



# **AFRICAN PARLIAMENTARY UNION**

## **STATUTES**

**(modified and adopted on 28 November 2019 by the 42<sup>nd</sup> Conference)**

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## CHARTER OF THE AFRICAN PARLIAMENTARY UNION

WE, Presiding Officers and representatives of African parliaments meeting in Luanda on 18 September 1999,

RECALLING our decision to set up the Union of African Parliaments taken at our meeting in Abidjan from 11<sup>th</sup> to 13<sup>th</sup> February, 1976,

COMMITTED to the spirit, principles and objectives of the Charters of the United Nations and the Organization of African Unity;

DESIROUS of seeing all African Parliaments unite to ensure liberty, equality, justice, dignity, prosperity and social progress to African peoples;

CONSIDERING the common objectives pursued by African Parliaments;

GUIDED by a common will to develop relations of co-operation and friendship among African Parliaments;

CONSCIOUS of the necessity to develop the parliamentary institution in Africa and enhance its prestige;

CONVINCED of the importance of parliamentary diplomacy in fostering democracy, peace and development in Africa;

RESOLVED to strengthen the ties and maintain permanent exchanges among African Parliamentarians by the setting up of a common organization;

DETERMINED to give effect to the Abidjan Declaration of 27<sup>th</sup> January 1975;

REAFFIRM the existence of an inter-parliamentary continental organization, hitherto called the "Union of African Parliaments" (UAP), which shall now be called the "African Parliamentary Union" (A.P.U), whose objectives shall be the following :

- to promote unity of action among parliamentary institutions of all African States;
- Dedicate the APU as forum of National Parliaments of the African continent and as instrument of dialogue and parliamentary cooperation in the service of peace, democracy, good governance and sustainable development;
- to strive for the systematic establishment of an authentic law-based African community founded on the political, economic, social and cultural realities of the continent;

- to encourage contacts among African Parliamentarians, on the one hand, and between African Parliamentarians and Parliamentarians of other continents, on the other hand;
  
- to contribute :
  - \* to the strengthening of the role and prestige of the parliamentary institution in Africa, by drawing inspiration from fundamental African and universal human values;
  
  - \* to the promotion of representative national parliaments of the populations;
  
  - \* to the promotion of interparliamentary cooperation and parliamentary diplomacy;
  
  - \* to the effective realization of the ideals of liberty, peace and justice as well as to the promotion of human rights;
  
  - \* to deepening the concept of democracy and to its effective functioning;
  
  - \* to the realization of the objectives of the Organization of African Unity for the establishment of a lasting peace through dialogue within the framework of the inter-African co-operation and the promotion of the policies of good neighbourliness, peaceful co-existence and African unity.

**DO** hereby adopt the following Statutes to regulate its activities :

## **PART I : ESTABLISHMENT AND HEADQUARTERS**

### **ARTICLE 1**

1. It is hereby established an African Inter-parliamentary Union called “African Parliamentary Union” abbreviated as APU.

2. The objectives of the African Parliamentary Union shall be as follows:

- a) promote unity of action among parliamentary institutions of African States;
- b) Serve as a framework of dialogue and parliamentary cooperation on consolidation of peace and stability, strengthening and enhancement of democracy and good governance, promotion of human rights and protection of women’s rights, environmental protection, and sustainable development;
- c) Strive towards the gradual establishment of an effective law-based African community based on the political, economic, social and cultural realities of the continent;
- d) Foster contacts among African parliamentarians on the one hand, and between African parliamentarians and those of the rest of the world on the other;
- e) To contribute to:
  - i. Strengthening the role and prestige of the parliamentary institution in Africa by drawing inspiration from fundamental African and universal human values and principles of democracy;
  - ii. Promoting national parliaments, that represent the people; and the development of practices enabling the reinforcement of their means of action;
  - iii. Promoting inter-parliamentary cooperation and parliamentary diplomacy;
  - iv. Achieving the ideals of equality, peace, justice, promotion of human rights and civil liberties;
  - v. Promoting gender equity in public institutions as well as equal opportunities in governance and development processes;
- f) To contribute to achieving the objectives of the African Union for the establishment of lasting peace through dialogue, within the framework of inter-African cooperation and a policy of good neighbourliness, peaceful coexistence and African unity.

3. It shall also cooperate with international and regional parliamentary organizations pursuing or sharing the same objectives.

## **ARTICLE 2**

The headquarters of the Union shall be in Abidjan, Republic of Côte d'Ivoire. It may be transferred to the capital of any other African country, whose parliament is a member of the Union, by decision of the Conference.

## **ARTICLE 3**

1. The National Parliament or the National Parliamentary Assembly set up in accordance with constitutional provisions of any African state may apply for membership of the Union.

2. An application for membership shall be in writing and shall include the undertaking to comply fully with the provisions governing the Union.

3. The application for membership must be accompanied by the following: a copy of the Statutes, the national law on the representation of the people and the Standing Orders of the Parliament.

## **PART II : MEMBERSHIP OF THE UNION**

### **ARTICLE 4**

Each National Parliament or Parliamentary National Assembly shall constitute a National Group.

### **ARTICLE 5**

A National Group shall :

- a) contribute to having the Union and its objectives known ;
- b) submit the resolutions and decisions of the Union to its own parliament, according to the most appropriate procedure, and communicate them to the Executive arm of its own government ;
- c) ensure the implementation of the resolutions of the Union and inform the Secretariat, at least once a year, of the measures taken and the results obtained ;
- d) pay to the Union an obligatory annual contribution in accordance with a scale drawn up by the Executive Committee ;
- e) take all necessary measures with a view to participating in the work of the Union, and maintain regular contacts with the Secretariat to which it shall submit each year a report on its activities and a list of its members;

- f) Present reports to the General Secretariat of the Union on the measures and procedures taken with regard to the resolutions and recommendations of the Union;
- g) Allow the Secretary General to present a summary of such reports as part of his implementation follow-up report to the Executive committee, to enable it to assess the impact of the resolutions and recommendations.

## **ARTICLE 6**

The National Group shall be composed only of Members of Parliament. However, former Members of Parliament or other African personalities who have rendered outstanding services to the Union or to Africa may be admitted as honorary members on the proposal of a National Group. Admission shall be decided by the Conference on the recommendation of the Executive Committee.

## **PART III : ORGANS OF THE UNION**

### **ARTICLE 7**

The organs of the Union shall be the Conference of Presiding Officers of National Parliaments, the Executive Committee and the General Secretariat.

### **SECTION 1 : THE CONFERENCE OF PRESIDING OFFICERS**

#### **ARTICLE 8**

1. The Conference of Presiding Officers of National Parliaments shall be the highest organ of the Union (herein "the Conference").
2. It shall be composed of Presiding Officers of National Parliaments or their representatives (herein "the Presiding Officers").
3. The Presiding Officers shall be accompanied by Members of Parliament who attend the Conference as delegates.
4. The number of delegates to the Conference shall be limited in the case of National Groups of countries with a population of :
  - a) less than five (5) million, to three (3) delegates ;
  - b) between five (5) and twenty (20) million, to seven (7) delegates ;
  - c) between twenty (20) and fifty (50) million, to nine (9) delegates ;
  - d) over fifty (50) million, to fifteen (15) delegates.
5. Every delegation of a national group to the sessions of the African Parliamentary Union shall reflect the political configuration at the National Parliament, gender parity and include at least one young parliamentarian.

5. All Women Parliamentarians delegated to the Conference shall form “The Committee of Women Parliamentarians of the African Parliamentary Union”. This Committee shall meet on the eve of each Conference.”

#### **ARTICLE 9**

1. Countries having submitted applications for membership may be accorded observer status pending a ruling on their applications.
2. Non-member African countries and non-African countries provided or not with parliamentary institutions, as well as regional, inter-regional and international organizations, may, upon a written application, be admitted as observers.
3. The observer status shall be accorded by the Executive Committee on the report of the Secretary General.

#### **ARTICLE 10**

1. The Conference shall be responsible for the general policy of the Union and for all its activities as defined by these Statutes.
2. It shall deliberate on topical issues concerning the Union, Africa and the World, make declarations and pass resolutions, votes and recommendations which it may address to the Governments and organizations concerned.
3. It shall decide on specific missions within the framework of the Union and shall adopt their reports.
4. It shall set up standing or temporary study committees.
5. It shall elect the members of the Executive Committee for a two (2)-year term.
6. It shall elect the Chairperson of the Executive Committee at the end of each of its ordinary sessions. Unless the Speaker of the National Parliament of the host country declines the offer, the Chair of the Executive Committee shall be his / her priority.
7. It shall request the Executive Committee, for each theme of the Conference agenda, to appoint a Committee Rapporteur to prepare and draw up a draft resolution in cooperation with the General Secretariat
8. It shall discuss and approve the report of activities of the Executive Committee.
9. It shall adopt any modification or amendment to the Statutes.
10. It shall decide the admission and re-admission of National Groups on the recommendation of the Executive Committee.
11. It shall appoint the Secretary-General on the recommendation of the Executive Committee.

12. It shall give a decision on the acceptance of donations, legacies and of the contributions, on the recommendation of the Executive Committee.

#### **ARTICLE 11**

1. The Conference shall be presided over by the Presiding Officer of the National Parliament of the host country.

2. The bureau of the Conference shall be composed of the Presiding Officer of the National Parliament of the host country, the Chairperson of the Executive Committee, and other Parliamentary Assembly Presiding officers attending the Conference as Vice-Presidents. The President of the Conference shall appoint one of the Vice-Presidents to replace him/her in case of absence from one or several sessions.

3. In the event of impediment of the Presiding Officer of the National Parliament of the host country, the Vice-President of the Assembly shall chair the opening ceremony. Regarding the supervision of the proceedings of the conference, the Bureau, chaired by the Chairperson of the Executive Committee, shall meet to appoint one of the Vice-Presidents to chair the Conference.

#### **ARTICLE 12 :**

1. The Conference shall meet once a year in ordinary session, alternatively in one of the five regions of the African continent, namely Central, East, North, West and Southern.

2. However, it may be convened in extraordinary session :

a) at the request of the Executive Committee

b) at the request of 2/3s of National Groups.

#### **ARTICLE 13**

The structures and functioning of the Conference shall be set out in the Rules.

### **SECTION 2 : THE EXECUTIVE COMMITTEE**

#### **ARTICLE 14**

1. The Executive Committee of the Union is composed of three (3) members per National Group including at least one woman.

2. The bureau of the Executive Committee is composed of the chairperson elected by the conference at each of its ordinary sessions, and three vice-chairpersons and a rapporteur elected by the members of the Executive Committee. The Chairperson of the Committee of Women Parliamentarians shall be an ex-officio member of the Bureau. The Chairperson of the Executive Committee must be a Presiding Officer of the National Parliament.

3. Whenever the Chairperson ceases to be Presiding Officer of his or her National Parliamentary Assembly, the successor shall assume office as Chairperson for the unexpired term of office of the Chairperson with effect from the date he or she ceases to be Chairperson.
4. The Chairperson of the Executive Committee must be a Presiding Officer of the National Parliament.
5. The members of the Bureau shall be elected for two years on a rotating basis which takes account of equitable regional distribution.
6. The Bureau may hold meetings prior to every Executive Committee meeting to:
  - a) Propose the draft agenda for the Executive Committee meetings;
  - b) Consider proposals sent by member National groups on items of the APU conference agenda with a view to making recommendations to the Executive Committee when it prepares the APU conference agenda and submit the recommendations to the Executive Committee.
7. In his absence, the Executive Committee chairperson may commission a bureau member to represent him.
8. The Secretary-General shall attend the meetings of the bureau of the Executive Committee.

#### **ARTICLE 15**

The attributions of the Chairperson of the Executive are especially:

- a) to work for new memberships;
- b) to ensure the regular holding of the Union's sessions;
- c) to decide to be represented by a Vice-president, the APU regional Representative or the Secretary General;
- d) to promote the communication of APU with the media, in his or her country, in the Union's office and on the occasion of the meetings of the Union or international meetings;
- e) to approach the Presiding officers of assembly for the payment of the contributions.

#### **ARTICLE 16:**

1. The Executive Committee shall meet twice a year in ordinary session upon the invitation of its Chairperson. One of the two sessions shall take place immediately prior to the Conference.

2. The Executive Committee may meet in extraordinary session if 2/3s of National Groups so request.

## **ARTICLE 17**

The functions of the Executive Committee shall be :

- a) to determine and direct the activities of the Union and oversee their implementation in conformity with the decisions and recommendations of the Conference ;
- b) To adopt during its sessions declarations on topical issues ;
- c) to designate a member of the Executive Committee in each of the five regions of the continent as APU regional representative ;
- d) to adopt a programme of meeting venues on the rotational basis (sub regional, alphabetical and according to language) ;
- e) to fix the date and venue of the Conference
- f) to draw up the draft agenda for the Conference, taking account of the proposals of National Groups ;
- g) to convene the Conference in ordinary session ;
- h) to recommend to the Conference the admission and re-admission of National Groups;
- i) to decide the participation of its representatives to the missions organized by regional and international organizations (election observer missions, mediation and conflict settlement);
- j) to oversee the administration of the General Secretariat and its activities related to the implementation of the decisions taken by the Conference ;
- k) to approve the audited management account of the Union for the previous year or the period elapsed since the presentation of the last audited management account ;
- l) to approve annually the work programme, the schedule of contributions and the budget of the Union ;
- m) to set up a follow up committee of contributions;
- n) to present to each ordinary session of the Conference a report on its activities ;
- o) to draw up the scale of salaries and allowances of the Secretary-General and the staff of the Secretariat ;
- p) to appoint two Auditors annually from its members to audit the accounts of the previous financial year ;

- q) to assess, at least every two years, on the basis of an evaluation report by the Secretariat, the impact of the resolutions and recommendations passed by the Union on member countries and on the international community ;
- r) to ensure a regional balance within the permanent or temporary organs of the Union;
- s) to discuss any other questions submitted by the National Groups as regards the life and working of the Union ;
- t) to achieve rapprochement, consultation and co-operation with other international organizations in compliance with the principles and objectives of the Union ;
- u) to recommend to the Conference the appointment of the Secretary-General;
- v) to take the necessary measures for replacing the Secretary-General in case of absence or disability ;
- w) to recommend the acceptance of donations and legacies ;
- x) to approve the Financial Regulations ;
- y) to recommend the Union's Staff Regulations ;
- z) to request the convening of the Conference in extraordinary session, in accordance with Article 11 ;
- aa) to submit to the Conference, for approval, proposed amendments to the Statutes and the Rules.

#### **ARTICLE 18**

The structures and functioning of the Executive Committee shall be set out in the Rules.

### **SECTION 3 : THE GENERAL SECRETARIAT**

#### **ARTICLE 19:**

1. The General Secretariat shall be the administrative link between the National Groups and the Union, and between the Union and international organizations.
2. It shall be run by a Secretary-General.
3. The functions of the Secretary-General shall be :
  - a) to promote the APU representation as organization of national parliaments of the African continent ;
  - b) to ensure the smooth administrative functioning of the Union;

- c) to prepare the draft budget of the Union to be submitted to the Executive Committee;
- d) to implement the budget of the Union ;
- e) to prepare the issues to be submitted to the Executive Committee and the Conference and distribute the relevant documents in good time ;
- f) to see to the implementation of the decisions of the Executive Committee and the Conference and take all measures to that effect;
- g) to make statements on behalf of the Union concerning its activities ;
- h) to present to the Conference a report on the activities of the Union ;
- i) to maintain the archives of the Union and set up a rational documentation policy;
- j) to support and stimulate the activities of National Groups ;
- k) to mobilize financial and human resources in order to develop the activities and achieve the objectives of the Union ;
- l) to promote the expertise and the representation of the staff personnel in all the Union's activity fields, the sub regions and the Union's official languages;
- m) to encourage the affiliation of new members;
- n) to ensure coordination of the African geopolitical Groups within the Interparliamentary Union (IPU) and similar organizations.

#### **ARTICLE 20**

1. The Secretary-General shall be appointed by the Conference on the recommendation of the Executive Committee for a four-year term.
2. The Secretary-General may be re-appointed only once.
3. The Secretary-General shall be responsible to the Executive Committee.

#### **ARTICLE 21**

Members of the General Secretariat shall be international civil servants. They shall be governed by a specific Statute approved by the Conference on the recommendation of the Executive Committee.

## **PART IV : FINANCES OF THE UNION**

### **ARTICLE 22**

1. The resources of the Union shall derive from :
  - a) annual contributions of National Groups ;
  - b) voluntary contributions of National Groups ;
  - c) revenues from securities investments;
  - d) donations and legacies ;
  - e) contributions of other international organizations or institutions within the framework of the implementation of programs worked out in partnership with the Union.
2. The scale of contributions of National Groups and the terms and conditions for budgetary execution and control shall be established in accordance with the provisions of article 16 of the Statutes and with the Financial Regulations.

### **ARTICLE 23**

The movable and immovable properties acquired by or on behalf of the African Parliamentary Union shall constitute the assets of the Union independently of their location.

### **ARTICLE 24**

The Secretary-General shall be responsible to the Executive Committee for the financial management and the Union assets.

### **ARTICLE 25**

The Secretary-General shall recommend to the Executive Committee the draft financial regulations for the financial management and assets as well the modalities for auditing the annual financial statements of the Union.

### **ARTICLE 26**

1. A National Group which fails to pay its annual contribution for two financial years shall have its rights suspended.
2. Upon the report of the Secretary-General, the Executive Committee shall vote the suspension by a simple majority of its members after having exhausted all the other means of action with the National Group concerned which shall, however, remain a member of the Union.
3. The Executive Committee shall restore the rights of the National Group once the outstanding contributions are paid.

## **PART V : MODIFICATION OF STATUTES**

### **ARTICLE 27**

1. These Statutes may be amended upon written proposals by any National Group submitted to the Executive Committee which shall approve them by a two-thirds majority of the members present.
2. Such written proposals for amendment must reach the General Secretariat at least six months before the holding of the Conference and circulated to National Groups at least three months before the holding of the Conference.
3. After approval by the Executive Committee, the proposed amendments must be adopted by the Conference by a two-thirds majority of the members present to be binding and effective.

## **PART VI: GENERAL PROVISIONS**

### **ARTICLE 28**

The Rules submitted by the Executive Committee to the Conference for approval shall determine the modes of enforcement of these Statutes.

### **ARTICLE 29**

The 1976 Statutes of the UAP is hereby repealed. Notwithstanding the repeal, all actions and decisions taken under the 1976 Statutes remain valid and binding.

### **ARTICLE 30**

The Statutes enter into force on the day of their adoption by the Conference of the APU.

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