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Item 9 of the draft agenda

**Note IDEP revised statutes**

IDEP/GC55/2017/9

## NOTE ON THE REVISIONS TO THE IDEP STATUTES

1. This note provides a brief background to the revised statutes that are presented for members of the Governing Council (“the Council”) to consider and endorse.
2. African Ministers of Finance, Economic Development and Planning, at their annual conference held in Abidjan Cote d’Ivoire in March 2013, passed resolution 908(XLVI) adopting updates to the IDEP statutes that were proposed amongst other IDEP proposals. The adopted revised statutes were presented to and subsequently endorsed by the United Nations Economic and Social Council (ECOSOC) in July 2013, thus yielding the current statutes of IDEP.
3. At its 53<sup>rd</sup> session held in June 2014 in Brazzaville Congo, members of the Council proposed further updates to the statutes which were further discussed, fine-tuned, and agreed at the 54<sup>th</sup> session of the Council held in February 2016 in Addis Ababa Ethiopia (*refer to paragraphs 92-94 of the report of the 54<sup>th</sup> session*). The resulting draft revised statutes were printed and issued to each member at the end of the 54<sup>th</sup> session. In the very form agreed by the Council, they were subsequently presented to the African Ministers of Finance, Economic Development and Planning, at their annual conference held in Addis Ababa in April 2016. Resolution 942(XLIX) was passed with a recommendation for the Council to further consider the revised statutes before adoption by the Conference of Ministers.
4. In accordance with the recommendation, the draft revised statutes are therefore presented to the current members of the Council for consideration and endorsement. To facilitate comparison with the current statutes (provided), below are the updates that were proposed and agreed by the 53<sup>rd</sup> and 54<sup>th</sup> sessions of the Council:
  - 4.1 Under Article I, paragraph 3 was edited for language. The word “~~core~~” was added and the word “~~defending~~” was replaced by “*safeguarding*”.
  - 4.2 Under Article IV, clause (a) of paragraph 2 was edited to add “*who shall be the Chairperson of the Governing Council*” to replace paragraph 6.8.
  - 4.3 Clause (e) of Article IV paragraph 2 was edited for language. The word “~~servng~~” was replaced by “*serves*”.
  - 4.4 Paragraph 3 of Article IV was edited to remove the following sentence: “~~They shall be appointed on a voluntary basis, in cognizance of their individual commitment and professional competences, and with regard to their experience in affairs connected with the work of the Institute~~”. This sentence was turned into paragraph 4 with the phrase “~~without remuneration~~” removed. The word “~~voluntary~~” was replaced by “*benevolent*” in the French version of the statutes. The following sentence was also added to the new paragraph: “*once appointed, the membership shall not be transferable or delegated except in circumstances envisaged under Article IV(7)*”.
  - 4.5 New paragraph 7 was added to Article IV to read: “*Membership shall be based on the principle of continuity and when an African Government wants to change its representative before the end of the term, the proposed change shall be communicated to the Chairperson of the Conference and the Chairperson of the Council*”. The following sentence initially adopted from

paragraph 6 was removed: “~~Vacancies occurring owing to disability of the resignation of a member shall be filled for the interim period by the Conference~~”.

4.6 The original paragraph 6 of Article IV was removed.

4.7 A new paragraph (3) was added to Article V reading as follows: “*They shall be appointed on a voluntary (benevolent for the French version) basis without remuneration in cognizance of their individual commitment and professional competencies, and with regard to their experience in affairs connected with the Institute*”.

4.8 The word “~~professional~~” was removed from clause (b) of Article VI.

4.9 A new paragraph (1) was inserted under Article VII reading as follows: “*The Executive Secretary of the Economic Commission for Africa, through delegation of authority from the Secretary General, shall appoint the Director of the Institute in accordance with the UN rules and regulations. A search and Selection Committee established by the Chairperson in consultation with the members of the Council shall propose suitable candidates for consideration*”.

4.10 The previous paragraph 1 now 2 of Article VII was trimmed to only read from: “*The initial appointment of the Director shall be for three years in accordance with the established United Nations rules and procedures*”.

4.11 The phrase “~~different categories~~” was removed from the previous paragraph 3 of Article VII.

5. The secretariat also notes that the current statutes do not provide for a quorum for meetings and proposes a quorum of six (6) members, excluding the Chairperson. Members are invited to consider the proposal. Should it be favorably considered, the Secretariat proposes that an additional paragraph (*paragraph 9*) be added to Article IV of the statutes as follows:

- *A quorum at any meeting of the Council shall comprise of a minimum of six (6) official members excluding the Chairperson (or his/her designate). If a quorum is present at the opening of a meeting of the members, the members present may proceed with the business of the meeting even if a quorum is not present throughout the course of the meeting. Any business actions and decisions taken in good faith by a Council meeting with quorum to further the mandate of IDEP shall be considered fully binding for all intents and purposes.*