

## 13<sup>th</sup> CONGRESS

### Rules of Procedure of Congresses – Proposal

### 19.4.1

#### Article 4 Delegation Credentials

#### CHINA, NEW ZEALAND

Title and paragraph 1. Amend as follows:

##### 2005 Seoul Text

#### Delegation's Credentials

1. Delegates' credentials shall be signed by the Head of State, the Head of Government or the Minister of Foreign Affairs of the country concerned. They must be drawn up in due form. Credentials authorizing the holder to sign the Acts shall implicitly include the right to vote. Delegates to whom the relevant authorities have given full powers without specifying their scope shall be authorized to debate, vote and sign the Acts unless the wording of the credentials is explicitly to the contrary.

##### Proposed Text

#### Delegates' credentials

1. Delegates' credentials **shall be drawn up in due and proper form as per the model templates circulated by the Bureau** and signed by the Head of State, the Head of Government or the Minister for Foreign Affairs of the country concerned / ... /, **or by any other government official duly authorized in writing by one of those authorities to sign the credentials. A copy of such authorization shall be presented together with the credentials. The credentials of delegates entitled to sign the Acts (plenipotentiaries) shall specify the scope of such signature (signature subject to ratification or approval, signature ad referendum, definitive signature). In the absence of such specific information, the signature shall be regarded as being subject to ratification or approval.** Credentials authorizing the holder to sign the Acts shall implicitly include the right to speak and to vote. Delegates on whom the relevant authorities have conferred full powers without specifying their scope shall be authorized to speak, to vote and to sign the Acts unless the wording of the credentials is explicitly to the contrary. **Credentials authorizing the holder to participate on behalf of the country concerned or represent the latter shall implicitly include the right to speak and to vote only.**

## Explanation of changes and reasons

### 1. Title

This is changed for editorial consistency with the corresponding UPU text (i.e., Article 3 of the UPU Congress RoP).

### 2. Text change # 1

In the first to third lines of paragraph 1 of the Proposed Text, the words

**“ ... shall be drawn up in due and proper form as per the model templates circulated by the Bureau... ”**

are inserted. This replaces the text shown as deleted in the fifth line (being the words “ ... must be drawn up in due form” in the fourth line of the 2005 Seoul Text).

This is an editorial change for consistency with the UPU text.

### 3. Text change # 2

In the sixth to tenth line of paragraph 1 of the Proposed Text, the words

**“ ... , or by any other government official duly authorized in writing by one of those authorities to sign the credentials. A copy of such authorization shall be presented together with the credentials.”**

are inserted. This is text taken directly from the UPU RoP.

This provision is relevant to the APPU. It recognises that the process for issuing credentials has changed whereby senior political identities now delegate signing authority in many cases. Such a process can make it easier for credentials to be issued.

### 4. Text change # 3

In the eleventh to eighteenth line of paragraph 1 of the Proposed Text, the words

**“ The credentials of delegates entitled to sign the Acts (plenipotentiaries) shall specify the scope of such signature (signature subject to ratification or approval, signature ad referendum, definitive signature). In the absence of such specific information, the signature shall be regarded as being subject to ratification or approval”**

are inserted. This is text taken directly from the UPU RoP.

This provision is relevant to the APPU. In particular, documents signed at a Congress are required to be ratified or approved through a subsequent process in a member country. The benefit of “definitive signature” is that it is not subject to ratification. The same might also be said of “signature ad referendum” provided it is confirmed by the State represented.

Given the difficulties that some members have with approving or ratifying documents, the additional text is a positive step.

**5. Text change # 4**

In the twenty-sixth to thirtieth line of paragraph 1 of the Proposed Text, the words

**“Credentials authorizing the holder to participate on behalf of the country concerned or represent the latter shall implicitly include the right to speak and to vote only”**

are inserted. This is text taken directly from the UPU RoP.

The Sub-Group believes that this is a provision that adds clarity to the RoP concerning credentials. It is relevant to the APPU in that it identifies delegates who are not entitled to sign.