
**CONSTITUTION
OF THE
INTERNATIONAL
ASSOCIATION
OF
DEMOCRATIC
LAWYERS**

(As amended by its 14th Congress at
Cape Town, South Africa, April, 1996)

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economic equality, enjoyment of fruits of scientific progress and natural resources.

ARTICLE 1: NAME

Those who adhere to this constitution constitute a voluntary association of democratic lawyers of all countries under the name of the **International Association of Democratic Lawyers**.

ARTICLE 2: AIMS

The aims of the Association are:

- (a) To facilitate contact and exchanges of views between lawyers and lawyers' associations of all countries and to foster understanding and goodwill between them.
- (b) To work together to achieve the aims set out in the Charter of the United Nations.
- (c) To ensure common action by lawyers:
 - i) to encourage in the realm of law the study and practice of the principles of democracy making for the maintenance of peace and cooperation between nations.
 - ii) to restore, defend and develop democratic rights and liberties in legislation and in practice.
 - iii) to promote the independence of all peoples and to oppose any restriction on this independence whether in law or in practice.
 - iv) to defend and promote human and peoples rights.
 - v) to promote preservation of ecology and healthy environment.
 - vi) to struggle for strict adherence to rule of law and independence of judiciary and legal profession.
 - vii) to defend peoples right to development and for creation of conditions of

ARTICLE 3: HEADQUARTERS

The headquarters of the Association shall be at such place as may be decided by the Bureau.

ARTICLE 4: MEMBERSHIP

- (1) Membership of the Association is open to:
 - (a) Any national or international association of lawyers having aims and activities which are in accordance with the aims of the Association.
 - (b) Any person who accepts the aims of the Association and by profession or appointment exercises a judicial function or who devotes himself to the study, practice or teaching of law.
- (2) Applications for membership shall be made to the Bureau which can provisionally accept them. Such acceptances are subject to confirmation by decision of the Council.

ARTICLE 5: OFFICE BEARERS

- (a) The Association shall have the following office bearers to be elected by the General Assembly:
President
Secretary General
Treasurer
- (b) No person shall hold the same office for more than two consecutive terms.
- (c) The General Assembly may in recognition of the outstanding contribution of an individual, elect such an individual as President Emeritus.
- (d) Rules may be framed by the Council to provide for the procedure for election of the office bearers. In the absence of rules, the Council shall be free to determine its procedure for the purpose.

ARTICLE 6: THE ORGANS

The Organs of the Association are:

- (i) the General Assembly
- (ii) the Council and
- (iii) the Bureau

ARTICLE 7: THE GENERAL ASSEMBLY

- (a) The General Assembly is the supreme organ of the Association and is competent to take all decisions in the name of the Association including the amendments of the Constitution.
- (b) The General Assembly shall be called once in four years.
- (c) Member organisations shall be represented by their duly accredited delegates.
- (d) Every member organisation will have two votes which are divisible.
- (e) Individual members of the Association may participate in the General Assembly without any right to vote.

ARTICLE 8: THE COUNCIL

- (a) Between the meetings of the General Assembly all its powers except that of amendment of the Constitution, shall vest in the Council.
- (b) The Council shall comprise of all the members of the bureau, all other office bearers and one representative of each member association duly appointed by it to the Council.
- (c) The Council, shall ordinarily be called once a year.
- (d) All decisions of the Council shall be taken by a majority of those present and voting.

ARTICLE 9: THE BUREAU

- (a) The Bureau shall be the executive organ of the Association and comprise of not more than eighteen members to be elected by the General Assembly out of which the President, Secretary General and the Treasurer shall be

ex-officio and the rest shall be elected by the General Assembly ensuring a balanced geographical and gender representation.

- (b) The representatives of the Association accredited to international organisations and the editor of its publications shall be permanent invitees to the Bureau.
- (c) The Bureau shall be responsible for directing the work of the Association in accordance with this Constitution and is to carry out the decisions of the General Assembly and the Council.
- (d) The Bureau shall assign specific responsibilities to the members of the Bureau and may elect Vice-Presidents, Deputy Secretary-Generals and Assistant Treasurers from among its members.
- (e) The Bureau may constitute standing committees or special committees and working groups, not necessarily of its members, with specific responsibilities. All such committees shall report to the Bureau and work according to its directions.
- (f) Any vacancy in the Bureau may be filled in by the Bureau itself, subject to its ratification by the Council. The Bureau may invite representative of any member association to attend and participate in its meeting (s).

ARTICLE 10: HONORARY ADVISORS

The General Assembly/Bureau may constitute a Board of Advisors and elect as Honorary Advisors, eminent persons in the field of law for their contribution to the Association, a national association or to jurisprudence.

ARTICLE 11: FINANCE

- (a) The funds of the Association shall be derived from:
 - (i) the Annual subscriptions of member-Associations and individual members.
 - (ii) grants, donations and contributions, sale of publications, savings and investments

and such other sources as may be authorised by the Bureau, not inconsistent with the objects of the Association.

- (b) All the funds of the Association shall be kept in the bank accounts of and in the name of the Association.
- (c) The bank accounts of the Association shall be operated by the Treasurer and/or such other person(s) who may be specifically authorised by the Bureau.

ARTICLE 12: AUDIT

- (a) The accounts of the Association shall be audited every year, by an Audit Committee.
- (b) After every General Assembly, the Council will elect an Audit Committee comprising of not less than three members.
- (c) The Audit Committee shall continue to hold office till a new Audit Committee is elected after a General Assembly.
- (d) Vacancies in the Audit Committee may be filled by the Bureau subject to its ratification at the next meeting of the Council.
- (e) The Audit Committee may audit the accounts itself and if considered necessary, it may associate or authorise any other member(s) or professional Auditor(s) for the purpose.

ARTICLE 13: EXPULSION

- (a) Any member-association or individual may be expelled from the membership of the Association by a resolution of the Council adopted by a two-third majority of the members present and voting if its activities are in conflict with those of the Association.
- (b) Whenever a proposal for expulsion is received, the member concerned shall be given an opportunity to explain or of being heard before taking a decision.
- (c) The Council shall state reasons for expulsion and its decision shall be effective immediately.

- (d) Any member aggrieved may appeal to the General Assembly against the decision of the Council and the decision of the General Assembly shall be final.

ARTICLE 14 (a): THE PRESIDENT

The President shall be the head of the Association and will represent it in all fora. He/She will preside over the meetings of the General Assembly, the Council and the Bureau. In the absence of the President any of the Vice-President or another member may be requested to preside at the meeting.

ARTICLE 14 (b): THE SECRETARY GENERAL

The Secretary General shall be the chief executive of the Association. It shall be his/her responsibility to keep and maintain the records of the Association, periodically convene all meetings, in the absence of the President to represent himself/herself or arrange for the representation of the Association and to regularly submit reports to the various organs of the Association.

ARTICLE 15 : AMENDMENTS

The Constitution may be amended by the General Assembly with a two-third majority of members present and voting.

ARTICLE 16 : DISSOLUTION

The Association may be dissolved or merged with any other organisation having similar objects, by a resolution of the General Assembly or the Council approved by a two-third majority of the members present and voting. In the event of dissolution the resolution will also indicate the manner of disposal of the assets of the Association.