



International Federation of Liberal Youth

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Adopted Resolutions

32nd General Assembly of the International Federation of Liberal Youth

The Hague, The Netherlands – 13-14 November 2009

1. Resolution Condemning Fraudulent Elections in Russia
2. Resolution aiming at the abolition of discrimination against HIV-positive people to access to the territory of some countries
3. Resolution on Human Rights of North Korean refugees in China
4. Resolution on the deteriorating situation of human rights in Azerbaijan, symbolized by the sentencing of two young activists on the 11th of November



1. Resolution Condemning Fraudulent Elections in Russia

The International Federation of Liberal Youth notes and is deeply concerned about the fraudulent election results in Russia. Russian elections do no longer reflect the actual view of the citizens.

The recent elections held on 11th of October 2009, including the elections to the Moscow city Duma, are perfect examples of this fraudulence. As a result of mass falsifications (“inconvenient” candidates being denied the right to run, ballot-stuffing, voting by the same people in different polling stations, rewriting the election results protocols, removal of observers etc.) only two very similar political parties entered the Duma – the present ruling party “United Russia” and the former ruling party in the USSR –the Communist Party.

The International Federation of Liberal Youth is concerned about the fact that each year the democratic procedure of voting is brought further into absolute discredit. Election fraud has become a common and not surprising fact, and fraudsters – members of the election committees, having realized their obvious impunity - rig elections more and more openly. As an example, during the elections of the mayor of Derbent ,most voters could not reach 13 out of 36 polling stations, while in other polling stations only voters loyal to the present mayor and United Russia were allowed to vote. Major violations of voting rights also took place in the Tulskeya region: from manipulations with mobile ballot boxes to direct bribery of voters. An example of evident fraud announced by the opposition but not accepted by the authorities is that in the polling station where the leader of the democratic political party “Yabloko” Sergey Mitrokhin was voting, the result for “Yabloko” was zero votes. Nevertheless, elections in all regions were officially recognized as valid. Seeing this, Russian citizens are loosing faith in democratic procedures, becoming disappointed over politics and stay absent from political and civic processes.

The International Federation of Liberal Youth notes that the falsifications taking place on 11th of October 2009 were not unique. Vicious practice was applied not for the first time and not in only one region of Russia, but on all levels of the elections. Cases of falsifications often ran to extremes: in some regions the number of voters reached more than 100%, in each election campaign most independent candidates and candidates from opposition parties were withdrawn, election results in neighboring polling stations can be differentiated by times only because there were observers in one polling station while the observers were turned out from another. During the elections held in March 2009, there were polling stations in the Chechnya region where the level of election participation was more than 100%

The International Federation of Liberal Youth further notes that along with election fraud there are violations of other human rights and freedoms taking place in Russia: harassment of freedom of speech, freedom of assembly and associations, political judicial trials and even political killings. These authoritarian tendencies cause concern in all of the international democratic community.

Taking into consideration the upcoming elections in March and October 2010, this is an urgent issue to address.

The International Federation of Liberal Youth therefore:

1. Declares that all election fraud is unacceptable for a democratic country. If Russia calls itself a democracy it should keep democratic values and procedures in deed and not only in name.



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2. Asks the Council of Europe to promote and push for free and fair elections in its member country Russia
3. Calls upon the International community not to close its eyes on the outrageous cases of fraud and counterfeit during the elections in Russia and demands that international election observers are allowed full access to monitor the elections.
4. Calls upon the highest authorities in Russia to turn their attention to the fraudulence of elections and to take steps to suppress it before it brings the society to mass riots.
5. Calls upon the IFLRY Bureau and the Member Organizations to assist the Russian civil society in its fight for its right to participate openly and publicly in fair elections, using all possible legal means.



2. Resolution aiming at the abolition of discrimination against HIV-positive people to access to the territory of some countries

In some countries of the world, restrictions to freedom of travel are imposed on HIV-positive people. Some of them do not hesitate to simply and purely ban access to their national territory to HIV¹/AIDS² infected people.

Considering

1. that these restrictions are attacks against the principle of free movement of persons, defended in Article 13 of the Universal Declaration of Human Rights³ (UDHR) adopted in the plenary session of the General Assembly of the United Nations, December 10, 1948 ;
2. that demanding information on anyone's state of health, by the use of a formulaire or a mandatory test, with the aim to deny him/her access to the territory, is an arbitrary invasion in his/her privacy, an invasion prohibited in Article 12 of the UDHR⁴ ;
3. that the principles of freedom, democracy, respect of Human Rights and fundamental freedoms and the concept of the "legally constituted state"⁵, are principles defended by our Federation;
4. the political declaration on HIV/AIDS adopted by the General Assembly of the United Nations on June 2, 2006⁶, particularly Paragraph 29 concerning the fight against discrimination of people living with HIV;
5. the absence of legitimacy or justification on HIV-related restrictions on freedom of movement, linked to public health or economic development⁷ ;

1 Human immunodeficiency virus

2 Acquired immune deficiency syndrome

3 Universal Declaration of Human Rights, available on <http://www.un.org/en/documents/udhr/> (Last consulted on October 5, 2009)

4 Idem ; Mapping of restrictions on the entry, stay and residence of people living with HIV, Joint United Nations Programme on HIV/AIDS (UNAIDS), June 2009, Examples of countries, territories and areas with practices that may impinge on confidentiality of HIV status, p. 10, available on http://data.unaids.org/pub/Report/2009/jc1727_mapping_en.pdf (Last consulted on October 14, 2009)

⁵ The original version, in French, speaks about "état de droit" but it appeared that "state of law" was not as clear a concept as in French, which is why we choose the expression "legally constituted state".

⁶ Resolution 60/262, available on <http://daccessdds.un.org/doc/UNDOC/GEN/N05/503/32/PDF/N0550332.pdf?OpenElement> (Last consulted October 15, 2009)

⁷ UNAIDS/IOM STATEMENT ON HIV/AIDS-RELATED TRAVEL RESTRICTIONS, Joint United Nations Programme on HIV/AIDS (UNAIDS) - International Organization for Migration, June 2004, "Conclusion", p. 11, available on http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/activities/health/UNAIDS_IOM_statement_travel_restrictions.pdf (Last consulted on October 5, 2009) ; Mapping of restrictions [...], *op. cit.*, Introduction, p. 2



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6. that, moreover, these discriminatory measures are inefficient to fight HIV/AIDS and are not as “less restrictive of freedom” as possible⁸;
7. that these discriminatory measures affect between 30 and 36 million people around the world⁹;
8. the deleting of HIV/AIDS from the list of “transmit diseases” which implies the abolition of the entry ban for HIV-positive people in the United States as of January 4th, 2010, signed by Barack Obama on November 2nd, 2009¹⁰;
9. the global nature of the problem and *the various* events and conferences on the subject¹¹;
10. that some countries are not mentioned in the UNAIDS’ report because of the non-direct nature of discrimination of HIV-positive people even if they, in practice, include HIV/AIDS by reference to “contagious” or “transmitted” diseases¹²;

Regretting

1. that Brunei Darussalam, China, Sudan, United Arab Emirates, Yemen and Oman prohibit access to their territory to any HIV-positive person¹³;
2. that like the above countries, expulsions are carried out in Armenia, Bahrain, Bangladesh, Democratic People’s Republic of Korea, Egypt, Iraq, Jordan, Kuwait, Malaysia, Republic of Moldova, Mongolia, Qatar, Republic of Korea, Russian Federation, Saudi Arabia, Singapore, Syrian Arab Republic, Taiwan and Uzbekistan¹⁴;

The International Federation of Liberal Youth

1. invites the General Assembly of the United Nations to immediately take any useful initiative to ban access restrictions to territory based on the serological status for HIV;

8 International Guidelines on HIV/AIDS and Human Rights, 2006 Consolidated Version, Office of the United Nations High Commissioner for Human Rights and the Joint United Nations Programme on HIV/AIDS, § 105 et 127, pp. 81-82 and 95, available on http://www2.ohchr.org/english/issues/hiv/docs/consolidated_guidelines.pdf (Last consulted on October 5, 2009)

9 2008 Report on the Global AIDS epidemic, Joint United Nations Programme on HIV/AIDS, p. 214, available on http://www.unaids.org/en/KnowledgeCentre/HIVData/GlobalReport/2008/2008_Global_report.asp (Last consulted on October 5, 2009)

10 BARACK OBAMA AND JOE BIDEN: FIGHTING HIV/AIDS WORLDWIDE, Associated Press, December 1, 2006, available on <http://www.barackobama.com/pdf/issues/FactSheetAIDS.pdf> (Last consulted October 15, 2009)

11 International AIDS Conferences, e.g., were held in Barcelona, Spain, in 2002, in Bangkok, Thailand, in 2004, in Toronto, Canada, in 2006, in Mexico City, Mexico, in 2008 and will take place in Vienna, Austria, in 2010. <http://www.iasociety.org/Default.aspx?pageId=79> (Last consulted October 15, 2009)

12 Mapping of restrictions [...], *op. cit.*, Types of HIV-related restrictions on entry, stay and residence considered in this document, p. 4

13 *Ibid*, 12., p. 6

14 *Ibid*, Countries, territories and areas that deport foreigners based on their HIV status alone, p. 8



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2. calls on mentioned States to suppress the offending provisions in national law;
3. urges governments, especially those formed by one or more party members of the Liberal International (LI), to quickly provide a resolution to the General Assembly of the United Nations, calling for these abolitions;
4. asks member organisations to relay, in each country, within their mother party and with their government, the purpose of this resolution;
5. encourages UNAIDS to continue its efforts towards the elimination of discrimination;
6. calls on governments to encourage the works of associations and non-governmental organisations whose object is to help patients with HIV/AIDS;
7. encourages governments to base their future initiatives on those of Iceland, Mexico, Norway and Sweden, consisting of medical monitoring¹⁵.

¹⁵ Quick Reference: travel and residence regulations for people with HIV and AIDS – worldwide, Deutsche AIDS-Hilfe e.V., Berlin, Juillet 2005, pp. 23, 29, 32 and 38, available on <http://ws5.e-vision.nl/systeem3/images/Quick%20Reference%202005.pdf> (Last consulted on October 15, 2009)



3. Resolution on Human Rights of North Korean refugees in China

Noting that hundreds of thousands North Koreans have fled the totalitarian country since the end of the Korean War (1950-1953), but that a great majority of them are sent back or living under extremely hard conditions, mostly in China;

Observing that North Korean refugees residing in China lack the possibility of gaining any legal status and live under the continuous fear of being sent back to long times of imprisonment, torture or even execution;

Considering that this is the result of the North Korean refugees being considered “illegal economic migrants” in China;

Being concerned that China, in conflict of the 1951 Convention Related to the Status of Refugees that they have signed, is repatriating North Korean refugees into the care of North Korea;

Being further concerned that many of the female North Korean refugees, who make up about 75% of the total, most commonly end up being trafficked either as prostitutes or as “bought” wives for mainly Chinese citizens with Korean heritage and become abused by their husbands as house- and sex-slaves;

Sympathizing with China’s complicated position on this matter and believing in the need for an international approach to support China’s efforts;

IFLRY hereby:

Recommends China to revise its definition of North Korean refugees in China, since it is a widely internationally accepted fact that North Koreans in their country are starved and persecuted for political reasons;

Encourages China to consent to the Office of the United Nations High Commissioner for Refugees gaining access to North Korean refugees in China;

Emphasizes the need for South Korean and Chinese cooperation on this topic, as they share an interest in regional stability;

Expresses its hope for a quick end to the isolationist, totalitarian regime ruling North Korea.



4. Resolution on the deteriorating situation of human rights in Azerbaijan, symbolized by the sentencing of two young activists on the 11th of November

Noting that there is significant undemocratic development in Azerbaijan which promise to take Azerbaijan further down the road towards authoritarianism;

Noting that such development endangers human rights and freedoms, destroys civil society developments, violates the rights of independent journalists, opposition and young activists;

Noting that the referendum of March 18, 2009 violated a number of articles of the constitution of the Azerbaijan Republic,, this action contradicting a number of responsibilities that Azerbaijan has taken over from international institutions and where the Azerbaijani parliament passed the amendments on lifting the restriction on two presidential terms;

Noting that the Parliament of Azerbaijan made an attempt to pass amendments to the law on NGOs which would have restricted civil society and the presence of local and international NGOs;

Noting that the only independent news sources Radio Liberty, BBC and VOA were banned from broadcasting on national frequencies;

Noting that a number of independent journalists are still imprisoned and that there are serious problems in exercising the right of freedom of assembly;

Noting that the chairperson of the “Yeni Fikir” (New Idea) youth organization has been imprisoned since 2005,

Noting that according to the Freedom House 2009 annual report on freedom of press Azerbaijan is ranked in the 168th spot (not free) among 195 countries and 22th among post Soviet-countries;

Noting that the Freedom House report unveiled on June 30th, 2009 listed Azerbaijan as a “consolidated authoritarian regime” where the situation here has worsened more than in other 8 countries on the list;

Noting that on July 8th, 2009 Emin Milli and Adnan Hajizade - two civil society activists, citizen journalists and youth movement leaders in Azerbaijan were attacked and severely beaten by 2 men who were later accepted as the injured party and were released while Emin Milli and Adnan Hajizade were taken to pre-trial isolation as suspects;

Noting that on July 10, 2009 Emin Milli and Adnan Hajizade were sentenced to two months pre-trial detention and the court judge made a decision to institute a criminal case against them under article 221.1 (hooliganism) of the Criminal Code of Azerbaijan Republic,

Noting that as the hearing of July 10, 2009 was closed to the public and neither the opposing party nor witnesses participated in the hearing violates norms in international and national laws;



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Noting that on November the 11th, Emin and Adnan, after three months of severely flawed trial proceedings, were jailed for 2,5 years and 2 years respectively.

With the preceding facts in mind, the International Federation of Liberal Youth

Emphasizes the urgency of tackling recent the undemocratic development which is violating human rights and freedoms of the citizens of the Republic of Azerbaijan.

Calls on all parties involved to conclude an agreement that

- considers Azerbaijan to be an authoritarian state where humans rights are being severely violated
- provides support for youth activists and civil society
- demands that all parties involved disseminate information on current developments in Azerbaijan , which such steps to be used as a tool to pressure Azerbaijani government

Stresses the importance of defending human rights and freedoms and turning Azerbaijan into a stable democracy built on earlier democratic traditions.

Urges governments to demand that the Azerbaijani government to immediately release youth activists and journalists, particularly Adnan Hajizade and Emin Milli.

Encourages countries to review their policies on Azerbaijan, extend their support to the few remaining democratic forces in Azerbaijan and to prioritize human rights in Azerbaijan.