



International Development Law Organization
Organisation Internationale de Droit du Développement



The Director-General

June 12, 2008

The Secretary-General
The United Nations Headquarters
One UN Plaza
New York, NY 10017
USA

By Fax: 001 212 963 4879

Dear Mr. Secretary General,

In my own name and on behalf of the **International** Development Law Organization ("IDLO"), I wish to express my deepest appreciation for your important initiative to establish guiding principles and a common policy framework (the "**Guidance** Note") to steer United Nations activities aimed at building rule of law capacities worldwide. (Referring to your memorandum of 14 April 2008 to UN entities and the "Guidance Note on a UN Approach to Rule of Law Assistance".) We are also very pleased that you have established in your office the Rule of Law Unit as a central address for these issues in the UN system.

As the only intergovernmental organization with Observer Status in the United Nations General Assembly entirely devoted to advancing the rule of law and its contribution to economic and social development, IDLO has witnessed, and has endeavored to support whenever possible, the growing priority that the United Nations has been according to the promotion of the rule of law as an integral part of its Charter missions. I and my organization highly value the strong leadership that you are exercising in furthering this cause and in ensuring that the United Nations engagement and collaboration with other concerned international institutions is guided by a coherent strategic approach.

Although I understand that your Guidance Note is addressed primarily to entities within the United Nations proper, we in IDLO have found the principles and guidelines it contains comprehensive and balanced and, indeed, highly relevant to IDLO's own work. Many of the ideas expressed in the document were similarly affirmed by the Assembly of Parties of the IDLO in 2005. (See attached resolutions.) We will therefore act to fully integrate the approaches set forth in your note into the strategic framework guiding our rule of law activities.

This action will, I hope, serve to further strengthen the bonds that link IDLO to both the security and development facets of the United Nations mission, and to give added force and substantive meaning to IDLO's status and collaboration with the United Nations.

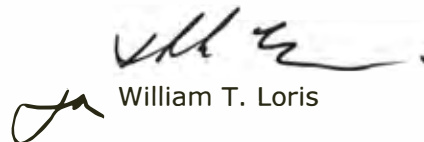
I should take this opportunity to again pledge the full support of my organization to your untiring efforts to advance multilateralism and the international legal system on which it is based. Furthermore, I wish to reiterate IDLO's determination to play its small but, I hope, significant part in furthering the overall efforts of the international community, under your leadership, to reinforce institutions of justice, governance, security, human rights, and economic and social development.

The Deputy Secretary General and the Rule of Law Unit in your office are well acquainted with my organization and its constituencies in the legal community in both the developing and the developed world, and continue to be a source of precious advice and support for our work. Similarly, the United Nations Office of Legal Affairs and your substantive Departments in both the political and the development areas have been key partners. Our relationship with UNDP as an Implementing Partner is also being formalized and strengthened, as is our partnership with UNICEF and other United Nations entities engaged in rule of law work.

The recognition in your note of the contribution that other actors in the wider international community can make to sustaining United Nations causes will no doubt provide further impetus to this growing cooperation. From the same vantage point, the emphasis that this note places on partnership building and national ownership, which have always guided IDLO's work in the rule of law arena, is a source of great encouragement for us in sharpening and projecting IDLO's role and comparative advantage in the overall international effort in support of the rule of law. We also fully share your call to enhance the quality of the assistance that international organizations provide to countries and to translate principles into effective actions capable of generating concrete results.

Over the years, IDLO has been gaining valuable experience in mobilizing the legal community and national capacities of governments and civil society to sustain progress in realizing the rule of law principles so admirably set out in your Guidance Note. We have been doing pioneering, very rewarding work in linking the promotion of the rule of law with the drive towards development and the attainment of the MDGs. As of late we have been giving increasing attention to legal reform as part of peace building efforts in countries emerging from conflict. These correspond to current, major concerns of the United Nations. My organization and its Permanent Observer Office, overseen by former UN Assistant Secretary General Patrizio Civili, are committed to fully share these experiences and the lessons we have learned from them with the United Nations, and to continue to extend our active support to the Rule of Law Unit in your office.

Please accept, Mr. Secretary General, the assurances of my highest consideration.



William T. Loris



International Development Law Organization
Organisation Internationale de Droit du Développement

IDLO/AssemblyR.4/2005
Original English

Assembly of Member States of the International Development Law Organization – Rome, Italy – June 28, 2005 – Sixth Tri-annual Meeting

Approved resolutions, recommendations and declarations

The Assembly of Member States of the International Development Law Organization ("IDLO") approved the following resolutions, recommendations and declarations at its Sixth Tri-annual Meeting on June 28, 2005.

The Assembly of Member States of IDLO hereby:

Preliminary Resolution

Acknowledges the operational objectives adopted by management in December 2004 and invites management to give priority, within the framework of the abovementioned objectives, to its fields of excellence, which are judicial reform; business, commercial and financial law; international trade and investment law; intellectual property law and all activities that may contribute to improved governance in these fields, and if relevant, in post-conflict reconstruction.

Resolution 1

Requests that the International Development Law Organization concentrate, within the framework of its development law mandate, its efforts to use its resources and expertise in support of the promotion of the rule of law and good governance as called for in the Millennium Declaration and to take specific initiatives to support the achievement of the specific Millennium Declaration.

Resolution 2

Calls upon the Director General of IDLO, with the support of the Member States, to request the Secretary General of the United Nations to find ways of reinforcing IDLO cooperation with the United Nations and its Specialized Agencies to benefit from IDLO's experience and remarkable expertise in the promotion of its fields of excellence cited in the preliminary resolution as well as in the promotion of the rule of law and good governance to support the fight against poverty, the improvement of human rights and the facilitation of post-conflict reconstruction.

Resolution 3

Establishes a policy to change the frequency of meetings of the Assembly from once every three years to once every two years and, in years in which no meeting of the Member States is held, hold an informal meeting with the Member States to coincide with the annual meeting of the IDLO Board of Directors.

Resolves further that at the time of such meetings a general report will be presented which will include the annual report on contributions from the private sector referred to in resolution 4 and a report on the implementation of the then current budget.

Resolution 4

Recognizing the increasing role of the private sector and other non-public entities in development through investment and trade;

Recognizing the increasing level of contributions to development being made to non-governmental organizations and to multilateral development organizations by private individuals, philanthropic organizations and private sector firms;

In recognition of the need to ensure that contributions from such sources are made for purposes and in a manner which preserves the non-political and neutral nature of the Organization;

Express their appreciation for such contributions, as a welcome addition to the funding being provided from public sources;

Express their agreement with the Policy on Non-public Sector donations as approved by the IDLO Board of Directors in its meeting of 18-19 March 2005; and

Request that the Director General report annually to Member States all assistance received by such sources, the purposes for which it is made and the conditions upon which it was granted.

Recommendation 1

Affirms that the international community should provide legal technical assistance to developing and transition countries in a manner that respects the following principles:

- Respect the diversity of legal and judicial traditions and internal policies of the jurisdictions that are the beneficiaries of assistance;
- Employment of all means necessary to ensure that policy decisions and drafting which leads to new or revised laws and regulations, is conducted with the involvement of the nationals of the countries that are the beneficiaries of the assistance in conformity with national regulations in force;
- Training for the promotion of the rule of law and good governance is accompanied or followed by institution-building efforts designed to ensure long-term institutional capacity over the long term.

Recommendation 2

Expresses its appreciation for the considerable efforts of the Alumni Associations and partner organizations of the International Development Law Organization in the promotion of the rule of law and good governance; and

Recommends that the host countries and the international development community find ways to support and take advantage of the considerable expertise within IDLO Alumni Associations and work in partnership with such associations in support of development.

Recommendation 3

Recommends that states committed to the promotion and defense of the rule of law and good governance become member states of the International Development Law Organization.

Recommendation 4

Calls upon the international community to support the efforts of the International Development Law Organization to promote the rule of law and good governance in the countries of the Middle East through IDLO's Ibrahim Shihata Regional Center in Cairo, and expresses the appreciation of the Member States to the Arab Republic of Egypt for granting IDLO the privileges and immunities required for it to operate that Center in the most cost-effective manner.

Recommends that the international community support the efforts of the International Development Law Organization to promote the rule of law and good governance in the countries of the Asia Pacific region through IDLO's Asia Pacific Training Center in Sydney, expresses the appreciation of the Member States to Australia for granting privileges and immunities and a financial facility, which will support IDLO's efforts to operate that Center in a cost-effective manner.

Declaration 1

Expresses its appreciation to the development, legal, business, and philanthropic communities that have made and are continuing to make important intellectual, financial and material contributions to the promotion of the rule of law and good governance by working with and supporting the International Development Law Organization.

Declaration 2

Preamble

Considering that since its establishment in 1988 IDLO has provided ample demonstration that its mandate is an irreplaceable international instrument for the promotion of the role of law in development,

Considering that IDLO responds increasingly to the needs and demand of developing countries,

Considering the constant and significant expansion of IDLO activities,

Considering that it is opportune to provide the Organization with adequate, predictable and regular resources to enable a more stable planning of its program of work,

Considering that securing predictable funding would also be consistent with IDLO's formal status as an international intergovernmental organization.

The Assembly of Member States

Hereby state that the current Declaration is the objective to be achieved in order to ensure that the International Development Law Organization can rely on necessary financial resources to perform its regular operations.

Article 1

The Member States declare their intention and hereby affirm that they will examine the possibility of making a regular contribution to the annual budget of the Organization.

Article 2

This Declaration will come into force on the date of its adoption by the Assembly of Member States.