

## **International Law Association**

### **MEMBERSHIP OF INTERNATIONAL COMMITTEES**

(These rules and procedures are intended to consolidate with minor amendments as appropriate the previously existing Procedures and Guidelines of November 1997 and January 2005)

#### **Summary: Rules for Membership of International Committees**

The core of the work of the ILA lies in Reports and Resolutions of the International Committees.

On the establishment of a new Committee, following the appointment of the Committee Chair, Headquarters will inform all Branches and invite nominations from them. Nominations should be made in the FIRST YEAR of a Committee's life.

Each nominee must:

1. be a Member of an ILA Branch;
2. demonstrate expertise in the field (evidenced in CV);
3. be a Member of no more than one other Committee;
4. have access and be competent to use internet and communicate by email;
5. sign a personal letter of commitment to participate actively in the work of the Committee.

If a nominee fails any of the above, the Chair may refuse to accept the nomination.

Nominations may also be made by:

1. Director of Studies: up to 5 Members of Headquarters Branch
2. Committee Chair: up to 5 Members who must be Members of ILA but, after discussion with Branch may not be nominated by that Branch.

Further nominations to the Committee may be made when:

1. A section of the Committee's work has been completed;
2. The Chair wishes to balance the diversity of the Committee Membership

Where more than 2 Members are nominated by any Branch, 1 should be at an early stage in their career.

Committees depend on the active input of ALL Committee Members.

The Committee Chair is expected to remove any Committee Member who fails to respond to communications from the Committee Officers or to contribute fully to the work of the Committee for a period of two years from approval by the EC of their nomination.

ILA Committee Reports published after a Biennial Conference will commence with a list indicating:

Those Committee Members who have contributed to the report finalised at the Conference

The Director of Studies will meet each Committee's Officers during the course of a Biennial Conference and any inactive members will be liable to be removed from the Committee at the closing meeting of the Full Council.

## **Detailed Procedures for Establishing International Committees and Rules for Membership**

### **1. Establishment of International Committees**

- 1.1 Proposals for a subject for study by the International Law Association may be made by the Director of Studies (DoS) and by any Branch or member.
- 1.2 On the recommendation of the DoS, the Executive Council (EC) may establish an International Committee, define its mandate, and appoint a Chair and one or more Rapporteurs, who shall be members of the Association. In deciding on the appointment of officers of a Committee, regard should be paid to the desirability of the representation of different legal systems and of the various geographical regions.
- 1.3 Committees are established with a mandate in the first instance of 4 years. The EC may renew the mandate, in its original form or with amendments, for further periods of up to 4 years.

### **2. Nominations and Appointments of Members**

- 2.1 Members can be appointed by the EC only at one of its biannual meetings (May and November, unless held during an International Conference), upon nominations made by Branches at least 8 weeks before the meeting, and subject to the views of the Chair of the Committee.
- 2.2 After a Committee has been established, Headquarters (HQ) will inform all Branches about the mandate of the Committee and will invite them to nominate members within a period of 12 months. After having consulted the Chair of the Committee, or upon its request, HQ may extend that period and inform Branches accordingly. The 12 months period does not apply to Branches formed after the establishment of the Committee.
- 2.3 Each regional Branch may nominate one or more members of the Association as members of a Committee, on the following basis: for Branches with a paid-up membership of less than 100, one member; for Branches with a paid-up membership of 100-250, two members; for Branches with a paid-up membership of more than 250, three members. In case of need and with the approval of the Chair of the Committee, a Branch may nominate one alternate for each appointed member. The role of alternate should be used to enable younger members of the Association to participate in its work. In the case of an extremely high number of nominations, HQ may, upon request of the Chair, temporarily suspend the right of Branches to nominate more than two members.
- 2.4 The DoS may nominate up to 5 members of the Headquarters Branch to any Committee.
- 2.5 The Chair of a Committee may at any time nominate, subject to the consent of the DoS and without affecting the quota of any Branch, up to 5 persons with special expertise and experience in the subject of the Committee, who have indicated their willingness to contribute actively to its work and to become members of the Association. If any of these persons is a member of a Branch whose quota is not yet exhausted, the Chair should invite the Branch through HQ to nominate that person.

### **3. Qualifications Required for Members of an International Committee**

- 3.1 Persons nominated for an International Committee must have sufficient expertise in the subject of the Committee in question, either as academics or practitioners. They must be able and willing to contribute actively to the work of the Committee, in particular by responding to questionnaires and circulated drafts. They must be able and willing to communicate with the Committee officers electronically (email).

- 3.2 Nominations must be accompanied by a C.V. of the nominee and eventually other documentation which demonstrates the expertise required, as well as by a personal and signed letter of commitment confirming the willingness and ability to contribute actively to the work of the Committee.
- 3.3 As a rule, no person should be a member or alternate member of more than two Committees at the same time. A branch which nominates a person who is already a member or alternate member of another Committee which will remain active for more than 1 year, should give reasons for that nomination, and the nominee should expressly state his or her willingness and ability to contribute actively to the work of both Committees.

#### **4. Role of the Chair**

- 4.1 The Chair, in cooperation with the DoS and HQ, is responsible for the high quality of the work of the Committee and, as far as possible, for a balanced representation in its membership (academics, practitioners, geographical regions, different legal systems, gender, younger members).
- 4.2 The Chair of the Committee is always consulted by HQ about nominations from Branches. It is recommended that the Chair consult with the Rapporteur(s) of the Committee. The Chair shall communicate acceptance or objections to HQ within 4 weeks, to enable the EC at its next meeting to decide whether to accept the nomination.
- 4.3 The Chair may reject a nomination on the following grounds: lack of demonstrated expertise; lack of letter of commitment; requirement of balanced representation; very advanced state or completion of current work; lapse of nomination period. In case of the first two grounds, the nominating Branch has the right to supplement the nomination.

#### **5. Duration of Membership and Offices**

- 5.1 The membership of a Committee will be reviewed, on the recommendation of the Chair and the DoS, on each occasion of the renewal of its mandate, normally every 4 years. HQ will remind the Chair not later than 3 months before the expiration of the Committee's mandate. The Chair should not confirm the membership of members who remained mostly inactive.
- 5.2 Before a Committee turns to a different aspect of its (renewed) mandate, the Chair, supported by the Rapporteur(s), will consult with members on whether they intend to stay on or prefer to resign in order to make room for persons with greater expertise in the new subject. In the latter case HQ, upon request of the Chair, will invite the Branches concerned to nominate qualified new members as soon as possible.
- 5.3 Members who have made no contribution to the work of their Committee for two years will be deleted from the membership list. Before taking that decision, the Chair shall contact the respective member in order to find out whether there is a realistic possibility that he or she will contribute to the future work of the Committee in the very near future. If the Chair is not satisfied with the response, HQ will inform the nominating Branch of the deletion and may, with the consent of the Chair, invite the Branch to make a fresh nomination of a person who is reasonably expected to be more active.
- 5.4 Each and every Committee Report shall make it clearly visible which of the Committee members have actively contributed to it.
- 5.5 If a Committee officer intends to resign his/her position, he/she should give as much notice as possible to the DoS. It is for the DoS to nominate a successor to the EC. The DoS should normally consult with the officers of the Committee, and if appropriate the membership of the

Committee, before submitting a nomination. Committee officers should not normally consult the membership of the Committee before communicating with the DoS.