

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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JAARGANG 2008 Nr. 110

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A. TITEL

*Overeenkomst betreffende de Internationale Organisatie voor het Recht  
inzake Ontwikkeling;  
Rome, 5 februari 1988*

B. TEKST

De Engelse en de Franse tekst van de Overeenkomst zijn geplaatst in *Trb.* 1988, 32.

Zie voor een wijziging van de Overeenkomst van 20 maart 2002 rubriek J van *Trb.* 2002, 195.

Zie voor een wijziging van artikel VI, eerste lid, onderdeel e, van de Overeenkomst van 30 november 2002 rubriek J van *Trb.* 2003, 48.

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In overeenstemming met artikel X van de Overeenkomst heeft de Vergadering van Partijen op 28 maart 2008 een wijziging van artikel VI van de onderhavige Overeenkomst aanvaard. De tekst van de wijziging luidt als volgt:

**Amendment of the Agreement for the Establishment of the  
International Development Law Organization**

**(Adopted by the Assembly of Parties on March 28, 2008)**

**Article 1:** The Article VI of the Agreement for the Establishment of the International Development Law Organization is replaced by the following provisions:

## “Article VI

*Organization*

The Organization shall be composed of the Assembly of the Parties to this Agreement (herein after referred to as “the Assembly”), of the Board of Advisers, of the Standing Committee and of the Director-General.

1. The Assembly shall represent the Parties. It shall determine the Organization’s policies and oversee the action of the Director-General.

A) The Government of each State or the executive of each inter-governmental organization party to this Agreement shall appoint a representative to act as a member of the Assembly.

B) Meetings of the Assembly shall be called by its President. The Assembly shall meet in the last quarter of each year. An extraordinary meeting must be called at the request of the Board of Advisers, the Standing Committee or one third of the Parties’ representatives.

The President shall determine the agenda for meetings of the Assembly after consulting the Standing Committee. An item must be included in the agenda if the Board of Advisers, the Standing Committee or a representative of the Parties so requests.

C) The Assembly shall:

- a) adopt the budget for the following year and the accompanying action plan;
- b) consider the report on activity for the elapsed year and approve the accounts for the last accounting period;
- c) adopt by-laws for the governance of the Organization and, inter alia, for the personnel policies;
- d) adopt recommendations relating to the Organization’s policies and management;
- e) designate the auditors;
- f) commission an independent company to conduct an audit of the Organization’s operations, if the Assembly so chooses;
- g) adopt the Assembly’s rules of procedure;
- h) approve the admission of new members of the Organization.

D) The Assembly, under the conditions set forth in its rules of procedure, shall:

- a) elect a President and two Vice-Presidents. The representative of the State where the Organization has its headquarters is entitled ex officio to one of the three seats on the Presidency. The other two members are elected for a three-year term of office which can be renewed after a vacancy of three years;
- b) elect the members of the Board of Advisers;
- c) elect the Director-General, after consulting the Board of Advisers;
- d) terminate the Director-General before his term of office expires on its own initiative or on a proposal from the Standing Committee.

2. The Board of Advisers, by its expertise, shall contribute to prepare the decisions of the Assembly and to their implementation by the Director-General.

A) The Board of Advisers shall have ten members elected for a four-year term by the Assembly. Half the members shall be renewed every two years. Candidates shall be put forward by a Party or by the Board of Advisers. The members of the Board of Advisers shall be selected on the basis of their expertise in the fields of development or law or their experience of the management of international organizations. The Assembly sees to the representativeness of the Board. Its members shall serve in a personal capacity and not as representatives of governments or organizations. One member of the Board of Advisers must be a citizen of the State where the Organization has its headquarters.

B) Meetings of the Board of Advisers shall be called by its Chairman. It shall meet at least once a year, prior to the meeting of the Assembly. An extraordinary meeting must be called at the request of the Standing Committee or six Board members.

The Director-General shall attend meetings of the Board of Advisers. He may speak but may not vote. The Parties' representatives are invited to attend meetings of the Board of Advisers as observers. They may not speak and may not vote.

The Chairman of the Board of Advisers has the overriding vote in case of equal distribution.

C) The Board of Advisers shall:

a) adopt advisory opinions to the Assembly on the following matters: (1) the action plan and the budget for the following year, (2) the report on activity for the elapsed year and the accounts for the last period ended, (3) regulations relating to the Organization's administration, especially staff regulations;

b) contribute through its expertise and its advisory opinions to the fulfillment of the objectives of the Organization by the Director-General, according to the decisions of the Assembly;

c) monitor implementation of the action plan, follow implementation of the budget and assess the quality of the Organization's activities;

d) render advice with matters brought before it by the Organization's Director General or by the Standing Committee and matters that a Board members has asked to be included on the agenda;

e) adopt the Board of Advisers' rules of procedure.

D) The Board of Advisers shall:

a) elect its Chairman and its Vice-Chairman after each partial renewal or if the position falls vacant;

b) put forward candidates to the Assembly for each seat to be filled on the Board;

c) receive applications for the position of Director-General of the Organization, interview the candidates as appropriate and forward all applications, with an opinion, to the Assembly.

3. The Standing Committee shall provide the link between the Assembly, the Board of Advisers and the Director-General. It shall be comprised of by the President of the Assembly, who shall be its chair, the Assembly's two Vice-Presidents, the representative of one Party who shall be elected by the Assembly for a one-year term and the Chairman and Vice-Chairman of the Board of Advisers. Meetings shall be called by the President at least every two months or at the request of a member of the Standing Committee or the Director-General. It shall hear the Director-General, who shall report to it on his management and provide it with any documents and explanations that it may request. The Standing Committee is in charge of monitoring the proper implementation of the budget and shall report on its implementation to the Assembly. It shall take appropriate transitional measures if the position of Director-General falls vacant. The President of the Assembly has the overriding vote in case of equal distribution. The Standing Committee shall report its conclusions from any meeting to the Parties.

4. The Director-General shall administer the Organization.

A) The Director-General shall be elected by the Assembly, after consulting the Board of Advisers, for a four-year term of office renewable once.

B) The Director-General shall:

a) prepare the action plan and the budget for the following year, as the report on activity for the elapsed year and the accounts for the last accounting period ended, which are to be presented to the Board of Advisers and the Assembly;

b) ensure that the decisions of the Assembly are implemented;

c) appoint the managers and the secretariat staff in accordance with the Organization's staff regulations;

d) represent the Organization in judicial proceedings.

C) The Director-General shall account for his/her administration to the Assembly and the Standing Committee and shall consult with the Board of Advisers as set out in the provisions of the article."

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#### C. VERTALING

*Zie Trb. 1988, 32.*

#### D. PARLEMENT

*Zie Trb. 1990, 71.*

## E. PARTIJGEGEVENS

Zie *Trb.* 1988, 32.

Partij	Ondertekening	Ratificatie	Type*	In werking	Opzegging	Buiten werking
Australië	10-07-00	10-07-00	R	10-07-00		
Bulgarije	28-11-95	05-06-96	R	05-06-96		
Burkina Faso	28-05-01	23-06-03	R	23-06-03		
China	30-05-89	30-05-89	R	30-05-89		
Colombia	18-06-98	18-06-98	R	18-06-98		
Ecuador	05-02-98	05-02-98	R	05-02-98		
Egypte	20-03-89	21-05-90	R	21-05-90		
Filippijnen, de	05-02-88	28-04-89	R	28-04-89		
Frankrijk	05-02-88	12-04-89	R	12-04-89		
Italië	05-02-88	28-05-93	R	28-05-93		
<b>Nederlanden, het Koninkrijk der</b> – Nederland – Ned. Antillen – Aruba	05-02-88	05-03-90 05-03-90 05-03-90	R R R	05-03-90 05-03-90 05-03-90		
Noorwegen	19-03-02	19-03-02	R	19-03-02		
Oostenrijk	20-01-93	17-03-94	R	17-03-94		
Roemenië	14-06-05	14-06-05	R	14-06-05		
Senegal	05-02-88	24-09-90	R	24-09-90		
Soedan	05-02-88	13-05-89	R	13-05-89		
Tunesië	05-02-88	15-05-91	R	15-05-91		
Turkije	03-03-08					
Verenigde Staten van Amerika, de	05-02-88	12-07-88	R	12-07-88		

\* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R= Bekrchtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend

G. INWERKINGTREDING

Zie *Trb.* 1990, 71.

Zie voor de inwerkingtreding van de wijziging van de Overeenkomst van 20 maart 2002 rubriek J van *Trb.* 2002, 195.

Zie voor de inwerkingtreding van de wijziging van artikel VI, eerste lid, onderdeel e, van de Overeenkomst van 30 november 2002 rubriek J van *Trb.* 2003, 48.

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De wijziging van artikel VI van de Overeenkomst van 28 maart 2008 is op diezelfde dag in werking getreden.

Wat het Koninkrijk der Nederlanden betreft, geldt de wijziging voor het gehele Koninkrijk.

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In overeenstemming met artikel 19, tweede lid, van de Rijkswet goedkeuring en bekendmaking verdragen heeft de Minister van Buitenlandse Zaken bepaald dat de wijziging zal zijn bekendgemaakt in Nederland, de Nederlandse Antillen en Aruba op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *zevenentwintigste* mei 2008.

*De Minister van Buitenlandse Zaken,*

M. J. M. VERHAGEN