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WORKING GROUP ON POLICY AND LEGAL HARMONIZATION (WGPL)

LEGAL EXPERTS TASK TEAM (LETT)

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PROPOSED AMENDMENTS TO THE PAPU ACTS AND THE RULES OF PROCEDURE OF THE PLENIPOTENTIARY CONFERENCE AND ADMINISTRATIVE COUNCIL

Agenda item n°6

1. Subject Proposed amendments to the PAPU Acts and the Rules of procedure of the Plenipotentiary Conference and Administrative Council	2. References/paragraphes <ul style="list-style-type: none">• PAPU Acts ;• Rules of procedure of the Plenipotentiary Conference and Administrative Council;• Programme of activities 2025/2026.
3. Decision expected <ul style="list-style-type: none">• Consider the document• Make any comment or proposal	

I. INTRODUCTION

One of the foremost objectives of the PAPU's Programme of Activities 2025-2026 is to harmonize the Union's legal instruments by proposing amendments to the PAPU Acts and other legal frameworks governing the organization and functioning of the Union's organs. During the period under review, the PAPU Secretariat General conducted a thorough appraisal of the PAPU Convention and its Detailed Regulations, as well as the Rules of Procedure of the Conference and the Council.

This review uncovered gaps and inconsistencies that call for amendments to remedy them. The proposed amendments to the Union Acts mainly address:

- i) The Union's working languages;
- ii) Eligibility for re-election of Administrative Council members;
- iii) Introduction of a procedure for election of Member States to the Administrative Council;
- iv) Introduction of the right of representation
- v) Election of the Conference and Council Bureau;
- vi) Organs of the Union;
- vii) Rights and obligations of Members of the Union;
- viii) Procedure for accession to the PAPU Convention;
- ix) Venue of meetings of the Union's organs;

II. OBJECTIVES OF PROPOSED AMENDMENTS

The proposed amendments are aimed specifically at:

- i) Harmonizing the provisions of the PAPU Convention and those of the Convention's Implementing Regulations;
- ii) Harmonizing the provisions of the Union Acts and those of the Internal Regulations of the Conference and the Council;
- iii) Eliminating any ambiguity or interpretation issues in the Union Acts and the Rules of Procedure of the Conference and the Council;

III. DECISION EXPECTED

The Legal Experts Task Team is therefore requested to consider the document and make any relevant comments and/or further proposals.

PROPOSED AMENDMENTS TO THE PAPU ACTS AND THE RULES OF PROCEDURE OF THE CONFERENCE AND COUNCIL

REFERENCES	COMMENTS	PROPOSED IMPROVEMENTS
PAPU CONVENTION		
<p style="text-align: center;">Article 6(1): Membership of the Union</p> <p>The Union's membership is open to: 1. Member States of the African Union as defined in Article 5;</p>	<p>This Article refers to a definition set out in Article 5. In the document, Article 5 does not give any definition but rather deals with the Union's membership.</p> <p>Furthermore, the reference to Article 5 is incomplete, as it does not expressly indicate the instrument in question.</p> <p>It is therefore proposed that this gap be remedied.</p>	<p style="text-align: center;">Article 6(1): Membership of the Union</p> <p>The Union's membership is open to: 1. Member States of the African Union as defined in in accordance with the provisions of Article 5 hereinabove;</p>

<p style="text-align: center;">Article 8(2): Official and Working Languages of the Union</p> <p>1. The working languages of the Union and all its institutions shall be, if possible, African languages, Arabic, English, French and Portuguese".</p> <p>2. Each language group shall bear the cost of translation and interpretation for its language.</p>	<p>This provision stipulates that the costs of translation shall be borne by each language group. However, in practice, translation and interpretation from and into English and French are carried out by staff members recruited for this purpose. Accordingly, the related costs are covered by the Union's annual budget and not by the Member States belonging to these language groups.</p> <p>It is therefore proposed to provide for an exception to the provisions of paragraph 2 of this Article.</p>	<p style="text-align: center;">Article 8(2): Official and Working Languages of the Union</p> <p>1. The working languages of the Union and all its organs official languages of the Union and all its organs shall be, if possible, African languages, Arabic, English, French and Portuguese".</p> <p>2. (New) The working languages of the Union shall be English et French".</p> <p>3. (New) The Union shall bear the costs of translation and interpretation from/into the Union's working languages.</p> <p>4. (New) Any Member State may request the introduction of a working language other than those provided by the Union, provided that it bears the costs of translation and interpretation to and from that language.</p>
<p style="text-align: center;">Article 10: Organs of the Union</p> <p>The Organs of the Union shall be as follows:</p> <p>1. The Plenipotentiary Conference;</p> <p>2. The Administrative Council; and</p> <p>3. The General Secretariat.</p>	<p>The Union has other bodies that do not appear on this list, such as the Administrative and Technical Committees, Credentials Committee, working groups and task forces.</p>	<p style="text-align: center;">Article 10: Organs of the Union</p> <p>The Union shall have permanent and subsidiary organs, as well as ad hoc bodies</p> <p>1. The Permanent organs of the Union shall be:</p> <p>1.1. The Plenipotentiary Conference ;</p>

	<p>It is proposed that these be included, while differentiating, as is done in other international organizations such as the UPU, between permanent bodies and subsidiary bodies.</p> <p>By way of reminder, under international law, subsidiary bodies are entities established by permanent bodies to perform specific functions and do not possess independent legal personality vis-à-vis the latter.</p>	<p>1.2. The Administrative Council; and 1.3. The General Secretariat.</p> <p>2. The Subsidiary organs of the Union shall be:</p> <p>2.1. Administrative and Technical Committees. 2.2. Credentials Committee</p> <p>3. The Ad hoc bodies of the Union are:</p> <p>3.1. Working Groups; 3.2. Task Forces; 3.3. Experts Teams.</p>
<p>Article 11(3): The Plenipotentiary Conference</p> <p>The Plenipotentiary Conference (hereinafter the “Conference”) is the supreme organ of the Union which shall ensure the attainment of the Union’s objectives. In this capacity:</p> <p>1. It is composed of Ministers responsible for postal services or any other Plenipotentiary designated by a Member State;</p> <p>2. It shall convene in Ordinary Session every four years;</p>	<p>The wording of this Article could be misleading. Indeed, it makes the convening of extraordinary sessions subject to three (03) mutually exclusive requirements:</p> <ol style="list-style-type: none"> 1. agreement of two-thirds of Member States; or 2. a decision of the ordinary session; or 3. a request by one or more Member States, the Administrative Council or the Secretary General. <p>However, in our view, the intent of this provision is to make any request for the</p>	<p>Article 11(3) The Plenipotentiary Conference</p> <p>The Plenipotentiary Conference (hereinafter the “Conference”) is the supreme organ of the Union which shall ensure the attainment of the Union’s objectives. In this capacity:</p> <p>1. It is composed of Ministers responsible for postal services or any other Plenipotentiary designated by a Member State ;</p> <p>2. It shall convene in Ordinary Session every four years;</p> <p>3. It may be convened in extraordinary session: subject to the consent of two-thirds of Member States, or:</p>

<p>Subject to the consent of two-thirds of Member States, convene an extraordinary session or: ...</p> <p>3.1 By decision of the Ordinary session of the Conference; or</p> <p>3.2 At the request of one or several Member States, the Administrative Council or the Secretary General.</p>	<p>convening of an extraordinary session of the Conference, subject to the consent of two-thirds of Member States, as is the case for extraordinary sessions of the Administrative Council.</p> <p>It is therefore appropriate to redraft this provision in order to correct the identified shortcoming.</p>	<p>3.1 By decision of the Ordinary session of the Conference; or</p> <p>3.2 At the request of one or more Member-States, the Administrative Council or the Secretary General and subject to the consent of two-thirds of Member States.</p>
<p style="text-align: center;">Article 12(4): The Administrative Council (AC)</p> <p>1. The Administrative Council, hereinafter referred to as “the Council”, shall consist of twenty-five (25) Member-States elected by the Conference following the geographical distribution of the African Union appended hereto. Its term of office shall be four years.</p> <p>2. In between the sessions of the Conference, the Council shall be the decision-making body of the Union within the limits of the powers delegated to it by the Conference.</p> <p>3. The Council shall meet in ordinary session once a year.</p>	<p>This Article, unlike the provision on the Conference, does not provide for the convening of an extraordinary session of the Council by decision of an ordinary session of the Council, as Article 11 of the Convention does for extraordinary sessions of the Conference.</p> <p>Also, there is no provision for the extraordinary session to be held automatically</p> <p>It is therefore appropriate to provide for this possibility with regard to the Administrative Council and its extraordinary session which</p>	<p style="text-align: center;">Article 12(4): The Administrative Council (AC)</p> <p>1. The Administrative Council, hereinafter referred to as “the Council”, shall consist of twenty-five (25) Member-States elected by the Conference following the geographical distribution of the African Union appended hereto. Its term of office shall be four years.</p> <p>2. In between the sessions of the Conference, the Council shall be the decision-making body of the Union within the limits of the powers delegated to it by the Conference.</p> <p>3. The Council shall meet in ordinary session once a year.</p> <p>4. The Council shall meet in extraordinary session immediately after each ordinary session of the</p>

<p>4. At the request of one or several Member States, the Administrative Council or the Secretary General, and subject to the consent of two-thirds of Member States of the Administrative Council, the Council shall be convened in extraordinary session.</p>	<p>is held after each ordinary session of the Conference.</p>	<p>Plenipotentiary Conference inter alia to adopt the program of activities and the budget for the first financial year of each four-year cycle.</p> <p>5. It may be convened in extraordinary session:</p> <p>5.1. At the request of one or several Member States, the Administrative Council or the Secretary General, and subject to the consent of two-thirds of Member States of the Administrative Council; or</p> <p>5.2. by decision of the ordinary session of the Council.</p>
<p>Article 18(4): Classification of the Acts of the Union</p> <p>4. The Plenipotentiaries shall adopt Detailed Regulations to ensure the application of this Convention and the functioning of the Organs of the Union.</p>	<p>The term “Plenipotentiaries” is not legally appropriate, as Article 11 of the Convention states that: “The Plenipotentiary Conference hereinafter referred to as “the Conference” shall be...”</p> <p>Accordingly, the proper terms to designate the Plenipotentiary Conference are either “the “Plenipotentiary Conference” or simply “the Conference.”</p> <p>It is therefore necessary to correct this shortcoming.</p>	<p>Article 18(4): Classification of the Acts of the Union</p> <p>4. The plenipotentiaries Conference shall adopt the Convention and its Detailed Regulations. The Detailed Regulations ensure implementation of the Convention and operation of the Organs of the Union.</p>

	<p>Furthermore, the purview of the Conference extends beyond adoption of the Detailed Regulations. It is also responsible for adopting the Convention itself.</p> <p>It is therefore proposed that this provision be amended to include the Convention.</p>	
<p>CHAPTER VII RIGHTS AND OBLIGATIONS OF MEMBER STATES OF THE UNION</p> <p>Article 19(1) and (3): Obligations of Members</p> <p>All members of the Union must:</p> <ol style="list-style-type: none"> 1. Respect and abide by the provisions of the Convention and its Detailed Regulations; 2. Participate in all activities, meetings and conferences of the Union; 3. Settle their contributions pursuant to the Detailed Regulations of the Convention. 	<p>The rights and obligations of Associate members have not been formally enshrined in the Convention of the Union.</p> <p>Paragraph 1 of the Article 19 confines the compliance obligation to the Convention and its Detailed Regulations. However, this obligation should extend to all legal instruments establishing binding commitments upon Member States, notably the Internal Regulations, the Financial Regulations, and the decisions and resolutions of the Council and the Conference.</p> <p>Furthermore, paragraph 3 of the Article 19 requires the payment of mandatory contributions in accordance with the</p>	<p>CHAPTER VII RIGHTS AND OBLIGATIONS OF MEMBERS STATES OF THE UNION</p> <p>Article 19(1) and (3): Obligations of Member States</p> <p>All members states of the Union must:</p> <ol style="list-style-type: none"> 1. Respect and abide by the provisions of the Convention, its Detailed Regulations and all ensuing and subsequent legal instruments; 2. Participate in all activities, meetings and conferences of the Union; 3. Settle their contributions pursuant to the Detailed Regulations of the Convention and the Financial Regulations.

	Detailed Regulations of the Convention. Yet, the Financial Regulations contain specific provisions governing payment of mandatory contributions, including time limits for payment, imposition of late-payment penalties and other related matters.	
<p style="text-align: center;">Article 20: Rights of Members</p> <p>1. All Member States shall enjoy the same rights.</p> <p>2. Each Member State shall have one vote at meetings of the Union.</p> <p>3. Any Member State whose contributions to the Union are in arrears for two consecutive years shall forfeit the right to:</p> <p>(a) Vote;</p> <p>(b) Hold any positions within the Union;</p> <p>(c) Technical assistance from the Union;</p> <p>(d) Host meetings of organs of the Union.</p> <p>4. Associate Members shall not have a right to vote and hold any positions within the Union.</p>	<p>Article 20 is entitled “Rights of Members.” However, with regard to the rights of associate members, it merely lists the rights to which they are not entitled. Therefore, the article as drafted is not consistent with the proposal to enshrine the rights and obligations of associate members.</p> <p>In addition, it is proposed to include among the rights of Members States the right to represent another Member State at meetings of the Union ‘s organs. This right is not provided for anywhere in the Union’s Acts. This right is only provided for in the Rules of Procedures of the Conference and the Council.</p>	<p style="text-align: center;">Article 20: Rights of Member States</p> <p>1. All Member States shall enjoy the same right, including the right to:</p> <p>a) Vote;</p> <p>b) Hold any positions within the Union;</p> <p>c) Hold a proxy to represent another Member State;</p> <p>d) Receive technical assistance from the Union;</p> <p>e) Host meetings of organs of the Union.</p> <p>2. Each Member State shall have one vote during meetings of the Union.</p> <p>3. Any Member State whose contributions to the Union are in arrears for two consecutive years shall forfeit the right to:</p> <p>a) Vote;</p>

	<p>It is therefore necessary to amend this provision in order to:</p> <ul style="list-style-type: none"> - Establish the principle of rights and obligations recognized for associate members and then refer the details to the Detailed Regulations of the PAPU Convention; - remedy the shortcomings identified above. 	<p>b) Hold any positions within the Union; c) Technical assistance from the Union; d) Host meetings of organs of the Union.</p> <p>3. Any Member State whose contributions to the Union are in arrears for two consecutive years shall forfeit the abovementioned rights.</p> <p>4. Associate Members shall not have a right to vote and hold any positions within the Union.</p> <p>Article 21(New): Rights and Obligations of Associate Members</p> <p>The rights and obligations of Associate members are set out in the Detailed Regulations of the Convention</p>
<p>Article 22: Alternative Dispute Resolution</p> <p>Any disputes between Members regarding implementation of the Convention shall be referred to the Secretary General in line with the provisions as laid out in Article 33 of the Detailed Regulations.</p>	<p>This Article stipulates that any dispute shall be submitted to the Secretary General in accordance with Article 33 of the Detailed Regulations. But Article 33 provides that any dispute involving the General Secretariat shall be referred to the Council. This inconsistency therefore requires correction.</p>	<p>Article 22: Alternative Dispute Resolution</p> <p>Any disputes between Members regarding implementation of the Convention shall be referred to the Secretary General or the Council, as the case may be, in line with the provisions as laid out in Article 33 of the Detailed Regulations.</p>

<p style="text-align: center;">Article 27(2): Accession to the Convention</p> <p>1. Any Member State that has not signed the Convention may accede thereto.</p> <p>2. The instrument of accession shall be deposited with the Secretary General of the Union by diplomatic channels. It shall enter into force on the date it is deposited, unless otherwise stipulated.</p> <p>3. The Secretary General shall notify Member States of such accession and forward to each of them a certified copy of the instrument.</p>	<p>This article concerns non-PAPU Member States that wish to accede to the PAPU Convention. Therefore, the use of the term “Member State” is incomplete and can be misleading.</p> <p>Under this Article, the instrument of accession shall be deposited with the Secretary General of the Union through diplomatic channels. However, it has been observed that, in practice, diplomatic procedures can prove lengthy and cumbersome.</p> <p>The obligation to forward to the Members States is not essential. We therefore believe that the notification to the Members States is sufficient as is the case, for example, at the UPU (Article 12.5 of the Constitution)</p> <p>Accordingly, it is proposed to:</p> <ul style="list-style-type: none"> - Specify Member State of the African Union in accordance with the provisions of the Article 6 “ Membership” of the PAPU Convention - provide for the possibility, for States wishing to accede to the PAPU Convention, to 	<p style="text-align: center;">Article 27(2): Accession to the Convention</p> <p>1. Any African Union’s Member State that has not signed the Convention may accede thereto.</p> <p>2. The instrument of accession shall be deposited electronically and/or physically with the Secretary General of the Union by diplomatic channels. It shall enter into force on the date it is deposited, unless otherwise stipulated.</p> <p>3. The accession shall enter into force on the date it is received by the Secretary General , unless otherwise stipulated.</p> <p>4. The Secretary General shall notify Member States of such accession. and forward to each of them a certified copy of the instrument.”</p>
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	<p>deposit physically or send by electronic means their instruments.</p> <ul style="list-style-type: none"> - Remove the obligation to send to the Members States a certified copy of the instruments of accession. 	
<p>Article 29(3): Suspension of membership</p> <p>1. The Conference may decide by a two-thirds majority of Member States present and voting, to suspend a Member that:</p> <ul style="list-style-type: none"> 1.1 Practices a policy contrary to the objectives and principles of the Union; 1.2 Does not honour its financial obligations to the Union for three (3) consecutive years; 1.3 Does not respect decisions of the Conference which are binding on all Members; <p>2. The Conference may, by a two-thirds majority of votes cast, revoke the suspension of a Member.</p>	<p>In paragraph 3 of this provision, suspension is equated with withdrawal. However, these are two distinct concepts in international law. Suspension is an act emanating from the international organization to sanction the non-fulfilment of an obligation, whereas withdrawal is a voluntary act of a Member State.</p> <p>It is therefore proposed to amend the provision so as to retain only the notion of suspension, as indicated in the title of the Article.</p>	<p>Article 29(3): Suspension of membership</p> <p>1. The Conference may decide by a two-thirds majority of Member States present and voting, to suspend a Member that:</p> <ul style="list-style-type: none"> 1.1 Practices a policy contrary to the objectives and principles of the Union; 1.2 Does not honour its financial obligations to the Union for three (3) consecutive years; 1.3 Does not respect decisions of the Conference which are binding on all Members; <p>2. The Conference may, by a two-thirds majority of votes cast, revoke the suspension of a Member.</p> <p>3. "The suspension or withdrawal of Membership shall not exempt a Member from fulfilling its financial obligations during the period of suspension or withdrawal",</p>

<p>3. The suspension or withdrawal of Membership does not exempt a Member from fulfilling its financial obligations during the period of suspension or withdrawal.</p> <p>4. The suspension of a Member State for non-payment of contributions shall cease as soon as the Member honours all its financial obligations to the Union.</p>		<p>4. The suspension of a Member State for non-payment of contributions shall cease as soon as the Member honours all its financial obligations to the Union.</p>
<p>Article 30(1): Amendment to the Convention</p> <p>1. Any Member State may submit a written proposal to amend the Convention.</p> <p>2. The Secretary General shall communicate amendment proposals to Member States at least six (6) months before they are submitted to the Conference for consideration.</p> <p>3. Amendments shall be adopted by two-thirds of Member States present and voting during a session of the Conference and shall enter into force.</p>	<p>This Article does not expressly provide for the possibility for the General Secretariat to propose amendments to the Convention. However, in practice, the General Secretariat does at times initiate such proposals.</p> <p>It is therefore appropriate to equally give this prerogative to the General Secretariat.</p>	<p>Article 30(1): Amendments to the Convention</p> <p>1. Any Member State may submit a written proposal to amend the Convention. Written proposed amendments to the Convention may be submitted by Member States or by the General Secretariat.</p> <p>2. The Secretary General shall circulate proposed amendments to Member States at least six (6) months before they are submitted to the Conference for consideration.</p> <p>3. Amendments shall be adopted by two-thirds of Member States present and voting during a session of the Conference and shall enter into force forthwith.</p>

<p>Article 31: Detailed Regulations of the Convention</p> <p>The Plenipotentiaries shall adopt Detailed Regulations to ensure the application of this Convention and the operation of the Organs of the Union.</p>	<p>The term “Plenipotentiaries” is not legally appropriate, as Article 11 of the Convention states that: “The Plenipotentiary Conference hereinafter referred to as “the Conference” shall be...”</p> <p>Accordingly, the proper terms to designate the Plenipotentiary Conference are either “the “Plenipotentiary Conference” or simply “the Conference.”</p> <p>It is therefore necessary to correct this shortcoming.</p>	<p>Article 31: Detailed Regulations of the Convention</p> <p>The Plenipotentiaries Conference shall adopt Detailed Regulations to ensure the application of this Convention and the operation of the Organs of the Union.</p>
<p>Article 33: Entry into Force</p> <p>This Convention shall enter into force immediately it is approved by the Plenipotentiaries.</p>	<p>The term “Plenipotentiaries” is not legally appropriate, as Article 11 of the Convention states that: “The Plenipotentiary Conference hereinafter referred to as “the Conference” shall be...”</p> <p>Accordingly, the proper terms to designate the Plenipotentiary Conference are either “the “Plenipotentiary Conference” or simply “the Conference.”</p> <p>In addition, it is proposed to replace “approved” by “adopted”</p> <p>It is therefore necessary to correct this shortcoming.</p>	<p>Article 33: Entry into Force</p> <p>This Convention shall enter into force immediately it is adopted by the plenipotentiaries Conference.</p>

DETAILED REGULATIONS OF THE CONVENTION

Article 7:

Re-election of the Members of the Council

1. Member States elected into the Council shall be eligible for re-election for two (2) consecutive terms.
2. Should any of the African Union geographical regions elect to reappoint any Member State, that State shall be eligible for re-election to the Council for another term not exceeding an additional two (2) consecutive terms.
3. Extension of the term of service beyond the additional two (2) terms shall be determined in accordance with the prevailing political, social and economic consideration of that particular African Union geographical region at the time.
4. As far as possible, no Member State shall be elected by three (3) successive ordinary sessions of the Conference.

The Union's Acts do not provide for a procedure for calling for applications to the Administrative Council, unlike Article 15 of the Detailed Regulations of the Convention, which provides for a procedure for applications for the positions of SG and ASG.

It is therefore proposed to provide for through amendments to this Article 7.

Article 7 :

Re-election of the Members of the Council

1. Six (6) months before each ordinary session of the Conference, the General Secretariat shall send out calls for applications for the seats of the Administrative Council of the Union to all Member States to invite them to submit applications within a time-limit of three (3) months from the date of the publication of the vacancies.
2. The regions, where applicable, may facilitate the coordination of the applications of the Members States within each region.
3. All applications received by the General Secretariat for the seats of Administrative Council shall be communicated to all the Member States for information, two (2) months before the Conference is held.
4. Member States elected into the Council shall be eligible for re-election for two (2) consecutive terms

		<ol style="list-style-type: none"> 5. Should any of the African Union geographical regions elect to reappoint any Member State, that State shall be eligible for re-election to the Council for another term not exceeding an additional two (2) consecutive terms. 6. Extension of the term of service beyond the additional two (2) terms shall be determined in accordance with the prevailing political, social and economic consideration of that particular African Union geographical region at the time. 7. As far as possible, no Member State shall be elected by three (3) successive ordinary sessions of the Conference.
Article 8 (New): Procedure for Electing Member States to the Administrative Council	<p>It has been observed that the PAPU Acts contain no specific provisions governing the procedure for the election of Member States to the Administrative Council.</p> <p>It is therefore appropriate to propose a procedure for that purpose. This proposal also borrows from UPU practices.</p>	Article 8 (New): Procedure for Electing Member States to the Administrative Council <ol style="list-style-type: none"> 1. Where the number of candidates in a subregion corresponds to the number of seats allocated to that subregion, no vote shall be required, and the Chairperson of the Conference shall invite the Conference to approve, by acclamation, the election of the said Member States to the Administrative Council.

		<p>2. Where the number of candidate Member States in a subregion is fewer than the number of seats allocated to that subregion, the Chairperson of the Conference shall likewise invite the Conference to approve, by acclamation, the election of the said Member States to the Administrative Council.</p> <p>3. Where the number of candidate Member States in a subregion is fewer than the number of seats allocated to that subregion, the Plenipotentiary Conference may instruct the General Secretariat to pursue, after the session, consultations with the subregion concerned with a view to subsequently filling all the vacant seats of that subregion through formal adoption by the Council and recommending to the Bureau of the Conference for approval and endorsement.</p> <p>4. Where the number of candidates in a subregion exceeds the number of seats allocated to that subregion, the election shall be conducted by secret ballot, by roll call, in alphabetical order of Member States present or represented and voting.</p>
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		<p>same number of votes. The Member State with the highest number of votes, in descending order, within the limit of the remaining seats allocated to the subregion concerned, shall be declared elected to the Administrative Council.</p> <p>8. Where, after the third round of voting, the tie is not broken, the Chairperson of the Plenipotentiary Conference shall draw lots to determine the Member State or States to ultimately sit on the Administrative Council.</p> <p>9. No delegation shall interrupt a ballot which has already started except to express a point of order concerning the conduct of the ballot.</p>
<p>Article 13 (1) and (7) : Procedure for the election of the Secretary General and the Assistant Secretary General</p> <p>1. Voting concerning the election of the Secretary General and the Assistant Secretary General shall be by secret ballot, by roll-call in the alphabetical order of the Member States present and voting.</p>	<p>By Decision No. 14/PAPU/PC/X/2021, the Plenipotentiaries Conference, meeting in its 10th ordinary session, introduced proxy voting into its Rules of procedure. This provision should therefore be amended to take into account the Member States represented in the counting of votes.</p>	<p>Article 13 (1) and (7) : Procedure for the election of the Secretary General and the Assistant Secretary General</p> <p>1. Voting concerning the election of the Secretary General and the Assistant Secretary General shall be by secret ballot, by roll-call in the alphabetical order of the Member States present or represented and voting.</p>

7. The candidate who obtains the two-thirds majority of votes of the Member States present and voting shall be declared elected.		7. The candidate who obtains the two-thirds majority of votes of the Member States present or represented and voting shall be declared elected.
<p>Article 15(5): Vacancies in elective positions at the General Secretariat</p> <p>The following criteria shall be considered during the elections of Secretary General and Assistant Secretary General of the Union:</p> <p>5.1 Qualifications; 5.2 Eligibility; 5.3. Linguistic distribution; 5.4. Geographical distribution between regions on the continent.</p>	<p>Unlike in the English version of this provision, the French version introduces a qualifying phrase — “to the greatest extent possible.” However, this Article is intended to set election criteria which, by their very nature, should be binding. The inclusion of such a qualifying statement is therefore inappropriate. The French version of the provision should therefore be aligned with the English version, which remains unchanged in its current wording, to avoid any ambiguity. In other words, this amendment applies to the French text only.</p>	<p>Article 15(5): Vacancies in elective positions at the General Secretariat</p> <p>The following criteria shall be considered during the elections of Secretary General and Assistant Secretary General of the Union:</p> <p>5.1 Qualifications; 5.2 Eligibility; 5.3. Linguistic distribution; 5.4. Geographical distribution between regions on the continent.</p>
<p>Article 17: Responsabilities</p> <p>The Administrative and Technical Committees of the Union shall study matters referred to them by the organs of the Union and make appropriate recommendations.</p>	<p>This provision establishes the main mission of the committees but is silent on the possibility for committees to set up task forces or working groups to study issues deemed technical or specific. It is therefore proposed to amend the provision to allow committees to</p>	<p>Article 17: Responsabilities</p> <p>1. The Administrative and Technical Committees of the Union shall study matters referred to them by the organs of the Union and make appropriate recommendations.</p>

	<p>equip themselves with the necessary resources to carry out their mission.</p>	<p>2. (New) The Administrative and Technical Committees of the Union may create bodies such as task forces and/or working groups responsible for examining, advising and making recommendations to the committees on all matters referred to them.</p>
<p>ARTICLE 22: Payment of Contributions</p> <p>1. Member States and Associate Members shall pay in advance their annual contributions calculated on the basis of the budget approved by the Council.</p> <p>2. Any Member State in arrears of payment for two (2) consecutive years to the Union shall forfeit its voting rights. Should the delay extend to another year, the Member State shall be suspended pursuant to the terms of this Convention.</p> <p>3. Any Associate Member in arrears of payment for two (2) consecutive years shall be suspended.</p>	<p>By way of reminder, it had been proposed to amend Article 20 (3) (a) of the Convention as follows: <i>“Any Member State whose contributions to the Union are in arrears for at least two years shall automatically forfeit the right to vote...”</i></p> <p>This proposed amendment was examined and recommended to the Plenipotentiary Conference by the Administrative Council during its 43rd Ordinary Session held from 24 to 25 June 2025.</p> <p>It is therefore proposed to amend the provisions of Article 22 (2) of the Detailed Regulations in order to align them with the new provisions of Article 20 (3) (a) of the Convention.</p>	<p>Article 22(2): Payment of Contributions</p> <p>1. Member States and Associate Members shall pay in advance their annual contributions calculated on the basis of the budget approved by the Council.</p> <p>2. Any Member State whose contributions to the Union are in arrears for at least two (02) consecutive years shall automatically forfeit its voting rights. Should the delay extend to another year, the Member State shall be suspended pursuant to the terms of this Convention.</p> <p>3. Any Associate Member in arrears of payment for three (3) consecutive years shall be suspended.</p>

	<p>Furthermore, the threshold provided for the suspension of a Member State for non-payment of mandatory contributions appears to contradict the provisions of Article 29 (1.2) of the Convention. Actually, while Article 29 (1.2) provides that: "...does not honour its financial obligations to the Union for three (3) consecutive years"; Article 22 (2), which provides for loss of voting rights after two years of arrears, further states that: "Should the delay extend to another year,..." the Member State is suspended. The use of the expression "extend..." therefore implies that, under the provisions of Article 22 (2) of the Detailed Regulations, suspension would only take effect in the fourth year of arrears. This is inconsistent with the provisions of Article 29 (1.2) of the Convention.</p> <p>It is consequently proposed that this inconsistency be corrected. Accordingly, it is recommended that the related passage be deleted for the following reasons:</p>	
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	<p>- Article 29 of the Convention is sufficiently detailed and explicit regarding the conditions and procedure for the suspension of a Member State.</p> <p>Also, Article 22 (2) already makes reference to the said provision of Article 29 of the Convention.</p>	
<p>Article 25(1): Budget of the Union</p> <p>1. The Conference shall fix the annual budget ceilings of the Union for the quadrennial period.</p> <p>2. The Secretary General may within the limits of ceilings fixed for the quadrennial period readjust the draft annual budgets of the Union to be submitted for approval by the Council.</p>	<p>It is proposed to amend paragraph 1 in order to ensure greater consistency.</p>	<p>Article 25(1): Budget of the Union</p> <p>1. During each of its ordinary sessions, the Conference shall set the annual budget ceilings of the Union for the quadrennial period.</p> <p>2. The Secretary General may within the limits of ceilings fixed for the quadrennial period readjust the draft annual budgets of the Union to be submitted for approval by the Council.</p>

<p>MEMBERS STATES' RIGHT OF REPRESENTATION (NEW)</p>	<p>In order to set out the terms and conditions for implementing the right of representation proposed in Article 20 of the PAPU' Convention, it is appropriate to insert a new article entitled "Right of representation" after Article 27 "Powers of delegations" of the Detailed Regulations of the PAPU Convention</p>	<p>ARTICLE 28 (New) : right of representation</p> <ol style="list-style-type: none"> 1. Any Member State may be represented at a meeting of the Conference or the Council by another Member State that has a right to vote by giving it a proxy drawn up in accordance with the forms prescribed by Article 27 of the Detailed Regulations of the PAPU Convention. 2. No delegation physically participating in the meetings of the Conference or the Council may hold proxies and represent more than one other Member State. 3. The proxy given is valid only for the verification of quorum and the exercise of voting rights.
<p>Article 31: Venue of Meetings of the Union</p> <ol style="list-style-type: none"> 1. The sessions of the Plenipotentiary Conference and the Administrative Council shall be held at the seat of the Union unless a Member State invites the Conference or Council to meet on its territory. 	<p>This provision does not set out any criteria or conditions for hosting meetings of the Council or the Conference.</p> <p>Furthermore, it does not set out the criteria for selecting the host country in the event of multiple offers to host.</p> <p>It is therefore proposed to set such criteria.</p>	<p>Article 31: Venue of Meetings of the Union</p> <ol style="list-style-type: none"> 1. The sessions of the Plenipotentiary Conference and the Administrative Council shall be held at the seat of the Union unless a Member State invites the Conference or Council to meet on its territory. In the latter circumstance, the Member State organizing the event shall bear the full costs, including: <ol style="list-style-type: none"> a) Fees and equipment for interpretation services;

<p>In the latter circumstance, the Member State organizing the event shall bear the full costs, including:</p> <p>a) Fees and equipment for interpretation services;</p> <p>b) Secretariat staff accommodation, boarding and services;</p> <p>c) Any other expense as may be determined from time to time by the Plenipotentiary Conference or Administrative Council.</p>		<p>b) Secretariat staff accommodation, boarding and services;</p> <p>c) Any other expense as may be determined from time to time by the Plenipotentiary Conference or Administrative Council.</p> <p>2. (New) However, no Member State may host meetings of the Council or the Conference where it is under sanction pursuant to the Acts of the Union.</p> <p>3. (New) In the event of multiple offers to host a meeting of the Council or the Conference being made during a session of the Council or the Conference, the meeting host country is chosen by a simple majority of the Member States present or represented and voting.</p> <p>4. (New) In the event of a call for hosting by the General Secretariat, if several Members States offer to host a meeting of the Council or the Conference, the choice of the meeting host country shall, as far as possible, take into account the principle “ First come, first served”, the regional and linguistic balance.</p>
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**Article 36(1) and (2):
Amendments**

1. Any Member-State may submit a written proposal to amend the Detailed Regulations of the Convention to the Secretary General who shall communicate same to all Member States within six (6) months before the Conference.
2. Amendments shall be adopted by two-thirds majority of the Member States present and voting during a session of the Conference and shall come be applicable with immediate effect.
3. Annex I (Regions of the African Union) shall be an integral part of the revised Acts.

This Article does not expressly provide for the possibility for the General Secretariat to propose amendments to the Convention. However, in practice, the General Secretariat does at times initiate such proposals.

Furthermore, unlike the proposed amendments to the Convention, there is no provision for the General Secretariat to circulate proposed amendments to the Detailed Regulations of the Convention to Members States

Also, with the introduction of online meeting and voting, it would be advisable to specify "Member States present or represented and voting

Lastly, the current provision does not provide the possibility for the Conference to set a date for entry into force. However, in practice, depending on the nature and objectives sought, the Conference may wish to postpone the entry into force of a new provision

**Article 36(1) and (2):
Amendments**

1. **Proposed written amendments to the Convention may be submitted by Member States or by the General Secretariat.**

~~Any Member State may submit a written proposal to amend the Detailed Regulations of the Convention to the Secretary General who shall communicate same to all Member States within six (6) months before the Conference.~~

2. **(New) The Secretary General shall circulate the proposed amendments to Member States at least six (6) months before they are submitted to the Conference for consideration.**

3. **The amendments shall be adopted by two-thirds majority of the Member States present or represented and voting during a session of the Conference and shall become applicable with immediate effect , unless otherwise stipulated**

4. Annex I (Regions of the African Union) shall be an integral part of the revised Acts.

	It is therefore appropriate to equally give this prerogative to the General Secretariat and the shortcomings identified above should be remedied.	
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RULES OF PROCEDURE OF THE PLENIPOTENTIARY CONFERENCE

<p style="text-align: center;">Rule 3: Sessions</p>	<p>The title of this Article is identical to that of Article 1. It is therefore appropriate to amend it to more accurately reflect the content of Article 3. It is therefore proposed that the current title, “Sessions,” be replaced with “Sittings”.</p>	<p style="text-align: center;">Rule 3: Sessions Sittings</p>
<p style="text-align: center;">Rule 3 (1), b): Sessions</p> <p>1) Opening Sitting</p> <p>a) The opening sitting of a session of the Conference shall be preceded by the presentation of the report of the Credentials Verification Committee on the financial status and accreditation instruments of Member States, as well as by a meeting between the heads of delegation and the Secretary General of the Union to consult on the agenda and the election of the Bureau.</p> <p>b) The first sitting of each session shall be opened by the outgoing Chairperson. In the latter’s absence, the meeting shall be opened</p>	<p>However, the provisions of paragraph (b) of this Article are inconsistent with those of Article 6 of the Rules of Procedure of the Conference, which states that: <i>“In the absence of the Chairperson and Vice-Chairperson, the members shall elect an acting Chairperson.”</i> ...</p> <p>It is therefore proposed to remedy this inconsistency by aligning the provisions of paragraph (b) with those of Article 6.</p>	<p style="text-align: center;">Rule 3 (1), b): Sittings</p> <p>1) Opening Sitting</p> <p>a) The opening sitting of a session of the Conference shall be preceded by the presentation of the report of the Credentials Verification Committee on the financial status and accreditation instruments of Member States, as well as by a meeting between the heads of delegation and the Secretary General of the Union to consult on the agenda and the election of the Bureau.</p> <p>b) The first sitting of each session shall be opened by the outgoing Chairperson. In the latter’s absence, the meeting shall be opened by one of the outgoing Vice-Chairs, in order of precedence, or, in their absence, by the representative of the longest-serving Member State in the Conference Bureau the</p>

<p>by one of the outgoing Vice-Chairs, in order of precedence, or, in their absence, by the representative of the longest-serving Member State in the Conference.</p>		<p>members shall elect an acting Chairperson for this segment of the session.</p>
<p>Rule 4: Election of bureau and term of office</p> <ol style="list-style-type: none"> 1. During the opening sitting, on the proposal of a Member State, seconded by two others, the Conference shall elect a chairperson, two vice-chairpersons and two rapporteurs. 2. The Bureau members shall assume duty immediately and terminate their mandate after the election of members of a new Bureau. 3. The Chairperson and the Vice-Chairpersons shall be eligible for re-election once. 4. The Bureau members shall be elected to office exclusively as representatives of their States and not in their individual capacity. 	<p>In practice, the chairmanship of the Bureau of the Plenipotentiary Conference has always been held by the host country of the Conference. For the record:</p> <ul style="list-style-type: none"> - Egypt chaired the Conference when its 7th Ordinary Session was held in Cairo, Egypt; - Ethiopia chaired the Conference when its 8th Ordinary Session was held in Addis Ababa, Ethiopia; - Cameroon chaired the Conference when its 9th Ordinary Session was held in Yaoundé, Cameroon; and - Zimbabwe chaired the Conference when its 10th Ordinary Session was held in Victoria Falls, Zimbabwe. 	<p>Rule 4: Election of bureau and term of office</p> <ol style="list-style-type: none"> 1. The chairmanship of the Plenipotentiary Conference shall be held by the host country of its Ordinary Session. However, at the opening of the elections for the posts of Secretary General and Assistant Secretary General, the Chairperson of the Conference shall recuse himself/herself to conduct proceedings for elections for the position for which his/her Member State has nominated a candidate. In such a case, the proceedings of the Conference during the election of the Secretary General or the Assistant Secretary General, as the case may be, shall be chaired by one of the vice-chairpersons, in order of precedence.

	<p>This practice was formalized by Resolution No. 03/PAPU/PC/IX/2016, through which the Plenipotentiary Conference, meeting during its 9th Ordinary Session, decided that: <i>“The host country of the Ordinary Session of the Plenipotentiary Conference shall preside over the Union for a four-year cycle.”</i> ...</p> <p>It is therefore proposed to incorporate this provision from the Resolution into the Rules of Procedure of the Plenipotentiary Conference, in order to remedy the inconsistency contained therein, which currently provides that the Bureau — including its Chairperson — shall be elected.</p> <p>Furthermore, it is not uncommon for these host countries to have nominated a candidate for the position of Secretary General or Assistant Secretary General. Accordingly, and with a view to preventing conflicts of interest and to promote good governance, it is proposed to introduce an obligation for the Chairperson of the Conference to recuse</p>	<ol style="list-style-type: none"> 2. During the opening sitting, on the proposal of a Member State, seconded by two others, the Conference shall elect its Bureau composed of a chairperson, two Vice-Chairpersons and two rapporteurs. 3. The Vice-Chairpersons and Rapporteurs shall be elected on a rotational basis, considering, to the greatest extent possible, regional and linguistic balance. 4. The Bureau members shall assume duty immediately and terminate their mandate after the election of members of a new Bureau. 5. The Chairperson and the Vice-Chairpersons shall be eligible for re-election once. 6. The Bureau members shall be elected to office exclusively as representatives of their States and not in their individual capacity.
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	himself/herself whenever their country of origin has a candidate for either of those elective positions.	
<p>Rule 4: Election of bureau and term of office</p> <p>1. During the opening sitting, on the proposal of a Member State, seconded by two others, the Conference shall elect its Bureau composed of a chairperson, two vice-chairpersons and two rapporteurs.</p> <p>2. The proceedings of the Plenipotentiary Conference shall be chaired by the host country. However, at the opening of the elections for the posts of Secretary General and Assistant Secretary General, the Chairperson of the Conference shall recuse himself/herself whenever the Member State of which he/she is a national has presented a candidate for either of those positions. In such a case, the proceedings of the Conference during the election of the Secretary General and the</p>	<p>This provision allows for the re-election of the Chairperson and Vice-Chairpersons. However, in line with the preceding amendment proposal, the chairmanship is, by right, vested in the host country. There is therefore no need to provide for re-election in this case.</p> <p>As regards the Vice-Chairpersons and Rapporteurs, their election is to be conducted on a rotational basis, taking into account regional and linguistic balance.</p> <p>Accordingly, it is likewise not appropriate to retain the possibility of re-election for the Vice-Chairpersons of the Bureau of the Conference.</p>	<p>Rule 4: Election of bureau and term of office</p> <p>1. During the opening sitting, on the proposal of a Member State, seconded by two others, the Conference shall confirm the Chair of the Bureau and then elect its Bureau composed of a chairperson, two vice-chairpersons and two rapporteurs.</p> <p>2. The chairmanship of the Plenipotentiary Conference shall be held by the host country of its Ordinary Session. However, at the opening of the elections for the posts of Secretary General and Assistant Secretary General, the Chairperson of the Conference shall recuse himself/herself for the election for the position for which his/her Member State has presented a candidate. In such a case, the proceedings of the Conference during the election of the Secretary General or the Assistant Secretary General, as the case may be, shall be</p>

<p>Assistant Secretary General shall be chaired by the Vice-Chairpersons, in order of precedence.</p> <p>3. The Vice-Chairpersons and Rapporteurs shall be elected on a rotational basis, taking into account, to the greatest extent possible, regional and linguistic balance.</p> <p>4. The Bureau members shall assume duty immediately and terminate their mandate after the election of members of a new Bureau.</p> <p>5. The Chairperson and the Vice-Chairpersons shall be eligible for re-election once;</p> <p>6. The Bureau members shall be elected to office exclusively as representatives of their States and not in their individual capacity.</p>		<p>chaired by the Vice-Chairpersons, in order of precedence.</p> <p>3. The Vice-Chairpersons and Rapporteurs shall be elected on a rotational basis, considering, to the greatest extent possible, regional and linguistic balance.</p> <p>4. The Bureau members shall assume duty immediately and terminate their mandate after the election of members of a new Bureau.</p> <p>5. The Chairperson and the Vice-Chairpersons shall be eligible for re-election once.</p> <p>6. The Bureau members shall be elected to office exclusively as representatives of their States and not in their individual capacity.</p>
<p>Rule 17 : Voting right</p> <p>3. A Member State may be represented, if necessary, by the delegation of another Member State. However, each delegation may represent only one Member State besides its own.</p>	<p>In view of the conditions and procedures for exercising the right of representation of Member States set out in Article 28 above, this provision of the Rules of Procedure of the Conference should be aligned.</p>	<p>Rule 17 : Voting right</p> <p>3. A Member State may be represented, if necessary, by the delegation of another Member State that exercises its right to vote. However, each delegation may represent only one Member State besides its own.</p>

<p style="text-align: center;">Rule 17: Voting rights</p> <p>5. Member States that are in arrears for two consecutive years in the payment of their mandatory contributions shall not be entitled to vote.</p>	<p>By way of reminder, it had been proposed to amend Article 20 (3) (a) of the Convention as follows: <i>“Any Member State whose contributions to the Union are in arrears for at least two years shall automatically forfeit the right to vote...”</i></p> <p>This proposed amendment was examined and recommended to the Plenipotentiary Conference by the Administrative Council during its 43rd Ordinary Session held from 24 to 25 June 2025.</p> <p>It is therefore proposed to amend the provisions of Article 17 (5) of the Rules of Procedure of the Conference in order to align them with the new provisions of Article 20 (3) (a) of the Convention. It is therefore proposed to add the phrase “at least” and to delete “consecutive”.</p>	<p style="text-align: center;">Rule 17: Voting rights</p> <p>5. Member States that are in arrears for at least two consecutive years in the payment of their mandatory contributions shall not be entitled to vote.</p>
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<p>Rule 18: Method of voting</p> <p>8. Except where otherwise provided, all decisions shall be taken by a simple majority of the Member States present and voting.</p>	<p>By Decision No. 14/PAPU/PC/X/2021, the Plenipotentiaries Conference, meeting in its 10th ordinary session, introduced proxy voting into its Rules of procedure. This provision should therefore be amended to take into account the Member States represented in the counting of votes.</p>	<p>Rule 18: Method of voting</p> <p>8. Except where otherwise provided, all decisions shall be taken by a simple majority of the Member States present or represented and voting.</p>
<p>Rule 19: Resolutions and Decisions</p> <p>1. Proposed resolutions, motions or amendments shall be presented in writing to the Secretary General, who shall circulate copies thereof to Member States. However, the Conference may, by simple majority of Member States present and voting, authorize the consideration of a proposal which was not circulated in advance. Proposed resolutions and motions shall be examined in the order of their submission.</p> <p>2. A motion on a proposed resolution may be withdrawn by the mover prior to its being submitted to the vote. Any representative</p>	<p>The Plenipotentiary Conference is empowered to adopt decisions, resolutions and recommendations.</p> <p>Accordingly, the title of the article should include the term “Recommendations.”</p> <p>Furthermore, within the body of the Article itself, the terms “decision” or “recommendation,” and in some instances both, are missing.</p> <p>These shortcomings should therefore be corrected to ensure that all categories of instruments that may be adopted by the Plenipotentiary Conference are duly reflected.</p>	<p>Rule 19: Resolutions and, Decisions and Recommendations</p> <p>1. Proposed resolutions, decisions and recommendations, as well as motions or amendments shall be presented in writing to the Secretary General, who shall circulate copies thereof to Member States. However, the Conference may, by simple majority of Member States present and voting, authorize the consideration of a proposal which was not circulated in advance. Proposed resolutions, decisions and recommendations, as well as motions shall be examined in the order of their submission.</p>

<p>may re-introduce a motion or proposed resolution that has been withdrawn.</p> <ol style="list-style-type: none"> 3. The conclusions of the plenary session may be a subject of resolutions and decisions. 4. The conclusions of the Committee meetings may be the subject of resolutions to be submitted to the plenary for adoption. 5. All resolutions shall be adopted by a simple majority of Member States present and voting. 		<ol style="list-style-type: none"> 2. A motion on a proposed resolution, decision or recommendation may be withdrawn by the mover prior to its being submitted to the vote. Any representative may re-introduce a motion or proposed resolution that has been withdrawn. 3. The conclusions of the plenary session may be a subject of resolutions, recommendations and decisions. 4. The conclusions of the Committee meetings may be the subject of resolutions, recommendations and decisions to be submitted to the plenary for adoption. 5. All resolutions, decisions and recommendations, shall be adopted by a simple majority of Member States present or represented and voting.
<p style="text-align: center;">Rule 20: Minutes/Reports</p> <ol style="list-style-type: none"> 1. Minutes and Reports of the plenary sessions shall be prepared by Rapporteurs with the collaboration of the Secretariat of the Conference. 	<p>The provisions of this Rule are inconsistent with those of Rule 6 (bis), which states: "The report of the proceedings of the Plenipotentiary Conference shall be prepared under the responsibility of the rapporteurs." ...</p> <p>Given that the PAPU General Secretariat serves as Secretary of the Conference, it is advisable to amend this provision so as to align it with Rule 6 (bis).</p>	<p style="text-align: center;">Rule 20: Minutes/Reports</p> <ol style="list-style-type: none"> 1. Minutes and Reports of the plenary sessions shall be prepared by the Secretariat of the Conference under the supervision of the rapporteurs, in collaboration with the Secretariat of the Conference.

RULES OF PROCEDURE OF THE ADMINISTRATIVE COUNCIL

<p style="text-align: center;">Rule 3: Sessions</p>	<p>The title of this Article is identical to that of Article 1. It is therefore appropriate to amend it to more accurately reflect the content of Article 3. It is therefore proposed that the current title, “Sessions,” be replaced with “Sittings”.</p>	<p style="text-align: center;">Rule 3: Sessions Sittings</p>
<p style="text-align: center;">Rule 3: Sessions</p> <p>1. Opening Sitting</p> <p>a) The opening sitting of a meeting of the Council shall be preceded by a meeting between the Heads of Delegation and the Secretary General of the Union to consult on the agenda and the election of the Bureau.</p> <p>b) The first sitting of each session shall be opened by the outgoing Chairperson. In the latter’s absence, the meeting shall be opened by one of the outgoing Vice-Chairs, or, in their absence, by the representative of the longest-serving Member State in the Council.</p>	<p>However, the provisions of paragraph (b) of this Article are inconsistent with those of Article 6 of the Rules of Procedure of the Council, which states that: <i>“In the absence of the Chairperson and Vice-Chairperson, the members shall elect an acting Chairperson.”</i> ...</p> <p>It is therefore proposed to remedy this inconsistency by aligning the provisions of paragraph (b) with those of Article 6.</p>	<p style="text-align: center;">Rule 3: Sittings</p> <p>1. Opening Sitting</p> <p>a) The opening sitting of a meeting of the Council shall be preceded by a meeting between the Heads of Delegation and the Secretary General of the Union to consult on the agenda and the election of the Bureau.</p> <p>b) The first sitting of each session shall be opened by the outgoing Chairperson. In the latter’s absence, the meeting shall be opened by one of the outgoing Vice-Chairs, or, in their absence, by the representative of the longest-serving Member State in the Conference Bureau the members shall elect an acting Chairperson for this segment of the session.</p>

<p style="text-align: center;">Rule 4: Election of bureau and term of office</p> <ol style="list-style-type: none"> 1. During the opening sitting, on the proposal of a Member State, seconded by two others, the Council shall elect a chairperson, two vice-chairpersons and two rapporteurs. 2. The Bureau's term of office shall be one (1) year. However, notwithstanding the specified term of office, the Bureau members elected during the penultimate Ordinary Session of the Administrative Council for each quadrennial cycle shall remain in office until the Extraordinary Session of the Administrative Council held immediately after the Ordinary Session of the Plenipotentiary Conference. 3. Elected members shall assume duty forthwith following the elections. 4. Chairpersons and Vice-chairpersons shall be eligible for re-election once only. 5. The Bureau members shall be elected to office exclusively as representatives of their States and not in their individual capacity. 	<p>This provision allows for the re-election of the Chairperson and Vice-Chairpersons. In practice, however, the Bureau of the Administrative Council is elected on a rotational basis, taking into account, as far as possible, regional and linguistic balance.</p> <p>It is therefore appropriate to formalize this practice and to remove the possibility of re-election for the Chairperson and Vice-Chairperson, which, in any case, has not been a recurring feature.</p>	<p style="text-align: center;">Rule 4: Election of bureau and term of office</p> <ol style="list-style-type: none"> 1. During the opening sitting, on the proposal of a Member State, seconded by two others, the Council shall elect a chairperson, two vice-chairpersons and two rapporteurs. 2. The Chairperson, Vice-Chairpersons and Rapporteurs shall be elected on a rotational basis, considering, to the greatest extent possible, regional and linguistic balance. 3. The Bureau's term of office shall be one (1) year. However, notwithstanding the specified term of office, the Bureau members elected during the penultimate Ordinary Session of the Administrative Council for each quadrennial cycle shall remain in office until the Extraordinary Session of the Administrative Council held immediately after the Ordinary Session of the Plenipotentiary Conference. 4. Elected members shall assume duty forthwith following the elections. 5. Chairpersons and Vice chairpersons shall be eligible for re-election once only.
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		6. The Bureau members shall be elected to office exclusively as representatives of their States and not in their individual capacity.
<p>Rule 17: Voting rights</p> <p>5. Member States that are in arrears for two consecutive years in the payment of their mandatory contributions shall not be entitled to vote.</p>	<p>By way of reminder, it had been proposed to amend Article 20 (3) (a) of the Convention as follows: <i>“Any Member State whose contributions to the Union are in arrears for at least two years shall automatically forfeit the right to vote...”</i></p> <p>This proposed amendment was examined and recommended to the Plenipotentiary Conference by the Administrative Council during its 43rd Ordinary Session held from 24 to 25 June 2025.</p> <p>It is therefore proposed to amend the provisions of Article 17 (5) of the Rules of Procedure of the Council in order to align them with the new provisions of Article 20 (3) (a) of the Convention. It is therefore proposed to add the phrase “at least” and to delete “consecutive”.</p>	<p>Rule 17: Voting rights</p> <p>5. Member States that are in arrears for at least two consecutive years in the payment of their mandatory contributions shall not be entitled to vote.</p>

<p style="text-align: center;">Rule 19: Resolutions and Decisions</p> <ol style="list-style-type: none"> 1. Proposed resolutions, motions or amendments shall be presented in writing to the Secretary General, who shall circulate copies thereof to Member States. However, the Council may, by simple majority of Member States present and voting, authorize the consideration of a proposal which was not circulated in advance. Proposed resolutions and motions shall be examined in the order of their submission. 2. A motion on a proposed resolution may be withdrawn by the mover prior to its being submitted to the vote. Any representative may re-introduce a motion or proposed resolution that has been withdrawn. 3. The conclusions of the plenary session may be a subject of resolutions and decisions. 4. The conclusions of the Committee meetings may be the subject of resolutions to be submitted to the plenary for adoption. 	<p>The Administrative Council is empowered to adopt decisions, resolutions and recommendations.</p> <p>Accordingly, the title of the article should include the term "Recommendations."</p> <p>Furthermore, within the body of the Article itself, the terms "decision" or "recommendation," and in some instances both, are missing.</p> <p>These shortcomings should therefore be corrected to ensure that all categories of instruments that may be adopted by the Administrative Council are duly reflected.</p>	<p style="text-align: center;">Rule 19: Resolutions and Decisions</p> <ol style="list-style-type: none"> 1. Proposed resolutions, decisions and recommendations, as well as motions or amendments shall be presented in writing to the Secretary General, who shall circulate copies thereof to Member States. However, the Council may, by simple majority of Member States present and voting, authorize the consideration of a proposal which was not circulated in advance. Proposed resolutions, decisions and recommendations, as well as motions shall be examined in the order of their submission. 2. A motion on a proposed resolution, decisions and recommendations may be withdrawn by the mover prior to its being submitted to the vote. Any representative may re-introduce a motion or proposed resolution that has been withdrawn. 3. The conclusions of the plenary session may be a subject of resolutions, recommendations and decisions.
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<p>All resolutions shall be adopted by a simple majority of Member States present and voting.</p>		<p>4. The conclusions of the Committee meetings may be the subject of resolutions, recommendations and decisions to be submitted to the plenary for adoption.</p> <p>5. All resolutions, decisions and recommendations shall be adopted by a simple majority of Member States present and represented and voting.</p>
<p>Rule 20: Minutes/Reports</p> <p>1. Minutes and Reports of the plenary sessions shall be prepared by the Rapporteurs in collaboration with the Secretariat.</p>	<p>The provisions of this Rule are inconsistent with those of Rule 6 (bis), which states: “Administrative Council meeting reports shall be prepared under the supervision of the rapporteurs.” ...</p> <p>Given that the PAPU General Secretariat serves as Secretary of the Conference, it is advisable to amend this provision so as to align it with Rule 6 (bis).</p>	<p>Rule 20: Minutes/Reports</p> <p>1. Minutes and Reports of the plenary sessions shall be prepared by the Secretariat of the Council under the supervision of the rapporteurs of the Council in collaboration with the Secretariat.</p>