months after Mr. Erdoğdu's arrest and that the case was pending before the Istanbul 40th High Criminal Court, with the first hearing held in March 2026. According to the complainant, Mr. Erdoğdu has remained in pre-trial detention throughout, despite the absence of a strong suspicion of guilt and under circumstances where detention should be exceptional.

Public reports confirm that trial proceedings in the case continued throughout 2026. Following an administrative reorganization of the Istanbul assize courts in late June 2026, the same trial panel continued hearing the case under the designation of Istanbul 33rd High Criminal Court. As of 3 September 2026, Mr. Erdoğdu remained in pre-trial detention after the court ordered the continued detention of 51 of the 53 defendants then in custody.

The complainant indicates that recent legislative provisions allowing for the release of certain detainees appeared applicable to Mr. Erdoğdu, yet he had not benefited from them, unlike many others. The complainant concludes that the proceedings against him were politically motivated. Official information confirms that these provisions benefited tens of thousands of convicted prisoners, although their direct applicability to Mr. Erdoğdu's pre-trial detention has not been established before the Committee. The complainant nevertheless considers his continued detention to be disproportionate and politically motivated.

In a communication dated 26 August 2026, the Turkish delegation to the IPU rejected the allegation that the proceedings are linked to Mr. Erdoğdu's political statements or activities. Citing information from the judicial authorities, the delegation stated that the indictment was based on statements by Mr. Erdoğdu's co-defendants, a bank record showing the withdrawal of USD 1.25 million and base station records which, according to the prosecution, place relevant individuals at the locations in question and show communications between them. The delegation emphasized that the case concerned alleged corruption and that the allegations must be assessed by the competent courts.

At a hearing with the Committee on the Human Rights of Parliamentarians during the 153rd IPU Assembly in October 2026, a member of the Turkish delegation belonging to the governing Justice and Development Party (AKP) reiterated his delegation's position that the criminal proceedings against Mr. Erdoğdu concerned alleged acts of corruption and were unrelated to his political activities. The delegation member stated that Mr. Erdoğdu was accused of requesting a bribe in connection with a municipal project and that an agreement for the transfer of rights was signed following the alleged payment. In the delegation member's view, requests to see the indictment and evidence from an ongoing criminal case went beyond the Committee's mandate and were incompatible with the principle of judicial independence established under Article 138 of the Turkish Constitution. According to the delegation member, even the Turkish parliament could not seek such information while proceedings were ongoing, but the judicial decision could be shared once the case was concluded.

B. Decision

The Committee on the Human Rights of Parliamentarians

1. *Notes* that the complaint was submitted in due form by a complainant qualified under Section I.1(a) of the Procedure for the examination and treatment of complaints (Annex I of the revised Rules and Practices of the Committee on the Human Rights of Parliamentarians);

2. *Notes* that the complaint concerns an incumbent member of parliament at the time of the initial allegations;

3. *Notes* that the complaint concerns allegations of arbitrary arrest and detention, lack of due process at the investigation stage, lack of fair trial proceedings and violation of freedom of opinion and expression, allegations which fall within the Committee's mandate;

4. *Considers*, therefore, that the complaint is admissible under Section IV of the Procedure; and *declares itself* competent to examine the case;

5. *Thanks* the Turkish authorities for their cooperation and the information provided; *thanks* in particular a member of the Turkish delegation to the 153rd IPU Assembly for meeting with the Committee; and *takes note* of the delegation's position that the proceedings against Mr. Erdoğdu concern alleged corruption and are unrelated to his political activities, as well as of the explanations provided concerning the limitations on sharing information and evidence while judicial proceedings are ongoing;

6. *Remains concerned* that Mr. Erdoğdu has been held in pre-trial detention since June 2025; and *wishes* to receive detailed information on the precise legal and factual grounds for his continued detention, the judicial review thereof and why less restrictive measures have not been considered sufficient, in particular given that other individuals are allegedly involved in the same proceedings;

7. *Wishes*, in particular, to receive information on the options available under Turkish law for Mr. Erdoğdu to be released pending trial, including whether he may benefit from recent provisions allowing for release or alternative measures; and *also wishes* to be kept informed of the progress and expected timetable of the proceedings against Mr. Erdoğdu and the safeguards available for challenging the evidence used against him and presenting his defence;

8. *Requests* the Secretary General to convey this decision to the relevant Turkish authorities and the complainant;

9. *Decides* to continue examining the case.

Ukraine

Decision adopted by the Committee on the Human Rights of Parliamentarians at its 181st session (Arusha, 4–8 October 2026)



© Yulia Tymoshenko

UKR-04 – Yulia Volodymyrivna Tymoshenko

Alleged human rights violations

- ✓ Lack of due process in proceedings against parliamentarians
- ✓ Violation of freedom of assembly and association
- ✓ Violation of freedom of movement
- ✓ Undue invalidation, suspension, revocation or other acts obstructing the exercise of the parliamentary mandate
- ✓ Other violations: right to privacy

A. Summary of the case

Ms. Yulia Volodymyrivna Tymoshenko is a seasoned parliamentarian and former Prime Minister of Ukraine (2005 and 2007–2010). She has been the leader of the Batkivshchyna political party since 1999. After coming second in the 2010 presidential run-off elections, she was imprisoned for almost three years as part of a series of criminal cases and was convicted as a result. She was released during the 2014 Euromaidan protests, as the European Court of Human Rights (ECHR) and the Supreme Court of Ukraine deemed the cases to be politically motivated. She was re-elected to parliament in 2019, leading her party in opposition to the Government of President Zelensky.

The complainant submits that Ms. Tymoshenko faced multiple violations immediately after calling for accountability in the landmark “Midas” anti-corruption investigation, which had revealed a substantial corruption scheme in the Energoatom

Case UKR-04

Ukraine: Parliament affiliated to the IPU

Victim(s): Female opposition member of parliament

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

Submission of complaint(s): September 2026

Recent IPU decision: - - -

IPU mission(s): - - -

Recent Committee hearing(s): Hearing with members of the Ukrainian delegation belonging to the ruling party and the opposition at the 153rd IPU Assembly (October 2026)

Recent follow-up:
- Communication from the authorities: Letter from the Chairman of the Verkhovna Rada (October 2026)
- Communication from the complainant: September 2026
- Communication to the authorities: Letter to the Chairman of the Verkhovna Rada (September 2026)
- Communication to the complainant: September 2026

State energy company by high-ranking officials and businessmen from the inner circle of President Zelensky. The complainant reports that on 21 November 2025, 12 days after Ms. Tymoshenko gave a speech in which she called for full accountability and demanded that the opposition be given access to audit the financial reports of State monopolies, the Prosecutor General initiated Criminal Proceeding No. 1123 against her based on a memorandum submitted by the National Anti-Corruption Bureau of Ukraine (NABU) – the same State agency which had carried out the "Midas" investigation. The complainant insists that the documents accompanying the charges that would later be raised against her referenced no witness statement, record or any other evidence of a criminal offence attributable to her; he concludes that the operation conducted against her was used to find grounds of suspicion rather than to verify existing information. The complainant adds that covert surveillance of Ms. Tymoshenko's private life was authorized in the absence of any objective evidence justifying the operation.

According to the complainant, on 13 and 14 January 2026, NABU investigators carried out two searches of the office used by Ms. Tymoshenko and her Batkivshchyna political party. The complainant stresses that these "urgent searches" were carried out without prior judicial authorization and that they were therefore unlawful. The complainant further reports that the authorities sought judicial authorization for the searches only on 14 January 2026 through an *ex post facto* application to the High Anti-Corruption Court (HACC) even though there was nothing to prevent the investigating agencies from seeking authorization on time.

Ms. Tymoshenko was then notified of the suspicion that she had breached Article 369 of the Criminal Code of Ukraine by seeking to influence votes in parliament in exchange for bribes. On 16 January 2026, a HACC judge imposed bail of UAH 33,280,000 UAH (EUR 660,407), which included a requirement to refrain from communicating with 66 of her fellow members of parliament; that requirement was later lifted on appeal. On 19 January 2026, in a closed hearing, a HACC investigative judge granted part of the motions raised by NABU. The hearing was held without notifying Ms. Tymoshenko, depriving her of the possibility to attend or challenge the investigator's arguments. The complainant stresses that this is an additional violation of Ms. Tymoshenko's right to a fair trial.

According to the complainant, all charges against Ms. Tymoshenko are based on a single recording of a meeting between herself, Mr. Ihor Kopytin and two other parliamentarians, which was allegedly held on 12 January 2026. Copies of the audio clip were shared with the public immediately after the raid, and a sensational campaign followed, with numerous statements prejudging her guilt made through various media channels. Throughout the pre-trial investigation, the defence repeatedly appealed to NABU and investigating judges requesting access to the original file or an unaltered bit-by-bit copy of the audio recording, to no avail. The investigators only allowed her to listen to the recording on NABU premises, without the possibility of conducting a comprehensive independent technical examination of it. Although the appellate chamber of the HACC granted the defence access to the original recording in May 2026, the prosecution opposed this decision, which was also questioned by the HACC presiding judge. The complainant added that a HACC judge, Oleh Tkachenko, had lodged a complaint of interference in the handling of the case.

According to the complainant, the charge brought against Ms. Tymoshenko by the prosecution artificially aggravated the accusations made against her. Ms. Tymoshenko is suspected of making an offer of undue benefits to Mr. Kopytin and his colleagues, which is covered by Article 369(1) of the Criminal Code of Ukraine and is an offence that carries a light sentence, but the prosecution classified the offence under Article 369(4), which applies to undue benefits actually provided to a public official holding a position of special responsibility and is a serious offence carrying a sentence of five to ten years. The complainant contends that no undue benefit was provided, nor could the allegedly intended recipients be considered public officials, as the Ukrainian Constitution, case law and European standards defined by the European Parliament[3] clarify that a parliamentarian is not a public official and that any equivalence between the two is erroneous and incompatible with the principles of the free representative mandate and legal certainty. The complainant stresses that the attempt by the authorities to increase the penalty in this case by treating Mr. Kopytin as a public official is yet another violation of Ms. Tymoshenko's right to a fair trial.

The complainant is of the view that, taken together, the consecutive alleged violations of Ms. Tymoshenko's rights form a consistent pattern of persecution of an opposition leader following a

[3] See here.

political conflict. Such persecution features the selective use of procedural measures targeting an opposition leader with repeated attempts to restrict the openness and adversarial nature of judicial proceedings – all features of criminal persecution serving an ulterior purpose identified by the ECHR in *Selahattin Demirtaş v. Türkiye* (see CHRP case: TUR-COLL-02).

The complainant concludes that the criminal proceedings against Ms. Tymoshenko are politically motivated and serve the purpose of publicly discrediting her, weakening her position through procedural means and politically neutralizing her as a leader of the parliamentary opposition, as well as creating a chilling effect on dissidents and critics of the government. In addition, the complainant points to the increasingly active discussion of looming elections in Ukraine, with preparatory steps adopted by the electoral authorities in 2025 and 2026, and stresses that the persecution of Ms. Tymoshenko is aimed at sidelining a figure who is frequently mentioned as a potential presidential candidate.

During a Committee hearing with the Ukrainian delegation to the 153rd Assembly of the IPU in October 2026, members of the opposition and the majority shared additional information on the case and the intricate legal questions it raised, complementing information contained in a letter from the Chairman of the Verkhovna Rada received that same day. All delegation members stressed the importance of respecting the principle of the presumption of innocence and ensuring that accountability measures for alleged corruption are balanced with appropriate protection of the parliamentary mandate and taken in strict adherence with international standards. Also during the hearing, the Committee was briefed about the effects of a constitutional amendment adopted in 2019 that eliminated the previous requirement for the Verkhovna Rada to give prior consent to any criminal proceedings against a member of parliament.

B. Decision

The Committee on the Human Rights of Parliamentarians

1. *Notes* that the complaint was submitted in due form by a qualified complainant under Section I.1(a) of the Procedure for the examination and treatment of complaints (Annex I of the revised Rules and Practices of the Committee on the Human Rights of Parliamentarians);

2. *Notes* that the complaint concerns an incumbent member of parliament at the time of the alleged facts;

3. *Notes* that the complaint concerns allegations of lack of due process in proceedings against parliamentarians, violation of freedom of assembly and association, violation of freedom of movement, undue invalidation, suspension, revocation or other acts obstructing the exercise of the parliamentary mandate and violation of the right to privacy, allegations which fall within the Committee's mandate;

4. *Considers*, therefore, that the complaint is admissible under the provisions of Section IV of the Procedure; and *declares itself* competent to examine the case;

5. *Thanks* the Chairman of the Verkhovna Rada and the Ukrainian delegation to the 153rd IPU Assembly for the information provided; *appreciates* the spirit of openness in which its hearing with the delegation took place; *concurs* with the delegation's position that the presumption of innocence, as a key component of the right to a fair trial, must be strictly upheld, and that treating a parliamentarian as a public official is incompatible with the free representational mandate, as reflected in legal precedent from the Constitutional Court of Ukraine and in paragraph 55 of European Parliament resolution 2025/2259(INI); *notes with interest* the views exchanged on the effects of the constitutional amendment altering the regime governing parliamentary immunity in Ukraine: the requirement of prior parliamentary authorization for criminal proceedings having been abolished but protection from accountability for votes and statements made in parliament retained; and *considers* that particular care is required in this context to ensure that criminal proceedings against parliamentarians do not interfere with the legitimate exercise of their mandate;

6. *Considers* that the case at hand raises important questions about parliamentary democracy in Ukraine; *wishes* to continue its constructive exchange with the authorities in the context of a visit to Ukraine, which would allow Committee members to meet other relevant stakeholders who could help shed light on the questions at hand, bearing in mind relevant international legal and parliamentary standards and the Ukrainian context; and *looks forward* to receiving a reply

on the feasibility of such a visit in the near future;

7. *Fails to understand* why Ms. Tymoshenko and her counsel were allegedly denied access to the original audio recording that is the sole evidence for the charges brought against her, and why the investigation was reportedly carried out with disregard for the safeguards provided in national and international law; *is concerned* that copies of the contentious audio recording were shared widely in the media and seemingly used by political figures to prejudge her guilt, and that searches of her party's office may have been carried out without prior judicial authorization;

8. *Believes* that the legal proceedings against Ms. Tymoshenko should be monitored by the IPU in light of the detailed allegations of violations of the right to a fair trial; and *decides* to send a trial observer to attend the proceedings, collect information and report on whether Ms. Tymoshenko's human rights are being respected;

9. *Requests* the Secretary General to convey this decision to the Chairman of the Verkhovna Rada, the complainant and any third party likely to be in a position to supply relevant information;

10. *Decides* to continue examining this case.

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