

Diplomatic Conference to Conclude and Adopt a Design Law Treaty (DLT)

Riyadh, November 11 to 22, 2024

ARTICLES 24(4)(b)(ii) and 24(3)

Proposal by the Delegations of the European Union and its Member States

The Delegations of the European Union and its Member States have submitted to the Secretariat of the Diplomatic Conference the proposal contained in the Annex to the present document.

[Annex follows]

Proposal by the European Union and its Member States on Article 24(4)(b)(ii) and Article 24(3) of the Design Law Treaty

Article 24(4)(b)(ii)

(4) *[Taking Decisions in the Assembly]* (a) The Assembly shall endeavor to take its decisions by consensus.

(b) Where a decision cannot be arrived at by consensus, the matter at issue shall be decided by voting. In such a case,

(i) each Contracting Party that is a State shall have one vote and shall vote only in its own name; and

(ii) any Contracting Party that is an intergovernmental organization may participate in the vote, in place of its Member States, with a number of votes equal to the number of its Member States which are **either party to, or otherwise bound by** this Treaty **pursuant to the constituting treaty of that intergovernmental organization***. No such intergovernmental organization shall participate in the vote if any one of its Member States exercises its right to vote and vice versa. In addition, no such intergovernmental organization shall participate in the vote if any one of its Member States party to this Treaty is a Member State of another such intergovernmental organization and that other intergovernmental organization participates in that vote.

***Footnote: At the time of ratification or accession, the intergovernmental organization will make a declaration stating the number of Member States that are bound by this Treaty pursuant to its constituting treaty. Any subsequent change to this number will be communicated to the depositary.**

Article 24(3)

(3) *[Quorum]* (a) One-half of the members of the Assembly ~~which are States~~ shall constitute a quorum. **For the purpose of establishing that quorum, an intergovernmental organization that is a member of the Assembly shall be counted to the extent of the number of votes it is entitled to cast in accordance with Article 24(4)(b)(ii).**

(b) Notwithstanding subparagraph (a), if, in any session, the ~~number of the members of the Assembly which are States and~~ **that** are represented **and correspond to** is less than one-half but equal to or more than one-third of the members of the Assembly ~~which are States~~, the Assembly may make decisions but, with the exception of decisions concerning its own procedure, all such decisions shall take effect only if the conditions set forth hereinafter are fulfilled. **For the purpose of establishing that quorum, an intergovernmental organization that is a member of the Assembly shall be counted to the extent of the number of votes it is entitled to cast in accordance with Article 24(4)(b)(ii).** The International Bureau shall communicate the said decisions to the members of the Assembly ~~which are States and~~ **that** were not represented and shall invite them to express in writing their vote or abstention within a period of three months from the date of the communication. If, at the expiration of this period, the number of such members having thus expressed their vote or abstention attains the number of the members which was lacking for attaining the quorum in the session itself, such decisions shall take effect, provided that at the same time the required majority still obtains.

[End of Annex and of document]