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

Rapporteur: Mr. M. Grujic (Serbia)

We, Members of Parliament from over 140 countries and 25 regional and other parliamentary organizations, gathering in Belgrade, Serbia, at the 141st Assembly of the Inter-Parliamentary Union (IPU), mark the IPU's 130th anniversary, uphold its dedication to peace, and underscore that international law is the bedrock of a world order based on solidarity and cooperation.

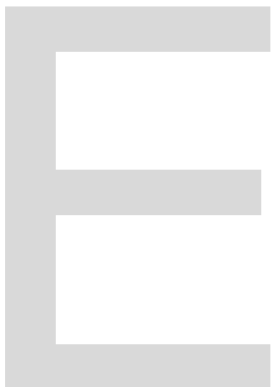
We firmly support the Purposes and Principles enshrined in Articles 1 and 2 of the Charter of the United Nations and acknowledge that a better world for our peoples is possible only within an international order based on the rule of law.

We express our support for strong and effective multilateral institutions, with the United Nations at their core, designed to find solutions to common challenges; settle disputes between States; ensure accountability for genocide, war crimes and crimes against humanity; combat impunity; and verify that States abide by their international commitments. We also pledge our support for regional cooperation which helps to enhance the international legal order and enables the full implementation of our shared commitments.

Today, the world is witnessing grave breaches of international humanitarian law, as well as repeated violations of the basic rules, principles and fundamental tenets of international law, such as respect for the territorial integrity and political independence of States, refraining from the threat or use of force, non-interference in the internal affairs of States, and the duty of States to uphold international human rights law. Non-compliance with climate, trade and disarmament agreements are also violations of international law with vast repercussions on development, wellbeing and global security.

We deplore all action that is not in compliance with international law, and we stand together to drive and promote changes that will transform the vision for a better world into reality, making sure that our people can lead a life free from want and free from fear.

Our debate has identified several avenues for parliamentary action in shaping and implementing international law, and to this end enhancing the contribution of regional cooperation.



#IPU141

Shaping and implementing international law

It is ultimately up to parliaments to enact relevant legislation and ensure its implementation. Soft law and customary law can help shape international norms and reinforce a predictable and rules-based international order. In light of their legislative, budgetary and oversight functions, parliaments must be more forthcoming in translating international treaties and other legally binding instruments into legal and political systems and national realities.

As parliaments and parliamentarians, we must:

- At the national level, hold parliamentary debates on treaties, conventions and other legally binding international instruments in the early stages of their negotiation, and aim to ensure increased parliamentary scrutiny of the national mandate for the negotiation of such instruments.
- Ensure that international law is transposed into domestic legislation and that this legislation is implemented by developing effective and evidence-based policies and programmes, allocating the necessary budgets and rigorously overseeing their successful implementation.
- Where required, undertake legislative and constitutional reforms to ensure that adequate legal frameworks are in place to incorporate international law into domestic legislation smoothly (e.g. through automatic incorporation) and effectively (e.g. by attributing higher hierarchical status).
- Engage in a regular review of national implementation of international commitments, in particular in terms of examining and contributing to national reports prepared for submission to the international treaty bodies.
- Consider the establishment of ad hoc parliamentary committees mandated to systematically assess the compatibility between domestic legislation and international law.
- Follow major global processes and provide a parliamentary perspective to the national negotiating mandate, including in terms of ensuring that before entering new international commitments parliament has had the opportunity to formulate its views (including through parliamentary reports).
- Exercise early warning of potential conflict locally and nationally and take adequate action to avoid escalation, help build bridges of dialogue and cooperation, and ensure that the State duly complies with international law obligations in relation to genocide, war crimes and crimes against humanity, including ethnic cleansing, as well as other gross violations of international human rights law.
- Make every effort to guarantee the independence of the judiciary and adopt laws, policies and budgets aimed at strengthening the capacity of domestic courts to adjudicate on cases involving norms of international law.
- Help build public awareness and societal engagement in support of international law, and ensure that human rights and humanitarian law are included in the curricula of all learning institutions.
- Engage with civil society organizations and encourage them to contribute, through parliamentary processes as well, to the strengthening of, and compliance with, international law.

Delivering on priority areas

While acknowledging the wide variety of international instruments which our countries have signed on to over the years, we have identified a number of priority areas which require our urgent attention. These include:

- Robustly tackling the climate emergency, ratifying and implementing the Paris Agreement on Climate Change and achieving the Sustainable Development Goals.
- Firmly respecting and promoting international human rights law, as well as international humanitarian law and international criminal law.
- On the 30th anniversary of the United Nations Convention on the Rights of the Child, solemnly recommitting ourselves to fully implementing its provisions and those of its optional protocols.
- Redoubling our efforts to achieve gender equality and the political empowerment of women, in keeping with the provisions of the Beijing Platform for Action and Security Council resolution 1325, and taking urgent action for the full implementation of the Convention on the Elimination of All Forms of Discrimination against Women – starting from within our own parliaments.

- As the Geneva Conventions turn 70, strengthening the observance of international humanitarian law and facilitating humanitarian action through relevant norms and effective funding.
- Ensuring that military and security forces are properly trained in international humanitarian law, and that they are held accountable for their actions.
- Delivering on our commitments in the area of disarmament and non-proliferation, and securing the abolition of weapons of mass destruction.
- Supporting international efforts towards the gradual elimination of nuclear weapons, in particular by explicitly committing to the "No First Strike" principle, reducing the number of nuclear weapons on high alert and those that are operationally deployed, and decreasing the number of existing nuclear warheads – which are more than enough to destroy the planet several times over.
- Ensuring the ratification and effective implementation at national level of international humanitarian law and human rights instruments as a critical step in ensuring that those entitled to protection actually benefit from it.
- Establishing an effective institutional infrastructure to ensure compliance with international human rights standards, including by setting up national human rights institutions and strengthening cooperation between those institutions and our respective parliaments.
- Making sure that the voice of young people is heard in decision-making, including by creating the necessary platforms and adopting concrete measure for youth participation.
- Combating impunity for international crimes, including through cooperation with international tribunals and the International Criminal Court, in keeping with national law.

The contribution of regional cooperation

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

We aim to further enhance the contribution of regional cooperation to international law, including by:

- Actively supporting regional initiatives that aim to promote political dialogue and joint projects which can foster trust and understanding.
- Making use of the tools provided by parliamentary diplomacy to tackle unresolved issues and help build bridges in times of crisis.
- Identifying and disseminating good practices for regional cooperation and formulating proposals for concrete joint action.
- Within our respective regional parliamentary organizations, putting in place mechanisms to help monitor implementation of regional and international commitments.
- Reviewing and strengthening transparency and accountability mechanisms at the level of regional and global organizations.
- Building strategic partnerships at the regional and sub-regional levels to enhance the observance of universal values and norms, while also taking into consideration regional specificities.
- Sharing good practices and enhancing dialogue and cooperation between regional parliamentary organizations and our world organization, the IPU.
- Supporting the IPU as the global umbrella of parliamentary organizations in its efforts to enhance the coherence and effectiveness of inter-parliamentary cooperation, including in the context of preparations for the Fifth World Conference of Speakers of Parliament in 2020.