



Draft Statute of the United Nations Parliamentary Assembly**To be discussed by the Assembly of States 22 – 24 April in Halle****Preamble**

RECOGNIZING the need to advance democratic capability of international institutions through involvement of global citizens,

AFFIRMING the need for a legitimate democratic institution that represents global society,

COMMENDING the past work of the United Nations to promote world peace,

ACKNOWLEDGING the necessity to improve accountability with regards to human rights, environmental, and security issues,

We, the Assembly of States on the Establishment of a UN Parliament proclaim the Statute of the United Nations Parliamentary Assembly as follows:

CHAPTER I**Structures and Powers****Article 1**

The United Nations Parliamentary Assembly will advise, assist and act as [a principal organ of the United Nations under Article 7 of the UN Charter] [a subsidiary organ to the General Assembly of the United Nations under Article 22 of the UN Charter] [an independent but complementary international legislative institution to the United Nations established by this international treaty].

Article 2 [OPTION 1 – international treaty]

1. The United Nations Parliamentary Assembly may enact [self-executing legislation that creates rights and obligations under international law][legally non-binding recommendations] for all Member States and for natural and legal persons under their jurisdiction [with the advice and consent of the United Nations General Assembly], in the following areas:

- a) any questions or any matters in the same manner as provided to the General Assembly in Article 10 of the UN Charter;
- b) the foundation and promotion of international peace and security, including the regulation of armaments across international boundaries as well as resolution of criminal, economic, environmental, and health problems of a global nature;

- c) the progressive development of international law, its democratic legitimacy, and its codification;
 - d) measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of this Charter, the Charter of the United Nations, or treaties and agreements deposited with the United Nations.
 - e) To regulate international postal and other communications standards and mechanisms
 - f) To regulate the financial and economic institutions entrusted with the regulation of international trade and commerce
 - g) To provide for the punishment of violators by fine or imprisonment of international environmental statute or agreements, the transfer across national boundaries of narcotics, counterfeit currency or other sovereign standards, and the trafficking of persons regardless of race, class, sex or religion,
 - h) To provide for international exclusive copyrights and trademark protections on intellectual property;
2. The United Nations Parliamentary Assembly may not enact legislature which;
- a) Curtails the fundamental rights of individuals under the Universal Declaration of Human Rights
 - b) [Places taxes or duties on any item or service within the exclusive territory of any Member State]
 - c) Require a term of less than three years for the implementation of national legislature in accord with enacted United Nations Parliamentary Assembly legislation that is in contradiction to a Member State's constitution.
 - d) Establish preferences of an economic, social, developmental or cultural nature of one Member State over another
3. Member States may not enter into international agreements or treaties contrary to legislature enacted at an earlier date by the United Nations Parliamentary Assembly or enact legislation that curtails the fundamental rights of individuals under the Universal Declaration of Human Rights.
4. The budget of the United Nations Parliamentary Assembly shall be presented to the UN Secretariat for adoption, and once approved, shall be borne by the Member States [in proportion to their respective number of representatives].

Article 2 [OPTION 2 – principal UN organ]

1. The United Nations Parliamentary Assembly may discuss [and pass non-binding resolutions on][pass binding resolutions under Chapter VII of the UN Charter on] [any questions or any matters in the same manner as provided to the General Assembly in Article 10 of the UN Charter] [any questions it determines [a threat of international peace and security] [an issue of global significance to humankind]].
- [2. Any decision by the United Nations Parliamentary Assembly requires the approval of a simple majority [of the General Assembly] [of the Security Council] [including the permanent members of the Security Council] in order to enter into force.]
- [3. Any decision by the General Assembly [and the Security Council] requires the approval of a simple majority of the United Nations Parliamentary Assembly in order to enter into force.]
- [4. Any resolution passed by the General Assembly shall be discussed and voted upon by the United Nations Parliamentary Assembly. If the resolution has the support of [a simple majority] [of a two-thirds majority] it shall become a binding resolution under Chapter VII of the UN Charter.]
- [5. Member States may not enter into international agreements or treaties contrary to resolutions passed at an earlier date by the United Nations Parliamentary Assembly or enact legislation that curtails the fundamental rights of individuals under the Universal Declaration of Human Rights.]

6. The budget of the United Nations Parliamentary Assembly shall be presented to the UN Parliament for adoption by the Secretariat, and once approved, shall be borne by the Member States [in proportion to their respective number of representatives].

Article 2 [OPTION 3 – subsidiary UN organ]

1. The United Nations Parliamentary Assembly serves as an advisory organ to [the General Assembly] [and the Security Council].

[2. The United Nations Parliamentary Assembly may, acting by a [simple] [two-thirds] majority of its component Members, request the General Assembly [and the Security Council] to submit any appropriate proposal on matters which it considers an issue of global significance to humankind. [In this request the Parliamentary Assembly shall include specific substantive suggestions regarding the issue at hand.] If the General Assembly [or the Security Council] does not submit a proposal, it shall inform the Parliamentary Assembly of the reasons.]

[3. In the course of its duties, the United Nations Parliamentary Assembly may, at the request of [a quarter] [a simple majority] of its component Members, set up a temporary Committee of Inquiry to investigate, without prejudice to the powers conferred by the UN Charter on other institutions or bodies, alleged contraventions or maladministration in the implementation of obligations according to international law, except where the alleged facts are being examined before a court and while the case is still subject to legal proceedings. The temporary Committee of Inquiry shall cease to exist on the submission of its report.

[4. Any citizen of a UN Member State, and any natural or legal person residing or having its registered office in a Member State, shall have the right to address, individually or in association with other citizens or persons, a petition to the United Nations Parliamentary Assembly on a matter which comes within its fields of activity and which affects him, her or it directly.]

[5. The United Nations Parliamentary Assembly shall examine the accounts of all revenue and expenditure of the United Nations. It shall also examine the accounts of all revenue and expenditure of all bodies, offices or agencies set up by the United Nations in so far as the relevant constituent instrument does not preclude such examination. The Parliamentary Assembly shall provide the General Assembly with a public report on this matter. This statement may be supplemented by specific assessments for each major area of United Nations activity.]

[6. The budget of the United Nations shall be presented to the UN Parliament for adoption by the Secretariat.]

Article 3

The United Nations Parliamentary Assembly shall publish annually, not later than one month before the opening of the session of the General Assembly, a general report on its activities.

Article 4

1. The United Nations Parliamentary Assembly shall, [upon each opening session] [annually] [every five years], elect a President. [The President shall in turn appoint a Secretariat of various officers [chosen from among the Members of the Parliament] with the advice and consent of the Parliament, including, among others, the Secretary for Stateless People Affairs and Secretary for Aboriginal Affairs.] [The President [and Officers] shall serve collectively as the Secretariat of the United Nations Parliamentary Assembly.] The President shall be elected in such a way to ensure the representative character of the world population.

2. In addition to exercising the powers conferred upon him/her elsewhere by this statute, the President shall declare the opening and closing of each plenary meeting of the session, direct the discussions in plenary meeting, ensure observance of the rules, accord the right to speak, put questions and announce decisions. He or she shall rule on points of order and, subject to these rules, shall have complete control of the proceedings at any meeting and over the maintenance of order thereat.

3. The president, in the exercise of his functions, remains under the authority of the United Nations Parliamentary Assembly.

4. If the President is unable to perform his or her functions as described above, a new president shall be elected by the UN Parliament for the duration of the unexpired term.

CHAPTER II

Membership

Article 5

1. Membership in the United Nations Parliamentary Assembly is [open to all peace-loving peoples that accept and carry out the obligations and principles affirmed in the UN Charter and subsequent legislation] [is identical with the Membership in the United Nations and states having ratified the Charter of the United Nations].

[2. To be considered for membership, each State Party must meet the following criteria:

- a. [The state must currently be a Member State of the United Nations.]
- b. [The State must carry out free and fair elections as described in Chapter 3, article 2 below]
- c. The State shall have [either ratified or] [demonstrated compliance with] the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights
- d. [The Member State is required to accede to the Rome Statute of the International Criminal Court within five years]]

[Article 6

Member States that withdraw from the UN Parliament or subsequently fail to meet the criteria above shall withdraw their representatives and lose all rights and privileges of a Member State of the Parliament.]

Chapter III

Representation

Article 7

1. [OPTION 1 – national proportional representation] Representation in the United Nations Parliamentary Assembly will be proportional to each Member State's fragment of the world population [as determined by a worldwide census [carried out by each Member State] [by the Department of Elections] [financed by the United Nations Parliamentary Assembly] [financed by each respective Member State], [provided no Member State has [less than [one] [two] representatives] and no Member State's delegation shall constitute [more than [twenty] percent of the total membership of the Parliament].

1. [OPTION 2 – formula or degressive proportionality] Representation in the United Nations Parliamentary Assembly will be determined by the Representation Formula. The Representation Formula is $[(P+C+M)/3]$, where P is the Member State's percentage of the total population of all UN members, C is that Member State's

percentage of the total contributions to the UN budget, and M, the Member State's percentage of the total UN membership] [a formula of degressive proportionality of the percentage of a Member State's population of the world's population. The specific formula shall be determined by the Assembly of States no later than one year after this statute has entered into force]. [The representation shall be recalculated at the beginning of [each term of the President] [each session].]

1. [OPTION 3 – proportional representation of districts] Representation in the United Nations Parliamentary Assembly will be one parliamentarian per representative district. Each district consists of a group of [10.000.000 persons]. The districts shall be determined by [the Assembly of States] [the General Assembly] [each Member State] no later than one year after this statute has entered into force.
2. Representatives shall be elected and shall vote as individuals, rather than representatives of their government.
3. Voting shall be based on the principle of one-person-one-vote.

Article 8

1. Parliamentarians will serve for terms of [five] years.
4. Candidates for the United Nations Parliamentary Assembly must be at least [twenty-five] years of age [and have become a citizen] and [been a resident] for at least [five] years in [the Member State] [district] for which he or she is standing for election.

Article 9

1. Parliamentarians, while exercising their official duties, shall enjoy in the territory of each Member State the immunities and privileges extended to representatives of Members States under the Vienna Convention on Diplomatic Relations.
2. The Parliamentarians shall enjoy parliamentary immunity in each Member State. Accordingly, a member of the United Nations Parliamentary Assembly shall not be liable to civil or criminal proceedings, arrest, imprisonment, or damages for what is said or done by him or her within or outside the United Nations Parliamentary Assembly in his or her capacity as a member of the UN Parliament in the discharge of his or her duties.
3. Without prejudice to Paragraph 1 and 2 of this Article, [the President and the Secretariat] [or] [the Member State of the Parliamentarian in question] shall have the power to waive the immunity of a member in accordance with adopted rules.

CHAPTER IV

[Election][Selection] of Parliamentarians

Article 10

1. The Department of Elections shall be an administrative body that [disperses election funds as appropriated by the Parliament,] certifies [elections][selections] as free and fair, and ensures the integrity of the [electoral][selection] process.
2. The Department of Elections shall be comprised of experienced intellectuals, scholars, and experts [appointed by the Parliament].

[3. International observers shall verify the democratic legitimacy of elections in each of the UNPA Member States.]

Article 11 [OPTION 1 – direct, democratic elections]

1. Parliamentarians are elected directly by popular vote [every 5 years].
2. The rules governing the election process are to be determined by [the Assembly of States][each Member State individually].

Article 11 [OPTION 2 – election/selection by Member State parliament/government]

1. Parliamentarians are [elected by][chosen from] the parliament of each Member State [by the national parliaments themselves] [by the government of each Member State].
2. The composition of the Parliamentarians shall reflect [the composition of the national parliament][the will of the people].
3. The Parliamentarians must [not] be national parliamentarians.

Chapter V

[Legislation][Resolutions]

Article 12

Actions taken by the UN Parliament shall ensure constant respect for the principles of subsidiarity and proportionality.

Article 13

1. The agenda will be set fifteen days prior to the opening session of the United Nations Parliamentary Assembly.
2. The following entities may propose [legislation or revisions to previously adopted legislation][topics][draft resolutions] to be placed on the Parliament's agenda
 - a. One-twentieth of all UN Parliamentarians
 - b. Member States
 - c. The President of the United Nations Parliamentary Assembly
 - d. The Secretary General of the United Nations
 - e. Subsidiary United Nations Parliamentary Assembly committees
 - f. Other United Nations organs
3. The following may propose amendments to the Charter to be placed on the Parliament's agenda
 - a. One-tenth of all UN Parliamentarians
 - b. Member States
 - c. The President of the United Nations Parliamentary Assembly
 - d. Subsidiary United Nations Parliamentary Assembly committees

CHAPTER VI

Sessions

Article 14

The United Nations Parliamentary Assembly is a parliament [in permanent session] [with regular sessions in an interval determined by the Parliamentary Assembly in its first session] [each year [preceding] [parallel to] the sessions of the General Assembly]].

Article 15

[All] Sessions of the United Nations Parliamentary Assembly are public and shall be made available through appropriate means. [However, the United Nations Parliamentary Assembly can decide to exclude the public from its sessions by a simple majority.]

CHAPTER VII

External Relations

Article 16

With regards to external relations, the United Nations Parliamentary Assembly will serve as an advisory body to all Member States, regional political and economic unions upon their request.

[Article 17

1. Recognizing the United Nations Parliamentary Assembly and the International Criminal Court as institutions of global democracy and justice respectively, the United Nations Parliamentary Assembly will assist in any investigation or proceeding to judiciously guarantee the rights of individuals and nations as provided under the Genocide Convention and other instruments of customary international law as defined in the Rome Statute.
2. Recognizing the important role of the International Court of Justice in resolving disputes between countries, the United Nations Parliamentary Assembly shall seek the advisory opinion regarding the adherence of state parties to various treaties and international law when in question.]

Article 18

1. The United Nations Parliamentary Assembly may make suitable arrangements for consultations with non-governmental organizations and regional and economic organizations that are concerned with matters within their competence.
2. The aforementioned provision will allow non-governmental organizations, regional and economic organizations to be placed in consultative status with the United Nations Parliamentary Assembly.

Chapter VIII

[Ratification and] [Entry into force and] Amendments

Article 19 [OPTION 1 - treaty]

1. This Statute shall enter into force [for each State Party] [ninety] days following the approval [through popular referendum in accord with each Member State's constitutional processes] [upon approval by the respective constitutional processes regarding international organizations of each Member State] [upon approval by sufficient Member States to constitute representation by two-thirds of the world's population].

2. The instruments of ratification or accession shall be deposited with the Secretariat of the United Nations Parliamentary Assembly and the Secretary-General of the United Nations.

Article 19 [OPTION 2 - UN body]

This Statute shall enter into force [at the beginning of the next regular session of the United Nations General Assembly].

Article 20

Any Member or the UN Parliament may propose amendments to this Statute to be included on the agenda of the next session of the Parliament. Such amendments will enter into force [thirty days] following their approval by a sufficient number of Member States to [represent two-thirds of the Member States of the United Nations Parliamentary Assembly / United Nations] [represent two-thirds of the world's population].

Article 21

At intervals of ten years after adoption of this Statute, the President shall convene a Conference of Member States to review the applicability and provisions of this Statute and to recommend amendments to more accurately reflect existing political and cultural norms of the world.