



Inter-Parliamentary Union
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138th IPU ASSEMBLY AND RELATED MEETINGS

Geneva, 24 – 28.03.2018

Governing Council
Item 14
Assembly
Item 8

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12 February 2018

Amendments to the IPU Statutes and Rules

COMMUNICATION ADDRESSED TO THE PRESIDENT OF THE IPU BY THE SPEAKER OF THE NATIONAL ASSEMBLY OF ZAMBIA

9 February 2018

Dear Madam President,

Let me congratulate you once again on your election to the presidency of the IPU. I am looking forward to working with you.

I have recently received the proposed amendments submitted by you to the Statutes and Rules of our Organization. Many of them will have practical, political and financial implications. It seems to me that it would be important to assess profoundly these implications before any amendments are formally adopted. I am particularly concerned about the financial implications of increasing the number of official languages, and the practical implications of having a shorter strategy than the current five-year strategy. Also, while it is a good idea to define the role of the President, care should be taken not to cause any possible confusion with the role of the Secretary General who is the chief executive of the Organization with a full time availability to run the organization and promote relations with the Organization's partners.

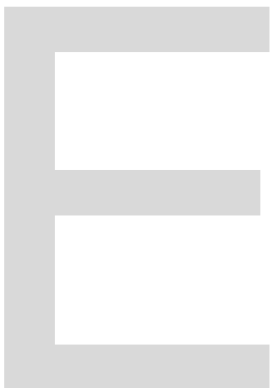
In view of the above, I am of the strong opinion that we need time to reflect on all these proposals. I understand that the proposal has been put forward to set up a working group to help with this reflexion. I wish to support this proposal and suggest that it be implemented as soon as possible. In order to help the considerations, I am pleased to attach the document with my feedback and counter-proposals to your amendments.

I hope you will give possible consideration to this feedback.

Yours sincerely,

(Signed)

Patrick Matibini
Speaker of the National Assembly of Zambia



#IPU138

Sub-amendments submitted by the delegation of Zambia within the statutory deadlines

Modify the original amendments as follows:¹

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; such views must be in accordance with the relevant policies, decisions and resolutions of the Organization;**
 - (b) **Lead the IPU's efforts to develop its relationship with national parliaments, regional inter-parliamentary organizations; in consultation with the Secretary General, facilitate relations, as well as with international, intergovernmental and non-governmental organizations;**
 - (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.**

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 Triennial Strategy of the IPU;**

Comment:

Three years are too short to make an impact. We understand that the average duration for organizations such as the IPU is five years.

- ~~(e)~~(f) **Assess the progress made on the annual work programme and, during the second Assembly of the year, propose 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 Triennial Strategy** (cf. Financial Regs., Rule 3.4);

Comment:

See above.

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

- (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;**
- ~~(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~~ 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~~ 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 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 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 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 Promote and maintain the** Maintain relations between the IPU and other international organizations and, in general, its representation at international conferences;

Comment:

The Secretariat, and by extension the Secretary General, works under the direction of and is answerable to the governing Bodies, i.e. the Executive Committee and the Governing Council.

- ~~(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 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 or already signed by the IPU (cf. Art. 26.2(g) of the Statutes);**

Comment:

It is important to distinguish between the major agreements such as the one with the UN and ordinary agreements of a more technical and practical nature that need to be signed in a speedy fashion to allow for speedy implementation of ongoing activities. In any case, all agreements should be submitted to the Governing Council either before or after signature.

~~(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 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;**

Comment:

This detail is not necessary as we understand that, as a general rule, the Secretary General executes all decisions and resolutions of the Governing Bodies.

~~(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 are English, and French, Arabic, Spanish and Portuguese.**

Comment:

We are not against the principle of increasing outreach by including several more languages. However, the decision should be taken on the basis of a detailed assessment of the financial and practical implications of such a measure. We are therefore asking for the suspension of discussion of all language-related amendments pending that assessment, that should be carried out as soon as possible.