



**OIDP Afrique**  

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**IOPD Africa**



**International Observatory of Participatory  
Democracy - Africa**

**STATUTES**

## **Preamble**

**The International Observatory of Participatory Democracy**, created in 2001, is a space open to cities, organizations, universities and research centers that wish to know, exchange or apply participatory democracy approaches at the local level, to deepen democracy in the local governance.

Since December 7, 2012, the Africa Office of the Observatory (OIDP Africa) has been launched, under the chairmanship of the Minister of Regional Planning and Local Authorities of Senegal, the Director of Programs of UN HABITAT, the Secretary General of the International Observatory, the President of the Union of Local Elected Associations of Senegal and in the presence of 156 participants from 13 African countries.

The Tunis International Conference on Citizen Participation in Planning, Budgeting and Management of Local and Regional Affairs in Africa, brought together participants from 42 countries, including 33 from Africa. The participants composed of local elected officials, representatives of states and civil society, academics, adopted a roadmap called "Tunis Declaration", which aims to :

- Encourage the setting up and consolidation of observatories of participatory democracy at the various community, local, national and regional levels, in order to better support and evaluate current participatory democracy practices.
- Encourage the establishment of communities of practice and networks of cities that have adopted Participatory Budgeting processes, participation and citizen engagement in public management, at different levels, from national to regional on the basis of a dynamic system of transfer and exchanges on tools and mechanisms.

## **Article 1: Object**

The International Observatory of Participatory Democracy for Africa (in short IOPD Africa) is a pan-African organization, operating as an associative and non-profit network. It is subject to compliance with the legal texts that govern organizations in the country hosting the headquarters. The same applies to its branches in the host countries.

## **Article 2: Headquarters and language of IOPD-Africa**

The headquarters of IOPD-Africa is established in Senegal precisely in Dakar at the Administrative Complex Sicap Point E, Avenue Cheikh Anta Diop. If the situation so requires, the Headquarters may be transferred to another member city, by reasoned decision of the Executive Board.

IOPD-Africa should maintain a regional office in each of the five African sub-regions (North Africa, West Africa, Central Africa, East Africa, and Southern Africa). These regional offices are branches of the Executive Coordination of the IOPD-Africa, and provide support to the regional caucuses under the authority of the Vice-Presidents of the IOPD-Africa as defined by article 11 of this statute.

The Executive Coordination or Executive Office of IOPD-Africa is established at the headquarters of IOPD-Africa.

The official languages of IOPD-Africa are the official languages of the African Union. The working languages are English and French, in which the documents of IOPD-Africa must be written.

### **Article 3: Values and principles of the observatory**

The founding values and principles of IOPD-Africa are:

- Respect for human dignity, equality and the promotion of human rights and freedoms and participation in the search for sustainable and balanced economic development;
- Respect for the equality of peoples, without discrimination of race or creed, gender equality, equity and social justice;
- Respect for democratic principles, the rule of law, good governance, access to information on data;
- Access to budget information and accountability for the use of public resources
- Adherence to the traditional values of the African peoples relating to compassion, tolerance, peace, solidarity, fraternity, conviviality, community of spirit and objectives.

### **Article 4: Purpose of the Observatory**

The IOPD-Africa ensures directly - and through its members - the pursuit of the following objectives:

- Observe, follow and make visible the experiences of participatory democracy in Africa,
- Support the implementation and strengthen the processes of representative and participatory democracy,
- Capitalize and disseminate African experiences of participatory democracy.
- Support the institutionalization of participatory democracy approaches in public policies

### **Section 5: Membership**

In compliance with the founding values and principles, IOPD-Africa is open to the following categories of members: Associate Members, Collaborating Members and Honorary Members.

#### **5.1- Associate Members**

The categories of Associate Members are:

- Networks of local governments that apply the participatory budgeting or any other tool of participatory democracy recognized as such by IOPD Africa;
- Sub-national governments (Federated States, Regions, Provinces, Departments, etc.)

Associate members are officially represented by their highest executive authority (mayor, governor, president or equivalent) or by their officially designated alternate in the absence of the official representative.

The loss of the office of President, Governor, Mayor or equivalent of a member Federated State, a member national association of local governments, a member local government, or a member sub-national government, shall ipso facto result in the immediate termination of the mandate of representation of the above-mentioned member within the bodies of IOPD-Africa and its replacement by the new holder of the office.

## **5.2 – Collaborating Members**

The collaborating members of IOPD-Africa are:

- National States, through the Ministers in charge of Decentralization, Local Governments;
- Civil society organizations;
- Private Sector Organizations, Foundations and Companies, or any legal or individual persons showing a major interest in local governance;
- Universities and research centers working on democracy, governance and local development;

Collaborating membership is granted by the competent bodies of IOPD-Africa after receipt of an application formulated by the candidates.

## **5.3 Honorary Members**

Honorary membership is conferred on natural persons who have rendered exceptional services to participatory democracy, governance and local development in Africa.

Honorary membership is obtained by co-option by the competent bodies of IOPD-Africa.

## **Article 6: Rights and Obligations of Members**

By adhering to these statutes, members agree to abide by the principles, values and objectives of IOPD-Africa, as well as the decisions that emanate from the statutory decision-making bodies of the organization.

Members have the right to take part in meetings, activities and programs of IOPD-Africa according to the provisions of these statutes. To this end, they have equal access to the various information, documentation and decisions of IOPD-Africa. They have an equal right to participate in the decisions of IOPD-Africa according to the provisions set out in these statutes.

Associate members and collaborating members have a duty to pay a contribution. Only members up to date with their contributions have the right to vote at statutory meetings of IOPD-Africa.

## **Article 7: Application for membership and loss of membership**

All applicants for membership must:

- Provide a duly completed application file. By sending an application for membership, any candidate undertakes to respect the provisions of these Statutes.
- Pay membership fees to the competent body of IOPD-Africa.

Any member loses their membership:

- Following receipt by the competent services of IOPD-Africa of their letter of resignation written at least six (6) months in advance, and its acceptance by the competent body of IOPD-Africa.
- Ipso facto, for any member, after the expiry of a period of twelve (12) months from the date of payment of the annual subscription, if this subscription has not been paid in full.
- In the event of death, if it is a natural person.
- Following the adoption of a resolution to this effect by the competent body of IOPD-Africa, in the exercise of their sole discretion, after it has been determined that the said member has not complied with these By-Laws, its values and objectives, or has brought discredit to IOPD-Africa.

Any member whose membership has been terminated in accordance with the terms of Article 7.2 may re-apply for membership. A member whose membership has been terminated under Article 7.2 may appeal to the competent body of IOPD-Africa.

### **Article 8: Membership fees**

The amount of contributions due by each category of members is communicated to all members by the competent statutory bodies no later than October 31 of each year. All dues must be paid in full by March 31 of the year in which they are due.

Any member who does not pay their dues on the due date will be ipso facto suspended until the dues are paid or the membership is terminated.

The suspension of a member pursuant to article 8.2 above entails the interruption of the programs and projects carried out by IOPD-Africa for the benefit of the mentioned member, until the regularization of their situation. Such a member ceases to benefit from the advantages of membership, including, without limitation, the right to vote.

### **Article 9: Governance Structure**

The governance of IOPD-Africa includes the following bodies:

- The General Assembly,
- Board of Directors,
- The Executive Office or Executive Coordination.

#### **9.1 The General Assembly**

The General Assembly is the supreme body. It deliberates on all questions concerning the life of the Observatory. It meets in ordinary session, once every two years, upon convocation by its President, and in extraordinary session, if 2/3 of the members request it.

Its agenda is set by the office. The general assembly deliberates on the management reports of the office and on the moral and financial situation of the Observatory. It approves the accounts for the closed financial year, votes on the management budget.

It may appoint, outside the office, a control commission composed of three members responsible for carrying out the verification of the accounts for the closed financial year. These are the auditors.

Deliberations are taken by a majority of the votes of the members present at the meeting, each member having one vote. For the validation of the deliberations, the presence of  $\frac{1}{4}$  of the members is necessary.

## **9.2: The Board of Directors (BoD)**

The Board of Directors is the executive body of the Observatory. The members are:

- The five (5) presidents of the sub-regional caucuses,
- The three (3) members of civil society,
- 1 representative of academic institutions,
- 1 representative of the States,
- 1 representative of development partners,
- The Executive Director also provides secretarial services for the meetings.

Board members are elected for a renewable term of 2 years. Retiring members may be reappointed. It meets once every semester.

## **Article 10: Presidency**

The Presidency is the political authority of IOPD-Africa which represents the organization at ceremonies, meetings and events to which the organization is invited.

The presidency of the Observatory is ensured in a rotating manner by the city which hosts the international conference of the Organization, which is held every two years, unless the mandate has not been interrupted according to the provisions of article 7.2 of the these statutes.

The loss of the mandate of executive or elected or president of a local authority, of a member elected as President or Vice-President of IOPD-Africa entails ipso facto, and without conditions, the immediate end of their function as representative within the Presidency and their automatic replacement by the new leader of the local government associate member of IOPD-Africa.

In the event of a vacancy in the position of President under the conditions provided for in article 7.2 of these Statutes, the function of President of IOPD Africa is exercised for the remainder of the term by one of the Vice-Presidents chosen by the Board of Directors.

## **Article 11: Executive Board or Executive Coordination**

The Executive Office of IOPD Africa includes the President of the Board of Directors, Executive Director as well as the staff of the headquarters and sub-regional offices of IOPD Africa.

The Executive Director is responsible for the accounting and administration of IOPD-Africa. As such, he or she has full responsibility for general management and has the powers defined by the statutes. The Executive Director supervises the sub-regional offices and is responsible for the execution of the activities and programs of IOPD-Africa. He/she represents IOPD-Africa in all administrative, technical and financial acts, including legal acts and before the courts.

The Executive Director is responsible for setting up an organizational structure for the administration of IOPD-Africa, within the limits of the approved budget.

The Executive Director sets up the operating budget of IOPD-Africa. He/she is responsible for the use of this budget, in compliance with the guidelines, policies and action plans of IOPD-Africa.

The Executive Director attends meetings of all bodies of IOPD-Africa, except when it comes to discussing issues concerning his/her status, salary and benefits. The Executive Director has no voting rights at such meetings.

The Executive Director appoints the sub-regional focal points, through a call for applications.

The Sub-Regional Coordinator is a collaborating member of IOPD Africa, and must enjoy a status as defined by article 5.2.

The Sub-Regional Coordinator is responsible for carrying out the activities and programs of IOPD-Africa in the sub-region for which he has been appointed.

## **Article 12: General Financial Provisions**

The budgetary and operational year of IOPD-Africa starts on January 1 and ends on December 31 of each year. The accounts are closed each year on 31 December.

The activities of IOPD-Africa are funded by:

- Deductions from membership dues and any membership fees.
- Grants and allocations from governments and international organizations.
- Allowances, donations and legacies.
- Income from services provided by IOPD-Africa and events organized on its initiative.
- Any other type of legal financing.

The Executive Director may, in order to cover the operating or investment expenses of IOPD-Africa, borrow money against the value of the assets of IOPD-Africa or other

The Executive Coordination approves the procedures manual.

The Executive Coordination appoints an auditor to verify the financial management of the assets and the results of IOPD-Africa for the period of his mandate.

The Executive Coordination decides on the policy and procedures for managing the assets of IOPD-Africa and the risks they incur.

Audited financial statements and audit reports are made available to all members within thirty (30) days of their publication and must be published at the same time on the IOPD-Africa website.

### **Article 13: Legal Power and Character of IOPD-Africa**

IOPD-Africa has diplomatic status as a pan-African international organization. It is a legal person subject to the laws of the country where its permanent headquarters and those of the regional offices are located in accordance with international rules and standards, and is liable for its debts only to the extent of its assets.

No surplus or profit from operations will be distributed to its members, but will be used to achieve the objectives of IOPD-Africa.

### **Article 14: Regulations**

The Executive Coordination may, by resolution, adopt rules of procedure which shall determine the rules of operation of IOPD-Africa. The above-mentioned rules of procedure must not have provisions that conflict with the provisions of the present statutes.