



ADB INSTITUTE
TOKYO

Statute of the ADB Institute

BASIC DOCUMENTS of the
ASIAN DEVELOPMENT
BANK INSTITUTE

STATUTE

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NOTES

(i) As provided in ADB Board of Directors' Paper on the Establishment of the Asian Development Bank Institute, this Statute came into force in October 1996.

(ii) The Inaugural Meeting of the Institute was held at Tokyo on 10 December 1997 and the Institute commenced operations on the same day.

(iii) Amendment History. In regard to Article IV, with effect from 15 April 1998, the term of office of the members of the Advisory Council was reduced to two (2) years, and the number of distinguished practitioners or scholars was increased to six (6) members, with a corresponding reduction to one (1) in the number of members from among senior staff of the Bank. (Board No-Objection Paper R53-98 of 25 March 1998).

In connection with the empowerment of the Institute to function as a trust fund administrator, the following amendments were approved by the Board of Directors of the Bank with effect from 11 March 2004 (Board No-Objection Paper R33-04 of 1 March 2004) :-

- In regard to Article V.3(h), the words “trust funds,” were inserted immediately before the words “voluntary contributions”.
- Article VII was amended by inserting a new paragraph 4(a) and the original paragraph 4 was redesignated subparagraph (b).
- In regard to Article VIII, the word “principal” was inserted immediately before the word “office” and the following phrase was added at the end “and may establish, with the approval of the President of the Bank, such facilities, agencies and branches elsewhere as may be necessary”.

STATUTE OF THE ASIAN DEVELOPMENT BANK INSTITUTE

ARTICLE I

Establishment

There is hereby established the Asian Development Bank Institute (hereinafter referred to as "the Institute") as a subsidiary body of the Asian Development Bank (hereinafter referred to as the "the Bank") within the framework of the Agreement Establishing the Asian Development Bank (hereinafter referred to as "the Charter"), to contribute to the development of the Asian and Pacific region (hereinafter referred to as "the Region").

ARTICLE II

Objectives

The objectives of the Institute shall be to identify effective development strategies and to improve the capacity for sound development management of the agencies and organizations in the Developing Member Countries (hereinafter referred to as the "DMCs") of the Bank engaged in development work.

ARTICLE III

Functions

To accomplish its objectives, the Institute shall have the following functions:

- (a) organization and conduct of training programs, seminars, conferences and lectures in development policy and management for middle to top level policymakers and officials of public, private and other entities engaged in development work in the DMCs of the Bank;
- (b) conduct of research on development issues with strategic implications for development thinking and policy formulation, including identification and distillation of best practices, and production of learning methods and materials related thereto;
- (c) dissemination of the results of such research, training, seminars and conferences through various types of media and publications;
- (d) provision of assistance to the staff of the Bank, as may be requested, on such matters related to development policy and management, capacity building and good governance; and
- (e) such other functions which advance the objectives of the Institute as may be approved from time to time by the Board of Directors of the Bank.

ARTICLE IV

Advisory Council

1. There shall be an Advisory Council of the Institute to advise on the strategic directions in its operations which shall be composed of seven (7) members to be appointed by the President of the Bank, one (1) of whom shall be from among

the senior staff of the Bank and the remaining six (6) members shall be distinguished practitioners or scholars in the field of development or management selected from among the Bank's member countries on a broad geographical basis. The Chairperson of the Advisory Council shall be selected by the members of the Advisory Council from among themselves.

2. The Advisory Council shall:

- (a) provide advice and recommendations on the strategic directions of the Institute; and
- (b) review and comment on the Strategy and Work Program of the Institute.

3. The Advisory Council shall meet twice a year, once at the premises of the Institute and once at the Bank Headquarters, subject to such other meeting arrangements as may be agreed by the Chairman of the Advisory Council and the President of the Bank.

4. (a) The term of office of the members of the Advisory Council shall be two years and they may be reappointed at the end of such term; and
- (b) The term of a member appointed to fill a vacancy shall be for the duration of the unexpired term of office of the retiring member of the Advisory Council.

ARTICLE V

Functions of the Dean

1. The Institute shall have a Dean, to be appointed by the President of the Bank.
2. The Dean shall be the chief executive officer of the Institute and shall have responsibility under the direction of the President of the Bank for the management of the Institute.
3. The Dean shall, inter alia:
 - (a) prepare the Strategy and Work Program of the Institute for review by the Advisory Council and for submission with the Annual Budget to the President of the Bank for consideration and recommendation for approval to the Board of Directors of the Bank;
 - (b) prepare an annual report on the previous year's operations for approval by the President and the Board of Directors of the Bank;
 - (c) execute the Work Program and make the expenditures envisaged in the Annual Budget as approved by the Board of Directors of the Bank;
 - (d) direct the staff of the Institute;
 - (e) design programs and allocate staff in accordance with the Work Program;

- (f) set up such advisory bodies on training and research as may be necessary;
- (g) negotiate arrangements with the governments of the DMCs, and international as well as national public and private agencies with a view to offering and receiving services related to the activities and within the mandate of the Institute;
- (h) after consultation with the Bank and subject to the provisions of Article VII below, recommend to the Board of Directors through the President of the Bank to accept on behalf of the Institute trust funds, voluntary contributions, donations and grants to the Institute for the purpose of financing the Institute's activities and developing its facilities;
- (i) coordinate the work of the Institute with that of the Bank and other national, regional, international and bilateral programs engaged in similar activities;
- (j) report, through the President, to the Board of Directors of the Bank on the Institute's activities and the execution of its Work Program; and
- (k) approve specific research projects, seminars and other activities consistent with the Annual Budget and the Work Program.

ARTICLE VI

Staff

1. In conformity with the principles laid down by the Board of Directors of the Bank, the President of the Bank shall determine the composition and level of the staff of the Institute, having regard to the responsibilities of the posts and the financial resources and level of program activities of the Institute as necessary, to enable the Institute to fulfill its mandate and carry out its program of activities effectively.
2. The staff of Institute shall be appointed by the Dean upon approval of the President of the Bank, and shall be responsible to the Dean in the exercise of their functions.
3. The Institute may also obtain the services, for a limited period, of staff members of the Bank on a secondment basis. Such persons shall be appointed by the President of the Bank on the basis of formal arrangements between the Institute and the Bank, which arrangements shall include provisions for the following:
 - (a) during their period of secondment, Bank staff shall be deemed to be employed by the Institute and shall have leave of absence status at the Bank; and
 - (b) years of service of the seconded staff at the Institute shall be treated as years of service at the Bank for purposes of the Staff Retirement Plan and for other personnel administration purposes of the Bank.

4. The salaries and emoluments of staff of the Institute shall be paid from the funds of the Institute.
5. The terms and conditions of service of the staff of the Institute shall be those provided by the Staff Regulations and Administrative Orders of the Bank, as amended from time to time, subject to such amendments thereto and such arrangements for special rules or terms of appointment as may be approved by the President of the Bank.
6. The staff of the Institute shall be recruited on as wide a geographical basis as possible from the member countries of the Bank, primary consideration being given to the particular requirements of the Institute.
7. The staff of the Institute shall not be entitled to transfer to the Bank, other than Bank staff seconded to the Institute.
8. The staff of the Institute shall be entitled to participate in the Bank's Staff Retirement Plan and have access to the Bank's Appeals Committee and Administrative Tribunal, on the same basis as staff of the Bank's Resident/Representative/Regional Offices, subject to any necessary amendments to the Staff Retirement Plan, the Statute of the Administrative Tribunal of the Asian Development Bank and relevant Administrative Orders of the Bank.
9. The Dean and other staff of the Institute shall be officers and staff of the Bank within the meaning of Articles 36, 55 and 56 of the Charter of the Bank.

ARTICLE VII

Finance and Administration

1. The financial regulations, rules and procedures of the Bank shall apply to the financial operations of the Institute, subject to such amendments thereto and such special rules and procedures as may be approved by the President of the Bank.

2. The budget of the Institute shall be independent from that of the Bank and the Bank shall not be liable for the obligations of the Institute, except as the Bank, with the approval of the Board of Directors, may otherwise agree.

3. The expenses of the Institute shall be met from the "Special Fund for the Asian Development Bank Institute" for which the Bank shall serve as Administrator (hereinafter referred to as "the Institute Special Fund"). The Institute Special Fund shall be used to finance the operations of the Institute. Goods and services, and the services of experts, shall be procured or engaged by the Institute only from member countries of the Bank in accordance with procedures and practices consistent with the Charter.

4. (a) Notwithstanding the provisions of paragraphs 3 and 4(b) of this Article, the Institute may accept, with the approval of the Board of Directors of the Bank, the administration of trust funds which are consistent with the functions set out in Article III or advance the objectives of the Institute. Such trust funds accepted by the Institute may be used in any manner and on any terms and conditions not

inconsistent with the purposes and policies of the Institute or the Bank and with the agreement relating to such trust funds between the Institute and their respective contributors of such trust funds concerned.

(b) Voluntary contributions from any member country of the Bank and voluntary contributions, donations and grants from intergovernmental organizations, non-government organizations and foundations, with the approval of the Board of Directors of the Bank, shall be credited to the Institute Special Fund. Proceeds of contract awards from any such member countries, organizations and foundations, with the approval of the President of the Bank, shall be credited to the Institute Special Fund. No such contribution, grant or contract award for a specific purpose may be so accepted if the purpose is inconsistent with the purposes and policies of the Institute or the Bank.

5. The Institute Special Fund shall be held by the Bank and administered solely for the purposes of the Institute.

6. The Bank may invest and reinvest the funds of the Institute Special Fund pending their disbursement, and may retain for its own account the income from such investment or, reinvestment in order to assist in the defrayment of direct and identifiable costs incurred by the Bank in the performance of its functions as Administrator of the Institute Special Fund.

7. The Bank shall provide the Institute with such administrative and financial services as may be agreed from time to time. Subject to such services as may be so provided to the Institute by the Bank, the Institute shall be responsible for its administration, including preparation of its own accounts and financial statements.

8. The Institute shall reimburse the Bank for the cost of any financial and administrative services provided by the Bank to the Institute.

9. The accounts of the Institute shall be subject to annual audit to be carried out by the Bank's external auditors.

ARTICLE VIII

Location and Premises

The Institute shall establish its principal office in Tokyo, Japan and may establish, with the approval of the President of the Bank, such facilities, agencies and branches elsewhere as may be necessary.

ARTICLE IX

Working Language

The working language of the Institute shall be English.

ARTICLE X

Legal Status, Immunities, Exemptions and Privileges

1. The Institute, as a subsidiary body of the Bank, shall enjoy the immunities, exemptions and privileges provided in Chapter VIII of the Charter.

2. The Institute may, under the authority of the Dean, enter into contracts with organizations, institutions, firms or individuals for the purpose of carrying out its programs. The Institute may acquire and dispose of movable and immovable property and may take other legal action necessary to the performance of its functions. Such contracts and other obligations and liabilities of the Institute shall be obligations and liabilities of the Institute and not obligations and liabilities of the Bank. The liabilities and obligations of the Institute, subject to applicable privileges and immunities, shall be limited to the assets of the Institute and of the Institute Special Fund.

ARTICLE XI

Amendments

This Statute may be amended by the Board of Directors of the Bank.