

APA/2007/09
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Rules of Procedure of the Plenary of the Asian Parliamentary Assembly (APA)

Adopted at the 2nd Session of the Plenary of the APA (19-21 November 2007, Tehran, the Islamic Republic of Iran) on this Monday, 19th of November 2007.

RULES OF PROCEDURE OF THE PLENARY OF THE ASIAN PARLIAMENTARY ASSEMBLY (APA)

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I. Composition

RULE 1

1. The Plenary shall be composed of sitting Members of Parliaments in Asia¹ designated by Member Parliaments of the Asian Parliamentary Assembly, hereinafter called APA, as APA delegates for a two-year term of office in conformity with Article 6 of the Charter.

2. Each Member Parliament is entitled to designate between two to seven APA delegates in accordance with Article 8 of the Charter.

3. Member Parliaments shall submit the names and contact information of their APA delegates to the Secretary-General in writing as soon as possible, but not later than one month prior to the commencement of the Plenary.

¹ The term "Asia" in these Rules and in the APA Charter shall include the sovereign states belonging to the Asia and Pacific Group in accordance with the practice of the United Nations, as well as sovereign states parts of which are in Asia.

4. Before completion of a two-year office as an APA delegate, if the term of office as a member of his/her national parliament is over, or if he/she is unable, at the discretion of national parliament, to fulfill his/her obligation as a member of national parliament, or if he/she passes away, the parliament in question shall designate another delegate to APA for two years and notifies the Secretary-General accordingly.

RULE 2

1. Observer Parliaments of the APA may attend the open sessions of the Plenary and its committees as observers, and may only speak on the invitation of the President. They cannot vote or present candidates for elective office.

2. Representatives of regional or international organizations or Inter-Parliamentary Unions may be invited, in capacity of observers, to attend the open sessions of the Plenary upon recommendation of the bureau of the previous Plenary and acknowledgment of the Plenary in which they intend to attend.

3. Application for membership or for observer status shall be submitted in writing to the president and shall be considered at the next meeting of the "Executive Council" which shall make a recommendation to the APA Plenary for a decision. Such application shall be adopted by majority vote of delegates present and voting in accordance with Rule 34(3) of this Rules of Procedure.

RULE 3

APA Member Parliaments may designate former parliamentarians as well as representatives of Non-Governmental Organizations, scholars, scientists and prominent figures as honorary members of their own delegations.

II Sessions

RULE 4

The Plenary shall be held annually (Article 9 of the Charter). The Plenary shall meet for two consecutive years in the country which has the presidency of the APA (Article 10 of the Charter).

Note: In case a host Parliament is not prepared to convene the meetings of the Executive Council and the Plenary for two consecutive years, the presidency and the hosting of those meetings may, with the concurrence of the majority of Member Parliaments, be entrusted to another Member Parliament.

RULE 5

After consultation with Member Parliaments, the President shall inform them about the date of each Plenary at least three months before the Plenary meets.

RULE 6

The venue and date of the Plenary may change, in certain cases, upon proposal of the Bureau in consultation with the host Parliament, and concurrence of the majority of Member Parliaments to be determined in accordance with Rule 10(2).

Rule 7

1. Executive Council shall be composed of one APA delegate from each Member parliament.
2. Executive Council shall meet at least twice a year: once, immediately before the meeting of the Plenary, and the other normally about three months prior to the meeting of the Plenary.
3. The meetings of the Executive Council referred to in Paragraphs 1 and 2 above shall:

* Guide the work of the Secretariat to facilitate the smooth and

efficient conducting of the meeting of the plenary,

- * Consider the reports and documents developed by the Secretariat and making appropriate recommendation to the Plenary for a decision,
- * Consider draft resolutions and making appropriate recommendations to the Plenary for a decision,
- * Consider the proposal for the establishment of a new Standing Committee or of a Sub-Committee, commission or Subsidiary Organ,
- * Consider the application for new members or observers and making appropriate recommendations to the Plenary for a decision,
- * Consider the Secretariat proposal for the provisional Draft Agenda of the Plenary and recommending a Draft Agenda to the Plenary,
- * Consider the APA budget and its finances and making appropriate recommendation to the Plenary for a decision.
- * Recommend the APA Secretary-General for approval by the Plenary.

4. The decision making in the Executive Council shall be, to the extent possible, by consensus. Otherwise, the Executive Council makes decision by the majority vote of the Member Parliaments present and voting. Special cases requiring two third majorities shall be determined by the majority vote of Parliaments present and voting.

5. Each Member Parliament shall have one vote in the Executive Council.

6. Quorum for convening the Plenary and for adopting a resolution outlined in Rules 32 and 33 of this Rules of Procedure shall also apply to the meetings of the Executive Council.

RULE 8

1. The convocation of each Plenary shall be sent to all Member Parliaments, Observers and other invitees, at least one month before the commencement of the Plenary.

RULE 9

The member parliament hosting the Plenary shall be responsible for providing all necessary facilities for the Plenary. Other Member Parliaments may offer to bear part of the expenses in organizing a Plenary Session.

RULE 10

1. Any Member of the APA may request the convening of an extra-ordinary Plenary. The Member Parliament that hosted the previous Plenary shall convene the extra-ordinary Plenary if the request is supported by the majority of Member Parliaments (Article 9 of the Charter). The extra-ordinary Plenary may be hosted by a different Parliament if such request is agreed to by the President of APA who hosted the previous Plenary and by the majority of Member parliaments.

2. Support for convening of the extra-ordinary Plenary and, where appropriate for its venue, is determined on the basis of no-objection of the majority of the Member Parliaments in response to a written notice from the Secretariat to all Member Parliaments seeking their views on the subject(s) by a certain date. Unless more than half the numbers of Member Parliaments object, in writing to the Secretariat, to the convening of the extra-ordinary Plenary or to its venue, it will be regarded that the majority of Member Parliaments have supported the convening of the extra-ordinary Plenary.

III.Presidency

RULE 11

1. The President of the Assembly shall be elected from amongst the Presidents/Speakers of the Member Parliaments for two years, by acclamation or by the majority vote of the delegates present and voting, at the beginning of the first meeting of the Plenary.
2. The outgoing President or, in his/her absence, the head of the delegation of the outgoing President, shall open the inaugural Session, pending the election of the new President.
3. The Plenary shall also elect four Vice-Presidents (Article 10 of the Charter) from among the heads of delegations as well as a Rapporteur from among delegates, bearing in mind equitable geographical distribution.

RULE 12

The President of the Assembly shall preside over the extra-ordinary Plenary Session(s) during his/her term of office.

RULE 13

1. The Bureau of the Assembly shall be composed of the President of the Assembly, the four Vice-Presidents and a Rapporteur, who shall be elected for a two-year term on the basis of equitable geographical distribution.
2. The Bureau of the Assembly, which shall be assisted by the Secretary-General, shall take all appropriate measures to ensure the effective organization and normal functioning of the plenary proceedings, in accordance with the Charter and the Rules of Procedure.

RULE 14

1. The President shall open, suspend and close the sittings, direct the work of the Plenary, ensure respect for the Rules, call upon speakers, put questions to vote, announce the results of the voting and declare the Plenary closed. The President's decisions in these matters shall be final.
2. The President shall decide on APA matters not covered by these Rules, after having the advice of the Bureau.

IV. Standing Committees, Sub-Committees, Commissions and Subsidiary Bodies

RULE 15

1. In addition to the five Standing Committees; Political, Peace and Security, Social and Cultural, Economic and Sustainable Development, and Energy, the Plenary may set up other Standing Committees, Sub- Committees, Commissions and Subsidiary Bodies as it deems necessary to deal with any subject of interests and to examine the issues on its agenda. These bodies shall submit their reports and recommendations to the Plenary for its consideration and decision.
2. Upon suggestion of the Bureau or at least 10 Member Parliaments, establishment of other Standing Committees or of Sub-Committees, Commissions or Subsidiary Organs shall be put on the agenda of the Executive Council. The recommendation of the Executive Council on this issue is approved by the majority vote of the delegates present and voting in the Plenary.
3. The inter-sessional meetings of the Sub-Committees, Commissions and Subsidiary Organs shall be convened by the Member Parliament hosting the previous Plenary, unless following mutual agreement of the President and the Permanent Secretariat, they may be hosted by another Member Parliament.
4. Number of membership of each Sub-Committee, Commission

and Subsidiary body, taking into account the equitable geographical distribution, and the duration and number of their inter-sessional meetings shall be approved by the Plenary.

V. Agenda- Resolutions- Debates

RULE 16

1. On the recommendation of the Secretary-General, the Executive Council shall draw up a Draft Agenda, which includes a general debate, to be circulated to Member Parliaments and Observers for approval of the Plenary.
2. The Draft Agenda shall be circulated to all Member Parliaments by the Secretariat at least two months before the opening of the Plenary.
3. The Plenary may alter or approve the proposed Draft Agenda at the beginning of its first meeting.
4. The extra-ordinary Plenary can only consider the item(s) for which it is convened.

RULE 17

1. Member Parliaments may submit to the Secretariat, proposals to include supplementary item(s) in the provisional agenda of the Plenary, not later than two months before the Plenary convenes. An explanatory note and a draft resolution should be attached to such proposals.
2. A request for inclusion of a supplementary item received by the Secretariat at least 30 days before the opening of the Plenary or a request for inclusion of an emergency supplementary item relating to an event of particular importance occurring during the 30 days preceding the opening of the Plenary in order to be taken into consideration, must receive the approval of two-third majority of Member Parliaments present and voting in the Executive Council which convenes immediately before the Plenary.

RULE 18

Before taking a decision on a request for the inclusion of a supplementary or an emergency item referred to in Rule 17 above, the Executive Council and the Plenary shall hear a brief explanatory statement from the sponsor and a statement from one speaker holding a contrary opinion, neither may enter into the substance of the matter.

RULE 19

1. Any delegate may submit a motion or a draft resolution on any subject included in the agenda.
2. Draft resolution(s) relating to the items in the agenda shall, as a general rule, be deposited with the Secretariat at least 24 hours before the opening of the last plenary sitting allocated for the discussion of that item.

RULE 20

1. The procedure for submission of draft resolution on supplementary or emergency items shall be determined by the Plenary upon the recommendations of the Bureau.
2. The supplementary or emergency items may be referred by the Plenary to an ad-hoc Committee, which shall debate it and prepare a report and/or a draft resolution for consideration by the Plenary.

RULE 21

1. The Plenary shall start by holding a general debate during which delegates may address the political, security, economic, social and cultural issues based on the Principles and Objectives of the establishment of the APA in its Charter (Articles 2 and 3 of the Charter).
2. The Plenary shall promote friendly and constructive dialogue. To this end, bilateral contentious issues shall be excluded.

VI. Amendments

RULE 22

1. Any delegate may submit amendment(s) to a motion, or a draft resolution, as well as to sub-amendments.
2. Amendments shall be submitted in writing. Amendments and sub-amendments may be submitted until the Plenary adopts the texts to which they relate.

RULE 23

1. Amendments and sub-amendments shall relate to the text. They may call for an addition, a deletion or an alteration with regard to the initial draft, without changing its scope or nature. The President of the Plenary shall determine whether or not amendments and sub-amendments, which are to be voted on in the plenary sitting, are in order.
2. Amendments and sub-amendments shall be voted before the text to which they relate.

RULE 24

1. If two or more amendments apply to the same words in a draft resolution, that which is furthest from the text under consideration shall have priority over the others and shall be put to the vote first. The president's decision regarding the priority of the amendments shall be final.
2. If two or more amendments are mutually exclusive, the adoption of the first shall involve the rejection of the other amendment or amendments bearing on the same words.

RULE 25

The only speakers on an amendment or sub-amendment shall be the sponsor and one delegate holding a contrary opinion, unless the President decides that two would speak in favor and two against the amendment or sub-amendment.

VII. Speaking-Order-Procedural Motions

RULE 26

1. No delegate may speak without permission of the President.
2. Delegates shall, as a general rule, speak in the order in which they have asked for the floor.
3. Speakers may only be interrupted by other Delegates on a point of order. They may, with the President's permission yield the floor to other Delegate(s) raising a point of order to seek clarification.
4. The President shall rule immediately, without debate, on all points of order.

RULE 27

1. No more than two representatives of each delegation may speak in the General Debate. Unless the Bureau decides otherwise, every delegation shall be entitled to 10 minutes speaking time in the General Debate. When two speakers from the same delegation are registered for this debate, they shall share the speaking time in the most appropriate way.
2. With a view to ensuring the smooth running of the debates, the Bureau may alter the above speaking time to suit the circumstances.
3. Notwithstanding the provision of paragraph 1 above, the President may, at the end of the corresponding sitting, give the floor, for three minutes, to a delegate wishing to exercise his/her right of reply.

RULE 28

The President shall call a speaker to order when the latter does not keep to the subject under discussion or prejudice the debate by using abusive language or raising divisive issues. The President may, if necessary, withdraw permission to speak and may have the objectionable words omitted from the record.

RULE 29

1. The President shall deal immediately with any incident, which may arise during the meeting and, if necessary, taking necessary measure required to restore the smooth working of the Plenary.

RULE 30

1. Priority to speak shall be given to delegates wishing to propose:

- a) Adjournment of the debate sine die;
- b) Adjournment of the debate;
- c) Closure of the list of speakers;
- d) Closure or adjournment of the meeting;
- e) Any other motion concerning the conduct of the meeting.

2. These procedural motions shall have priority over the substantive questions; debate on the latter shall be suspended while the formers are being considered.

3. The mover shall make a brief presentation of the motion without entering into the substance of the question under debate.

4. In the debate of procedural motions, only the mover of the proposal and one delegate holding a contrary opinion shall be heard after which the Plenary shall decide.

RULE 31

Debates of the Plenary shall be public. They shall be held in private only if the Plenary so decides by a two-thirds majority of delegates present and voting.

VIII. Quorum-majorities-voting

RULE 32

1. The Plenary shall only convene if at least half of its Member Parliaments are represented.
2. The quorum shall be established on the basis of number of delegations represented at the first plenary meeting. This quorum shall be announced by the Secretariat at that time.

RULE 33

1. All resolutions and decisions of the Plenary shall be adopted, to the extent possible, by consensus. Otherwise, they shall be adopted by majority vote of delegates present and voting (Article 11 of the Charter), except where a higher majority is expressly required.
2. Further to cases provided in this Rule, the Plenary may decide, by majority vote of delegates present and voting, that on a specific subject a higher majority is required (Article 11 of the Charter).

RULE 34

1. Each delegation has voting rights corresponding to the number of its delegates to the plenary; one vote for each of its delegates (Article 8 of the Charter).
2. Only delegates present in person shall have the right to vote.
3. The President/Speaker of a Member Parliament leading the delegation to a Plenary shall be entitled to one vote in addition to the votes which that Member Parliament already enjoys under Paragraph 1 above.

RULE 35

A table giving the number of votes to which each Member of the Plenary is entitled shall be distributed at the opening of the Plenary.

RULE 36

1. The Plenary shall normally vote by show of hands or standing. However, if the President deems it necessary or a delegate so requests a vote by roll call, electronic devise or secret ballot maybe taken.
2. In counting the number of votes by “delegates present and voting”, only the affirmative and negative votes shall be counted as voting.
3. If the votes are equally divided, the proposal under consideration shall be considered as rejected.

RULE 37

1. Where consensus is not reached, the Plenary shall vote on the texts of the decisions or resolutions submitted by the Standing Committees, without holding a debate on their substance.
2. No debate may be opened nor vote taken on a question which the Plenary has considered and on which it has taken a decision. In exceptional cases, the Plenary may decide, by a two-third majority of the delegates present and voting, to re-open the debate and reconsider a decision already taken.

RULE 38

1. Any delegate may request that part, or each paragraph, of a text submitted to the Plenary is put to the vote separately.
2. If any objection is raised, the request for division shall be voted upon without debate.

RULE 39

1. Nobody may interrupt a voting process once it has commenced, except to obtain clarification as to the manner in which the voting is being conducted.

2. Delegates who wish to explain their vote briefly may be authorized to do so by the President, after voting has taken place.
3. No explanation of vote shall be admissible on amendments and procedural motions.

IX. Permanent and Provisional Secretariats

RULE 40

The Headquarters of the APA Permanent Secretariat shall be at Tehran. The Plenary shall decide on the relevant budgetary and personnel issues for the Permanent Secretariat by the year 2011.

RULE 41

The President of the APA shall organize a Provisional Secretariat in the host country to convene the Executive Council and the Plenary.

RULE 42

1. The Permanent Secretariat, headed by a Secretary-General shall assist the President and the Provisional Secretariat in directing the work of the Executive Council and the Plenary.
2. The Secretary-General or his representative may at any time, at the request of the President, submit to the plenary advice on any question which the meeting has under consideration.

RULE 43

1. The Permanent Secretariat shall receive all documents, reports and draft resolutions and distribute them, together with the summary records of the sittings in the working language of the APA and in Arabic.
2. The Permanent Secretariat of the Plenary shall ensure the adequacy of the technical facilities for simultaneous English and

Arabic translation and for delegates wishing to speak in their own language and provide their own simultaneous English interpreters.

3. The Provisional Secretariat shall ensure, in coordination with the Permanent Secretariat, that adequate facilities for the convenience of the Delegates and smooth fulfillment of their obligations are available in the Host Country.

RULE 44

1. The Permanent Secretariat of the APA shall preserve the documents of the Executive Council and the Plenary in its archives. The Permanent Secretariat shall follow up on the implementation of the decisions of the plenary and, in general, carry out all the tasks, which the Plenary may think fit to entrust to it. (Article 13 of the Charter).

2. The Permanent Secretariat shall publish documents of the Plenary and distribute them among Member Parliaments and Observers.

RULE 45

Upon recommendation of the Executive Council and approval of the Plenary, the Secretary-General shall be elected for a four-year term from among prominent figures in various sub-regions of Asia.

X. Closing of the Plenary

RULE 46

1. At the close of each Plenary, the President shall enumerate the principal resolutions and decisions adopted.

2. Delegations shall inform their respective parliaments and governments of the resolutions, decisions and recommendations adopted by the Plenary with a view to obtaining the most active possible support for the implementation of these resolutions and decisions.

XI. Adoption and Amendment of the Rules

RULE 47

1. The Plenary shall adopt its Rules of Procedure by a majority vote of the delegates present and voting in accordance with Rule 33 of this Rules of Procedure.
2. Proposals for amending the Rules of Procedure of the APA Plenary shall be formulated in writing with an explanatory note and sent to the Secretariat of the APA at least three months before the plenary meets. The Secretariat shall communicate such proposals immediately to all Member Parliaments. It shall also, if necessary, communicate to Member Parliaments any proposals for sub-amendments at least one month before the meeting of the Plenary.
3. Consideration of any request to amend the Rules of Procedure shall be included automatically in the agenda of the Executive Council and the Plenary.
4. Proposed amendments to the Rules of Procedure are adopted by the two-third majority vote of Member Parliaments present and voting in the Executive Council. The recommendation of the Executive Council to the Plenary on the proposed amendments to the Rules of Procedure is adopted by majority vote of delegates present and voting in the Plenary.
