

*Forum of African Parliamentarians for Education
(FAPED)*

GENERAL CONSTITUTIVE CONFERENCE

*Dar-es-Salaam, Tanzania
November 27-December 2, 2002*

***Draft
Statutes***

FORUM OF AFRICAN PARLIAMENTARIANS FOR EDUCATION (FAPED)

STATUTES

PREAMBLE

We, Parliamentarians of Africa, representing 53 countries, meeting at Dar-Es-Salaam (Tanzania) from November 27 to December 02, 2002,

Considering that Education is a fundamental right which should be promoted at the constitutional level, guaranteed to each individual in an equal manner and effectively implemented by our education policies,

Noting the flagging schooling and literacy rates in our countries and the particularly serious situation of women and girls, specially in the rural areas,

Conscious of the importance and necessity of urgently conceiving and developing appropriate, planned and concerted actions to tackle the perilous situation of Education in our countries,

Convinced of the central role and responsibility of the **Parliaments of Africa which should devote themselves to finding and implementing suitable** solutions within a harmonised framework to effectively fight against ignorance, illiteracy and poverty while, at the same time, continuing to fulfil their mission to legislate and to supervise the Executive,

Being resolved to carry out the relevant actions in accordance with the resolutions of the International Conferences and in line with the Durban Declaration of Commitment which stipulates *‘We resolve to involve the entire civil society, as well as non governmental organizations, the private sector, media organisations, **parliamentarians**, other ministries, religious organisations and teachers and parents organisations in the planning and execution of programmes and in mobilisation of resources both financial and human. The furtherance of decentralisation and greater sharing of responsibility are helpful measures in this regard, and we are determined to promote these ideals’.*

Have decided to create the Forum of African Parliamentarians for Education and have, to that effect, adopted the present Statutes:

CHAPTER I - GENERAL PROVISIONS

Article 1: Nomenclature

There is established an organisation which shall go by the name of **Forum of African Parliamentarians for Education**. The acronym of the Forum is **FAPED**.

Article 2: Definitions

For the purpose of the implementation of these statutes, the following definitions shall have effect:

- **African:** any Parliamentarian of the African countries,
- **Member:** any Parliamentary Committee having acceded to the Forum,
- **Parliamentarian:** any person or group of persons elected or appointed to a national legislative body acting in a national Parliament, a Senate, a Federal Chamber or any other national legislative body,
- **Parliamentary Committee:** any national Parliamentary Committee or Commission dealing with matters relating to Education or any other Parliamentary organisation accepted by the General Conference.

Article 3: Seat

The seat of the Forum shall be located at Dakar on the premises of the UNESCO Regional Bureau for Education in Africa.

It may be transferred to any other place following a decision by the General Conference.

In case of emergency, the decision to transfer may be taken by the Bureau. It will, however, need to be validated at the next session of the General Conference.

Article 4: Emblem and Official Seal

The Forum shall have a logo for an emblem and an official seal. The emblem and the official seal shall be adopted by the General Conference on a proposal from the Bureau.

Article 5: General Objectives

The Forum's mission is to:

- Facilitate, within each Parliament, the creation and functioning of Parliamentary Committee for Education,
- Establish a framework for exchanges and meetings between Parliamentarians, in order to sensitise them to problems relating to Education and to facilitate co-ordination of their activities,

- Establish in the domain of education and peace culture a partnership with the African Parliamentary Union (APU) or any other parliamentary organisation,
- Build up the capacities of the Parliamentarians, by supporting the creation of posts of Parliamentary Assistants and the use of inputs from experts,
- Urge the Parliamentarians to become more involved in advocating the development of Education,
- Act in order to find and mobilise greater resources for Education, at both national and international levels,
- Conduct a periodical assessment of the results of the different international conferences (Jomtien, Salamanca, Amman, Dakar, MINEDAF) and ensure that their commitments are reflected in domestic law and that a monitoring committee is set up to follow –up their implementation,
- Assist the Parliamentarians in translating, in the form of laws, the relevant recommendations of those meetings, in particular those relating to the Right to Education for All, and
- Persuade Parliamentarians, where appropriate, to act as mediators in resolving school or university crises which pose a serious threat to the functioning of the education system.

Article 6: Specific Objectives

The Forum shall be particularly committed to:

- Fighting against illiteracy and poverty, so as to break the reciprocal cause and effect relationship between these two phenomena,
- Promoting Education for women and girls, in order to eliminate the discrimination they are subjected to,
- Promoting the development of human resources so as to provide basic education to individuals, local authorities, minorities, the poor, the excluded, refugees, the disabled and people living in areas of conflict or war,
- Promoting Education for peace, to help in the emergence of democratic, pluralistic and friendly societies where Human Rights are respected,
- Helping, through education, to combat diseases, such as HIV/AIDS and malaria that could be an impediment to Education for All, and
- Facilitating access for our people to the new Information and Communication technologies.

Article 7: Accession

Are members of the Forum the Parliamentary Committees that have paid the accession fees fixed by the General Conference.

Article 8: Representation

Each National Parliament shall be represented at the Forum by its Parliamentary Committee.

Each National Parliament shall have one vote at the General Conference.

Article 9: Conditions of eligibility for national structures

The Parliamentary Committees will be opened to all Parliamentarians without any form of discrimination.

Article 10: Activity report of the national structures

The Parliamentary Committees shall draw up, each year, an activity report addressed to the Executive Director.

CHAPTER II - ORGANISATION AND FINANCE

SECTION 1: REGIONS OF THE FORUM

Article 11: Structuring of the Forum

The Forum is structured according to six regions:

- Southern Africa,
- Central Africa,
- Northern Africa
- East Africa,
- West Africa, and
- Indian Ocean Islands

SECTION 2 – ORGANS OF THE FORUM

Article 12 – Enumeration

The organs of the Forum are:

- The General Conference,
- The Bureau, and
- The Secretariat.

A - THE GENERAL CONFERENCE

Article 13: Composition

The General Conference comprises all the Parliamentary Committees that have paid the accession fees.

Article 14: Frequency of meetings

The General Conference meets every 2 years. It can also be convened in special session:

- By decision of the Bureau, or
- At the request of at least one third of the Members.

Article 15: Powers

The General Conference:

- Elects the members of the Bureau;
- Adopts a four year Action Programme on a proposal from the Bureau,
- Appoints the Executive Director,
- Approves the accounts,
- Approves the donations and bequests made to the Forum,
- Commission audits,
- Fixes the amount of the accession fees, the annual contributions and the remuneration payable to the Executive Director and the staff of the Forum on a proposal from the Bureau,
- Endorses the activity programmes of the Parliamentary Committees, and
- Exercises any other power which is conferred upon it by these Statutes or by the Rules and Regulations or the Financial Regulations.

Article 16: Quorum

The quorum required for any deliberation of the General Conference shall be at least one - third of the number of Members of the Forum.

Article 17: Majority

Subject to the provisions of article 34, the General Conference takes decisions on the basis of a majority of the members present.

Article 18: Activity report and balance sheet

The President shall submit an Activity Report and a Financial Report to the General Conference every 2 years . The Executive Director shall assist him/her in this task.

Article 19: Temporary replacement of the President

The president shall be temporarily replaced by one of the Vice – Presidents in case he/she is not available.

B - THE BUREAU

Article 20: Composition

The Bureau comprises:

- A President, and
- Six Vice-Presidents.

Article 21: Election

The President and the Vice-President are elected by the General Conference, on the basis of an equitable representation of the regions and the sexes, for a renewable four year mandate.

Article 22: Frequency of meetings

The Bureau shall meet in ordinary session at least once a year. It may meet in extraordinary session at the request of the President or of three of the Vice – Presidents.

Article 23: Role and powers

The Bureau ensures the functioning of the Forum and supervises the implementation of the Activity Programme. It also ensures that the Forum is represented at Parliaments and international organisations. The Bureau adopts the Budget on a proposal from the Executive Director. It makes proposals, to be approved by the General Conference, for the Activity Programme, the choice of the Executive Director, the amount of the accession fee, the annual contribution and the remuneration of the Executive Director and the staff of the Forum. The President and the Vice-Presidents receive no remuneration.

Article 24: Modalities for decision taking

The decisions of the Bureau are taken by simple majority. In case the votes are equal, the President has a casting vote.

C - THE SECRETARIAT

Article 25: Composition

- The Executive Director, and

- The staff which the Executive Director feels is required for the proper functioning of the Forum.

Article 26: Appointment and dismissal of the Executive Director

The Executive Director is appointed by the General Conference for a renewable four year mandate and dismissed on a decision of the General Conference or, in case of serious misconduct, by a unanimous decision of the Bureau. The President shall, however, inform the General Conference and the Executive Director may appeal against the decision to the General Conference.

Section 2: Role of the Executive Director

The Executive Director is in charge of:

- The administration of the Forum,
- The execution of the Activity Programmes, and
- Financial management.

The Executive Director enjoys in the States whose Parliamentary Committees are Members of the Forum, the immunities and other privileges accruing to members of the diplomatic corps.

He/she can represent the Forum, on the authority of the President, at any national or international meeting or before any other organisation.

The Executive Director recruits the staff of the Forum on the basis of the standards in force at the United Nations.

Article 28: Remuneration

The Executive Director and the staff of the Forum shall receive such remuneration as may be fixed by the General Conference on a proposal from the Bureau.

SECTION 3 - FINANCING OF THE FORUM

Article 29: Resources of the Forum

The financial resources of the Forum are constituted by:

- Accession fees and contributions from Members,
- Subsidies from African States, partners, international organisations, and non governmental organisations, and
- Donations and bequests approved by the General Conference.

Article 30: Book-keeping

The accounts are kept by the Executive Director and approved by the General Conference which gives final discharge to the Executive Director.

An audit of the accounts is carried out every two years.

Article 31: Financial Rules and Regulations

The financial rules and regulations determine the modalities for managing the Forum's resources.

CHAPTER III - FINAL PROVISIONS

Article 32: Coming into force

These statutes come into force, in the States whose Parliamentarians have, with the express authorisation of their National Parliament, adopted these Statutes, on the date on which they have been adopted. They shall come to force, in other States, on the date on which the Parliamentary Committee of the State has paid its accession fees.

Article 33: Revision of the statutes

The Parliamentary Committees shall submit to the Secretariat any proposal for amendment of these statutes at least three months prior to the General Conference.

An amendment must be passed by 2/3 majority of the Members present.

Article 34: Dissolution

The dissolution of the Forum may be pronounced by the General Conference. In case of dissolution, all the Forum's property will be bequeathed to African Educational organizations.