

Governance

IDLO was established as an intergovernmental organization in 1998 through an international treaty – the Agreement for the Establishment of the International Development Law Organization – of which the Government of Italy, our host, is the Depository.

IDLO is governed by the Assembly of Parties, which determines the organization's policies and oversees actions taken by the Director-General.

The governance structure is comprised of a Standing Committee, an Audit and Finance Committee and an expert Board of Advisers, whose members are elected by the Assembly.

The Assembly of Parties convenes annually in Rome. Member Parties elect a President and a Vice-President for a three-year term. As host country of the organization's headquarters in Rome, Italy is Vice-President *ex officio*.

At the 2016 Assembly of Parties, new member Viet Nam was welcomed into the organization, bringing the total number of IDLO's Member Parties to 31.

Member Parties

As of November 2016

- | | |
|---|--|
|  Afghanistan |  Mozambique |
|  Australia |  Netherlands |
|  Austria |  Norway |
|  Bulgaria |  OFID |
|  Burkina Faso |  Pakistan |
|  China |  Paraguay |
|  Ecuador |  Peru |
|  Egypt |  Philippines |
|  El Salvador |  Romania |
|  France |  Senegal |
|  Honduras |  Sudan |
|  Italy (Vice-President <i>ex officio</i>) |  Tunisia |
|  Jordan |  Turkey |
|  Kenya |  USA (Vice-President) |
|  Kuwait (President) |  Viet Nam |
|  Mongolia | |



H.E. Pierfrancesco Sacco, Ambassador and Permanent Representative of Italy to the UN Agencies in Rome, speaking at the 2016 Assembly of Parties

2016 Assembly of Parties

In November 2016, IDLO's Assembly of Parties adopted a new IDLO Strategic Plan that will set the direction of the work of the organization for the following four years – a Plan grounded in the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals (SDGs) as adopted by the United Nations in September 2015. The previous year's Assembly had called for the Plan to be "geared to maximize the contribution that IDLO, within its mandate, can make to an effective and sustained implementation of the 2030 Agenda".

During the Assembly, which was hosted by the Italian Ministry of Foreign Affairs and International Cooperation on November 29, Viet Nam joined the organization as the newest Member Party.

The Assembly appointed Pakistan as new *ad hoc* member of the Standing Committee; the Assembly also appointed Italy to serve as the chair of the Audit and Finance Committee and Peru, Turkey and the USA as new members of the same committee.

Regarding the Board of Advisers, the Assembly renewed the appointment of H.E. Ertuğrul Apakan, Prof. Makau W. Mutua, Dr. Hanno Scheuch, Prof. Patricia G. Kameri-Mbote, Prof. Stefan



Viet Nam officially becomes IDLO's 31st Member Party at the Assembly of Parties in November 2016

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Hammer, and Prof. Cristiana Carletti.

To mark the occasion of the 2016 annual meeting of the Assembly of Parties, IDLO also hosted a multi-stakeholder Partnership Forum, bringing

together different stakeholders to discuss the potential of Goal 16, and the rule of law more generally as an essential tool in the successful implementation of the 2030 Agenda.

"IDLO believes that a culture of justice requires both state institutions that are well-functioning, honest and accountable, as well as citizens who are aware of their rights and empowered to claim them."

Irene Khan, Director-General, IDLO

Standing Committee

Up to November 2016

-  **Kuwait**
President
-  **USA**
Vice-President
-  **Italy**
Vice-President *ex officio*
-  **Mozambique**
-  **Netherlands**

Chair of the Board of Advisers

Vice-Chair of the Board of Advisers

As of November 2016

-  **Kuwait**
President
-  **USA**
Vice-President
-  **Italy**
Vice-President *ex officio*
-  **Netherlands**
-  **Pakistan**

Chair of the Board of Advisers

Vice-Chair of the Board of Advisers

Audit and Finance Committee

Up to November 2016

-  **Netherlands**
Chair
-  **China**
-  **Egypt**
-  **Kenya**
-  **Italy**

As of November 2016

-  **Italy**
Chair
-  **Egypt**
-  **Peru**
-  **Turkey**
-  **USA**

Board of Advisers

As of November 2016

- H.E. Ertuğrul Apakan**
Ambassador, Former Permanent Representative of Turkey to the United Nations
- Dr. Soukeina Bouraoui**
Executive Director, Center of Arab Women for Training and Research, Tunisia
- Prof. Cristiana Carletti**
Associate Professor of Public International Law, University Roma Tre - Faculty/Department of Political Science, Rome, Italy
- Mr. Hassan Cisse**
Former Director, Governance and Inclusive Institutions, Governance Global Practice, World Bank, USA
- Prof. Stefan Hammer**
Professor of Public Law and Legal Philosophy, University of Vienna, Vienna, Austria
- Prof. Patricia G. Kameri-Mbote**
Professor of Law, School of Law, University of Nairobi, Nairobi, Kenya

Ms. Hongxia Liu
Chief Operating Officer (COO) and Associate Vice Chancellor, New York University, Shanghai, China [Vice-Chair]

Prof. Makau W. Mutua
SUNY Distinguished Professor, Floyd H. & Hilda L. Hurst Faculty Scholar, Buffalo Law School, The State University of New York, Buffalo, NY, USA [Chair]

Mr. Daniel Rowland
Law and Development Advisor, University of Sydney, Sydney, Australia

Dr. Hanno Scheuch
Senior Counsel, OPEC Fund for International Development, Vienna, Austria

IDLO would like to thank H.E. Ertuğrul Apakan and Prof. Makau W. Mutua for their service as Chair and Vice-Chair, respectively, of the Board of Advisers until the meeting of the Assembly of Parties in November 2016. Subsequently, the Board elected Prof. Mutua as its new Chair, and Ms. Hongxia Liu as its new Vice-Chair.

Partnership Forum

Access to Justice and the Rule of Law as drivers of Sustainable Development: OPPORTUNITIES AND CHALLENGES

On the occasion of the 2016 meeting of the Assembly of Parties, IDLO convened a multi-stakeholder Partnership Forum on Access to Justice and the Rule of Law as Drivers of Sustainable Development: Opportunities and Challenges. Participants discussed how the rule of law and access to justice can drive sustainable development and contribute to building peaceful and just societies.

Opening the Forum, President of IDLO's Assembly of Parties, Nawaf Al-Mahamel, acknowledged that the event came at an important time for the organization with the Assembly of Parties having just approved its Strategic Plan for the next four years.

The Plan, he said, had emerged against the backdrop of a 'challenging' external environment but was inspired by the vision of the UN's 2030 Development Agenda'. The Forum, he added, was an opportunity to explore access to justice as a driver of sustainable development and contributor to building peaceful and just societies, as embodied in Goal 16 of the new Sustainable Development Goals (SDGs).

As one of the chief negotiators in the development of the SDGs in his previous role as Ambassador to the United Nations, Brazilian Ambassador Antonio de Aguiar Patriota, initiated discussions on the contentious origins of Goal 16. He admitted that perhaps the biggest

challenge remaining was now its implementation.

IDLO's Director-General, Irene Khan, elaborated on two crucial aspects of the organization's new Strategic Plan - access to justice, and equality and inclusion, and said IDLO's focus would be on empowering people to understand and claim their rights and ensuring justice institutions work effectively.

She called for the active participation of those present, emphasizing their contributions and practical experiences would prove invaluable to shaping IDLO's work.

During the Forum's many discussions the participants shared diverse experiences in relation to their efforts at trying to establish the rule of law in a range of countries. Senior judges, government officials, and representatives of civil society and academia joined the discussions on institution building and access to justice in the pursuit of peace, security, sustainable development and economic growth.

Describing the challenges at a national level, the Attorney General of Afghanistan, Mohammad Farid Hamidi, introduced the participants to the Afghan context in relation to the period since he took office several months earlier. He cited the most pressing need as being tackling 'a culture of using the judiciary as a political tool'. He added lack of

capacity as the main constraint. He elaborated on the efforts of his office to develop human capacity, to change recruitment policies and remove prosecutors with no legal background. Within eight months, they had recruited more than 400 new, trained prosecutors, and increased the ratio of women from 3 percent to over 50 percent. 'We need trained and capable lawyers and judges. This is how we bring the rule of law to Afghanistan' he concluded.

The Ukrainian Ambassador to Italy, Yevhen Perelygin, praised the growing reach and activities of IDLO and, in particular, the organization's work in Ukraine, which he described as responding to local, emerging demand, where corruption was a top priority.

Jelena Madir, Chief Counsel for the Financial Law Unit of the European Bank for Reconstruction and Development (EBRD), also acknowledged their capacity development initiatives in partnership with IDLO, training judges and other legal professionals. She said that often new laws were on the books, but not enforced, probably because judges did not feel equipped. EBRD partnered with organizations such as IDLO to conduct training, but, she added, this is of limited value if the international experts then just leave. She highlighted the need for the training of trainers, the focus of much of IDLO's work,

if momentum is to be maintained.

Reflecting on the universally applicable nature of the SDGs, Italian Minister Alfredo Durante Mangoni, focused on his nation's fight against corruption, a major priority under Italy's G7 presidency. Referencing the role of the rule of law in also supporting economic development as well as justice, Minister Mangoni acknowledged the perception of corruption associated with Italy was a potential obstacle to attracting foreign investment.

Discussing access to justice, especially for marginalized and vulnerable groups, State University of New York (SUNY)

Professor Makau Mutua flagged the common misconception of rule of law and access to justice as an end, rather than a means to an end. He urged participants to consider how those on the margins could be brought into the centre, the role of civil society, and recognition of informal systems.

The Attorney General of Myanmar, Tun Tun Oo, spoke of justice sector reform aimed at strengthening the rule of law in his country, the five-year strategic plan of his office, and how IDLO was working to support this crucial work in a historic period of

transition for Myanmar.

The President of the Supreme Court of Paraguay, Alicia Beatriz Pucheta de Correa, and the Judge President of the High Court of South Africa, Dunstan Mlambo, shared their experience in making access to justice a lived reality for those that go through their courts.

Dr. Pucheta shared the experience of the Paraguay Supreme Court in establishing procedures and systems to make justice accessible to indigenous peoples, women - including those that have suffered violence - and others in vulnerable situations.

“Effective institutions are key to providing justice, upholding rights and facilitating development. But, these alone are not enough. Discriminatory laws and policies aggravate inequality and exclusion. Marginalized groups, in particular, must be empowered to fight discrimination and access to justice. Engagement with civil society and informal justice systems will be crucial to this effort.”

Irene Khan, Director-General, IDLO



H.E. Antonio de Aguiar Patriota, Ambassador of Brazil to Italy, speaking at the 2016 Partnership Forum