



**International Commission of Jurists
Statute**

June 2012

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PREAMBLE

The International Commission of Jurists, herein referred to as the Commission, affirms that human rights and humanitarian law are essential to achieve the goals of a just, democratic, peaceful and humane society. The Commission affirms that human rights, as articulated in international standards, are universal, interdependent and indivisible.

The Commission affirms that the Rule of Law is indispensable to safeguard and advance all human rights.

The Commission recognizes that an independent judiciary and legal profession, maintaining the highest ethical standards, assume a primary role in achieving these goals.

GENERAL PROVISIONS

Article 1 – International Commission of Jurists, Legal Status and Headquarters

1. The Commission is a non-profit and non-political association.
2. The Commission, which is an association governed by Articles 60 to 79 of the Swiss Civil Code, has legal personality.
3. The Headquarters of the Commission are in Geneva, Switzerland.

Article 2 – Mission

Subject to the terms of this Statute, the Commission, its Officers, its National Sections, Affiliated Organisations and Associated individuals have a duty to give effect to the principles set out in the preamble.

Article 3 – Objectives

The Commission carries out activities at the global, regional, national and local level and in particular takes effective steps to:

1. Support and advance the Rule of Law and human rights on the basis of the principles set out in the preamble;
2. Advance the independence of the judiciary and the legal profession and the administration of justice in full compliance with standards of international law;
3. Promote the global adoption and implementation of international human rights standards and other legal rules and principles that advance human rights and the Rule of Law;

4. Promote the establishment and enforcement of a legal system which protects individuals and groups against violations of their human rights;
5. Promote understanding of and compliance with the Rule of Law and human rights and provide assistance to those to whom the Rule of Law and human rights are denied; and
6. Promote the abolition of the death penalty and support efforts to achieve this goal.

MEMBERSHIP OF THE COMMISSION

Article 4 – Membership

1. The Commission shall consist of not more than sixty Commissioners dedicated to the Commission's aims and objectives, who are jurists of high standing in their own country or at the international level, and are actively working towards the promotion and implementation of human rights.
2. It is the duty of a Commissioner to work actively towards the fulfilment of the aims and objectives of the Commission and to assist in the implementation of its programmes, especially for such programmes related to the specific expertise of the Commissioner.

Article 5 – Election of New Members

1. Commissioners shall be recommended by members of the Executive Committee and elected by a majority of the Commissioners voting.
2. The Secretary General shall consult with National Sections regarding their suggestions for membership of the Commission and submit their suggestions to the Executive Committee for its consideration.
3. When making a recommendation to the Commission, the Executive Committee shall give due regard to the views of National Sections and Affiliated Organisations, the need for special expertise, gender, geographical and other forms of diversity.

Article 6 – Term of Membership

1. The term of a Commissioner shall be five years. A Commissioner may be elected for a second term. For reasons to be specified in a recommendation of the Executive Committee, a Commissioner may be elected for a third term.
2. A Commissioner may resign at any time by giving notice to the Secretary-General.

3. Upon the recommendation of the Executive Committee, and after the concerned Commissioner has been afforded a reasonable opportunity to be heard, the Commission may end the term of any Commissioner by a majority vote if:
 - (a) the Commissioner no longer fulfils the requirements or commitments provided for in Article 4; or
 - (b) the Commissioner accepts an official position which the Committee considers to be in conflict with membership of the Commission.

Article 7 – Honorary Members

1. Distinguished jurists shall be eligible for election as Honorary Members in accordance with the procedure prescribed in Article 5.
2. Former Commissioners may be elected as Honorary Members by decision of the Executive Committee.
3. Honorary Members shall be entitled to attend and speak at all meetings of the Commission without vote.

GOVERNANCE

Article 8 – Organisational Framework

1. The directive authority of the organisation is vested in the Commission.
2. Subject to the provisions of this Statute, the Executive Committee shall have the authority to act for and in place of the Commission when the Commission is not in session.
3. There shall be an International Secretariat which carries out the policies of the Commission.
4. National Sections, Affiliated Organisations and Associated Individuals, whose rights and duties are set out in Articles 11 to 13 of this Statute and in the National Sections and Affiliated Organisations Agreement, shall assist as far as practicable in the implementation of the objectives of the Commission.

Article 9 – Responsibility for Policy and Implementation

1. The Commission, and when the Commission is not in session, the Executive Committee, is responsible for determining the general policy of the organisation.
2. The International Secretariat, in cooperation with National Sections, Affiliated Organisations and others, is responsible for implementing and giving effect to the policies and decisions of the Commission and the Executive Committee.

3. Congresses of the Commission, National Sections and Affiliated Organisations shall be held every fourth year to discuss, and assist in the formulation of, the policy and activities of the organization.

Article 10 – Meetings of the Commission

1. The Commission shall meet at least once every four years, or whenever it is called into session by a two-thirds vote of the Executive Committee, or at the request of not less than one-half of the Members of the Commission. Between meetings the Commission shall be regularly informed by the Secretariat about the activities of the Executive Committee and the Secretariat.
2. The agenda for the meetings of the Commission is set by the Executive Committee. Additions to the agenda may be made by majority vote of the Commission.
3. Except as otherwise provided in this Statute, the Commission shall make its decisions by a majority of the Members present and voting.
4. The quorum for Commission meetings shall be one-third of its membership. In the absence of a quorum, the Commissioners present at a meeting may, by majority vote, take a provisional decision which shall be submitted to a ballot of all members of the Commission and shall take effect if approved by a majority of Commissioners voting in the ballot.

THE NETWORK

Article 11 – National Sections

1. The Commission may recognise an organisation as a National Section of the Commission if:
 - a) the organisation commits itself to, and acts in accordance with, the principles of the Commission as proclaimed in the Preamble of this Statute;
 - b) the membership of the organisation consists wholly or mainly of jurists and does not represent a political party or movement;
 - c) the organisation does not promote or work for any objective that contradicts the work and principles of the Commission; and
 - d) the organisation undertakes to work to implement human rights norms in its own country or region, to co-operate with the Commission and help carry out its programmes.
2. Recognition as a National Section may be granted by the Executive Committee. Recognition may also be granted to sub-national sections, in particular in the case of Federal States, and to Regional Sections that cover more than one country. The creation of Youth Sections is to be encouraged and they may be recognised by the Executive Committee. Sub-national, regional or youth sections shall be subject to the same rights, conditions and obligations as National Sections.

3. A National Section is autonomous and the Commission and the Secretariat are not liable for its actions. A National Section may, in accordance with the conditions specified in the National Sections and Affiliated Organisations Agreement, use the logo and institutional identity of the Commission, provided that it specifies in all its communications that it is a National Section. Cooperation between the National Section, the Commission and the Secretariat will be carried out in accordance with the National Sections and Affiliated Organisations Agreement.
4. A National Section shall cease to hold that status upon:
 - a) Written notice of resignation to the Secretary-General; or
 - b) Decision by the Executive Committee, after written notice to the Section and affording the Section a reasonable opportunity to be heard, when it:
 - i. is not active;
 - ii. does not fulfill its undertaking under Article 11 paragraph 1(d); or
 - iii. has acted prejudicially to the Commission.

In the event of termination of status, the National Section may no longer indicate that it is a Section or affiliated to the Commission.

Article 12 - Affiliated Organisations

1. The Commission or the Executive Committee may grant affiliate status to an organisation with aims and objectives similar to, and not inconsistent with, the Commission provided such organisations are not or do not represent a political party or movement.
2. In its communications, an Affiliated Organisation may state that it is affiliated with the International Commission of Jurists. However, it may not use the logo nor the institutional identity of the Commission without prior permission.
3. An Affiliated Organisation shall cease to hold that status upon:
 - a) Written notice of resignation to the Secretary-General; or
 - b) Decision by the Executive Committee, after written notice to the Affiliated Organisation and affording the Affiliated Organisation a reasonable opportunity to be heard, when it:
 - i. is not active;
 - ii. does not fulfill its undertaking under Article 12 paragraph 1; or
 - iii. has acted prejudicially to the Commission.

In the event of termination of status, the Affiliated Organisation may no longer indicate that it is affiliated to the Commission.

Article 13 - Associated Individuals

The Commission or the Executive Committee may decide to formally associate one or more individuals to help promote the ideals and work of the organisation. Such

association may take the form of ambassadors or patrons to help promote the work and augment the resources of the organisation, or any suitable form.

OFFICERS OF THE COMMISSION

Article 14 - The President

1. The Commission shall elect, by a majority of Commissioners voting, one of its members to serve as President. The role of the President is to promote the organisation. The President may attend and vote at Executive Committee meetings.
2. The President serves a term of two years and may be re-elected twice. The President shall continue to serve until a successor is elected.

Article 15 - Vice-Presidents

1. The Commission shall elect, by a majority of Commissioners voting, two of its members to serve as Vice-Presidents. The role of the Vice-Presidents is to replace the President at meetings or functions when the President is unable to attend. The Vice-Presidents may attend and vote at Executive Committee meetings.
2. The Vice-Presidents serve a term of two years and may be re-elected twice. The Vice-Presidents shall continue to serve until their successors are elected.

EXECUTIVE COMMITTEE

Article 16 - Election of Executive Committee Members and Alternates

1. The Commission shall elect, by a majority of Commissioners voting, at least seven but not more than nine Commissioners to serve as members of the Executive Committee. It shall also elect an additional seven Commissioners, to serve as alternate members of the Executive Committee.
2. In electing members to the Executive Committee, regard should be had to need for:
 - a) continuity in the service of some of the members;
 - b) gender, geographical and other forms of diversity; and
 - c) representation of the various legal professions and legal systems of the world.
3. Members of the Executive Committee and their alternates shall serve for a period of two years and may be re-elected twice for a further period of two years. The members shall continue to serve until their successors are elected.

4. The Executive Committee shall elect a Chairperson from among its members for a period of two years and he or she may be re-elected twice. In the absence of the Chairperson at any meeting, the members present shall elect a Chairperson for that meeting.
5. The Commission's paid staff may only serve the Executive Committee in an advisory capacity, without voting rights.
6. Members of the Executive Committee serve on a voluntary basis and are entitled only to compensation for the real costs and travel expenses. If an honorarium is received, it may not exceed that which would be disbursed for ordinary Commission activities. For any activities exceeding the ordinary scope of their function, each Executive Committee member may receive appropriate compensation.

Article 17 – Meetings of the Executive Committee

1. The Executive Committee shall meet at least twice a year in Geneva or any other place designated by its Chairperson. An Executive Committee meeting may be called by its Chairperson or by a majority of its members. Members unable to attend a meeting at its designated place may participate and vote by electronic means with the permission of the Chairperson. Additional meetings of the Executive Committee may also take place by conference call.
2. If a member of the Executive Committee is unable to attend a meeting, the Chairperson, in consultation with the Secretary General and the member concerned, may nominate an alternate member, if feasible from the same geographical region, to attend in his or her place.
3. A majority of the Executive Committee members, which may include alternates, shall constitute a quorum. Office Bearers who are not Executive Committee members may replace absent Executive Committee members for the purposes of establishing such a quorum. The decisions of the Committee shall be by majority vote of all the members of the Committee, their alternates and other Office Bearers present and voting.
4. The Executive Committee, if it deems necessary, may poll the Commissioners on particular issues and matters requiring action prior to a Commission meeting. The result of such a poll, by a majority of Commissioners voting, shall be deemed to be a decision of the Commission.
5. The Executive Committee may invite up to three persons from National Sections and others to attend and contribute to its discussions, having regard for their special expertise and concerns.
6. The agenda of, and decisions taken by, the Executive Committee shall be communicated to the Commissioners and to the National Sections and Affiliated Organisations.

INTERNATIONAL SECRETARIAT

Article 18 - The Secretary-General

1. The Executive Committee shall appoint a Secretary-General for a term of up to five years and may reappoint the Secretary-General for additional terms. It may also appoint an acting Secretary-General during any vacancy in the office or in case of prolonged absence of the Secretary-General preventing him or her from fulfilling his or her duties.
2. Subject to the provisions of this Statute, the Secretary-General shall be in charge of and responsible for the work of the International Secretariat, including all questions relating to administration, finance and staff, and the development, direction and co-ordination of strategies to implement the policies of the Commission and the Executive Committee.
3. The Secretary-General shall prepare such reports as the Executive Committee may require, including financial reports of the International Secretariat and any branch or liaison offices.

Article 19 - Offices and Staff

1. The International Secretariat is situated at the Headquarters of the Commission. The Secretary-General may also establish, subject to approval by the Executive Committee, such branch or liaison offices as may be required to carry out the work of the Commission.
2. Subject to approval by the Executive Committee, the Secretary-General may appoint a Deputy Secretary-General. The role of the Deputy Secretary-General is to assist the Secretary-General and to act as Secretary-General during his or her absence.
3. In accordance with guidelines laid down by the Executive Committee, the Secretary-General may appoint officers for the International Secretariat and any branch or liaison office of the Commission.
4. The Secretary-General and the Deputy Secretary-General shall attend, without vote, all meetings of the Executive Committee. Legal and other officers may be invited to attend meetings as appropriate.

FINANCE

Article 20 - Assets and Liabilities

1. The assets of the Commission shall consist of such funds and resources as approved by the Executive Committee. In particular, the independence, principles and policies of the Commission may not be subject to influence by donors.
2. These assets, and such capital funds as it may have at its disposal, shall, to the exclusion of any personal or collective liability of its members, guarantee commitments entered into by the Commission.
3. In case of dissolution, members shall have no personal claim to the assets of the Commission. After payment of financial commitments, any remaining assets shall be directed by the Commission or the Executive Committee to other associations pursuing similar aims.

Article 21 – Financial Advisers

1. The Executive Committee may choose up to three persons to be Financial Advisers in order to oversee the correct financial running of the International Secretariat and to provide additional technical financial advice.
2. Financial Advisers serve a term of two years which may be renewed.
3. One or more of the Financial Advisers may attend meetings of the Executive Committee.

Article 22 – Financial Control

1. Except as otherwise provided by the Executive Committee, all cheques, contracts or other legal instruments on behalf of the Commission, must be signed by the Secretary-General or the Deputy Secretary-General.
2. The utilisation of assets and funds shall be reviewed by the Executive Committee with the assistance of the Financial Advisers.
3. Accounts shall be audited annually by an independent accredited public accountant approved by the Executive Committee.

FINAL PROVISIONS

Article 23 – Dissolution

1. The Commission may be dissolved only by a vote of at least two-thirds of the total membership of the Commission. Such dissolution shall be effected by the Executive Committee or by persons appointed by the Commission.
2. In the event of the dissolution of the Commission, its assets will be allocated in two equal parts and in full to similar tax-exempt public interest institutions or organizations:

Association for the Prevention of Torture
PO Box 137
CH - 1211 Geneva 17

World Organisation Against Torture
PO Box 21
CH-1211 Geneva 8

Under no circumstance may the assets of the Commission be disbursed to the Commission's funders or members, or used for their benefit, whole or in part, in any manner whatsoever.

Article 24 – Amendment

1. This Statute may only be amended by a vote of one half of the membership of the Commission and at least two-thirds of those voting. Amendments may be considered and voted on by circulation.
2. The Commission shall decide on which date any adopted amendment shall enter into force.

Article 25 – Entry into Force

This Statute enters into force on 26th June 2012.

Article 26 – Transition

The Officers and Executive Committee elected under the previous Statute shall remain in office until their successors are elected in accordance with this Statute.