



Inter-Parliamentary Union

For democracy. For everyone.

138th IPU ASSEMBLY AND RELATED MEETINGS

Geneva, 24 – 28.03.2018

Governing Council
Item 14
Assembly
Item 8

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6 February 2018

Amendments to the IPU Statutes and Rules

COMMUNICATION ADDRESSED TO THE IPU PRESIDENT BY THE PRESIDENT OF THE NATIONAL ASSEMBLY OF BENIN

Geneva, 5 February 2018

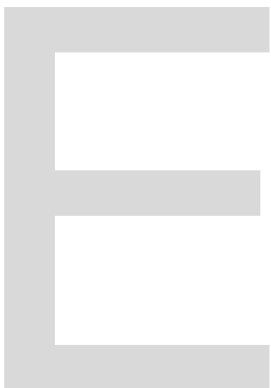
Madam President,

I wish to thank you for the amendments you have proposed to the Statutes of our organization. This initiative clearly reflects your strong desire to breathe new life into the institution and better enable it to meet the new demands of our time. Today we take legitimate pride in our beloved organization. With its 130 years of experience, it has withstood every challenge, including the test of time, by adapting to new situations. This has made it an institution of choice, whose contributions are in great demand in dealing with the principal challenges of our time, including the consolidation of democracy and the promotion of peace, its founding principles.

The organization achieved this status, as I say, by adapting, which required our forebears to find time for reflection and consultation. The result has been the informed decisions that have made IPU such a vital institution, able to function smoothly and with exemplary regard for the attributions of its different organs.

Now, a good number of your amendments suggest that these attributions are being reconsidered, and particularly those of the IPU President, Executive Committee and Secretary General, organs which have thus far been able to collaborate and achieve perfect osmosis, to the benefit of our organization.

The President is the political showcase of our institution. He or she does not play an executive role and could in no way substitute for the Secretary General, who, under Article 28.2 of the Statutes, manages the IPU's daily financial and administrative affairs, including liaison with other international organizations as represented by their Secretaries or Directors General. As stipulated in the Statutes, the Secretary General works under the direction of the governing organs: the Executive Committee and Governing Council.



#IPU138

I am also concerned by the lack of precise information on the financial implications of some of your amendments. At a time when our countries are dealing with financial difficulties, we are in favour of reducing our contributions and making optimal use of our resources.

I should therefore like to submit some alternative amendments, which I attach to this letter. I am naturally in favour of an approach that begins with shared reflection on the principle and rationale behind amendments before drafting and formally adopting them. I know that this position is shared by many of my peers, particularly in Africa.

Accept, Madam President, the assurance of my highest consideration.

(Signed)

Adrien Houngbédji
President of the
National Assembly of Benin

Sub-amendments submitted by the delegation of Benin, within the statutory deadlines

Modify the original amendments as follows¹:

ARTICLE 19 bis

1. As the political head of the IPU, the President shall:

- (a) Be the principal spokesperson for the Organization with authority to express its political views;**
- (b) ~~Lead the IPU's efforts to develop its relationship with national parliaments, regional inter-parliamentary organizations, as well as with international, intergovernmental and non-governmental organizations;~~**

Comment:

Executive action under the remit of the Secretariat.

- (c) Be the principal representative of the Organization at major political events and at other meetings of international inter-governmental and parliamentary organizations and assemblies; and**
- (d) Represent the IPU at major debates of the United Nations General Assembly and special United Nations summits and meetings of major international significance.**

2. In the absence of the President, the Executive Committee shall decide to whom these functions shall be conferred among the six Vice-Presidents representing each of the geopolitical groups.

ARTICLE 26 (EXECUTIVE COMMITTEE)

- 1. The Executive Committee shall be the administrative organ of the Inter-Parliamentary Union.**
- 2. The Executive Committee shall perform the following functions:**
 - (a) Consider, whenever a Parliament makes a request for affiliation or reaffiliation to the Union, whether the conditions mentioned in Article 3 of the Statutes are fulfilled, and to inform the Governing Council of its conclusions (cf. Art. 4);**
 - (b) Summon the Governing Council, in case of emergency (cf. Art. 17.2);**
 - (c) Set the date and place of the Governing Council sessions and establish the provisional agenda;**
 - (d) Express an opinion on the insertion of supplementary items in the agenda of the Governing Council;**
 - (e) During the Assembly following the election of the President, propose for approval of the Governing Council the ~~Five-Year Triennial~~ Strategy of the IPU;**
 - (e)(f) Assess the progress made on the annual work programme and, during the second Assembly of the year, propose ~~to~~ for approval of the Governing Council the annual work programme and budget of the IPU for the following year, aligned with the objectives established in the ~~Five-Year Triennial~~ Strategy (cf. Financial Regs., Rule 3.4);**
 - (g) Examine and submit for the approval of the Governing Council all agreements to be signed by the IPU. Prior to submission to the Governing Council, the Executive Committee shall specify, depending on the nature of the agreements, the office-holder authorized to sign them on behalf of the Organization;**

¹ The text highlighted in grey represents the proposed sub-amendments.

- ~~(f)~~(h) Inform the Governing Council at its sessions about the activities of the Executive Committee through a report by the President;
- (i) **Approve every three years the Organization's policies on transparency and accountability aligned with the ~~Triennial Five-Year~~ Strategy of the IPU. The Executive Committee shall submit an annual report to the Governing Council on this subject with specific recommendations for action;**
- (j) **Examine and submit for approval of the Governing Council a ~~triennial five-year~~ communications strategy of the IPU, which must underline the parliamentary nature of the Organization and ensure the inclusion of all Member Parliaments and parliamentarians;**
- ~~(g)~~(k) Oversee the administration of the IPU Secretariat as well as its activities in the execution of the decisions taken by the Assembly or by the Governing Council and receive, for this purpose, all reports and necessary information;
- ~~(h)~~(l) Examine candidatures for the post of Secretary General with the aim of submitting a proposal to the Governing Council and establish the terms of office of the Secretary General appointed by the Governing Council;
- ~~(i)~~(m) Request the Governing Council to grant supplementary appropriations should the budget appropriations approved by the Governing Council appear to be insufficient to cover the expenditure required for the execution of the programme and the administration of the IPU; in urgent cases, grant these appropriations provided that it shall inform the Governing Council of such action at the latter's next session;
- ~~(j)~~(n) Designate an External Auditor entrusted with auditing the accounts of the IPU (cf. Financial Regs., Rule 13.1);
- ~~(k)~~(o) Determine the scales of the salaries and allowances of staff members of the IPU Secretariat (cf. Staff Regs., Section IV);
- ~~(l)~~(p) Adopt its own Rules;
- ~~(m)~~(q) Carry out all the functions which the Governing Council delegates to it in accordance with the Statutes and Rules.

ARTICLE 28 (SECRETARIAT)

1. The IPU Secretariat comprises the totality of the staff of the Organization under the direction of the Secretary General of the IPU (cf. Secretariat, Rule 2), who shall be appointed by the Governing Council (cf. Art. 21 (l)).
2. The Secretariat shall perform the following functions:
 - (a) Be the permanent Headquarters of the IPU;
 - (b) Keep records on the Members of the IPU and endeavour to foster new requests for affiliation;
 - (c) Support and stimulate the activities of the Members of the IPU and contribute, on the technical level, towards the harmonization of these activities;
 - (d) Prepare the questions to be considered at inter-parliamentary meetings and distribute the necessary documents in due time;
 - (e) To provide for the execution of the decisions of the Governing Council and of the Assembly;
 - (f) Prepare **drafts of the ~~Triennial Five-Year~~ Strategy, the annual** work programme and budget for the consideration of the Executive Committee (cf. Financial Regs., Rule 3.2, 3.3 and 3.7);
 - (g) **Prepare and submit for consideration of the Executive Committee the annual report on transparency and accountability to be approved by the Governing Council;**

- (h) **Prepare and submit for consideration of the Executive Committee the ~~five-year~~ ~~triennial~~ communications strategy to be approved by the Governing Council;**
- (i) **Prepare proposals of the Organization's policies on transparency, accountability and communications aligned with the ~~Five-Year~~ ~~Triennial~~ Strategy of the IPU for the approval of the Executive Committee;**
- ~~(g)~~(j) Collect and disseminate information concerning the structure and functioning of representative institutions;
- ~~(h)~~(k) **~~Under the direction of the President, follow up on the~~ ~~Maintain~~ ~~Maintain~~ relations between the IPU and other international organizations and, in general, its representation at international conferences;**
- ~~(i)~~(l) Maintain the archives of the Inter-Parliamentary Union.

ARTICLE 21 (GOVERNING COUNCIL)

The Governing Council shall perform, in particular, the following functions:

- (a) Decide on the admission and readmission of Members of the IPU, as well as on the suspension of their affiliation, in accordance with Article 4 of the Statutes;
- (b) Decide on the place and date of the Assembly (cf. Art. 9.2 and Assembly, Rule 4.2);
- (c) Propose the President of the Assembly;
- (d) Decide on the holding of all other inter-parliamentary meetings by the IPU, including the creation of ad hoc committees to study specific problems; determine the modalities thereof and express its opinion on their conclusions;
- (e) Set the number and terms of reference of the Standing Committees of the Assembly (cf. Art. 13.1);
- (f) Set up ad hoc or special committees and working groups while ensuring geopolitical, geographical (regional and sub-regional) and gender balance in their composition;
- (g) Determine the categories of observers at IPU meetings and their rights and responsibilities and decide which international organizations and other bodies shall have observer status at the IPU's meetings on a regular basis (cf. Assembly, Rule 2; Governing Council, Rule 4; Standing Committees, Rule 3.1), in addition to inviting on an occasional basis observers that may contribute to the study of a particular item on the Assembly agenda;
- (h) **Adopt the ~~Triennial~~ ~~Five-Year~~ Strategy of the IPU during the Assembly following the election of the President;**
- ~~(h)~~(i) Adopt annually the work programme and budget of the IPU and establish the scale of contributions (cf. Financial Regs., Rules 3.1 and 5.2);
- (j) **Approve all agreements to be signed by the IPU (cf. Art. 26.2(g) of the Statutes);**
- ~~(i)~~(k) Approve, each year, the accounts for the preceding fiscal year on the recommendation of two Auditors, whom it shall appoint from among its members (cf. Governing Council, Rule 41; Financial Regs., Rule 13.3; Secretariat, Rule 12);
- (l) **Approve the ~~triennial~~ ~~five-year~~ communications strategy submitted by the Executive Committee (cf. Art. 26.2(j));**
- (m) **Approve the annual report on transparency and accountability submitted by the Executive Committee (cf. Art. 26.2(i)) and instruct the Secretary General to implement the recommendations contained therein;**
- ~~(j)~~(n) Authorize the acceptance of donations and legacies (cf. Financial Regs., Rule 7.1);
- ~~(k)~~(o) Elect the members of the Executive Committee (cf. Governing Council, Rules 37, 38 and 39) and appoint the Secretary General of the IPU (cf. Art. 28.1; Secretariat, Rule 3.1);

~~(m)~~(p) Adopt its own Rules and express its opinion on proposals to amend the Statutes (cf. Governing Council, Rule 45.1)

ARTICLE 2

1. The Headquarters of the Inter-Parliamentary Union shall be at Geneva.
2. **The official languages of the Organization IPU are English and French. Any proposal to add new languages to the two existing ones must be discussed in advance by the Executive Committee, on the advice of the Sub-Committee on Finance based on an in-depth study into the financial and technical implications of such an addition, Arabic, Spanish and Portuguese**

Comment:

We request that there should be no plans to add a new language without obtaining detailed information concerning the implications, particularly the financial repercussions.

Transitional Provision

~~3. For the purposes of ensuring simultaneous interpretation of the debates in English, French, Arabic, Spanish and Portuguese, the Amendment to Rule 37.1 of the Rules of the Assembly shall enter into force during the 139th Assembly of the IPU. With regard to the translation and distribution of all documents, reports, draft resolutions and summary records of the sittings, the implementation of the Amendment shall start during the 140th Assembly of the IPU.~~

RULE 37 (Rules of the Assembly)

1. The IPU Secretariat shall receive all documents, reports and draft resolutions and distribute them, together with the summary records of the sittings ~~and in English and French. It shall in English and French. It shall ensure the simultaneous interpretation of the debates in these two languages, as well as in Arabic and Spanish~~ **in these two languages, as well as in Arabic and Spanish. all the official languages of the Organization referred to in Article 2.2 of the Statutes.**

RULE 15 (Governing Council)

If the text of a draft resolution has not been circulated ~~in French and in English before its discussion in French and in English before its discussion~~ **any of the official languages referred to in Article 2.2 of the Statutes**, any member of the Governing Council may request the adjournment of its consideration until such time as the text has been distributed in ~~these both~~ **both languages**.

RULE 43 (Governing Council)

1. The IPU Secretariat shall receive all documents, reports and draft resolutions and distribute them ~~and in English and French. It~~ **in English and French. It shall ensure the simultaneous interpretation of the debates in these two languages, as well as in Arabic and Spanish these two languages, as well as in Arabic and Spanish. all the official languages referred to in Article 2.2 of the Statutes.**
2. It shall prepare provisional summary records of the meetings which shall be circulated to all Members of the IPU within 60 days of the close of the session and submitted for approval by the Governing Council at the opening of its next session.

RULE 15 (Executive Committee)

1. The IPU Secretariat shall receive or prepare all documents necessary for the deliberations of the Committee and shall distribute them to its members ~~in English and French. It~~ **and in English and French. It shall ensure the simultaneous interpretation of the debates in these languages, as well as in Arabic and Spanish these languages, as well as in Arabic and Spanish. all the official languages referred to in Article 2.2 of the Statutes.**

RULE 7 (Terms of Reference of the Sub-Committee on Finance)

1. The Sub-Committee shall be provided with administrative and secretarial support from the IPU Secretariat as and when required. The IPU Secretariat shall ensure simultaneous interpretation in ~~English and French as well as Arabic and Spanish if so requested~~ **English and French as well as Arabic and Spanish if so requested. all the official languages referred to in Article 2.2 of the Statutes.**
2. Travel and accommodation costs shall be covered by the national parliament of each member of the Sub-Committee.

RULE 42 (Rules of Standing Committees)

1. The IPU Secretariat shall receive the documents, reports and draft resolutions and distribute them ~~and in English and French. It~~ **in English and French. It** shall ensure the simultaneous interpretation of the debates in ~~these two languages, as well as in Arabic and Spanish,~~ **these two languages, as well as in Arabic and Spanish. all the official languages referred to in Article 2.2 of the Statutes.**
2. It shall prepare the provisional summary record of the meetings, which shall be circulated to all Members of the IPU before the following session of the Standing Committee, when it will be submitted for approval at the opening sitting.

RULE 15 (Rules of the Bureau of Women Parliamentarians)

1. The IPU Secretariat shall receive or prepare all documents needed for the deliberations of the Bureau and shall distribute them in ~~English and French~~ **English and French all the official languages referred to in Article 2.2 of the Statutes**; only these documents may be distributed in the meeting room.
2. It shall ensure simultaneous interpretation in these two languages, as well as in Arabic and Spanish.

RULE 3 (Rules and Practices of the Committee on the Human Rights of Parliamentarians)

1. Barring exceptional circumstances, the Committee shall meet three times a year: an extended session shall be held at IPU Headquarters in January or June/July and regular sessions shall be held in the days leading up to and during each of the two IPU Assemblies.
2. The Committee's sessions shall be held *in camera*.
3. The Committee shall set the dates of its next sessions in the light of proposals made by the IPU Secretary General.
4. During sessions, the IPU shall provide interpretation from and into English, French and Spanish. Case files and other documentation shall be provided in English and French only. In the event that ~~neither English, French nor Spanish~~ **neither English, French nor Spanish none of the official languages referred to in Article 2.2 of the Statutes** is their mother tongue, members may bring interpreters to interpret into and from an additional language. Members shall be responsible for covering the costs of such interpretation and informing the IPU Secretariat sufficiently in advance so that practical arrangements can be made. The members shall ensure that the interpreters are of high quality and respect the confidentiality of the Committee's proceedings.

ANNEX IV PRINCIPLES AND CRITERIA FOR CONDUCTING ON-SITE MISSIONS, VISITS AND TRIAL OBSERVATIONS

VI. REPORTS ON MISSIONS, VISITS AND TRIAL OBSERVATIONS

(i) Presentation of reports

38. The report shall be transmitted to the Committee Secretariat as soon as possible, and in any event, within 30 days of the completion of the mission, visit or trial observation.

39. The report shall be drafted preferably in English or in French. ~~and further translated into all the official languages referred to in Article 2.2 of the Statutes.~~

40. The delegation shall clearly state if certain parts of the report are to remain confidential.

41. Likewise, special mention shall be made of any minority opinion held by a member of the delegation.

42. Should a mission or visit or trial observation consist of several stages, the delegation shall submit a provisional report as soon as possible (e.g. preliminary observations on a trial hearing), it being understood that the final report (e.g. comments on the judgment handed down by the court) shall be submitted subsequently.

PROCEDURE FOR SELECTING THE SECRETARY GENERAL OF THE INTER-PARLIAMENTARY UNION

Presentation of candidatures

Candidatures can be submitted by the candidates themselves or by one or more Members of the IPU.

Candidatures shall be submitted within a period of four months from the date of the official vacancy announcement.

Each candidature shall be submitted in ~~one of the two working languages of the IPU – English and French – and shall consist of a letter of motivation accompanied by a curriculum vitae~~ **one of the two working languages of the IPU – English and French – and shall consist of a letter of motivation accompanied by a curriculum vitae. one of the official languages referred to in Article 2.2 of the Statutes.**

Each application will be received in confidence and recorded by the Director of Support Services, who will act as Registrar and will also respond to enquiries from candidates.