

Revised Guidelines on Admission to Membership, Maintenance of Membership and Termination of Membership

(as adopted on 23 November 2020)

1. The International Publishers Association (IPA)

The IPA is a federation of national, regional and specialist publishers' associations. Its membership comprises organizations from countries in Africa, Asia, Australasia, Europe and the Americas. Based in Geneva, Switzerland, the IPA represents the interests of the publishing industry in international fora and wherever publishers' interests are at stake.

2. The Guidelines

2.1 The Statutes of the International Publishers Association state in Article 3.2 that: “... *The application procedure to determine eligibility is administered by the Membership Committee in accordance with the ‘Guidelines on Admission to Membership, Maintenance of Membership and Termination of Membership’ as adopted and revised by the General Assembly from time to time ...*”.

2.2 The present Guidelines were adopted by the IPA General Assembly on 11 April 11, 2016, and may be amended by the General Assembly pursuant to the IPA Statutes Article 25.

2.3 The Guidelines are coherent with the IPA Statutes. In case of a conflict between the Statutes and the Guidelines, the Statutes shall prevail.

3. The Membership Committee (MC)

3.1 The MC provides expertise and opinions on matters concerning membership of the IPA. It administers the procedures for admission of new members, termination or suspension of membership and for change of membership status, as outlined below. The MC is an independent committee within the IPA framework (cf. Article 11a of the Statutes), and, in conducting these procedures, the Membership Committee shall receive any necessary administrative support from the IPA Secretariat.

3.2 The MC shall consist of seven (7) members, each candidate nominated by different Full Members. The MC members shall elect the Chair from among the Membership Committee members. The composition of the Membership Committee should be balanced in terms of publishing experience, regional representation and gender.

3.3 The MC members shall be appointed for two (2) years by the General Assembly by majority vote, cf. Articles 23 and 24 of the IPA Statutes. A decision requires a majority of the votes. Only member organizations entitled to vote at the commencement of the General Assembly may nominate and vote.

3.4 In order to maintain continuity, at the election in 2016, four (4) members shall be elected for three (3) years. Members of the MC may be reelected.

3.5 Any member organization is permitted to request to watch the counting of votes. Where secret ballots are cast, the proposal/motion and the result must be recorded and published fully in the MC Minutes, including invalid ballots, votes pro, opposing votes, and abstentions.

3.6 The meetings of the MC shall be minuted. Minutes are to be made available to any IPA member organization upon written request.

3.7 The Membership Committee may consult with external experts and/or organizations in order to inform its decision-making.

3.8 Should a member of the Membership Committee resign, or be unable to attend meetings or become ineligible to serve out their term, or be unable to duly discharge their function as a member, the Chair of the Membership Committee shall recommend to the General Assembly at the next opportunity a replacement member who will be appointed to serve out the term of the vacancy arising. If the next General Assembly will not be held within 3 months of the vacancy arising, the Membership Committee may advise the Chair of the need to replenish the membership of the Membership Committee without delay. Upon such advice, the Chair of the Membership Committee may thereupon appoint a replacement member by emailing the current General Assembly Delegates list and by requesting confirmation of the appointment as a replacement at the next General Assembly. If the General Assembly Delegates reject the Membership Committee Chair's recommendation to fill the casual vacancy, then the General Assembly Delegates can either appoint another person to fill the casual vacancy, or they can instruct the Membership Committee Chair to make another recommendation within a specified period of time, and if that second recommendation is also rejected (by, for example, an electronic vote of the Delegates) then the General Assembly Delegates may instruct the Membership Committee to operate with one less member until the next scheduled election of the Committee.

3.9 If a member of the Membership Committee cannot attend a particular meeting of the Committee for whatever reason, the said member may propose an alternate for that meeting by emailing the Chair of the Membership Committee before the meeting. In reviewing the request, the Chair may consider the proposed alternate's qualifications to participate in a senior meeting and to discuss confidential information, and may request such other information as the Chair may need to make a decision. The Chair shall exercise their discretion in allowing or refusing the alternate to participate at the said meeting in the member's stead.

4. Application for new Membership

4.1 Conditions

4.1.1 The IPA Statutes, in Article 2.2 state that the Objects of the Association are:

- a) *to uphold and defend the right of publishers to publish and distribute the works of the mind in complete freedom, provided that in so doing they respect all legal rights attached to these works within their own countries and internationally. It is the duty of the Association to oppose steadfastly any attempt or threat to restrict this freedom;*
- b) *to promote and protect by all lawful means the principles of copyright on which depend the encouragement of authorship, publishing and dissemination of creative works and to defend copyright against all infringements which may restrict the rights of authors and publishers;*
- c) *to promote literacy;*
- d) *to promote and represent publishing as a cultural sector and a creative industry.*

4.1.2 The IPA Statutes, in Article 3.1, state that Membership is open to organizations which:

- a) share the Association's Objects and actively promote and defend publishers' interests; and*
- b) conform with the Statutes of the Association, and, in the case of associations, are themselves based on voluntary membership and the principles of democratic self-organization; and*
- c) pay their annual subscription; and*
- d) collaborate with the Association on joint initiatives, statements, resolutions and other policies and support them.*

4.1.3 A Member organization shall be a body, separate from the Member country's government or political parties, representing the publishing sector's interests and independently pursuing the Objects of the IPA.

4.1.4 The MC will formulate, develop, and maintain, in consultation with the IPA Treasurer, a membership structure, including membership fees, that reflects the membership categories set out in the IPA Statutes, Articles 5, 5a, 6, 7, 8, and 9, and propose it to the General Assembly.

4.2 Procedure

4.2.1 An applicant must submit the official application form adopted by the Membership Committee and made available on the IPA website, duly signed by the applicant organization, and including all the requested supporting material.

4.2.2 The Membership Committee shall administer the application process, with the necessary help of the IPA Secretariat. In cases where membership criteria are obviously not met by the applicant, the Membership Committee should terminate the procedure at this stage. It may suggest to the applicant to make necessary adjustments and reapply once these are implemented.

4.2.3 The Membership Committee shall solicit recommendations from the Executive Committee, the Freedom to Publish Committee and the Copyright Committees on whether the applicant organization fulfils the IPA's criteria for a given membership category.

4.2.4.1 The Membership Committee shall examine the comments, recommendations, and any related documents received from the Executive Committee, the Freedom to Publish Committee and the Copyright Committee, and may invite the applicant for a formal meeting. The Membership Committee, in consultation with the Executive Committee, the Freedom to Publish Committee and the Copyright Committee, may request information from the applicant organization, including information illustrating that it meets membership conditions in the areas of Freedom to Publish and/or in protection and defence of copyright. The applicant's response should include discussion of Freedom to Publish issues and its actions in protection and defence of copyright.

4.2.4.2 Among other things, the following may be considered: the applicant's willingness to consult with and report to the IPA on developments concerning such areas as Freedom to Publish and copyright; its facilitation for the IPA of avenues of communication with the applicant's relevant government or administrative offices concerning these areas; private and public reports of the applicant's activities in these areas; public reactions; and the applicant's commitment to engage directly with its national government concerning these matters.

4.2.5 The Membership Committee shall submit the case file to the General Assembly eight (8) calendar weeks before the General Assembly at the latest. Evidence submitted after the deadline will not be considered by the General Assembly; alternatively, the application may be moved to the next General Assembly.

4.2.6 The case file shall include all relevant information, including the complete application, and additional material considered, such as material provided by the Secretariat. The case file shall be accompanied by clear recommendations from the Executive Committee, the Freedom to Publish Committee and the Copyright Committees. The recommendations shall state the reasons why an applicant does/does not fulfil the relevant conditions, and whether the recommendation comes by majority vote or unanimously.

4.2.7 During the General Assembly, the Membership Committee shall report on its recommendation, and the Executive Committee, the Freedom to Publish Committee and the Copyright Committees shall report on their opinions.

4.2.8 Pursuant to articles 23 and 24 of the Statutes, the General Assembly shall vote on applications. Every application shall be dealt with individually. A decision requires a majority of the votes. Only Member organizations entitled to vote at the time of commencement of the General Assembly may vote during that General Assembly, i.e. an applicant cannot vote on other applications. Any Member organization representative is permitted to request to watch the counting of votes. Where secret ballots are cast, the result must be recorded and published fully, including invalid ballots, votes pro, opposing votes, and abstentions, and this information should be reflected in the minutes of the General Assembly.

5. Termination, suspension of membership, and change of membership status

5.1 Conditions

Pursuant to article 10 of the IPA Statutes, the General Assembly may suspend or terminate Membership in the Association if such a Member:

- contravenes the Objects of the Association; or
- damages the good name or interests of the Association; or
- is no longer eligible for Membership under its current Membership category.

5.2 Procedure

5.2.1 The Executive Committee may request the Membership Committee to commence a compliance procedure and the Executive Committee shall do so upon the recommendation of the Freedom to Publish Committee and/or the Copyright Committee, unless two thirds of the Executive Committee members eligible and able to vote consider the recommendation(s) inappropriate. The review of compliance shall start with the appointment of a subgroup to conduct an independent investigation, as per article 5.2.3 below, to assess whether there are sufficient grounds to proceed.

5.2.2 The Membership Committee is responsible for conducting the compliance examination in a non-public manner as an internal procedure of the IPA, until the result of the vote of the General Assembly is announced. All Committee members are under a strict obligation to treat as confidential all information related to the procedure and, until the delivery of the recommendation, of the existence of the procedure itself. As and where the Membership Committee consults with external experts and/or organizations, confidential treatment of any specific information on an IPA member must be ensured.

5.2.3 The Membership Committee shall delegate a subgroup of its members to conduct a prior independent investigation to assess whether there are sufficient grounds to proceed. The Membership Committee shall have access to a reasonable level of support by IPA Secretariat and lawyer in investigating the case.

5.2.4 The Membership Committee shall solicit recommendations from the Executive Committee, the Freedom to Publish Committee and the Copyright Committee, on whether the applicant organization complies with the criteria for a given membership category.

5.2.5.1 The Membership Committee shall examine the documentation and the recommendations from the Executive Committee, the Freedom to Publish Committee and the Copyright Committee, and inform the member organization of the investigation and of the issues that have emerged. The Membership Committee shall invite the member organization to submit documentation supporting its position, and invite the member organization for a formal meeting.

5.2.5.2 The Executive Committee, the Freedom to Publish Committee or the Copyright Committee may at any time request further evidence from a member organization, including evidence on public or internal measures taken by each member on alleged Freedom to Publish abuses and/or in defence of copyright and/or concerning its independence. Measures may include e.g. press reports and other public reactions, interaction with the national government etc.

5.2.6 The Membership Committee shall draft a report with a recommendation within five (5) months, giving evidence and reasons for its conclusion, and submit the case file to the General Assembly eight (8) calendar weeks before the General Assembly at the latest. The case file shall include all relevant information. The case file shall be accompanied by clear recommendations from the Executive Committee, the Freedom to Publish Committee and the Copyright Committees. The recommendations shall state the reasons why a member organization should/should not be expelled, suspended or undergo a change of membership status, and whether the recommendation is voted by majority vote or unanimously.

5.2.7 During the General Assembly, the Membership Committee shall report on its recommendation, and the Executive Committee, the Freedom to Publish Committee and the Copyright Committee shall each in turn report on their opinions.

5.2.8 Pursuant to articles 23 and 24 of the Statutes, the General Assembly shall vote. Every case shall be dealt with individually. A decision requires a majority of the votes. Only member organizations entitled to vote at the time of commencement of the General Assembly may vote during that General Assembly, i.e. an applicant cannot vote during the General Assembly during which its application is decided upon. Any member organization is permitted to request to watch the counting of votes. Where secret ballots are cast, the result must be recorded and published fully, including invalid ballots, votes pro, opposing votes, and abstentions, and this information should be reflected in the minutes of the General Assembly.