

RULES OF PROCEDURE
INTERNATIONAL OBSERVATORY FOR LAWYERS IN DANGER
(OIAD)

Adopted on 3 July 2017 in Madrid
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TITLE I: GENERAL PROVISIONS

Article 1: Purpose

In accordance with Article 14 of the Articles of Association of The OIAD (the "**Articles of Association**"), the purpose of these Internal Regulations ("**Regulations**") is to supplement and clarify the provisions of the Articles of Association.

Its purpose is to

- To define the modalities of application of the Articles of Association, to specify and complete the statutory provisions of the OIAD relating to the functioning, attributions and responsibilities of the organs of the OIAD;
- To determine the responsibilities of the various categories of members, volunteers and managers who will be called upon to intervene in the management of the various activities of the OIAD;
- To define the operating procedures of the various bodies and the organisational procedures for The OIAD's missions.

Article 2: Provisions not provided for

Provisions not provided for in these Regulations shall be assessed by the Board and shall be discussed at the meeting if it is necessary to apply them.

Article 3: Revision of the Internal Regulations

These Regulations supplement the Articles of Association and form an integral part thereof. They come into force as soon as they are adopted.

These internal regulations will be communicated and distributed to all members of the OIAD.

The Regulations may be amended or modified by a decision taken by an absolute majority of the members of the Board and following a proposal by a member of the Board or one third of the active members of OIAD.

TITLE II: OPERATION, POWERS AND RESPONSIBILITIES OF THE ORGANS OF THE OIAD

Chapter 1: The Board

Article 4: Composition of the Board

The Board comprises a maximum of 6 member organisations, including the 4 founding members and 2 active members elected for 2 years by the General Assembly ("GM") to sit on the Board. Any active, associate or partner member may be invited to attend meetings of the Board, without taking part in any vote. Each of the member organisations of the Board appoints one or more representatives to attend Board meetings and who are authorised to speak on their behalf.

The composition of the Board is as follows:

- One (01) President, elected each year by the Board by an absolute majority;
- Three (03) ex-officio Vice-Presidents who are representatives of the Founding Members not holding the current Presidency, appointed by their respective institutions;
- One (01) Secretary General, appointed by the Board from among the representatives of the Paris Bar and the Conseil national des barreaux français sitting on the Board, for a renewable term of one year;
- One (01) Treasurer, appointed in the same way as the General Secretary for a renewable term of two years;

Article 5: Eligibility of individuals representing Board members

Natural persons appointed by the members of the Board to sit on it must meet the following conditions:

- Be a member whose activity for the OIAD is recognised by the majority of the members of the Board;
- Proven availability for the work of The OIAD;
- Commit to working to promote the OIAD.

The member organisations of the Board shall communicate to the Permanent Executive Secretariat at the time of each General Assembly or freely at any time, the names and e-mail addresses of their representatives having authority to commit their organisation and to take decisions within the OIAD Board. These representatives shall be entered on a list kept up to date by the Permanent Executive Secretariat and shall receive all communications addressed to the Board.

Article 6: Powers of the Board

The Board administers the association. The Board is responsible for implementing The OIAD's strategy. It also monitors management, governance and all matters concerning the OIAD. These tasks may be delegated, by decision of the Board, to one or more members of The OIAD.

In particular, the Board is responsible for :

- Ensuring the smooth running of the OIAD;
- Decide on the admission or exclusion of a member;
- To decide on the actions and missions implemented by the OIAD, in accordance with the general orientation established by the General Assembly, and to ensure their effective implementation through instructions given to the Permanent Executive Secretariat;
- To convene ordinary and extraordinary AGMs;
- To be responsible for keeping the OIAD's accounts;
- Present a management report and an annual report to the AGM at the end of the financial year;
- To take all necessary measures to safeguard the funds, assets, property, stocks and equipment of the OIAD;
- Decide to set up a Working Group and appoint its members.

Article 7: Frequency of Board meetings

The Board meets three times a year, convened by its President or at the request of two-thirds of its members (by registered letter or e-mail to the President).

The agenda is set by the President and/or on the proposal of the other members present.

Meetings of the Board are convened at least fifteen days before the set dates.

Meetings may be held in person or by any means of telecommunication.

Article 8: Deliberations

In order to deliberate validly, the Board must include at least half of its members. Voting by proxy is permitted. The decisions of the Board are taken by an absolute majority of the members present and represented. In the event of a tie, the President has the casting vote.

The Board may decide on any question submitted electronically by the Permanent Executive Secretariat. The Permanent Executive Secretariat may impose a deadline of at least 24 hours for the Board to respond and may consider as accepted the agreement of its members who do not formally oppose the proposal made.

Article 9: Responsibilities

The duties of the members of the Board are as follows:

9.1. President

The President of the OIAD is the head of the Board and, as such, is entitled to appear in court on behalf of the OIAD.

The President of the Board is responsible for :

- Representing the OIAD in civil actions;
- Ensuring the day-to-day running of the Board and The OIAD;
- Chairing General Assemblies;
- Presenting moral and financial reports at AGMs;
- Seek any action or solution that could improve the operation of the OIAD;
- Promoting the image of The OIAD ;
- To ensure that decisions taken by the AGM are implemented;
- To sign or countersign any document binding the OIAD;
- Delegate all or part of its powers to one or more members of the Board. In the event of absence, the President of the Board is replaced by the General Secretary.

9.2. The General Secretary

The Secretary General is the administrator of The OIAD. Among other things, he is responsible for :

- The OIAD's daily activities ;
- To coordinate, implement and monitor the administrative and strategic activities of The OIAD with the support of the Permanent Executive Secretariat;
- Draft all minutes of meetings;
- Set the agenda for AGMs in agreement with the President;
- To convene General Assemblies at the request of the President or 2/3 of the members who are up to date with their subscriptions;
- Conservation of archives ;
- Keeping correspondence with the agreement of the President.

9.3. The Treasurer

He is the financial manager of The OIAD. In particular, he is responsible for collecting members' subscriptions; he keeps the accounts book up to date. He/she follows the financial

movements of the OIAD.

to the bank account opened in the name of The OIAD. He signs all the OIAD's expenditure orders. Withdrawals of funds require the signature of the Treasurer.

The Treasurer alone is empowered to authorise all expenditure not exceeding 1,000 euros or 5,000 euros in total over the calendar year and corresponding to expenditure for the administrative or logistical needs of the OIAD. He reports on these expenses when the accounts are presented to the AGM.

The Treasurer prepares and submits to the Board for approval an annual budget broken down by item and including the following items:

- Communication (printing c o s t s , w e b s i t e maintenance and development, translation, etc.) ;
- Observation missions (travel and accommodation) ;
- Training missions (travel, accommodation and equipment) ;
- Emergency fund for material aid.

The Board is free to decide at any time whether it is necessary to add or remove an item of expenditure, or to freely redistribute the funds allocated to one item to another according to circumstances.

9.4. Working groups

The Board may set up as many Working Groups as necessary to fulfil its mission, on the simple proposal of a member of the Board or of one third of the active members and after a simple majority vote of the members of the Board.

These Working Groups can have a geographical focus (a particular country or region) or a thematic focus.

Any active, associate or partner member may join a Working Group by simple notification to the Board.

Each Working Group appoints from among its members, by a majority vote, a President responsible for leading its work and meetings and for reporting to the Board at the latter's express request.

A specific folder dedicated to the working group has been created in the members' area of the OIAD website, containing its working documents.

Chapter 2: The Permanent Executive Secretariat

Article 10: Purpose

The OIAD has a Permanent Executive Secretariat to ensure the follow-up, coordination and daily execution of the OIAD's activities, under the supervision and control of the Board and in particular the President of the OIAD and the Secretary General.

Article 11: Membership

The Permanent Executive Secretariat is made up of at least one correspondent per Board member, preferably appointed from among their permanent employees.

The Conseil National des Baraux, the Paris Bar and the Consejo General de la Abogacia Espanola have appointed three part-time employees to carry out the duties of this Secretariat.

Article 12: Responsibilities

Under the direct supervision of the Board, and in particular the President and the Secretary General, the Permanent Executive Secretariat is responsible for :

- Monitoring the situation of threatened lawyers around the world through media monitoring and receiving alerts. In particular, the Permanent Executive Secretariat maintains a database which forms the basis of The OIAD's annual report;
- Draft letters, press releases, concept notes, articles, speeches and reports for The OIAD;
- Managing the OIAD's website and social networks;
- To coordinate the OIAD's missions by liaising between the OIAD volunteer(s) and OIAD's contacts in the field;
- Providing support to OIAD volunteers;
- Setting up and coordinating lobbying campaigns and missions;
- Any other mission delegated by the Board.

Article 13: Allocation of functions.

The Permanent Executive Secretariat is free to organise the work defined by the Board. In order to facilitate the monitoring of the situation of lawyers throughout the world, the correspondent of the *Consejo General della Abogacia Española* is responsible in particular for monitoring the Spanish-speaking world, while the correspondents of the Conseil National des Baraux Français and the Paris Bar Association are responsible in particular for monitoring the French-speaking world.

The members of the Permanent Executive Secretariat prepare and participate in the GA and any other meeting of the OIAD.

Article 13 bis Distribution of tasks and procedures regarding communication

OIAD alerts and press releases shall be published once they have been approved by an absolute majority of the members of the Board.

When the urgency of the matter so requires, the draft communication shall be deemed to have been adopted 48 hours after its submission to the Board for approval, unless expressly opposed by a majority of the members of the Board. If the urgency of the matter so requires, particularly in view of public holidays, alerts may be adopted within 24 hours.

Updates to previously approved communications do not require prior approval by the Board.

Posts on social media are published directly by the Secretariat and concern only:

- OIAD alerts;
- news regarding alerts previously published by the OIAD;
- public events and initiatives organised by the OIAD.

Any other type of communication on social media must be subject to prior approval by the Board.

Chapter 3: The General Assembly

Article 14: Membership

The General Assembly is the supreme decision-making body of The OIAD. It is made up of all the Founding and Active Members of OIAD and may be attended by all Associate Members and Partners, who receive the notice of meeting and the Agenda.

Article 15: General Assembly

It meets once a year and is convened by the Board. It defines the general objectives and approves the annual and financial reports.

It also decides on all matters submitted to it by the Board and on :

- Defining the orientations and strategies of The OIAD ;
- The two representatives elected by the college of active members to the Board are renewed every two years;

Article 16: Notice of meeting

The agenda is drawn up by the Board and sent out with the notice of meeting at least two weeks before the date of the AGM.

Article 17: Quorum and deliberations

In order to deliberate validly, the Ordinary General Assembly must be attended by at least half of the members present or represented. Decisions of the Ordinary General Assembly are taken by a simple majority of the members present or represented. If the quorum requirements are not met at the first AGM, a second AGM must be held no later than 3 months after the date set for the first AGM. The second AGM is valid regardless of the number of members present or represented.

Each member present or represented has one vote.

A member may be represented by another member by providing a mandate to the General Secretary. No member may hold more than two proxies.

Decisions are taken by a simple majority of members present and represented. Only Active Members who are up to date with their subscriptions are entitled to vote.

Article 18: Extraordinary General Assemblies

The Extraordinary General Assembly shall be convened as often as necessary at the request of the Board, or at the request of one-fifth of the Members.

It is convened under the same conditions as the Ordinary General Assembly. It deliberates on any urgent matter put to it by the Board or by one-fifth of the Members.

Article 18 bis: interim event

The OIAD shall organise an interim event once a year between each Annual General Assembly.

This event, to which all OIAD members shall be invited, shall focus on a situation of common interest and shall be organised in accordance with the procedures defined by the Board, on the recommendation of the President.

Article 19: Participation of partners and observers

Partners and Observers are entitled to attend AGM sessions. They do not have the right to vote. However, they are entitled to express their views on all issues under discussion.

Title III: ROLES AND RESPONSIBILITIES OF MEMBERS OF THE OIAD AND OIAD VOLUNTEERS

Chapter 1: The OIAD's commitments to Members and Partners

Article 20: Information

The Members and Partners of The OIAD are informed of the actions and projects implemented by the Board by means of a special quarterly newsletter sent by e-mail to their contact person, designated at the time of joining and freely modified at any time by any active member, associate or partner, by simple notification to the Permanent Executive Secretariat.

The Board may decide to keep confidential certain information concerning ongoing actions or projects in order to safeguard the security of the lawyers or partners concerned. This information will be disclosed at the first AGM following the moment when the situation makes it possible for the Board to consider that the threat no longer exists.

Active and Associate Members have reserved access to the OIAD website and to information and reports made available to them by the Board.

Article 21: Coordination

The OIAD Board informs active members of the situations of lawyers on whose behalf it has decided to act.

Alerts and press releases approved by the Board are sent to all members.

The OIAD coordinates its members during observation missions and widely disseminates their mission reports.

Chapter 2: Commitments of members and partners to the OIAD

Article 22: Information

Active and Associate Members of the OIAD undertake to forward to the Board for processing any information they may have concerning the situation of a lawyer in Danger anywhere in the world.

Members shall ensure that any local contacts they may have are passed on to facilitate the Board's verification work.

In particular, they shall inform the Board and the Secretariat of any action they take on behalf of a threatened lawyer.

Article 23: Members' contributions

Members are encouraged to propose articles or reports for publication on the OIAD website. The decision on publication rests with the Board.

Article 24: Terms and conditions for member participation in The OIAD.

OIAD members may propose to take part in missions implemented by the OIAD.

Chapter 3: Role and responsibilities of OIAD volunteers

Article 25: Definition of an OIAD volunteer

OIAD volunteers are all natural persons linked to an active Member or Partner of OIAD who participate in OIAD missions.

Article 26: Selection of OIAD volunteers

The Board selects OIAD volunteers for each mission based on applications received in due time and form following the launch of a call for expressions of interest among members.

Article 27: Commitment of OIAD volunteers

OIAD volunteers are given a mandate drawn up by the OIAD Board and signed by the President of the OIAD, the Vice Presidents or the Secretary General and undertake to act solely within the framework of this mandate for the duration of their mission.

Article 28: Preparation for the assignment :

All OIAD volunteers undertake to actively prepare their mission so that it can be as effective as possible.

It is important that the expert approached to take part in an OIAD mission has prior knowledge of :

- The context of the assignment,
- The nature of the intervention.

It is essential that the volunteer takes part in identifying local contacts and making appointments.

Article 29: Passports

Most foreign countries require a valid passport.

It is the volunteer's responsibility to ensure that his or her passport is valid. Depending on the country, the passport must cover either the duration of the stay, or three or six months beyond that.

All the formalities involved in obtaining or renewing a passport are the responsibility of the volunteer.

Article 30: Visa

Some countries require a visa in the passport, valid for the duration of the assignment.

Volunteers should read the conditions for obtaining visas and download the necessary forms for their visa application.

The volunteer is responsible for the visa formalities. The OIAD may reimburse the cost of the visa application.

Article 31: Volunteer report

The OIAD volunteer undertakes to provide a detailed report on his/her mission no later than 15 days after returning from the mission.

The report that the volunteer is required to draw up at the end of the assignment should make it possible for him or her to reflect on the conditions in which the assignment was carried out and, as far as possible, to assess its impact.

The purpose of this report is to :

- Reporting on work carried out;
- Prepare the following actions;
- Helping the lawyer at the Bar ;
- Enrich the thinking and cooperation that could be set up or improved;
- Facilitate the transfer of good practice to other situations in the same country or to other countries.

This report must include at least the following information:

- Purpose and progress of the assignment ;
- Situation of the lawyer or the profession on site ;
- Details of people met/contacted;
- Conclusions and recommendations ;
- Important upcoming dates (forthcoming hearings, etc.) ;
- Whether or not the media coverage of the case is worthwhile.

Article 32: Organisation of OIAD volunteers' missions

When an OIAD volunteer is selected by the Board, they undertake to organise their own travel and accommodation arrangements.

As far as possible, the Board will provide any information that may be useful in organising travel and accommodation.

Article 33: Foreign travel expenses allowance: the "per diem" allowance

The per diem is the allowance paid to the expert to cover all the expenses incurred by him during his stay in connection with the assignment. This daily allowance is calculated on the basis of the number of nights spent abroad according to the following rules:

- Every period between 0.00 and 5.00 is considered a night;
- The per diem is halved if the expert does not have to pay for accommodation;
- There is no per diem for an overnight flight.

The per diem covers all expenses relating to accommodation, meals and other expenses required by the assignment, such as urban travel (bus, metro, taxis).

Established by the French Ministry of Finance on the basis of current chancellery rates, the per diem is specific to each country and is subject to change.

Per diems are paid to volunteers before their departure, by bank transfer, once we have received their bank details. In the event of cancellation, reduction in the duration of the assignment or free accommodation, the volunteer will return to the OIAD any sums unduly received.

Article 34: Travel

Flights are booked and paid for by the volunteer's home Bar Association, which advances the costs, or directly by The OIAD. The choice of flight is based on three criteria: price, safety and punctuality.

Travel is always economy class or 2^e class on the train.

Article 35: Exceptional expenses and other expenditure

In the case of exceptional expenses or other expenses required to carry out the mission, the OIAD volunteer's mandate may provide for reimbursement.

Therefore, when preparing their assignment, volunteers should budget for the various expenses that are not covered by the per diem but that are necessary for carrying out the assignment. These may include, for example, translation costs, a driver on site with a car, extra luggage to transport documentation, etc.

All these expenses must be authorised prior to departure.

Article 36: Return from assignment

On their return, volunteers must give the OIAD :

- Airline ticket stubs (and train tickets if applicable) ;
- The originals of all receipts for expenses incurred and for which the OIAD is responsible for reimbursement.

Approved on Madrid, 03 July 2017.