

NATIONAL PARLIAMENT RESOLUTION NO. 22/2010
of 27 October

**Confirms the Statute of the Parliamentary Assembly of the Community of
Portuguese Speaking Countries**

The National Parliament resolves the following, pursuant to articles 92 and 95.1 of the Constitution of the Republic:

To confirm, for the purposes provided for in the respective article 27, the Statute of the Parliamentary Assembly of the Community of Portuguese Speaking Countries, which is published as an annex to this resolution and is an integral part thereof.

Approved on 1 March 2010.

For publication.

The acting Speaker of the National Parliament

Vicente da Silva Guterres

**I MEETING OF THE PARLIAMENTARY ASSEMBLY OF THE
COMMUNITY OF PORTUGUESE SPEAKING COUNTRIES**

Decision no. 1/09

We, the representatives democratically elected of the Parliaments of Angola, Brazil, Cape Verde, Guinea-Bissau, Mozambique, Portugal, São Tomé and Príncipe and Timor-Leste:

Conscious of the linguistic and cultural affinities existing among our peoples and of the common history of struggle for freedom and democracy against all forms of political and racial domination and discrimination;

Desirous of promoting the synergy resulting from such affinities as well as of the fact that we represent over two hundred million people distributed in four continents along the Atlantic, Indian and Pacific oceans;

Conscious that our concerted action will tend to favour democratic, economic and social progress of our countries, strengthen our voices in the concert of nations, and ensure a better defense of our interests;

Wishing to contribute to the cause of world peace and security;

Approve the following:

STATUTE OF THE PARLIAMENTARY ASSEMBLY OF THE COMMUNITY OF PORTUGUESE SPEAKING COUNTRIES

Chapter I (General provisions)

Article 1 (Definition)

The Parliamentary Assembly is the organ of the Community of Portuguese Speaking Countries (CPLP) that gathers representatives of all the Parliaments of the Community constituted on the basis of the legislative elections of the respective countries.

Article 2 (Headquarters)

The Parliamentary Assembly shall have its headquarters in the country presiding over the Conference of the Speakers of the Parliaments.

Article 3 (Objectives)

The following are the objectives of the Parliamentary Assembly of the CPLP:

- a) To contribute to peace and to the strengthening of democracy and of its representative institutions;
- b) To contribute to good governance and for the consolidation of the rule of law;

- c) To promote and defend human rights, notably the rights of children, adolescents and the elderly, equality and equity of gender, and to fight all forms of xenophobia and racism;
- d) To examine issues of common interest, with a view to, notably, intensify cultural, educational, economic, scientific, technologic, and environmental cooperation, including the fight against all forms of discrimination;
- e) To fight all unlawful trafficking activities;
- f) To harmonise the interests and ascertain positions with a view to promoting them in other parliamentary for a; to promote legislative harmonisation on matters of particularly relevant common interest;
- g) To follow up and encourage the activities of the Community of Portuguese Speaking Countries;
- h) To recommend to the Organs of the Community guidelines and parameters for the promotion of political, economic, scientific, environmental and cultural relations;
- i) To promote contacts and the exchange of experience among the respective Parliaments, Deputies and Functionaries;
- j) To promote the exchange of experience, notably in the fields of legislation and the control of the action of the Executive;
- k) To organise actions of cooperation and solidarity among the National Parliaments of the Member States of the Community of Portuguese Speaking Countries.

Article 4 (Functioning networks)

The Parliamentary Assembly of CPLP (AP-CPLP) shall maintain electronic networks of communication in permanent functioning as privileged spaces for inter-parliamentary cooperation.

CHAPTER II

(ORGANS)

Article 5 (Organs of the Parliamentary Assembly)

The following are organs of the Parliamentary Assembly of CPLP:

- a) The President;
- b) The Conference of the Speakers of the Parliaments;
- c) The Plenary of the Parliamentary Assembly of CPLP.

Article 6 (President of the Parliamentary Assembly of CPLP)

1. The President of the Parliamentary Assembly of CPLP shall be elected for a non-renewable period of two years from among the Speakers of the National Parliaments on a rotation basis among the countries.
2. The President of the Parliamentary Assembly shall have a seat on the Conferences of the Heads of State and Government of CPLP.

Article 7 (Competences of the President)

It shall be incumbent upon the President of the Parliamentary Assembly of CPLP:

- a) To represent, internally and externally, the Parliamentary Assembly of CPLP;
- b) To convene, preside over and conduct the business of the Conference of the Speakers of the Parliaments of AP-CPLP;
- c) To establish the draft working agenda of the Conference of the Speakers of the Parliaments following consultation with the other members;

d) To inform the Speakers of the National Parliaments and respective National Groups of the messages, explanations, invitations, proposals and suggestions addressed to him or her;

e) To establish working groups and international observation missions, notably electoral missions, and to designate special envoys to report on specific issues in the framework of the Community following decision of the Parliamentary Assembly of CPLP or of the Conference of the Speakers.

Article 8
(Conference of the Speakers of the National Parliaments)

The Conference of the Speakers of the National Parliaments shall gather the Speakers of the National Parliaments.

Article 9
(Meetings of the Conference)

The Conference shall meet in ordinary session once per year and, in extraordinary session by initiative of the President of the Parliamentary Assembly or upon the request of the simple majority of its members.

Article 10
(Competences of the Conference)

It shall be incumbent upon the Conference:

- a) To approve its working agenda;
- b) To convene and approve the draft working agenda of the Parliamentary Assembly;
- c) To promote the enforcement of the decisions of AP-CPLP;
- d) To encourage and support the establishment of parliamentary friendship groups;
- e) To follow up and assess the actions of concertation and of inter-parliamentary cooperation;

- f) To follow up and assess the actions of promotion and defense of human rights;
- g) To inform the respective Parliaments of the recommendations approved by the Parliamentary Assembly;
- h) To promote the exchange of information, compilation of documental funds, and the conduct of studies of common interest;
- i) To submit the annual programme of activities and respective budget to the Parliamentary Assembly;
- j) To submit to the Parliamentary Assembly an annual report on the activities undertaken by the Parliamentary Assembly of CPLP.

Article 11
(Plenary of the Parliamentary Assembly of CPLP)

The Plenary of the Parliamentary Assembly of CPLP shall be composed of the Speakers of the Parliaments and by the National Groups.

Article 12
(Competences of the Plenary of the Parliamentary Assembly)

1. It shall be incumbent upon the Plenary of AP-CPLP:
 - a) To examine all matters relating to the statutory objectives and the activity of CPLP, its organs and organisms;
 - b) To issue opinions on the guidelines, the general policy and the strategies of CPLP;
 - c) To meet with the President of the Council of Ministers, the Executive Secretary and the Executive Director of the International Institute of Portuguese Language (IILP), as well as with the people in charge of other equivalent organisms that may be established in the framework of the Organisation, in order to analyse and discuss the respective activities and programmes;

- d) To adopt, in the framework of its competences and following a decision that gathers the express majority of the set of their delegations, votes, reports, opinions, proposals or recommendations;
- e) To approve the working agenda of their meetings;
- f) To approve its Rules of Procedure and elect the Table Officers;
- g) To approve the annual programme of activities and respective budget;
- h) To discuss and vote the amendments to the Statutes of the Parliamentary Assembly of CPLP;
- i) To declare its opinion on all issues submitted to it by the Conference of the Speakers of the Parliaments and by the National Groups;
- j) To define the policies and issue directives for the materialisation of the objectives of the Parliamentary Assembly of CPLP;
- k) To submit proposals for action to the organs of the Community;
- l) To study the annual report of activities of the Network of Women of the Parliamentary Assembly of CPLP;
- m) To debate issues relating to peace and to the strengthening of democracy and its representative institutions, as well as issues that aim at the promotion and defense of human rights on the national and international plans;
- n) To debate issues of common interest aimed at legislative harmonisation and the strengthening of inter-parliamentary concertation and cooperation;
- o) To approve recommendations addressed to the respective Parliaments and Governments on all matters of common interest that fall within the framework of the objectives of CPLP;
- p) To receive and obtain information and documentation from other Organs of the CPLP;
- q) To exercise any other competence provided for in this Statute.

2. The Statutes and Rules of Procedure of the Parliamentary Assembly shall be adopted following decision approved by consensus.

Article 13
(Chair of the Plenary of the Parliamentary Assembly)

1. The Chair of the Plenary of AP-CPLP shall be composed of the President of the Parliamentary Assembly of CPLP, two vice-presidents, the former president and the president-elect, as well as of two Table Officers.

2. The President of the Chair of the Plenary of the Parliamentary Assembly shall be the President of the Parliamentary Assembly of CPLP.

Article 14
(Meetings of the Plenary of AP-CPLP)

1. During the term of a President, the Parliamentary Assembly shall meet, ordinarily, one year in the country holding the presidency of the CPLP, before the respective Summit of Heads of State and Government, and, in the other year, in the country to which he or she belongs.

2. The AP-CPLP shall meet extraordinarily in the country chosen for that purpose by the Conference of the Speakers of the Parliaments.

Article 15
(Decisions)

The decisions of the AP-CPLP shall be made by consensus, save for matters of functioning and of procedure, which shall require an absolute majority of the members present, after the presence of the absolute majority of its members has been ensured.

Article 16
(National Groups)

1. The National Groups shall be established by decision of the National Parliaments democratically elected.

2. The National Groups shall be composed of six members in the effective exercise of their functions. The principle of one-third of the representativity of one of the genders shall be respected.

Article 17
(Duties of the National Groups)

1. The National Groups and the respective members shall adhere to the objectives of the Parliamentary Assembly of CPLP and to the guiding principles of the Community of Portuguese Speaking Countries.

2. The National Groups have the duty to promote and follow up all initiatives and actions aiming at the concertation, at the level of the respective national parliaments, of the recommendations approved by AP-CPLP.

Article 18
(Network of Parliamentary Women)

The Network of Parliamentary Women of CPLP, hereinafter referred to in short as RM-AC-CPLP, is an organism of the Parliamentary Assembly and constitutes a space for concertation and cooperation of the AP-CPLP which deals with issues of gender equality and equity.

Article 19
(Meetings)

1. The RM-AP-CPLP shall meet ordinarily at the request of its President, on the occasion of the holding of the Parliamentary Assembly.

2. The RM-AP-CPLP may, if necessary, hold extraordinary meetings.

Article 20
(Competences)

It shall be incumbent upon the Parliamentary Women:

a) To organise the Conference of the Network of Women;

- b) To give sequence to the resolutions from the Conference of the Presidents of the Parliamentary Assembly of CPLP on matters relating to gender;
- c) To defend and promote gender equality and equity in the social, political and economic life in the framework of CPLP;
- d) To encourage the training and capacity building of CPLP Parliamentary Women;
- e) To encourage women to adopt behaviours against practices that jeopardise health and physical integrity;
- f) To encourage the implementation of public policies as well as legislation aimed at fighting feminisation and poverty, sexually transmitted diseases, notably HIV/AIDS, with particular emphasis on education of youth in the framework of CPLP;
- g) To improve the participation and the role of the Parliamentary Women in the process of prevention of conflicts and electoral processes.

CHAPTER III (REVENUES AND PROPERTY)

Article 21 (Financing)

Each Parliament shall bear the expenses of its own representation.

Article 22 (Annual Budget)

The Conference of the Speakers shall approve the proposal of annual budget, pursuant to subparagraph g) of article 12.

CHAPTER IV (SECRETARIES-GENERAL OF THE PARLIAMENTS)

Article 23 (Secretaries-General of the Parliaments)

The Secretaries-General and/or General Directors of the National Parliaments shall cooperate in all activities of the Parliamentary Assembly of CPLP, and may participate, on a consultative basis, in the meetings of AP-CPLP.

Article 24
(Secretariat and Support Groups)

1. The Secretariat of the Parliamentary Assembly of CPLP shall be headquartered in the country which presides over the Conference of the Speakers of the National Parliaments.
2. The activities of the Secretariat of the Parliamentary Assembly of CPLP shall be conducted and coordinated by the Secretary-General of the Parliament holding the presidency of the Parliamentary Assembly of CPLP.
3. The activities in the framework of each National Parliament in support of the Parliamentary Assembly of CPLP shall be undertaken under the responsibility of the respective Secretary-General.

Article 25
(Competence of the Secretariat)

It shall be incumbent upon the Secretariat of the Parliamentary Assembly of CPLP:

- a) To support the President of the Parliamentary Assembly of CPLP on a permanent basis;
- b) To liaise with the National Groups and the respective Support Groups;
- c) To prepare the meetings of the Conference of the Speakers of Parliaments and of the Parliamentary Assembly of CPLP;
- d) To ensure the execution of the decisions of the Parliamentary Assembly of CPLP;
- e) To prepare the programme proposals and the annual budgets;

- f) To collect and disseminate information of interest to the activities of the Parliamentary Assembly of CPLP;
- g) To organise and maintain, in digital format, the archives of the Parliamentary Assembly of CPLP.

CHAPTER V (FINAL AND TRANSITIONAL PROVISIONS)

Article 26 (Amendments to the Statute)

1. The proposals to amend this Statute shall be subscribed by at least three National Groups and presented to the Conference of Speakers of the National Parliaments.
2. The Conference shall issue a substantiated opinion on every proposal presented to it so that it is disseminated and submitted to the Parliamentary Assembly for voting.

Article 27 (Entry into force)

1. This Statute, as approved by the Meeting of the Parliamentary Assembly of the Community of Portuguese Speaking Countries, is confirmed by the National Parliaments.
2. The Statute shall enter into force following the deposit with the President of the Parliamentary Assembly of CPLP of the fifth instrument of confirmation.

City of São Tomé, on 28 April 2009.

The Speaker of the National Assembly of Angola, **Fernando da Piedade Dias dos Santos**. - The First Deputy-Speaker of the Chamber of Deputies of the Federal Republic of Brazil, **Marco Maia**. - The Head of the Delegation of the National Assembly of Cape Verde, **Rui Mendes Semedo**. - The Speaker of the Peoples National Assembly of Guinea-Bissau, **Manuel Serifo Nhamajo**. - The Head of the Delegation of the Assembly of the Republic of

Mozambique, **Margarida Talapa**. - The Speaker of the Assembly of the Portuguese Republic, **Jaime Gama**. - The Speaker of the National Assembly of São Tomé and Príncipe, **Francisco da Silva**. The Speaker of the National Parliament of Timor-Leste, **Fernando La Sama de Araújo**.

Pursuant to subparagraph f) of article 12 of the Statute of the Parliamentary Assembly of CPLP, the Plenary of the Parliamentary Assembly of CPLP approves the following:

Rules of Procedures of the Parliamentary Assembly of CPLP

CHAPTER I (GENERAL PROVISIONS)

Article 1 (Definition and Composition)

The Parliamentary Assembly is the organ of the Community of Portuguese Speaking Countries (CPLP) that gathers representatives of all the Parliaments of the Community constituted on the basis of the electoral results of the legislative elections of the respective countries, and its objectives and guiding principles are those contained in its Statute.

Article 2 (Quorum)

Without prejudice to the provisions of article 15 of the Statute of the Parliamentary Assembly of CPLP, the decisions of the latter shall be taken by simple majority, provided that, in any of the cases, the presence of the absolute majority of its members and those of the Parliaments integrating it.

Article 3 (Independence of the Deputies during their tenancy)

During their tenancy, the Deputies of the CPLP shall be independent in the exercise of their functions.

CHAPTER II (ORGANISATION)

Article 4 (Candidacies)

1. The President of the Parliamentary Assembly of CPLP shall be elected by the Conference of the Speakers from among its members.
2. The Deputy-Presidents of the Parliamentary Assembly of CPLP shall be the previous President of the Conference and the President of the Parliament who will hold the ensuing presidency.
3. Deputies of the National Groups of the countries holding the Presidency and the Deputy-Presidencies may run for Table Officers.

Article 5 (Functions of the President)

1. The President shall convene, preside over and conduct the activities of the Plenary of the Parliamentary Assembly of CPLP, pursuant to this Rules of Procedure.
2. The President shall have all the powers to preside over the sessions of the Parliament and ensure the correct unfolding of the works.
3. It shall be incumbent upon the President to, notably, open, suspend and close the sessions, decide on the admissibility of amendments to the Working Agenda, on the questions by the Deputies and on the conformity of the reports with this Rules of Procedure.
4. It shall also be incumbent upon the President to ensure observance of the Rules of Procedure, maintain order, grant the floor, close the debates, submit the matters to vote, proclaim the voting results and forward to the commissions the correspondence relating to them.
5. During the debates, it shall only be incumbent upon the President to take the floor in order to summarise the discussion and call the Deputies to order.
6. In case the President wishes to take part in the debate, he or she shall leave his or her seat and shall only return to it once the debate has been closed.

Article 6
(Functions of the Deputy-Presidents)

1. In case of absence, impediment or participation in the debates, the President shall be replaced by the most senior Deputy-President holding the post of Speaker of his or her Parliament of origin.
2. The Deputy-Presidents shall equally exercise the functions assigned to them pursuant to this Rules of Procedure.
3. The President may delegate functions to the Deputy-President, such as to represent the Assembly in ceremonies or specific acts.
4. In particular, the President may designate one Deputy-President to exercise the powers and responsibilities assigned to him or her pursuant to this Rules of Procedure.

Article 7
(Composition of the Table)

1. The Table shall be composed of the President of the Parliamentary Assembly, the Deputy-Presidents, and two secretaries elected by the Parliamentary Assembly of CPLP.
2. The President of the Chair shall be the President of the Parliamentary Assembly of CPLP.

Article 8
(Functions of the Chair)

1. The Chair of the Assembly shall have the functions assigned to him or her by this Rules of Procedure.
2. It shall be incumbent upon the Chair, notably:
 - a) To decide on claims regarding inaccuracies contained in the texts of the approved acts.

- b) To consider, pursuant to the Rules of Procedure, the initiatives of members of the Parliamentary Assembly of CPLP;
- c) To decide on the issues of interpretation and integration of lacunae of the Rules of Procedure;
- d) To assist the President in the exercise of his or her functions.

CHAPTER III (FUNCTIONING)

Article 9 (Approval and amendment of the working agenda)

1. The Assembly shall approve the working agenda at the beginning of each session.
2. Any national group or a minimum of five Deputies may submit proposals of amendment.
3. The proposals referred to in the preceding paragraph shall be received by the President at least one hour before the opening of the session.
4. The President shall, for each proposal, give the floor to the respective author, to a speaker in favour of the proposal and to a speaker against the proposal.
5. The speaking time shall not exceed three minutes.

Article 10 (Working language)

The working language adopted shall be the Portuguese language.

Article 11 (Granting of the floor and content of the interventions)

1. No Deputy may use the floor without being invited to do so by the President.

2. The President shall warn the speaker whenever the latter departs from the subject under discussion.
3. Where a speaker is warned twice during the same debate, the President may, at the third time, remove the floor up until the end of the discussion of the subject.
4. Nobody shall be allowed to interrupt the speaker, except the President.
5. Any speaker may, with the authorisation of the President, interrupt his or her intervention to allow another speaker to question him or her or to make comments on specific points of his or her intervention.

Article 12
(List of speakers)

1. Deputies requesting the floor shall be inscribed on the list of speakers by the order of registration of the requests.
2. The President shall give the floor by ensuring, to the extent possible, that speakers from different national groups are heard alternatively.

Article 13
(Decisions)

The decisions of the Parliamentary Assembly of CPLP shall be made by consensus, save for matters of functioning of the Assembly and for matters of procedure requiring an absolute majority of votes of the members.

Article 14
(Right to vote)

1. The right to vote is a personal right.
2. The Deputies shall cast their vote individually and in person.

Article 15
(Voting)

Voting in the Assembly shall normally be expressed by raised hands.

Article 16
(Statements of vote)

After closing the general debate, ant Deputy may make an oral statement of vote relating to the final voting, which shall not exceed three minutes, or handover a brief statement in writing with a maximum of two hundred words, which shall contain the integral report of the sessions.

Article 17
(Points of order)

1. Requests to use the floor for the following points of order shall prevail over any other requests to use the floor:
 - a) For formulating a preliminary question;
 - b) For requesting the closing of the debate;
 - c) For requesting the adjournment of the debate and the voting;
 - d) For requesting the interruption or the suspension of the session.
2. In addition to the respective author, only a speaker in favour and a speaker against, including the President or the rapporteur of the relevant commission, may take the floor on the requests referred to in the preceding paragraph.
3. The speaking time shall not exceed three minutes.

Article 18
(Closing of the debate)

1. The closing of the debate before all the inscribed speakers have taken the floor may only be proposed by the President or following the request of a national group or of a minimum of fifteen Deputies.
2. Voting of the proposal or the request referred to in the preceding paragraph shall take place immediately.

3. Where the proposal or the request is approved, only one member of each national group who have not yet intervened in the debate may take the floor.

4. After the interventions referred to in the preceding paragraph, the debate shall be considered closed and the Assembly shall submit the item under discussion to voting, unless the voting has been previously set for a determined period.

5. Where the proposal or the request has been rejected, they shall not be submitted again during the same debate, except by the President.

Article 19
(Interruption or suspension of the session)

1. The session may be interrupted or suspended during a debate if the Assembly so decides, following proposal of the President or at the request of a national group or of a minimum of fifteen Deputies.

2. Voting of such a proposal or request shall take place immediately.

Article 20
(Establishment of commissions or working groups)

The Parliamentary Assembly of CPLP may establish commissions or working groups.

Article 21
(Composition of the commissions)

The election of the members of the commissions and the working groups shall take place after the respective indication by the national groups.

Article 22
(Competences of the commissions)

1. It shall be incumbent upon the commissions to examine the issues submitted to them by the Parliamentary Assembly.

2. The competences of the commissions and the working groups shall be defined at the time of their respective establishment.

Article 23 (Meetings)

1. The Commissions shall meet following convocation of their Chairperson or by initiative of the President of the Parliamentary Assembly.

2. The Deputies may attend the meetings of the Commissions to which they do not belong without the right to participate in the decisions.

CHAPTER IV (FINAL PROVISIONS)

Article 24 (Amendments to the Rules of Procedure)

1. Approval of amendments to this Rules of Procedure shall take place by consensus.

2. Any Deputy may propose amendments to this Rules of Procedure, which may be accompanied of a brief justification.

3. Proposals of amendment shall only be submitted to voting where they are accompanied by a previous opinion of the Table.

City of São Tomé, on 28 April 2009.

The Speaker of the National Assembly of Angola, **Fernando da Piedade Dias dos Santos**. - The 1st Deputy-Speaker of the Chamber of Deputies of the Federal Republic of Brazil, **Marco Maia**. - The Head of Delegation of the National Assembly of Cape Verde, **Rui Mendes Semedo**. - The Speaker of the People's National Assembly of Guinea-Bissau, **Manuel Serifo Nhamajo**. - The Head of Delegation of the Assembly of the Republic of Mozambique, **Margarida Talapa**. - The Speaker of the Assembly of the Republic of Portugal, **Jaime Gama**. - The Speaker of the National Assembly of São Tomé and Príncipe, **Francisco da Silva**. - The Speaker of the National Parliament of Timor-Leste, **Fernando La Sama de Araújo**.