



*Group of the Twelve Plus
in the Inter-Parliamentary Union*

*Groupe des Douze Plus
à l'Union interparlementaire*

**120th IPU Assembly, Addis Ababa
Meeting of the Group of the Twelve Plus
Friday 10 April 2009 at 0900**

1. Adoption of the Agenda

The agenda was adopted.

2. Approval of the Minutes of the Group meeting held in Addis Ababa on Wednesday 8 April 2009

The Minutes were approved without comment. (*Proposed: United Kingdom, Seconded: Switzerland*).

3. Matters arising

The Chair reported that he had discussed the imprisonment of the leader of the opposition in Ethiopia with the Chair of the Committee on Human Rights of Parliamentarians, **Senator Sharon Carstairs** (Canada). Although the opposition leader was not currently a parliamentarian, she had been at the time of her arrest in 2005. It was therefore a case that fell within the remit of the Committee and he understood that it was being considered.

Senator Sharon Carstairs (Canada) informed delegates that the case had first been brought to the Committee on Human Rights of Parliamentarians in January. At that time, the Committee had been informed by Ingeborg Schwarz, Secretary of the Committee, and Anders Johnsson, IPU Secretary General, that the case could not be considered because the opposition leader was not a parliamentarian. However, this advice referred only to her current status and not her position in 2005 when she was arrested. The Committee did not have the documentation to be able to consider the case at this Assembly. It would now move into the investigatory phase of its inquiries and hold meetings in July, aiming to make the case public in October. The Committee was not happy about this omission and nor was the IPU secretariat. It had been working under a false assumption.

Mr Nigel Evans (United Kingdom) asked whether the erroneous advice given to the Committee was the result of a misunderstanding or whether any party had deliberately acted to prevent this case being considered whilst the Assembly was being held in Ethiopia.

Senator Sharon Carstairs (Canada) said that she did not think there had been any malice in the matter – the secretariat had been horrified when they realised the mistake that had been made. The Committee had previously made clear to the IPU secretariat that it would not be willing to come to Ethiopia if there were outstanding cases. This had played a part in the offer of Presidential pardons to those imprisoned in 2005. The opposition leader had not appeared on the list of cases given to the

12+ Secretariat (UK)

British Group IPU, Palace of Westminster, London SW1A 0AA, UK

Tel: (+44) 20 7219 3011/3012/3013, Fax: (+44) 20 7222 1213, E-mail: bgipu@parliament.uk, reesd@parliament.uk

Chair: John Austin MP; Secretary: Kenneth Courtenay

Committee by Amnesty International in 2005, so a number of mistakes had been made. The Committee was now giving the matter high priority.

4. Report from 12+ Group representatives on the work of the Executive Committee and its subsidiary bodies

The Chair asked for a report from 12+ Group representatives on the Executive Committee.

Senator Robert del Picchia (France) had a number of issues to bring to the Group's attention. Firstly, there had been an 'incident' between the Palestinian and the Israeli delegation during the plenary session. The Ethiopian Speaker, Teshome Toga, had been able to bring this under control. There had been a reaction to the presence of two Hamas members in the Palestinian delegation, including from the United States. The Chair of the Senate Foreign Affairs Committee had criticised this and released a media statement saying that he would not recommend rejoining the IPU unless it was able to guarantee the exclusion of Hamas from the Assembly. He did not think it was necessary to respond to a media communiqué, but he feared that there might be political consequences. The Executive Committee was attempting to keep its distance from the events, but had insisted that parliamentarians had the right to be heard and that interruptions to speeches were unacceptable. The IPU President had said that members would be reminded of the rules of debate.

Mrs Elsa Papademetriou (Greece) had spoken to the IPU President and understood that he would remind members of the rules of democratic debate at the opening of the next session.

Senator Robert del Picchia (France) thought that this was very important as a lot of work had been undertaken with the aim of encouraging the United States to rejoin the IPU and it would be a shame if it were wasted. He noted that the problem was not connected to the issue of Palestinian membership as Palestine had always been able to send an observer delegation with speaking rights.

Other Executive Committee matters included the decision to award the 2010 Assembly to Bangkok, Thailand. It was likely that the 2011 Assembly would be held in Panama. The issue of host countries and the provision of visas to delegates had arisen and the Committee had decided that there should be no amendment of the IPU Statutes to include visa requirements. The IPU President had set up a Committee to prepare for the Conference of Presiding Officers, held every 5 years.

Mr Geert Versnick (Belgium) added that the issue of gender balance at this conference was important. He had therefore suggested that the Speaker of the United States House of Representatives should be invited to attend.

Senator Robert del Picchia (France) reported that the Committee had recommended the suspension of Madagascar and Guinea from the IPU, as expected.

The Committee had also discussed the appointment process for the post of IPU Secretary General. IPU Staff had not been present during this discussion. The IPU Statutes provided that the Executive Committee should make a recommendation to the Governing Council, which would decide on an appointee. However, no precise process was stipulated. The process used in 1998 had not been followed on the last occasion. The Secretary General had simply been reappointed. This was undemocratic, because there had been no voice for those who opposed reappointment. He favoured a decision by secret ballot. An important question was whether newcomers and the incumbent could be treated equally. Newcomers would be at a disadvantage, particularly as they would be appointed one year before the elections. The Committee had decided that the first step was to ascertain

whether the current Secretary General wished to stand for reappointment. If so, his candidacy should be decided upon first. There would be a secret ballot and if the decision went against him, the post would be advertised to new applicants, who could be considered at the October Assembly.

The Secretary General had informed the Committee that he wished to stand for reappointment, but that this would be his final term of office. The Executive Committee had therefore decided unanimously to recommend to Governing Council that it should make a decision on his candidacy first, by secret ballot. This was the only way that the whole IPU could express its views. If the Secretary General was endorsed through this process, there would be no open competition.

Mr Roger Berry (United Kingdom) agreed that a decision by secret ballot was necessary, but thought that there should be open competition for the post on each occasion. He asked whether there was any contractual obstacle to this.

Mr Hans-Joachim Fuchtel (Germany) supported the United Kingdom's call for open competition, particularly given the very long tenure of the present Secretary General. Future contractual arrangements also needed to be reviewed. As internal auditor, he had examined the Secretary General's current contract and discovered some oddities, such as a 40% mark-up on subsistence rates. The Secretary General was well paid, at a salary level one step below that of the United Nations Secretary General and similar to that of the head of the WHO. In contrast, the WHO had 4,000 staff and the IPU only 4. Was the IPU getting value for money?

Ms Judith Troeth (Australia) said that it was important to find the best person for the job at this critical time for the IPU. A closed or staged selection process was not appropriate.

Mr Nigel Evans (United Kingdom) warned that a similar problem had arisen in the Commonwealth Parliamentary Association and that there had been legal issues surrounding the interpretation of the contract under Swiss law and under British law. He urged the Executive Committee to take legal advice before making any decisions.

The Chair noted that the IPU operated under Swiss law and thought that the contract would be governed by this. The Secretary General's contract and job description needed to be kept under review to deal with the changing work of the organisation. In the interests of equal opportunities, there had to be an agreed job description and person specification. He thought that this needed to be drafted by the Executive Committee.

Mr Felix Gutzwiller (Switzerland) identified a number of different issues in the debate. The Secretary General had been in post for a long time and might prefer to resign than face open competition for his job. The IPU had to decide whether it had confidence in the current appointee or not and make a clear statement accordingly.

Senator Donald Oliver (Canada) supported the position of the United Kingdom to ensure fairness, equality and openness. There was great value in incumbency, as all politicians knew. The Executive Committee had to discount this in order to create a level playing field. He highlighted the importance of geopolitical groups in the process and thanked **The Chair** for allowing this debate. The entire IPU needed to be involved in this decision.

Mr Geert Versnick (Belgium) said that the Executive Committee would look into legal and contractual issues, but he did not think that there would be a problem. The only relevant provision in the contract was that the Secretary General had to give notice by 30 June if he was seeking

reappointment, but this notice had already been asked for and given. The decision made by the Executive Committee had been the best compromise. Other geopolitical groups were not as interested in this issue. There was a need for a fair and transparent process and if the Secretary General wished to continue, this proposal would allow for a free vote. He did not think that Mr Anders Johnsson was doing a bad job overall, although there had been some small complaints. The proposal was a big step in the history of the IPU and, as the present Secretary General had indicated his intention to serve only one more term, there would be an open competition on the next occasion.

Mrs Elsa Papademetriou (Greece) reminded delegates that there had been a common view in favour of the proposal on the Executive Committee. The appointment process for the Secretary General had been under discussion for over a year. She acknowledged that there was merit in a fair and open process, but this was the best that could be achieved. However, the terms and conditions of employment should be reassessed. She had been impressed by the progress made by the IPU under the present Secretary General and she doubted whether he would apply for reappointment if the post was re-advertised. In any case, this would be his final term of office. She added that the Secretary General's successor should be appointed between six months and a year before his departure. The IPU was a large and complex organisation and there needed to be an overlap period.

Ms Katri Komi (Finland) pointed out that the IPU did not have other candidates with which to compare the present Secretary General. She asked what the status of the proposal was.

The Chair replied that the proposal would go to Governing Council later that day and, if passed, there would be a vote on the current Secretary General's position at the Geneva Assembly.

Mr Bogdan Barovič (Slovenia) supported the view that the present Secretary General was doing a good job and should be allowed to continue.

Mr Hans-Joachim Fuchtel (Germany) gave the view of the German delegation that the IPU did not have a high enough public profile and needed to be more visible. He had been a delegate since 1991 and since then, the United Nations Secretary General had only been present at one Assembly. In Germany, delegates were criticised for attending the IPU because of the travel costs. The IPU had a poor media image and slow progress had been made in persuading the United States to reaffiliate. Some improvements had been made, but more modernisation was needed. He recognised the quality of the Secretary General's work in this area, but still preferred an open selection process.

Senator Robert del Picchia (France) reported that some Executive Committee members had argued that now was not the time to change the Secretary General as there was a new President and some continuity was needed. The procedure to extend the Secretary General's appointment existed in other organisations, such as NATO, and was not unique to the IPU.

Senator Mauro del Vecchio (Italy) agreed with the United Kingdom proposal that there should be more transparency. The work of the Secretary General needed to be compared with the skills of other candidates. The selection process for such an important role had to be open.

Mr Roger Berry (United Kingdom) acknowledged that the Executive Committee had made progress and that its proposal was a difficult compromise. He did not think the issue related to the quality of the current Secretary General, or the terms of his contract. It was the principle of open competition that was at stake. Equal opportunities were harmed when incumbents were constantly re-appointed without advertising the posts. He did not think that the only way to trigger public

competition should be by effectively voting against the current Secretary General. The United Kingdom therefore moved to oppose the proposal from the Executive Committee.

Mr Marek Ziolkowski (Poland) seconded the United Kingdom's motion. He thought that there should be one decision from amongst a field of candidates, including the current Secretary General if he wished to stand.

The Chair put the motion from the United Kingdom to the vote. The result was:

In favour of the United Kingdom motion: 24

Against: 8

Abstentions: 1

He reminded delegates that the 12+ Group operated by consensus and he hoped that members would support the majority view. However, there would be a free vote in Governing Council.

Mr Geert Versnick (Belgium) notified delegates that the Executive Committee had also discussed the situation of the leader of the opposition, which had been referred to the Committee on Human Rights of Parliamentarians. The question of new Afghan laws on women's rights had been referred to the Meetings of Women Parliamentarians.

Mr Josef Winkler (Germany) urged the 12+ Group to be involved in decisions concerning the terms and conditions of the Secretary General's contract. The Secretary General was the administrative head of the organisation and did not need to become involved in political matters. Although the current Secretary General was doing a good job, this had been a problem.

Mr Nigel Evans (United Kingdom) asked whether the Executive Committee had considered the provision of visas for delegates by host countries.

The Chair said that Bangkok was likely to be agreed as the host city for 2010 and Panama had offered to host in 2011. The Executive Committee had rejected the inclusion of any reference to visa requirements in the IPU Statutes, which would effectively prevent any 12+ Group countries hosting an Assembly.

Mr Geert Versnick (Belgium) thought that it would be difficult for Canada to host an Assembly in 2011. He suggested that the first step was to agree to act as host and then ask for visas, as Ministers were always reluctant to give agreements in advance. In addition to United Nations travel bans, there were EU travel bans. These made an exception for inter-governmental conferences, but not for inter-parliamentary assemblies. EU countries had to lobby to change this.

5. Chair's report on ongoing matters

The Chair informed delegates that a questionnaire would be sent out on Consolidation of IPU Reform. He asked for responses by the end of July

The matter of the use of airmiles/bonus points collected by IPU staff would be referred to the 12+ Group Steering Committee.

He understood that the Standing Committee Drafting Committees had all gone relatively smoothly, despite some nit-picking in Committee II. He did not anticipate any problems in supporting the resolutions.

A number of 12+ Group countries had been successful in having subjects chosen for the 122nd Assembly. Committee I would debate the global fight against organised crime, including drugs trafficking, arms sales and cross-border terrorism. This comprised the Emergency Items submitted by India and Mexico. Committee II would debate the Belgian proposal on south-south and triangular co-operation. **Mr François-Xavier de Donnée** (Belgium) would be co-rapporteur. Committee III would deal with youth participation in the democratic process, a subject suggested by Croatia. **Ms Marija Lugaric** (Croatia) would be co-rapporteur.

6. Decisions to be taken in Geneva

The Chair reminded delegates that the 12+ Group would elect a member of the Executive Committee at the Geneva Assembly, to replace **Mrs Elsa Papademetriou** (Greece). Nominations had been received from **Mr Luca Volonté** (Italy) and **Mrs Monika Griefahn** (Germany). Nominations remained open until the first day of the Geneva Assembly. The Group would also consider the issue of Consolidation of IPU Reform.

Mr Felix Gutzwiller (Switzerland) informed the Group that **Mrs Doris Stump** (Switzerland) was also intending to stand for election to the Executive Committee.

7. Date and location of next Group meeting

The Chair notified members that the next meeting would take place at 1400 on Sunday 18 October at the International Conference Centre in Geneva. A provisional list of meetings was available.

8. Any other business

Mr Roger Berry (United Kingdom) reminded delegates that there would be a regional seminar on disability rights in London on 27-28 April.

Mrs Elsa Papademetriou (Greece) informed members that there would be a conference for the 12+ Group and African delegates on HIV/AIDS in Athens on 27-29 September. Further information would be circulated shortly.

Mr Geert Versnick (Belgium) thanked the Chair for his excellent leadership over the course of the week. *There was applause.*