



## INTERNATIONAL ASSOCIATION OF SUPREME ADMINISTRATIVE JURISDICTIONS

The proposal to establish an Association of the world's supreme administrative jurisdictions received strong support at the Congress of the International Institute of Administrative Sciences (IIAS) that was held in Madrid on July 1, 1980 with a view to strengthening the progress of the Rule of Law through exchanges of ideas and experience between members of these supreme jurisdictions and of jurisdictions of international organizations.

The present Statutes have been drafted on the basis of these considerations.

### NAME

#### Article 1

The subscribers to the present Statutes do hereby establish an Association named:  
“*International Association of Supreme Administrative Jurisdictions*”  
“*Association internationale des hautes juridictions administratives*”

### PURPOSE

#### Article 2

The purpose of the International Association of Supreme Administrative Jurisdictions is to promote, between jurisdictions competent to settle in the last resort litigation arising out of the activity of public administrations, exchanges of views and experience on matters submitted to these jurisdictions, or on the organization and functioning of such institutions.

## **SEAT**

### **Article 3**

The seat of the Association shall be at the Council of State of France in Paris. The seat may be transferred by a two-third-majority decision of the General Assembly.

## **ACTIVITIES**

### **Article 4**

The Association organizes in principle every three years, or at intervals to be established by the General Assembly, a Congress devoted to a theme of study corresponding to its object.

It may initiate, promote or undertake studies on matters defined in Article 2 hereof, with particular regard to the organization of seminars.

It may circulate or contribute to the circulation of information on the organization, functioning and jurisprudence of the jurisdictions mentioned in Article 2 to members of the Association and, where applicable, to all interested parties.

It may promote, within the limit of its financial means, the implementation of exchange programmes between magistrates of member jurisdictions.

## **COMPOSITION OF THE ASSOCIATION**

### **Article 5**

The Association comprises:

- jurisdictions having the quality of member;
- jurisdictions having the status of observer.

The quality of member or that of observer is acquired in conformity with the stipulations of Article 8 of the present Statutes.

### **Article 6**

The jurisdictions having the quality of member participate by right in the congresses and seminars organized by the Association or under its patronage.

They participate likewise, with voting rights, in the meetings of the General Assembly.

When they have been appointed in this capacity, in conformity with the stipulations of Articles 13, 14 and 17, they participate, with voting rights, in the meetings of the Board and of the Management Committee.

They have, within the organs of the Association, each one vote, except for the jurisdictions representing the same State. In this event, these jurisdictions are entitled to only one vote.

At the meetings of the Congress mentioned in the present Statutes, each delegation shall be composed at most of three persons.

#### **Article 7**

The jurisdictions having the status of observer may participate in the meetings organized by the Association without however being able to attend meetings of its deliberative organs. They are exempt from paying a subscription.

#### **Article 8**

Any jurisdiction wishing to become a member or to acquire the status of observer shall address a written application to the Secretary General.

The Board shall statute on this application at its forthcoming session.

When the application is granted by the Board, the Secretary General shall inform the General Assembly.

If the Board rejects an application, the jurisdiction concerned may then address its request directly to the General Assembly which will statute on the case.

#### **Article 9**

The quality of member is lost:

- by spontaneous declaration of the jurisdiction to the Secretary General;
- by decision of the General Assembly with a majority of two thirds;
- by non-payment of subscriptions under the conditions set in Article 23.

The jurisdiction having lost its quality of member remains accountable for unpaid subscriptions.

### **ORGANS OF THE ASSOCIATION**

#### **Article 10**

The organs of the Association are the following:

- the General Assembly;
- the Board;
- the Management Committee;
- the Secretary General;
- the Treasurer;
- the Auditor.

## **Article 11**

The General Assembly shall be composed of each member jurisdiction. It convenes every three years.

It nominates a Secretary General, a Treasurer and an Auditor. In case of vacancy of any of these posts, the Board shall provide for the provisional replacement, the definitive nomination being pronounced at the next General Assembly.

It approves the three-yearly Secretary General's report and the financial report presented by the Treasurer and the Auditor.

It statutes on all the matters submitted to it by the Management Committee or the Board.

Its deliberations are adopted by simple majority of the members present and represented.

Its meetings are recorded in minutes addressed to each member of the Association.

## **Article 12**

Each member jurisdiction is attached to a geographical zone.

There exist five geographical zones, namely:

- African zone,
- American zone,
- Asian-Pacific zone,
- European zone,
- Maghreb and Middle East zone.

The Board validates the attachment of each jurisdiction to a zone.

## **Article 13**

The Board is composed of 18 (eighteen) members:

- the representative of the jurisdiction organizing the previous Congress;
- the representative of the jurisdiction organizing the forthcoming Congress;
- 16 (sixteen) members appointed for a period of 6 (six) years according to the conditions set out in the present Article and Article 14.

These 16 (sixteen) members are renewed by half every 3 (three) years.

For this purpose, they are split into 2 (two) groups of 8 (eight) members each.

The first group is composed of the members appointed during the General Assembly held in Cartagena in Colombia on April 10, 2013 for an initial term of 3 (three) years. Its first renewal takes place during the General Assembly held in 2016<sup>1</sup>.

The second group is composed of the eight other members appointed during the General Assembly held in Cartagena in Colombia on April 10, 2013 for a term of 6 (six) years. Its first renewal takes place during the General Assembly held in 2019<sup>2</sup>.

When a seat is vacant, it is allocated, whatever group it belongs to, by the nearest General Assembly.

If the seat is allocated on the renewal of the group it does not belong to, the term of the appointed candidate is shortened to 3 (three) years.

#### Article 14

In order to ensure the geographical representativeness of the Board, the 16 (sixteen) members of the Board are divided as follows:

- 3 (three) representatives of the jurisdictions belonging to the African zone;
- 3 (three) representatives of the jurisdictions belonging to the American zone;
- 3 (three) representatives of the jurisdictions belonging to the Asian-Pacific zone;
- 5 (five) representatives of the jurisdictions belonging to the European zone;
- 2 (two) representatives of the jurisdictions belonging to the Maghreb-Middle East zone.

Six months prior to the holding of a General Assembly, the Management Committee calls for applications from each geographical zone.

Two weeks before the General Assembly, the Secretary General establishes the list of candidates for each zone. This list is transmitted forthwith to all members of the Association.

The General Assembly appoints the members of the Board.

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<sup>1</sup> Belong to the first group :

- the Federal Court of Appeal of Canada (American zone);
- the Supreme Court of Chad (African zone).
- the Supreme People's Court of the People's Republic of China (Asian-Pacific zone);
- the Council of State of Egypt (Maghreb – Middle-East zone);
- the Federal Administrative Court of Germany (European zone);
- the Council of State of Italy (European zone);
- the Supreme Court of Ivory Coast (African zone);
- the Supreme Administrative Court of Poland (European zone).

<sup>2</sup> Belong to the second group :

- the Council of State of Burkina Faso (African zone);
- the Supreme Court of Chile (American zone);
- the Council of State of France (European zone);
- the Council of State of Greece (European zone);
- the Council of State of Lebanon (Maghreb – Middle-East zone);
- the Supreme Administrative Court of Thailand (Asian-Pacific zone);
- a non designated member for the American zone (renewal in 2016 for a 3-year term);
- a non designated member for the Asian-Pacific zone (renewal in 2016 for a 3-year term).

If, for a geographical zone, the number of candidates is equal to the number of posts to be filled at the renewal of the Board, the General Assembly gives official notice of the designation of all these candidates.

In the event of the number of candidates for a given geographical zone being higher than the number of posts to be filled, the General Assembly selects by priority the candidates who did not sit on the outgoing Board. If this number of candidates who did not sit on the outgoing Board is higher than the number of posts to be filled, the members are drawn by ballot.

In the event of the number of candidates for a given geographical zone being lower than the number of posts to be filled, only these candidates shall be selected and the vacant posts are not filled.

If the General Assembly cannot be held at the normal date, the mandate of the members of the Board shall be extended until the next meeting of the General Assembly.

### **Article 15**

The Secretary General, the Treasurer and the Auditor participate by right in the proceedings of the Board with voting rights.

The presence of at least one third of the members of the Board, including the Secretary General, the Treasurer and the Auditor, is necessary for the validity of the deliberations.

In case of default, another meeting is decided by the Secretary General. In this case, no quorum is required for the validity of the deliberations.

The Board meets at least once every 18 (eighteen) months and on each occasion the meeting is called by the President of the Association or at the request of one third of its members.

The chairmanship of the Board is held by the President of the Association or, if necessary, by the Secretary General.

In the event of equal voting, the chairman has the casting vote.

The Board approves the accounts of the Association on the basis of the report of the Treasurer and of the one of the Auditor.

It statutes on all matters which do not fall, according to the present Statutes, within the competence of the General Assembly or of the Management Committee.

The minutes of Board meetings are addressed to all members of the Association.

## **Article 16**

The Secretary General is responsible for the general secretariat of the Association. He/she ensures the functioning and the day-to-day management of the Association and has authority over the staff.

## **Article 17**

The Management Committee is composed of 7 (seven) members:

- the representative of the jurisdiction organizing the previous Congress;
- the representative of the jurisdiction organizing the forthcoming Congress;
- three members of the Board, appointed by this instance at each renewal of the Board by the General Assembly;
- The Secretary General;
- The Treasurer.

The composition of the Management Committee reflects equitably the geographical representation of the Association.

The President of the Association assumes the chairmanship of the Management Committee.

The Management Committee convenes at least once a year and is called by its chairman, by the Secretary General or by 4 (four) of its members.

The presence of 4 (four) members of the Management Committee is necessary for the validity of its deliberations.

Minutes of the meetings of the Management Committee are signed by the Secretary General.

The Management Committee monitors the execution of the decisions of the General Assembly and of the Board. It has competence to take all the decisions necessary for the day-to-day running of the Association.

## **Article 18**

The members of the organs of the Association shall receive no remuneration for the performance of their duties.

The expenses incurred by members of the Board who attend meetings shall not be refunded by the Association, with the exception, if necessary, of the personal insurance costs of participants.

Remunerated Officials of the Association attend meetings of the General Assembly, the Board and the Management Committee, in an advisory capacity.

## **WORKING LANGUAGES**

### **Article 19**

The working languages of the Association shall be English and French. All documents produced at the Association's expense shall be prepared in these languages.

## **RESOURCES OF THE ASSOCIATION**

### **Article 20**

The resources of the Association shall comprise:

- the annual subscriptions of the members,
- donations and grants which may be made by members or by any public or private person, after approval by the Management Committee.

### **Article 21**

The amounts of subscriptions shall be determined by each General Assembly in accordance with a scale allocating the jurisdictions of the States to one of three groups based on their differing capacities to contribute.

Each jurisdiction shall be assigned to one of these groups on joining the Association by a decision of the Board or by the General Assembly.

The jurisdictions of the international organizations shall be assigned to one of these groups on joining the Association by a decision of the Board or by the General Assembly.

### **Article 22**

Members are obliged, on joining the Association under the conditions laid down in Article 8, to pay a subscription, the amount of which is set according to the stipulations of Article 22.

At the end of the financial year of the current calendar year, the Secretary General shall address a formal notice to each jurisdiction not up to date in the payment of its subscription.

Failing settlement within a period of 6 (six) months after reception of the formal notice, the jurisdiction concerned becomes a passive member. Its voting right is suspended in all the organs of the Association in whose meetings it no longer participates. It recovers all its rights only after payment of all arrears in its subscriptions.

If the jurisdiction is a member of the Board, the Management Committee calls for its replacement by another jurisdiction of the same geographical zone. This jurisdiction will then sit until the next General Assembly.

If the jurisdiction concerned is also member of the Management Committee, the Board shall appoint another of its members.



### **Article 23**

The jurisdiction not having paid its subscription for 3 (three) consecutive years is considered to have resigned and is informed accordingly by the Management Committee.

However, the Management Committee may grant the jurisdiction concerned a delay under exceptional circumstances beyond its control.

If the jurisdiction concerned is a member of the Board and/or of the Management Committee, it is replaced under the conditions stipulated in paragraphs 4 and 5 of Article 22.

### **Article 24**

The list of the jurisdictions not up to date in the payment of their subscription is communicated to the members of the Board. It is annexed to the agenda of the General Assembly.

## **CONGRESS**

### **Article 25**

The Board appoints, at the meeting preceding the Congress, the jurisdiction which will organize the following Congress.

The jurisdiction chosen to organize the forthcoming Congress takes over the presidency of the Association.

This presidency is transmitted at the General Assembly held on the occasion of the preceding Congress.

### **Article 26**

All expenses incurred in the preparation, organization and functioning of the Congresses of the Association, including the translation, printing and circulation of the reports of its proceedings, shall be borne by the country where the congress is held.

However, the Association can assume, within the limits of an amount set by the Management Committee, a proportion of the expenses arising from the organisation of a Congress.

## **FINAL PROVISIONS**

### **Article 27**

The revision of the Statutes and the dissolution of the Association require a two-thirds majority vote of the General Assembly.

The General Assembly shall decide on the transfer of the Association's property and funds to a similar institution.

#### **Article 28**

The Association shall be governed by the French Law of July 1, 1901.

#### **Article 29**

##### **Temporary provisions**

At the 2013 Congress of Cartagena, 16 (sixteen) members of the Board shall be elected by the General Assembly in accordance with the stipulations of Article 14, except paragraphs 2 and 3.

The 8 (eight) members belonging to the first group, as mentioned in Article 13 of the present Statutes, are drawn by ballot.