

Ο περί της Συμφωνίας για την Ίδρυση και το Καταστατικό του Ευρωπαϊκού Οργανισμού Δημοσίου Δικαίου (Κυρωτικός) Νόμος του 2007 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 18(ΙΙΙ) του 2007

**ΝΟΜΟΣ ΠΟΥ ΚΥΡΩΝΕΙ ΤΗ ΣΥΜΦΩΝΙΑ ΓΙΑ ΤΗΝ ΙΔΡΥΣΗ ΚΑΙ
ΤΟ ΚΑΤΑΣΤΑΤΙΚΟ ΤΟΥ ΕΥΡΩΠΑΪΚΟΥ ΟΡΓΑΝΙΣΜΟΥ ΔΗΜΟΣΙΟΥ ΔΙΚΑΙΟΥ
Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:**

Συνοπτικός
τίτλος.

1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Συμφωνίας για την Ίδρυση και το Καταστατικό του Ευρωπαϊκού Οργανισμού Δημοσίου Δικαίου (Κυρωτικός) Νόμος του 2007.

Ερμηνεία.

2. Στον παρόντα Νόμο, εκτός αν από το κείμενο προκύπτει διαφορετική έννοια—

«Συμφωνία» σημαίνει τη συμφωνία για την ίδρυση και το Καταστατικό του Ευρωπαϊκού Οργανισμού Δημοσίου Δικαίου που υπογράφηκε στην Αθήνα στις 27 Οκτωβρίου 2004.

Κύρωση της
Συμφωνίας.

3.—(1) Η Συμφωνία, της οποίας η υπογραφή και η κύρωση από την Κυπριακή Δημοκρατία, αποφασίσθηκε με την Απόφαση του Υπουργικού Συμβουλίου με Αρ. 59.309 και ημερομηνία 28 Ιανουαρίου 2004, κυρώνεται με τον παρόντα Νόμο.

Πίνακας.
Μέρος Ι,
Μέρος ΙΙ.

(2) Το κείμενο της Συμφωνίας στο αγγλικό πρωτότυπο εκτίθεται στο Μέρος Ι του Πίνακα και σε ελληνική μετάφραση στο Μέρος ΙΙ του Πίνακα:

Νοείται ότι, σε περίπτωση αντίθεσης μεταξύ των δύο αυτών κειμένων υπερισχύει το κείμενο στο αγγλικό πρωτότυπο.

Εφαρμογή
του άρθρου VIII
της Συμφωνίας.

4. Δυνάμει του άρθρου VIII της Συμφωνίας αρμόδιος να εκπροσωπεί την Κυπριακή Δημοκρατία ως μέλος της Συνέλευσης ορίζεται ο Γενικός Εισαγγελέας της Δημοκρατίας ή εξουσιοδοτημένος αντιπρόσωπός του.

ΠΙΝΑΚΑΣ
ΜΕΡΟΣ Ι
(Άρθρο 3)

AGREEMENT FOR THE ESTABLISHMENT
AND STATUTE
OF THE
EUROPEAN PUBLIC LAW ORGANIZATION

The Parties to this Agreement,

Recognizing the importance of public law *lató sensu*, and the need to further promote its scientific, research, educational, training, institution building and other dimensions for a better generation of lawyers and democratic institutions worldwide, and the promotion of European values through public law throughout the world;

Believing that it is now desirable that a European Public Law Organization (EPLO) be established as an international organization with suitable governance, full international legal personality and status;

Noting the wish of the signatory parties to promote and support the activities of the European Public Law Organization outside of any political considerations;

Noting the willingness of the Hellenic Republic to accept that the headquarters of the European Public Law Organization be established in Greece, once the European Public Law Organization has acquired international status;

Have agreed as follows:

PART I. ESTABLISHMENT AND STATUS

Article I. The Organization

1. The European Public Law Organization is hereby established as an international organization, hereinafter referred to as the "Organization" or "EPLO".
2. EPLO shall possess full international legal personality and enjoy such capacities as may be necessary for the exercise of its functions and the fulfillment of its purposes.

3. Political considerations shall not influence the Organization in its activities, management and staffing.
4. The Organization shall operate in accordance with this Agreement

Article II. Purposes and activities

1. The purpose of the Organization is the creation and dissemination of knowledge in the area of public law *lato sensu*, including *inter alia* national, comparative and European public law, human rights law, environmental law, etc., and the promotion of European values through public law throughout the world. To this effect, the Organization shall organize and support scientific, research, educational, training, teaching, institution building and other activities and provide assistance for democratic institutions in Europe and worldwide.
2. In order to accomplish its purposes, the Organization may engage in all kinds of activities, as it will be detailed in its Rules and as its organs might further develop, and will promote the cooperation with other institutions and organizations and bodies, in particular organizations in the United Nations system.

Article III. Headquarters

1. The headquarters of the Organization shall be in Athens, Greece.
2. The Organization may establish offices and branches in other locations or countries as required to support its programs and activities.

Article IV. Powers

To further pursue its purposes and activities, the Organization shall have the full powers of any organization with international legal personality and *inter alia* the following powers:

1. To acquire and dispose of real and personal property;
2. To enter into contracts and other types of agreements;
3. To employ persons;
4. To institute and defend in legal proceedings;
5. To invest the moneys and properties of the Organization;
6. To conclude agreements with States and other international organizations; and
7. To take other lawful action necessary to accomplish the purposes of the Organization, as established in this Agreement and developed in detail in its Rules.

Article V. Rights, Privileges and Immunities

1. The EPLO, its Officials and the staff shall enjoy within the territories of Member States the privileges and immunities defined in the "Convention on Privileges and Immunities of the United Nations", adopted by the General Assembly of the United Nations on 13 February 1946, as they are necessary for the independent exercise of their functions in accordance with the principles and objectives of this Agreement.

2. The EPLO shall enjoy, in the territory of each Member State, for its official communication, treatment not less favorable than that accorded by that State to the diplomatic missions of any other State. No censorship shall be applied to the official correspondence, and other official communications of the EPLO. No censorship shall be applied to publications, still and moving pictures, films and sound recordings of the EPLO.

3. Furthermore, the Organization, its Officials and the staff shall enjoy in the country of the headquarters such rights, privileges and immunities as are required for the fulfillment of their functions. These privileges and immunities shall be included in a headquarters agreement to be concluded with the Government of the Hellenic Republic. Other countries may grant comparable rights, privileges and immunities in support of the Organization's activities in such countries.

Article VI. Co-operative relationships

1. The Organization will engage in co-operative relationships with other institutions and programs, including universities, research centers, ministries, local authorities, parliaments, Law Courts, etc. and promote institutional co-operation. This co-operation will be detailed in its Rules.

2. The Organization may accept personnel on a loan or secondment basis from the participating in the Agreement parties and elsewhere.

PART II. ORGANIZATION

Article VII. The organs

The organization of the EPLO shall consist of the General Assembly (hereinafter referred to as the "Assembly"), the Board of Directors (hereinafter referred to as "the Board"), the Executive Committee, the European Scientific Council, the Director and staff.

Article VIII. The Assembly

1. Each Party to this Agreement shall appoint one representative to act as a

member of the Assembly. Each Party with the exception provided for in Article XXI para. 2, shall hold one full vote in the Assembly.

2. The Assembly shall hold regular sessions every two years to review the activities of the Organization, as well as the composition of the Board and the Executive Committee. On the occasion of its regular meetings, the Assembly shall approve the Organization's general policy and budget, and take note of the audited financial statements submitted by the Board of Directors.

3. Extraordinary sessions may be convened at the invitation of the Board of Directors or upon the initiative of one third of the Assembly's members with full vote.

4. Any action of the Assembly, which would require a vote of the Members of the Assembly in person, shall be equally valid if taken pursuant to written consent of such Members in lieu of a meeting.

5. When the quorum of the majority of the members with full vote is obtained, decisions of the Assembly shall be taken by majority vote among the parties with full vote present in the deliberations, unless otherwise provided for in this Agreement or the Rules.

Article IX. The Board of Directors

1. The Board of Directors will be composed of the Director acting as President, the members of the Executive Committee and representatives of the participating countries, international organizations, or other institutions or programs with which the EPLO establishes co-operative relationships. The EPLO will also invite an Official/staff member of the European Commission to sit in the Board. Representatives of institutions or programs with which the EPLO establishes co-operative relationships, as well as members to this Agreement with no full vote in the Assembly, shall sit on the Board with a consultative vote, except in cases of activities in which they actively participate. Deviations from this rule may be detailed in the Rules of the Organization.

The detailed composition of the Board of Directors, the voting rights of each member and the procedures to be followed will be detailed in the Rules of the Organization.

2. The Board members will be appointed after entry into force of this Agreement and thereafter whenever needed, following consultations with every represented party, institution etc., by act of the Director. Once appointed, the Board members shall serve in their personal capacities and shall not be bound by directives from their governments or organizations.

3. The Board shall meet at least once a year to carry out its functions, consisting of approving the general policy of the EPLO and the budget, and taking note of the audited financial statements;