

1. Purpose

- 1.1.** A Committee is established to assist the ILA in the realization of its objectives of studying, clarifying and developing international law, both public and private, and the furtherance of international understanding and respect for international law, by bringing together members with relevant expertise to carry out research, surveys and investigations on selected areas of international law and to prepare reports for consideration by the membership and other interested parties at the biennial conferences and recommendations for adoption by the Conference Plenary.

2. Establishment

- 2.1.** Proposals for a subject for study by the ILA and the establishment of an International Committee may be made by the Director of Studies (DoS) and by any Branch or member.
- 2.2.** On the recommendation of the DoS, the Executive Council (EC) may establish a Committee, adopt its mandate, and appoint its Chair(s) and Rapporteur(s). 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.
- 2.3.** Committees are established with a mandate in the first instance of 4 years. On the recommendation of the DoS, the EC may renew the mandate, in its original form or with amendments, for further periods of up to 4 years.

3. Mandate

- 3.1.** The DoS shall in close cooperation with the branch or member(s) that made the proposal and the suggested Chair(s) and/or Rapporteur(s) define the mandate for adoption by the EC. The mandate shall be sufficiently specific to allow completion of the work within a specified period of time, preferably not exceeding 6 years. The mandate shall contain a plan of work and a provisional time schedule.
- 3.2.** The mandate shall be designed to produce a concrete outcome in a practical form, such as a re-statement of the law, a draft treaty or convention, draft articles, a declaration, a draft code of conduct, recommendations, guidelines, or statements, that can be presented for adoption by the Conference Plenary at a biennial conference.
- 3.3.** An amendment of the mandate under 2.3 is restricted to adjustment of the original mandate and is not intended to allow the Committee to take up an entirely new topic.
- 3.4.** Upon completion of the mandate, as a rule, a Committee will be dissolved by the EC.

4. Membership

- 4.1.** 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 the first 12 months of its establishment. After this period new members can only be appointed if in the view of the Chair this will contribute to the work of the Committee. The 12 month period does not apply to Branches formed after the establishment of the Committee.
- 4.2.** Each Branch may nominate one or more members of the ILA 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. 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 ILA 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. The Branch membership of the officers of the Committee does not affect the Branch quota. Nominations should be made 6 weeks before the EC meeting at which they should be tabled.
- 4.3.** 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. Nominations must be accompanied by a C.V. of the nominee and any other documentation which may demonstrate 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.
- 4.4.** As a rule, no person should be a member or alternate member of more than two Committees, or of one Committee and one Study Group, at the same time.
- 4.5.** The Chair of the Committee is always consulted by HQ about nominations from Branches or by the DoS. It is recommended that the Chair consults 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. The Chair may reject a nomination on the following grounds: lack of demonstrated expertise; lack of a letter of commitment; the requirement of balanced representation (after consultation with the DoS); very advanced state or near completion of the mandate; lapse of nomination period. In case of the first two grounds, the nominating Branch has the right to supplement the nomination.
- 4.6.** 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.
- 4.7.** The DoS may nominate, subject to consultation with the Chair of a Committee, up to 5 members of the Headquarters Branch to a Committee.
- 4.8.** A member who has made no contribution to the work of a Committee for two years may be requested by the Chair to resign from the Committee. Before making such a request, the

Chair, in consultation with the member, should consider whether there is any realistic possibility that s/he will meaningfully contribute to its work in the very near future. If the member does not resign and the inactivity persists, the Chair shall inform the DoS who may ask the nominating Branch to make a fresh nomination of a person who is expected to be more active.

4.9. Membership terminates when a Committee is dissolved by the EC.

5. Officers

5.1. On the recommendation of the DoS, the EC appoints the Chair(s) of a Committee. 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).

5.2. On the recommendation of the DoS and the Chair, the EC appoints one or more Rapporteurs. Under the guidance of the Chair, the Rapporteur(s) take the lead in carrying out the work of the Committee.

5.3. A Committee officer intending to resign should notify the other officers and the DoS. After consultation with the officers of the Committee, and if necessary the membership of the Committee, the DoS will nominate a successor to the EC. The Committee officers should not consult the membership of the Committee before communicating with the DoS.

5.4. The officers of a Committee shall communicate regularly with members of the Committee. They shall provide sufficient time to them for commenting on draft reports prepared by the Rapporteur(s), in order to ensure that the reports of the Committee represent the collective work of its membership.

5.5. The officers of a Committee should inform Committee members unable to attend a working session at a biennial conference or any other Committee meeting about the outcome of such meeting.

5.6. Officers and members of Committees serve in a personal capacity.

5.7. Committee officers are expected to attend the biennial conferences. If unable to attend, they should inform the DoS well in advance.

6. Working methods

6.1. After consultation with its members a new Committee should adopt a work programme for the period of the mandate by the end of its first year of existence. The work programme should deal with the substance, the means to achieve it (for example, questionnaires; contributions by members), the form of results to be achieved (for example, draft declaration, articles or principles, with commentary; recommendations; guidelines; statements; conclusions) and a time table.

- 6.2.** All members shall be duly informed about the work programme, any subsequent adjustments to it, Committee meetings and other events, and of the outcomes of meetings.
- 6.3.** As a rule, each Committee submits a report every two years for consideration at the biennial Conference. The report should reflect the collective work of the membership of the Committee. Draft reports are usually prepared by the Rapporteur(s), but they should preferably be based on contributions from members. All members must be provided with ample opportunity to comment on the drafts, and their comments should be taken into account when drafting the final text for submission to the Conference. Dissenting views should be reflected in the report when no agreement on a text has been reached and the dissenter(s) so wish. A report submitted to HQ which has not been circulated in advance to the members of the Committee will not be processed for publication on the website or in the Conference Report.
- 6.4.** Each and every Committee report shall make clear which of the Committee members have actively contributed to the preparation of the report.
- 6.5.** Each Committee should aim to meet at least once a year, separately or in conjunction with another meeting or conference.
- 6.6.** External funding may be sought for Committee activities, such as meetings, research and publications. The ILA has no funds for these purposes.
- 6.7.** Activities, reports of meetings, interim results and any other relevant information should be submitted to HQ for posting on the ILA website.
- 6.8.** Reports may be in English or French (or both). In cases where the Rapporteur is not a native speaker there may be a need for language editing of the draft report before it is submitted. Only if the committee itself is not able to provide this editing by one of its members, such need should be communicated to HQ in time to find an alternative solution.
- 6.9.** Reports should be a maximum of 30 printed pages in length, including any appendices and footnotes. Final reports may exceed this limit by no more than 20 pages, unless specifically authorized by the DoS.
- 6.10.** Reports should not:
 - (a) repeat at length the history of the work of the committee;
 - (b) incorporate details of the more familiar aspects of the topic;
 - (c) include more footnotes than is strictly necessary;
 - (d) include ancillary documents, apart from draft proposals for adoption at the Conference.

7. Biennial Conferences

- 7.1.** Reports for ILA Conferences should be submitted to HQ at least two months in advance and in accordance with the instructions provided by HQ.
- 7.2.** Draft reports will be posted on the ILA website before the Conference. After the Conference, the Committee officers have a maximum of six weeks for submitting any amendments or corrections to the text of their draft report necessitated by the discussion at the working session. No other amendments to the substance of the report may be made. The report will be

included in the Conference Report. Reports will not be discussed during the meeting of the Conference Plenary.

- 7.3.** Committees submitting a final report should submit a draft resolution for adoption by the Conference containing recommendations or other relevant outcome of the work of the Committee. The draft resolution should be circulated in advance to the Committee membership. A draft resolution proposed by a Committee submitting an interim report will be accepted only if in the view of the DoS and the Steering Committee it contains sufficient substantive recommendations for adoption by the Conference. The draft resolution must be submitted to HQ for perusal by the Steering Committee 4 weeks before the biennial conference. Draft resolutions should not seek to adopt the full Committee report (but rather 'note' it), unless there are exceptional circumstances.
- 7.4.** Draft resolutions and draft reports will be carefully considered by the Conference Steering Committee before and during the Conference.
- 7.5.** During the Conference each Committee has one public working session devoted to the discussion of its report and draft resolution (if any). At the working session all delegates attending the Conference, in particular those who are not members of the Committee, will have an opportunity to discuss the report and resolution. Only ILA members are entitled to vote should a vote be required. The working session is chaired by someone who is not a member of the Committee, in order to ensure that the Committee Officers can freely participate in the debate and that all comments are considered. Chairs of the working sessions shall be appointed by the DoS.
- 7.6.** Members taking part in the debate during a working session may use English or French when making their interventions. There are no simultaneous translation facilities available; if necessary, a brief translation may be provided by one of the other participants at the session.
- 7.7.** In consultation with the Chair of the Committee, one or more reporters will be assigned to each working session to prepare a summary of the debate for the Conference Report. The Committee officers will be provided the opportunity to suggest amendments and corrections to the summary. This procedure should be completed within six weeks of the Conference.
- 7.8.** Draft resolutions will be discussed, and if necessary amended, at the end of the working session. As a result of the debate it may also be necessary to amend parts of the report or prepare an annex to it in conformity with 7.2. If necessary a vote may be taken on separate paragraphs or on the draft resolution as a whole. All matters of substance should be settled at the working session.
- 7.9.** The draft resolution as adopted in the working session will be submitted to the Conference Steering Committee. The Conference Steering Committee will discuss the quality of a draft resolution and the process of its preparation with the officers of the Committee. It is authorized to suggest corrections to the draft resolutions, or to refuse to allow a draft resolution to be put before the Conference Plenary. Draft resolutions will be introduced, but not discussed during the meeting of the Conference Plenary.
- 7.10.** Committees may wish to hold a closed meeting during the conference, either before or after the public working session. The Committee officers should inform HQ of their wishes in this respect.

8. Dissemination of results

8.1. Officers and members of a Committee should actively assist in the dissemination of (interim) results of the work of the Committee and to support the DoS, other officers of the ILA, or HQ (in particular by providing information suitable for distribution on the website or through other media) in order to further the objectives of the ILA.

9. Termination

9.1. After consultation with the Chair, the DoS will recommend the EC to dissolve a Committee once the mandate has been completed.

9.2. These rules and guidelines are without prejudice to established practices in regard of existing Committees.