



# YICL

Young International Criminal Lawyers

## STATUTE

### **Article 1 – Denomination**

**Young International Criminal Lawyers** (“the Association”) is established by the will of the founding members Angelo Stirone, Gustavo Minervini, Arif Erkut Özkan, and Hillary Hubley.

### **Article 1 bis – Additional Founding Members**

In recognition of their contribution to the establishment of the Association since its early stages, Georgina Bonacera and Shireen Meghe are hereinafter recognized as founding members.

### **Article 2 – Headquarters**

The legal seat of the Association is Galleria del Reno 2c, 40122 - Bologna. The Association reserves the right to transfer its legal seat, and to set up operative and even temporary branches in other places as needed.

### **Article 3 – Objectives**

The Association is non-profit, non-partisan, and non-denominational. It aims to promote the study and knowledge of Public International Law and Criminal Law.

### **Article 4 – Duration of the Association**

The Association is established for an indefinite period of time or until the its objectives are achieved.

### **Article 5 – Members**

The Association is comprised of individual members, collective bodies, and honorary members (together referred to as “Members”). Individual members are those who, having followed the procedures enumerated in Article 6, and are in good standing with the payment of membership fees. Collective bodies are those who, having followed the procedures enumerated in Article 7, are in good standing with the payment of membership fees. Honorary members are those who, due to their work as scholars or practitioners, have contributed to the growth of public international law and/or criminal law, and have been invited to join the Association by the Board of Directors, upon proposal by one or more Members of the Association. Honorary members are not obligated to pay the annual membership fee, and do not possess any administrative rights.

All Members are expected to adhere to the values of the Association and act in accordance with them when interacting with each-other and any relevant third-party.

Membership in other associations with similar purposes is not an obstacle to becoming a Member of the Association.

### **Article 6 – Requirements for the admission of individual members**

Any natural person who demonstrates interest in the objectives of the Association may apply for membership.

All applications for membership shall be reviewed by the Board of Directors. The Board reserves the right to approve or reject any application for membership upon review. When an application is approved, the Member will be notified and prompted to pay the annual membership fee. The Association will register each individual member in good standing and manage the receipt of membership fees and retention of personal data as required by law.

#### **Article 7 – Requirements for the admission of collective bodies**

Any legal entity or institution that demonstrates interest in the objectives of the Association may apply for membership. Collective bodies may participate in the Assembly through their designated legal representative or delegate.

All applications of membership from collective bodies shall be reviewed by the Board of Directors. The Board reserves the right to approve or reject any application for membership upon review. When an application is approved, the entity will be notified and prompted to pay the annual fee established specifically for collective bodies. The Association will register each collective body in good standing and manage the receipt of membership fees and retention of personal data as required by law.

#### **Article 8 – Rights and fees**

All Members of the Association have equal rights and duties.

All Members, with the exception of honorary members referred to Article 5, are required to pay the annual fee as stipulated in the Regulations referred to in Article 21. Collective bodies are required to pay a different annual fee, as specified in the Regulations. The Regulations confer discretion to the Board of Directors regarding the payment of membership fees for the first year of the Association's existence.

Membership is personal and is not transferable for any reason whatsoever. Members who have not formalised their withdrawal by November 30 of each year will retain their membership, and in turn, retain the obligation to pay the annual fee for the said year. It is the obligation of each Member to update their personal data provided at the time of registration in case of any changes.

#### **Article 9 – Organs of the Association**

The following are organs of the Association: 1) the President; 2) the Vice-President; 3) the Board of Directors; 4) Programmes Committee ; 5) Scientific Committee; 6) the Treasurer; 7) the Assembly. None of the aforementioned positions will be remunerated. However, any expense incurred in the interest of the Association will be reimbursed, provided it is documented and approved by the Treasurer.

#### **Article 10 – President**

The President shall be responsible for the administration of the Association. The President shall give an annual report to the Assembly on the budget adopted by the Board of Directors, which the Assembly shall be called upon to approve. He or she presides over the Board of Directors and the Assembly.

The President shall act as the legal representative of the Association, including having active and passive legitimacy in any court of law. The power of the President to engage in disputes outside the scope of the Association must be conferred by resolution of the Board of Directors, with the exception of any urgent initiative.

#### **Article 11 – Vice-President**

The Vice-President shall exercise the functions of the President in case of his or her absence or express delegation.

#### **Article 12 – Board of Directors**

The Board of Directors is composed of the President, the Vice-President, and an additional two to five members of the Association, who all together shall serve as Board Members. The Board of Directors shall serve four-year terms. Sitting Board Members may be re-elected for a maximum of two consecutive terms. The Board shall appoint a Treasurer and has the authority to appoint a Webmaster.

Except for the competencies of the other organs as articulated in the Statute, the Board of Directors is responsible for the ordinary and extraordinary administration of the Association. Its duties include, but are not limited to:

1. Implementing the decisions made by the Assembly;
2. The admission of all new members;
3. Processing the annual membership fee;
4. Drafting Acts and Resolutions to be submitted for approval by the Assembly;
5. Preparing the annual budget, to be submitted to the Assembly. The Assembly shall approve it by 30 April of the following year;
6. Amending the Regulations and the Statute, subject to the final approval of the Assembly.

The Board shall meet at least twice a year, or whenever the President deems it necessary, or upon request of at least two Board Members. Resolutions are valid if more than half of the Board Members are present, either in person or by proxy through another member of the Board. Each decision of the Board requires a simple majority vote. In the event of a tie, the President will act as tie-breaker.

The Board reserves the right to delegate duties to the Members, provided these duties serve the objectives of the Association.

#### **Article 12 *bis* – Programmes Committee**

The Programmes Committee is composed of a maximum of five (5) Members. They are selected and appointed by the Board of Directors, following a call for applications and an evaluation of all the candidatures. All Individual Members of the Association may apply for the position.

The Programmes Committee shall serve a one-year term. Sitting Committee Members may be re-selected, following the due call for applications.

The Programmes Committee, which operates under the control of the Board of Directors, is responsible for the organisation and planning of events, administrative tasks related to the events, and any other task that the Board Members may delegate.

#### **Article 12 *ter* – Scientific Committee**

The Board may create a Scientific Committee composed of recognised academicians/practitioners in the field that shall serve as advisors of the Association.

#### **Article 13 – Treasurer**

The Treasurer presides over the collection of fees and the administration of the assets of the Association. He or she will be responsible for submitting the budget schemes to the Board of Directors.

#### **Article 14 – Assembly**

The Assembly shall consist of all Members in good standing, as articulated in Articles 5, 6, and 7 of the Statute.

#### **Article 15 – Convocation of the Assembly**

The Members, upon invitation by the Board of Directors, shall convene as an Assembly at least once a year. Preceding such convocation, Members shall receive a communication via email containing the agenda.

#### **Article 16 – Role of the Assembly**

The Assembly has the power to issue general guidelines regarding the activities of the Association for the upcoming year. It shall elect the President, Vice-President, and other members of the Board of Directors. It also shall deliberate upon the Association's financial situation including the budget prepared by the Board of Directors, the proposed modifications to the Statute and the Regulations, and anything else the Statute so requires.

#### **Article 17 – Procedures for the Assembly and elections**

The Assembly shall meet at the time and place specified in the convocation. Meetings may also be held electronically through a virtual platform agreed upon by the Board of Directors. The President shall oversee the proceedings of the Assembly. He or she shall be assisted by a Secretary who is nominated by the President for each individual meeting to record minutes of the meeting.

The meetings are valid regardless of the number of Members present. Unless otherwise specified, all decisions are effectuated by a simple majority vote. Members may be represented by a proxy, but any one Member cannot serve as a proxy for more than two other Members. The proxy must have received written permission from the Member.

For the election of the President, the Vice-President, and the other members of the Board of Directors, the person who receives the highest number of votes is elected; in case of parity, the Assembly shall hold a ballot vote. Further electoral rules shall be set forth in the Regulations issued by the first Board of Directors.

#### **Article 18 – Common Fund**

The common fund of the Association consists of:

1. Payments of membership dues and annual membership fees;
2. Any reserve funds established from budget surpluses;
3. Any donations, gifts, and legacies;
4. Any contributions from public and private entities.

#### **Article 19 – Loss of membership**

One's Membership in the Association is forfeited in the event of death, withdrawal, or exclusion by reasoned decision of the Board of Directors in the case of repeated delay, or failure to pay the annual membership fee, or with cause.

#### **Article 20 – Dissolution**

The Assembly reserves the right to dissolve the Association. This can only be achieved through a qualified majority vote of  $\frac{3}{4}$ . In the event of dissolution, the remaining assets of the Association must be donated to another organisation that carries out similar activities. Such an association shall be selected by the Assembly that moves for dissolution.

#### **Article 21 – Regulations**

The activity of the Association is governed not only by this Statute, but also by the Regulations. Its contents include additional rules to govern the Association such as rules related to the election of the Board of Directors as referenced in Article 17 of the Statute.

The Regulations shall be adopted by the first Board of Directors and may subsequently be amended by a resolution of the Assembly.

#### **Article 22 – Revision of the Statute**

The power to amend the Statute is vested in the Assembly and requires a super-majority vote.

**Article 23 – Normative**

For anything not enumerated in this Statute, the provisions of the Regulations and Italian law shall apply. Any dispute arising out of this Statute or otherwise pertaining to the Association shall be litigated in the courts of Bologna, Italy.

The Statute was originally drafted in Italian and has been translated into English. This translation has attempted to be as precise as possible without jeopardising continuity and coherence. Inevitably, differences may occur in the translation, and if so, the Italian text of the statute will be authoritative.