Cooperation with the United Nations system

Draft Cooperation Agreement between the United Nations and the IPU

UN General Assembly Resolution 68/272, adopted by consensus on 19 May 2014 (based on the recommendations endorsed by IPU Members), calls for the elaboration of a new Cooperation Agreement between the United Nations and the IPU, so as to reflect progress and developments over the past years and to place the institutional relationship between the two organizations on a stronger footing – see http://www.ipu.org/Un-e/a-68-l44.pdf.

On 18 November, a joint meeting of the Sub-Committee on the Future UN-IPU Cooperation Agreement and the Bureau of the IPU Standing Committee on United Nations Affairs was held at UN Headquarters in New York under the chairmanship of the IPU President. The members discussed and endorsed a number of key elements that they would like to see reflected in the new Cooperation Agreement, based on the agreed language from the series of the General Assembly Resolutions that had been adopted in the 2002-2014 interval (Report of the 18 November meeting and inventory of key elements in Annex I).

It was proposed that a draft Agreement, prepared by the Secretariat based on input from the Sub-Committee and the Bureau of the Committee on United Nations Affairs, would be circulated to all Members of the IPU ahead of the Hanoi Assembly. Taking into consideration input received from Members, the draft Agreement would be considered at the Assembly by the Executive Committee and finally the Governing Council.

The draft Agreement below is structured to a large extent in conformity with the original Cooperation Agreement of 1996 (see Annex II) and includes 10 main articles covering general provisions, cooperation and consultation, reciprocal representation, joint meetings and activities, parliamentary development cooperation, status of the IPU at the United Nations, cooperation between the Secretariats, exchange of information and documents, supplementary agreements, and entry into force, amendments and duration. References to General Assembly Resolutions based on agreed mandates are hyperlinked.

The new Cooperation Agreement also seeks to identify modalities of implementation for agreed joint action. This includes, for example, cost-sharing arrangements for official IPU documents circulated at the United Nations as a parliamentary contribution to UN processes, as well as a regular annual exchange between the UN Chief Executives Board for Coordination and the senior leadership of the IPU.

IPU Members are invited to submit to the IPU Secretariat any input or suggestions that they may have, in particular in the form of language proposals on the draft Agreement, by 20 March. These will be reviewed on the occasion of the Hanoi Assembly and submitted to the consideration of the Executive Committee and the Governing Council. Further to consultations with the United Nations, an updated report and revised text will be submitted for the formal endorsement of Members at the 133rd IPU Assembly in November 2015.
AGREEMENT

between

THE UNITED NATIONS and THE INTER-PARLIAMENTARY UNION

The UNITED NATIONS and the INTER-PARLIAMENTARY UNION (collectively the “Parties”):

Considering the provisions of the Charter of the United Nations calling, inter alia, for the promotion of international cooperation in solving problems of the political, economic, social, cultural or humanitarian character and encouraging respect for human rights and fundamental freedoms;

Considering that the Inter-Parliamentary Union, which in accordance with its Statutes is the international organization of Parliaments of sovereign States, shares with the United Nations the principles and objectives of the Charter and is committed to work for peace and cooperation as the focal point of worldwide parliamentary dialogue;

Considering that the United Nations and the Inter-Parliamentary Union concluded a Cooperation Agreement in 1996 and, by virtue of General Assembly Resolution 57/32, the Inter-Parliamentary Union enjoys permanent Observer status at the United Nations;

Considering General Assembly Resolution 55/2, whereby the Heads of State and Government resolved to strengthen cooperation between the United Nations and national parliaments through their world organization, the Inter-Parliamentary Union, including in areas of peace and security, economic and social development, international law, human rights, democracy and gender issues; and

Recalling the various resolutions of the United Nations General Assembly calling for greater cooperation with the Inter-Parliamentary Union, in particular Resolution 66/261, which calls for a new cooperation agreement reflecting progress and developments over the years and establishment of a strategic partnership between the Parties;

Have agreed as follows:

ARTICLE 1

GENERAL

1. In joint pursuit of the aims and objectives of the United Nations Charter, the Parties (the United Nations, hereinafter known as the UN and the Inter-Parliamentary Union, hereinafter known as the IPU) reaffirm their commitment to strengthen cooperation in the areas of peace and security, economic and social development, climate change and disaster risk reduction, international law, human rights, democracy, gender equality and youth engagement (A/RES/55/2).

2. In furtherance of their common objectives, the UN and the IPU agree to engage more systematically in integrating a parliamentary component of and contribution to major UN deliberative processes and the review of international commitments at national, regional and global levels (A/RES/65/123).

3. In this connection, the Parties shall work collaboratively in convening parliamentary meetings on the occasion of major UN conferences and processes, so as to ensure an effective parliamentary contribution. The outcome of such related parliamentary meetings should be included as a formal contribution to the respective UN processes (A/RES/68/272). The IPU shall also work to better mainstream UN commitments and initiatives into the day-to-day work of national parliaments.

4. The UN and the IPU shall encourage UN Member States to include systematically legislators as members of national delegations to major United Nations meetings and events (A/RES/63/24). Parliamentarians attending joint UN-IPU events held in the context of major UN conferences shall enjoy all benefits and facilities available to other UN invited delegations, including entry visas to the host country.
ARTICLE 2

COOPERATION AND CONSULTATION

1. The UN and the IPU shall closely cooperate and hold consultations as and when appropriate in implementation of activities and programmes, within their mandates. In this regard, the UN shall work closely with the IPU with a view to promoting an enhanced contribution of parliaments at the national level and the IPU at the international level in implementation of major goals and agendas set by the United Nations. UN country teams shall ensure regular interaction and, in cooperation with the IPU, develop a more structured and integrated manner of working with national parliaments (A/RES/66/261).

2. The Parties shall work closely together with a view to promoting a strong contribution of parliaments at the national level and the IPU at the global level in the implementation of the post-2015 Sustainable Development Goals. (A/RES/68/272) To this end, the Parties shall develop joint action plans and design and implement guidelines for cooperation between UN Country Teams and national parliaments. The Parties shall review the action plans and monitor results on a regular basis.

3. The UN shall designate a focal point at UN Headquarters for relations with parliaments and the IPU with the following broad functions: to help mainstream, as appropriate, the work of the IPU through the various UN departments, including the Executive Office of the Secretary-General; to help gather information from UN departments on their interaction with parliaments and the IPU; and to channel recommendations from within the UN system for enhanced UN engagement with parliaments and the IPU. The UN focal point shall have regular contact with the Permanent Observer of the IPU at the United Nations for the purpose of information sharing and joint strategic planning. The IPU Permanent Observer shall keep the UN focal point regularly informed of all activities and initiatives intended to advance cooperation between the two organizations.

4. The Parties also agree to a regular annual exchange between the UN Chief Executives Board for Coordination (CEB) and the senior leadership of the IPU, with a view to building greater coherence in the work of the two organizations, maximizing parliamentary support for the UN and its Agencies, Programmes, Funds and Offices, and helping to forge a strategic partnership between the two organizations (A/RES/65/123).

5. For purposes of the coordination referred to above, the UN shall also appoint a focal point in each UN Country Team to coordinate UN activities with the Parliament, provide information to Parliament on UN work in the country and facilitate the inclusion of Parliament in multi-stakeholder consultative processes on major issues such as national development strategies and effective development cooperation (A/RES/66/261). The IPU and the UN may also consider regular meetings between UN officials and parliamentarians in countries without a formal UN presence.

6. The IPU shall assist in developing closer cooperation between the UN and parliaments at the national level, including in terms of strengthening parliamentary capacities, reinforcing the rule of law and helping to align national legislation with international commitments. The UN, in turn, shall avail itself more systematically of the unique expertise of the IPU and its Member Parliaments in strengthening parliamentary institutions (A/RES/66/261).

ARTICLE 3

RECIPROCAL REPRESENTATION

1. By virtue of previous agreements, the UN holds permanent observer status with the IPU, and the IPU holds permanent observer status with the UN General Assembly. As such, each organization is invited to participate in the main assemblies, conferences and committees that are convened by either party.

2. On the occasion of each Statutory Assembly of the IPU convened away from its Headquarters in Geneva, the UN Secretary-General is invited to address a message at the official inauguration ceremony. The UN focal point referred to in Article 2.3 above shall be invited to participate in the work of the IPU Committee on United Nations Affairs in an advisory capacity, and in close coordination with the Secretary of the Committee.
ARTICLE 4

JOINT MEETINGS AND ACTIVITIES

1. Specific joint action, activities and programmes may be initiated by the competent bodies of the UN and of the IPU. In particular, the UN may request the cooperation of the IPU in areas where it has developed specific expertise through its permanent programmes (1996 Agreement).

2. The World Conference of Speakers of Parliament, organized by the IPU, shall continue to be held at UN Headquarters in conjunction with UN summits every five years (A/RES/59/19 and A/RES/68/272). The UN agrees to facilitate the organization of these Conferences at UN Headquarters on a cost recovery basis. The World Conference of Speakers will be organized as part of the series of high-level meetings leading up to the respective UN Summit (A/RES/68/272) and will be considered as an official UN meeting whereby participants benefit from the usual courtesies extended under the UN host country agreements.

3. The UN and the IPU agree to hold joint annual parliamentary hearings at the UN and other specialized parliamentary meetings in the context of major UN events. The joint parliamentary hearings and other events held at the UN shall be recognized in the official UN meetings calendar, and their outcomes shall be circulated as documents of the UN General Assembly. This will apply to a number of regular meetings already endorsed by the UN General Assembly, such as the annual Parliamentary Hearing at the United Nations and the annual parliamentary meeting held on the occasion of the regular session of the Commission on the Status of Women (CSW).

4. The cost of the UN-IPU joint events shall be shared equally by the Parties.

5. The IPU shall continue to make a robust parliamentary contribution to the ECOSOC and its bodies, in particular the Development Cooperation Forum, the High-level Political Forum on Sustainable Development and the Youth Forum. (A/RES/65/123 and A/RES/68/272)

6. The IPU is also encouraged to provide a parliamentary perspective to the UN human rights treaty body system and to the Human Rights Council, notably by providing a robust parliamentary contribution to the universal periodic review of human rights commitments (A/RES/66/261).

7. In those instances where the UN General Assembly invites the IPU to contribute a specific parliamentary perspective to UN multi-stakeholder forums and other such deliberative bodies, the UN shall endeavour to provide facilitation in terms of adequate seating for members of parliament in attendance, as well as allocate a portion of available funding through any UN trust fund that might have been specifically constituted. Similarly, the UN shall make sufficient provision to facilitate the participation of members of parliament in all major conferences.

8. The Parties shall continue the positive collaboration in producing joint publications such as the Map on Women in Politics and the various Handbooks for Parliamentarians on UN Conventions and Treaties. The Parties shall hold joint copyright for such publications.

ARTICLE 5

PARLIAMENTARY DEVELOPMENT COOPERATION

1. The UN and the IPU agree to cooperate in the provision of technical assistance to national parliaments, at their request, in the fields of human rights, gender equality, parliamentary democracy and good governance, as well as in other fields of social, economic and cultural development as mandated under the Charter of the United Nations.

2. The IPU shall support the work of the UN in the maintenance of peace and security and shall cooperate as appropriate in UN peace building and peacekeeping operations. The IPU shall also work closely with the UN and the Peacebuilding Commission in engaging national parliaments in efforts at the country level to promote democratic governance, national dialogue and reconciliation (A/RES/63/24).
3. The programmes established under this Article shall qualify as UN activities for purposes of the Agreements concluded with Governments by the UN, its Agencies, Programmes and Funds and Offices. For this purpose, the UN agrees to include the IPU, at its request, in any future UN Agreements with Governments, as well as in the Agreements concluded by UN Agencies, Programmes, Funds and Offices, with a view to ensuring that the IPU, its Officers and Experts shall be accorded the privileges and immunities enjoyed by the United Nations, its Officials and Experts in those countries in the course of undertaking activities under the joint Programmes.

4. With the authorization of the UN General Assembly, the Members, Officials and Experts of the Inter-Parliamentary Union shall be entitled, in accordance with such special arrangements as may be concluded between the UN Secretary-General and the IPU Secretary General, to use the UN Laissez-Passer when conducting joint activities in the field.

ARTICLE 6

STATUS OF THE IPU AT THE UNITED NATIONS

1. In recognition of its unique inter-State character, as the international organization of the parliaments of sovereign States (IPU Statutes), the IPU has been granted permanent Observer status at the United Nations and participates in the work of its General Assembly (A/RES/57/32).

2. As endorsed by the UN General Assembly, the Parties are committed to developing a strategic partnership, aimed at ensuring a robust parliamentary dimension to the work of the United Nations. All member States are encouraged to formally recognize the IPU as an international organization under international law.

3. The UN may grant the IPU, as necessary and at the latter’s request, additional benefits and facilities at the United Nations at no cost to the IPU or the United Nations. In this regard, the United Nations agrees to allow for the circulation in the principal UN bodies of official IPU documents pertaining to issues that are high on the UN agenda, at no cost to the IPU.

4. The IPU may enter into separate arrangements with UN Agencies, Programmes, Funds and Offices as may be necessary to cooperate in programmes and activities of common interest. It is agreed that any such arrangements shall be supplementary to this Agreement and shall accord IPU no less favourable status than that extended to other UN Agencies, Programmes, Funds and Offices, as may be appropriate. In particular, the IPU shall enter into appropriate arrangements with the United Nations Development Programme (UNDP), with a view to participating actively in its programmes and activities at the country level in support of national parliaments.

ARTICLE 7

COOPERATION BETWEEN THE SECRETARIATS

1. The Secretary-General of the United Nations and the Secretary General of the IPU shall take appropriate measures to ensure effective cooperation and liaison between the Secretariats of the two Organizations.

2. In order to build greater coherence in the work of the two Organizations, there shall be regular annual exchanges between the UN Chief Executives Board for Coordination (CEB) and the senior leadership of the IPU. In addition, the UN Secretary-General may invite the senior leadership of the IPU to attend meetings of the CEB and participate in the CEB working groups on items of interest to the IPU.

3. The IPU, in turn, shall invite the UN Secretariat to actively participate in the bi-annual meetings of the IPU Standing Committee on United Nations Affairs.
ARTICLE 8

EXCHANGE OF INFORMATION AND DOCUMENTS

1. The UN and the IPU shall arrange to the fullest extent possible and so far as is practicable, for the exchange of information and documents on matters of common interest.

2. Where appropriate and subject to requirements, information and documentation relating to specific projects, programmes or activities may also be exchanged between the Parties with a view to attaining better complementary action and effective co-ordination between the Secretariats of the UN and the IPU.

3. The UN website shall display a link to the IPU website (section on Cooperation with the UN) directly from the homepage under a new rubric on "parliaments" which would highlight interaction with parliaments and the IPU in a manner similar to its links dedicated to civil society and the private sector. The IPU website shall also display a link to the UN website directly from its homepage.

ARTICLE 9

SUPPLEMENTARY AGREEMENTS

The UN Secretary-General and the IPU Secretary General may enter into such supplementary arrangements for the implementation of the present agreement as may be found desirable.

ARTICLE 10

ENTRY INTO FORCE, AMENDMENTS AND DURATION

1. This Agreement shall enter into force on the date of its signature following approval by the UN General Assembly and the IPU Governing Council.

2. This Agreement may be amended or revised by agreement between the UN and the IPU and such amendment or revision shall come into force upon signature following approval by the UN General Assembly and the IPU Governing Council.

3. This Agreement may be terminated by either the UN or the IPU providing a six-month written notice to the other party.

IN WITNESS WHEREOF the undersigned, being duly authorized representatives of the United Nations and Inter-Parliamentary Union have signed the present Agreement.

For the United Nations:

For the Inter-Parliamentary Union:
Report of the joint meeting of the Sub-Committee on the future IPU-UN cooperation agreement with the Bureau of the IPU Committee on UN Affairs

New York, 18 November 2014

Attendance
Sub-Committee members: Ms. R. Kadaga (Uganda), Mr. R.M.K. Al Shariqi (United Arab Emirates), Mr. R. Nimmo (Director of the British Group of the IPU, observing on behalf of Mr. R. Walter).

UN Committee Bureau members: Ms. D. Avgerinopoulou (Greece), Mr. S. Chiheb (Algeria), Mr. A. Al Mansoori (United Arab Emirates), Mr. D. Dawson (Canada), Ms. K. Komi (Finland), Mr. J.C. Mahía (Uruguay) and Ms. E. Nurasanty (Indonesia).

IPU: Mr. S. Chowdhury (President), Mr. M. Chungong (Secretary General), Ms. A. Filip (Director, Member Parliaments and External Relations), Ms. P. Torsney (Permanent Observer of the IPU to the United Nations), Mr. A. Motter (Senior Adviser), Ms. S. Ahmidouch (Chief of Staff) and Mr. F. Ssekandi (Legal Counsel).

Summary of the discussion
The President of the IPU introduced the discussion by noting that the year 2015 provided a window of opportunity to conclude a new cooperation agreement between the United Nations and the IPU. The UN Secretary General’s term of office was coming to an end in 2016 and 2015 would mark the 70th anniversary of the United Nations. He recalled that the joint meeting was meant to broaden the discussion to members of the UN Committee Bureau, whose mandate was relevant to this matter. The President drew attention to the list of elements for a possible new cooperation agreement that had been tabled and invited the meeting to comment on the list item by item.

The President identified the need to move forward expeditiously. The Hanoi Assembly in March-April 2015 should mark the end of the internal reflection process at the IPU. After that, the IPU would either have something tangible to negotiate with the United Nations or would abandon the matter altogether.

From the ensuing discussion among members, it was reaffirmed that a new cooperation agreement was in fact needed for at least two reasons: to carry to fruition, in practical terms, the provisions of a number of UN General Assembly resolutions on interaction with the IPU; and to place the relationship between the two institutions on a more equal footing. The latter point hinged particularly on the question of legal status, so that the IPU would be recognized as an international organization, albeit one that would be different from a typical intergovernmental organization.

At least two members reiterated the need to proceed with caution: the IPU should not rush to get a deal done next year unless it was the best deal possible, and should be mindful of the fact that too many Members of the IPU did not yet fully comprehend what a new legal status implied.
The principle of safeguarding the independence of the IPU was reiterated as being paramount. The risk of the IPU becoming too much like the United Nations in terms of its modus operandi should be carefully assessed.

It was noted again that for the IPU to become an international organization, it would need to be recognized as such by the UN General Assembly. The IPU could not achieve that status simply by amending its own statutes. In addition, separate agreements may need to be concluded with individual countries in order to secure the privileges and immunities the organization was seeking for both staff and meeting participants. It was noted that if the IPU were to become an international organization in the legal sense, it would need to be recognized as such by all governments, and not just by its own Members.

Moving on to consideration of the key elements that might be included in the new agreement, the participants generally considered that the list was a good start in that it touched on some sensitive issues which, if properly addressed, might help enhance the UN-IPU relationship. The suggestion was made that further consideration should be given to the elements on the list, after which the Secretariat should go ahead and draw up a draft cooperation agreement that would be considered by the Executive Committee at its next session in Hanoi in March 2015.

As the IPU Secretary General recalled, the decision-making authority on the matter rested squarely with the IPU Executive Committee, upon a recommendation received from the Sub-Committee.

**Next steps**

It was agreed that members of both the Sub-Committee and the Bureau would be invited to submit further comments and proposals on the list of key elements preferably by 15 December.

Based on the input received, the Secretariat would go ahead and begin to draft the new cooperation agreement with the assistance of its Legal Counsel, Mr. Ssekandi.

The draft would be circulated to all Members of the IPU ahead of the Hanoi Assembly and further revised based on their input. It would be considered at the Assembly by the Executive Committee and subsequently by the Governing Council.

Upon review and adoption by the Governing Council, the draft would become the basis for direct negotiations with the UN Legal Counsel and other relevant UN officials. The new agreement could be formally adopted by the UN General Assembly during its 70th session (September 2015 to September 2016), when the item on “Interaction between the United Nations, national parliaments and the Inter-Parliamentary Union” would feature again on its agenda.
TEXT OF THE CO-OPERATION AGREEMENT SIGNED BETWEEN
THE UNITED NATIONS AND THE INTER-PARLIAMENTARY UNION

(July 1996)

The United Nations and the Inter-Parliamentary Union,

Considering the provisions of the Charter of the United Nations calling, inter alia, for the promotion of international cooperation in solving problems of a political, economic, social, cultural, or humanitarian character and encouraging respect for human rights and for fundamental freedoms;

Bearing in mind that in accordance with the Charter, the United Nations is the principal organization dealing with the matters relating to the maintenance of international peace and security and acts as a centre for harmonizing the actions of nations in the attainment of the goals set out in the Charter;

Considering that the Inter-Parliamentary Union (hereinafter "the IPU"), shares the principles and objectives of the Charter, and that its activities complement and support the work of the United Nations;

Recognizing particularly the important role played by the IPU through its activities in promoting representative democracy;

Taking note of General Assembly resolution 50/15 of 15 November 1995 which calls for strengthening existing co-operation between the United Nations and the IPU;

Have agreed as follows:

Article I

General

1. The United Nations recognizes that the IPU, as the world organization of Parliaments, by virtue of its character and responsibilities plays an important role in promoting peace and international cooperation in furtherance of and in conformity with the purposes and principles of the Charter.

2. The IPU recognizes the responsibilities of the United Nations under the Charter and undertakes to continue to support its activities in accordance with the purposes and principles of the Charter.

3. The United Nations and the IPU agree that strengthening of co-operative relations between them will facilitate the effective exercise of their mutually complementary activities and, therefore, undertake to further those relations through the adoption of practical measures.
Article II
Cooperation and Consultations

1. The United Nations and the IPU shall closely cooperate and hold consultations as and when appropriate in pursuance of their respective mandates and for the realization of their shared objectives.

2. To this end, the United Nations and the IPU shall consider the appropriate framework for such consultations as and when appropriate.

Article III
Appropriate Representation

1. Should the United Nations consider an item on the agenda of an IPU meeting or conference to fall within the purview of its competence, activities and expertise, upon its request, the Secretariat of the IPU will invite the United Nations to send its representatives to such meetings or conferences, subject to the applicable rules of procedure and to relevant decisions to be taken by the competent bodies of the IPU.

2. Should the IPU consider an item on the agenda of the General Assembly to fall within the purview of its competence, activities and expertise, upon its request, the Secretariat of the United Nations will invite the IPU to send its representatives to be present during the plenary meetings of the Assembly at which such item is considered.

3. Subject to the applicable rules of procedure and the decisions and practices of the Main Committees of the General Assembly and of a subsidiary organ of the Assembly, the IPU may be invited upon its request to participate in the meetings of such bodies when they consider a subject which falls within the purview of the IPU's competence, activities and expertise.

4. If the convening organ so decides, the IPU shall be invited to participate in the work of Conferences convened under the auspices of the United Nations on subjects which fall within the competence, activities and expertise of the IPU.

Article IV
Joint Action and Technical Cooperation

Specific joint action and programmes may be initiated by the competent bodies of the United Nations and the IPU. In particular, the United Nations may request the cooperation of the IPU in areas where it has developed a specific expertise through its permanent programmes.
Article V
Cooperation Between the Secretariats

The Secretary-General of the United Nations and the Secretary General of the IPU shall take appropriate measures to ensure effective cooperation and liaison between the Secretariats of the two Organizations.

Article VI
Exchange of Information and Documents

1. The United Nations and the IPU shall arrange to the fullest extent possible and so far as is practicable for the exchange of information and documents in public domain on matters of common interest.

2. Where appropriate and subject to the necessary requirements, information and documentation relating to specific projects, programmes or activities may also be exchanged between the parties with a view to attaining better complementary action and effective coordination between the two Secretariats.

Article VII
Supplementary Arrangements

The Secretariat of the United Nations and the Secretariat of the IPU may, if necessary, enter into supplementary administrative arrangements for the implementation of the present Agreement.

Article VIII
Entry into Force, Amendments and Duration

1. This Agreement shall enter into force on the date of its signature by the duly authorized representatives of the two Organizations.

2. This Agreement may be amended by mutual consent of the United Nations and the IPU. The proposed amendment shall be made in writing and shall enter into force three months following the expression of consent by the United Nations and the IPU.

3. This Agreement may be terminated by either the United Nations or the IPU providing a six month written notice to the other party.

IN WITNESS WHEREOF the undersigned, being duly authorized representatives of the United Nations and the Inter-Parliamentary Union have signed the present Agreement.

SIGNED this 24th day of July 1996 at New York in two originals in the English language.

For the United Nations
Boutros BOUTROS-GHALI
Secretary-General

For the Inter-Parliamentary Union
Ahmed Fathy SOROUR
President of the Inter-Parliamentary Council

Pierre CORNILLON
Secretary General