

UNITED MICROSTATES ORGANIZATION (OMU)

Act of Constitution and Statute



Rome - 2023

CONSTITUTION ACT

of the United Microstates Organization

Article 1

Objectives of the Organization

The signatory States hereby constitute among themselves the United Microstates Organization for the purpose of:

1. To create a group of States, of modest physical size but of great moral and cultural importance, which will join forces to influence the international political balance, in favor of peace and harmony among all peoples.
2. To develop friendly relations between the signatory States and subsequent acceding States based on the principle of equal rights and self-determination of peoples and to take all measures as a whole to ensure respect for these principles among the States which are members of the Organization.
3. To promote mutual cooperation between Member States in resolving international problems in the economic, social, cultural, sporting and humanitarian fields, promoting respect for human rights and fundamental freedoms, without distinction as to ethnicity, sex, language, religion, personal, social and sexual orientation.
4. Establish a single group representing the States of the Organization before all international organizations.
5. Sports committees are set up:
 - Olympic Committee
 - Football Committee
 - Swimming Committee
 - Equestrian Committee
 - Winter Sports Committee
 - etc.

in order to organize:

- the Microstate Olympics,
- Microstate Winter Olympics
- Microstate World Cup
- World Championships in Athletics Microstates
- etc.

The proceeds will be donated to charity.

Article 2

Guiding principles

The United Microstates Organization, as a supranational entity and each of the member States individually, shall seek to achieve the purposes set out in Article 1, inspired by the following principles:

1. At the basis of every action of the Organization is the principle of equal sovereignty and equality of the Member States.
2. Member States shall enjoy the rights and assume the duties of their membership of the

- Organization in accordance with the principle of good faith, in all their conduct.
3. Member States will resolve their disputes peacefully, so as to foster peace between nations.
 4. In their dealings with States outside the Organization, individual Member States shall undertake to follow the same principles of good faith and peace-seeking as they follow within the Organization.
 5. The Organization will undertake to support, aid and rescue Member States in the event of natural disasters, epidemics and wars, through fundraising, to the extent that the budgets of individual States allow.

Article 3

Membership of the Organization

States signatories to the Organization are those States which have signed the present Constitutive Act.

All States that have subsequently acceded to the Organization by binding act in accordance with their national laws are States Members.

States wishing to join the Organization must submit an application to the General Secretariat, which will submit it to Congress with its own non-binding opinion. The Congress decides by an absolute majority on the acceptance or rejection of the application for admission.

The difference between signatory and acceding States does not imply any difference between Member States in terms of rights and obligations.

Article 4

Duties of acceding States

The submission of an application for admission by a Member State and subsequent acceptance implies by the admitted State full acceptance of the principles of this Articles of Association, the Statute and any deliberation taken by the Congress. Each Microstate will have to contribute to the costs of the OMU by paying 0.5% of its annual GDP to the Organization.

Article 5

Sanctions for violations of principles

A Member State committing a flagrant and serious violation of the principles of this Constitution may receive a warning note from Congress.

In the event of further violations of the principles of the Articles of Association, after an initial warning, a Member State may be suspended from the rights and privileges of membership of the Organization by order of the Congress.

Article 6

Expulsion

A Member which persists in blatant violations of the principles of this Constitutive Act, after unsuccessful amicable attempts to resolve the dispute have been made, may be expelled from the Organization by order of the Congress.

Article 7

Organs of the Organization

The organs of the Organization are:

- a) Congress.

- b) the Steering Committee.
- c) the General Secretariat.
- d) The Court of Justice.

Article 8
The Congress

The Congress is the supreme organ of the Organization and is composed of representatives of the signatory States and acceding States.

It meets ordinarily every three years, but may be convened at any time necessary, at the request of the General Secretariat or of a number of Member States equal to one-tenth of the assembly.

Resolutions of the Congress are adopted by a simple majority of votes, with the exception of decisions amending the Statute, which require a two-thirds majority of the votes.

Each represented state has only one vote in Congress, regardless of the number of delegates.

The functioning of the body is described and detailed in the Statute of the Organization.

Article 9
The Steering Committee

The Steering Committee aims to take, during the period separating the Congresses, all the measures deemed necessary to achieve the objectives of the Organization and in particular to complete the tasks assigned to the Steering Committee by the Congress.

The Steering Committee shall be composed of the Secretary-General and representatives of the Member States in accordance with detailed rules of composition and operation described in the Statute of the Organization.

Article 10
The Secretary General

The Secretary General is the legal representative of the Organization at all national and international offices. It maintains contacts with the Member States during the periods between the Congresses and facilitates relations between them.

Its duties and powers are detailed and described in the Charter of the Organization.

Article 11
The Court of Justice

The Court of Justice of the Microstates is an arbitration body for the settlement of disputes between Member States.

The Court may also be seized of disputes between private persons or between private individuals and individual Member States, either with the agreement of the parties or on the basis of a contractual arbitration clause.

The decisions of the Court are recognized as legally binding by the legislation of all Member States.

The rules of composition and procedure of the Court are laid down in the Statute of the Court.

Article 12
Diplomatic immunity

The Secretary General, the members of the Board, Congress and the Court of Justice of the Organization are granted diplomatic immunity.

STATUTE

of the United Microstates Organization

Summary

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Article 1

Name and purpose

- 1) The United Microstates Organization is an autonomous, independent organization constituted as a permanent institution with the aim of promoting the exchange of ideas, common experiences, structural means, common financial processes among the participating States; they will be able to manage large-scale cooperation in the most diverse sectors in order to promulgate and disseminate the inspiring principles that are social equality, the defense of the individual, the possibility of giving every human being the opportunity to express himself both as an individual and as a community in every cultural, sporting and educational environment, with the possibility of building and cooperating in carrying out works that allow the improvement of the social level and the development capacity of each individual member country. Promote the defense and dissemination of principles of social solidarity that turn into works of dissemination of science and the tools that technology makes available to the most advanced societies.
- 2) The organization will be based in Rome, Italy.
- 3) The OMU maintains its existing relationship with the United Nations.

Article 2

Adhesion

- 1) Membership as an ex officio Member of OMU and all its bodies and activities is open:
 - a) To the Governments and their representatives of all countries that decide to join the OMU;
 - b) the supreme audit institutions of those supranational organizations which are subject to international law, and which have their own legal personality and an adequate degree of economic, technical-organizational, or financial integration.
- 2) Supreme Audit Institution means that public institution of a State or supranational organization which, however designated, constituted or organized, exercises, by virtue of the law or other formal acts of the State or supranational organization, the highest financial

control function of that State or supranational organization independently, whether or not it has jurisdiction.

Article 3 *Organs*

The organs of the OMU are:

- a) The Congress
- b) The Steering Committee
- c) The General Secretariat

Article 4 *The Congress*

- 1) The OMU Congress is the supreme body of the Organization and is composed of ex officio members and associate members. It normally meets every three years. The meeting shall be convened and chaired by the President of the Supreme Audit Office of the country in which the Congress is held.
- 2) Resolutions of the Congress are adopted by a simple majority of votes, with the exception of decisions amending the Statute, which require a two-thirds majority of the votes.
- 3) At the Congress, each Supreme Audit Body shall have only one vote regardless of the number of delegates.
- 4) Each Congress approves its rules of procedure.
- 5) It is the responsibility of the Congress:
 - a) discuss and approve recommendations on subjects of common professional and technical interest in order to promote the exchange of ideas and experience;
 - b) decide on the tasks to be assigned to the Steering Committee and the General Secretariat;
 - c) appoint Commissions and assign them tasks;
 - d) adopt and amend the Statute of the OMU;
 - e) deal with all matters that the Steering Committee submits to the Congress;
 - f) approve the OMU's three-year budget in accordance with Article 8, sections 4 and 5;
 - g) approve the annual report and certified financial statements of the General Secretariat;
 - h) designate, on the proposal of the Steering Committee, the country whose Supreme Audit Office will organize the next Congress;
 - i) decide, as the highest authority of the OMU, on matters relating to the international cooperation of Supreme Audit Institutions;
 - j) appoint, on the proposal of the Steering Committee, the auditors of the organization;
 - k) decide any matter concerning the Organization that is not provided for or mentioned in the Statute.

Article 5 *The Steering Committee*

- 1) It is the task of the Steering Committee:
 - a) to take, during the period separating the Congresses, all measures deemed necessary to achieve the objectives of INTOSAI and, in particular, to complete the tasks assigned to the Steering Committee by the Congress;
 - b) verify whether the Supreme Audit Institutions wishing to be part of the OMU are in compliance with the requirements for admission and decide on their admission;

- c) set up a Financial and Administrative Commission composed of five of its members, one of whom is the second Vice-President who takes over the chairmanship of the Financial and Administrative Commission; the five members of the Financial and Administrative Commission shall have the right to vote; the Secretary General is an ex officio (non-voting) Member of the Financial and Administrative Commission;
 - d) approve the three-year budget bill, as well as proposals for adjusting members' contribution quotas, and submit them to Congress;
 - e) approve the draft annual budgets, also in view of the implementation of the OMU Strategic Plan;
 - f) verify and approve the annual report of the General Secretariat described in art. 6, section 1 (f) and submit it, along with your comments, to Congress for approval.
- 2) The Steering Committee is composed of the members who subscribe to this Statute (in the number of one per State), as follows:
- a) the Presidents of the Supreme Audit Institutions of the countries in which the last three Congresses were held;
 - b) the President of the Supreme Audit Institution of the country designated to host the next Congress;
 - c) the Secretary General;
 - d) eleven members elected by Congress for a term of four years, renewable.
- 3) The President of the Supreme Audit Institution of the country where the last Congress was held, is President of the Steering Committee; the President of the Supreme Audit Office of the country designated to host the next Congress is Deputy President: the second Vice-President is appointed by the Steering Committee from among the members elected for a period of three years; possibly renewable.

Article 6

General Secretariat

- 1) The task of the General Secretariat is:
- a) maintain contact with OMU members during the periods between Congresses and facilitate relations between them;
 - b) assist the Steering Committee and the Commissions in carrying out the tasks assigned to them and promote the organization and functioning of the individual member countries;
 - c) organize seminars, studies and other activities to help achieve the objectives of the OMU;
 - d) prepare and submit the draft three-year budget to the Steering Committee in consultation with the Financial and Administrative Commission, and submit annually to the Steering Committee an updated forecast plan for the current year and for the following in consultation with the Financial and Administrative Commission;
 - e) implement the budget and keep the accounts and accounting records of the OMU;
 - f) publish its annual report together with the audited financial statement of the last year with comparative tables for the previous two years and submit them to the Steering Committee by April 15 of each year;
 - g) perform all other tasks assigned by the Congress or the Steering Committee.
- 2) The headquarters of OMU and the General Secretariat is in Rome, Italy.
- 3) In the exercise of his functions, the Secretary-General represents the OMU.

Article 7
Commissions

- 1) For the study of specific problems, Congress may establish commissions. The tasks, composition and rules of operation of the Commissions shall be determined by the Congress.
- 2) The tasks of the Financial and Administrative Commission are: to cooperate with the General Secretariat on financial planning; verify and control the implementation of the budget; propose to the Steering Committee, for its approval, the initial contribution of the associate members and, no later than six months before the meeting of each planned Congress, advise the Steering Committee whether, considering all relevant facts and circumstances, including inflation, the contributions of ex officio and associated members should be adjusted and to what extent; In addition, the Finance and Administrative Commission reports on its activities and results to the Steering Committee and, upon request, to the Congress.

Article 8
Financial organization

- 1) OMU expenses are covered by:
 - a) the shares of members by right, in the amount of 0.5% of national GDP; the General Secretariat shall notify the Members ex officio of the share to be paid at the beginning of each year;
 - b) grants and donations received from private individuals or any public or private institution for the achievement of the general objectives of the SMO, or for as determined by the author of the donation or grant;
 - c) revenue from publications and other activities of the OMU;
 - d) any other income approved by the Steering Committee, including Associate Member dues approved by the Steering Committee and adopted by Congress.
- 2) As a general rule, the expenses necessary to organize each Congress are borne by the Supreme State Audit Office hosting the Congress. However, a contribution to meet the organizational expenses of the Congress is guaranteed by the OMU funds provided for in the relevant budget chapter, with particular reference to the fixed quota that each country belonging to the OMU Organization will pay annually.
- 3) The OMU budget covers three years, starting on January 1 of the calendar year following the Congress.
- 4) The revenue section of the budget includes the contributions of the Member States and other expected revenue. Expenditure is divided into the following chapters:
 - General Secretariat
 - Planning of joint activities of the acceding countries
 - Contribution to the costs of organizing the Congress.
- 5) In the annual budget, chapters are divided into articles if necessary.
- 6) Any transfer of appropriations from one chapter to another must be approved by the Steering Committee. Within each chapter, the funds allocated may be transferred, in accordance with the provisions of the Financial Regulation.
- 7) Further details concerning the budget, accounting, reporting and control will be established in the Financial Regulations to be adopted by the Steering Committee.

Article 9

Auditing

- 1) The financial statement, financial report and financial management of the OMU shall be subject to audit by the auditors.
- 2) On the proposal of the Steering Committee, the Congress elects two auditors for a period of three years. Re-election of auditors is permitted. The auditors are chosen from among the Supreme Audit Institutions that are not members of the Steering Committee.
- 3) Auditors shall receive neither remuneration nor reimbursement of travel expenses for their audit work. In exceptional cases, the Management Committee may, upon request, grant a contribution to the auditors' travel expenses.
- 4) The General Secretariat shall provide the auditors with all information required for the performance of their duties and assist them in carrying out their duties.
- 5) The auditors shall submit their audit reports to the General Secretariat for inclusion in the annual report to be published in accordance with Article 6 (1) (f).

Article 9a

Dispute settlement

- 1) The Dispute Settlement Committee is responsible for resolving all disputes arising between the members of the OMU. The Dispute Resolution Committee consists of arbitrators appointed on the basis of art. 10, par. 2.
- 2) The Dispute Settlement Committee is composed of three members of the OMU. The Committee shall be constituted as follows: one of the parties to the dispute shall communicate in writing to the General Secretariat of the OMU the name of the member of the OMU acting as arbitrator. Within two weeks, the General Secretariat shall request the other party to the dispute to appoint a member of the OMU as arbitrator. Within two weeks, the General Secretariat of the OMU shall notify the names of the appointed arbitrators and they shall elect, within the next four weeks, a third member of the OMU as Chairman of the Conciliation Committee. In the case of two different proposals, the presiding arbitrator is chosen by lot from among the proposed candidates.
- 3) The members of the Dispute Settlement Committee shall not belong to any body of the OMU.
- 4) The Committee for the Settlement of the Dispute shall hear both parties within six months of its establishment and shall decide in the presence of all its members and in all conscience, by simple majority. Decisions taken by the Dispute Settlement Committee shall have final effect within the OMU.
- 5) The General Secretariat informs the Chairman of the Steering Committee on all cases of conclusion of the dispute in accordance with art. 9a, par. 1 to 4.

Article 10

Languages of OMU

- 1) The official working languages of OMU are English, French, Spanish, Italian and Arabic.

Article 11

Withdrawal from OMU

- 1) Any country has the right to withdraw from OMU by notifying the General Secretariat of its withdrawal.

- 2) The General Secretariat shall inform the Steering Committee and the Congress of the names of members who withdraw from the OMU.

Article 12

Dissolution of OMU

- 1) The OMU may not be dissolved or liquidated without the approval of two-thirds of its members.
- 2) In the event of the dissolution of the OMU, the relevant procedures provided for by the laws of the country in which the General Secretariat is located shall apply.

Article 13

Transitional provisions

All amendments to the OMU Charter shall enter into force immediately upon their adoption by Congress, unless otherwise specified by Congress.