



**ICCBA-ABCPI**  
**International Criminal Court Bar Association**  
**Association du Barreau près la Cour pénale internationale**

## ANNUAL REPORT OF THE ICCBA MEMBERSHIP COMMITTEE

The present report includes activities achieved by the Membership Committee during its mandate from July 2016-July 2017 with regard to its (I) statutory attributions and the Strategic Plan elaborated and (II) the suggestions to improve the activities of the future Committee.

### I. Activities achieved during its mandate

According to the art. 30 of the Constitution of The Association of the Bar at the International Criminal Court (ICCBA), the following attributions are conferred to the Membership Committee:

- 1° to review and approve or deny membership applications;
- 2° to adopt internal procedures to govern the procedure for admission;
- 3° to perform any other duties which may be requested by the ICC or the ASP, including, but not limited to, the screening of applications for membership to the ICC List of Counsel.

#### 1° Examination of the applications at the Bar of the ICCBA

The Committee has examined all applications submitted to it for consideration within a reasonable time. The Committee has so far approved 29 applications, of which 27 affiliate members and 2 full members have been admitted.

#### 2° Adoption of an internal procedure for admission

The Committee recently adopted the internal rules which regulates the admission procedure. This document will serve as a guide tool for the new Committee which, in some cases, may improve it.

#### 3° Meetings of the Committee and other tasks

In our Strategic Plan, we have scheduled one meeting per semester at the seat of the ICCBA and other meetings, or a conference, according to the circumstances. The feasibility of such meetings at the seat of the ICCBA is strongly depending on the availability of financial means. The Executive Council has not given a feedback to our Strategic Plan to ensure the financial support could be available and facilitate such meetings to take place. All the activities of the Committee and the communication between members happened through e-mail.

Furthermore, the Committee received no particular tasks, either from the ICC or from the Assembly of States Parties, according to the prescription in article 30(3) of the Constitution of the ICCBA.

#### 4° Collaboration with the secretary at the ICCBA

The task of the Membership Committee was facilitated by the appreciable collaboration of the Secretary of the Executive Counsel, Mme Leigh Lawre, whom we sincerely like to thank.

## II. Suggestions for further improvement of the task of the Committee

The suggestions include the meeting of the members of the Committee, the applications of candidates, the procedure of examination of applications, and the collaboration with the ICCBA.

### 1° Meeting of the Membership Committee

It is suitable that the budget of the ICCBA foresees the possibility for the members of the Committee to meet once a year at The Hague, seat of the Bar, in order to discuss the main activities of the committee. If the financial means are not available, it may be crucial to organize this meeting along with other meetings during several trainings organized at The Hague to which the members can participate.

### 2° The documents of the application

If the Membership Committee includes English and French speaking members, it may be better that the applications sent to the committee are established in both the two languages. One may oblige the applicant either to send his CV written in the two languages, either to provide a translation service by the ICC or by the ICCBA, which may translate the application before the submission to the Membership Committee. It is also crucial that the Membership Committee disposes of the documents of the applicant in place to decide on the basis of the CV only.

### 3° The Examination procedure of the applications

The applications should be examined according to the internal rules of procedure admission with respect to the rules of diligence, democracy and objectivity. It is suitable that the members communicate among each other's about their opinions, and that the Chair summaries the opinions, issues a general view which may constitute the final decision to be communicated to the Secretary of the Executive Counsel. If a member has a negative opinion about an application, he should motivate his opinion.

### 4° The collaboration with the ICCBA

The collaboration with the coordination organs of the ICCBA is necessary for the good organisation of activities by the Membership Committee. The starting point is the approval of the Strategic Plan of the Membership Committee. In this ending mandate, the Committee has submitted a Strategic Plan including several activities, but the Executive Comity has not reacted. The Executive Committee should give his appreciation and his orientations about the planned activities and the modalities of their execution. We wish that this happens in the future.

Jean Claude Mubalama

Committee Chair