



AGREEMENT ON THE AFFILIATION OF THE AUSTRALIAN BAR ASSOCIATION TO THE INTERNATIONAL CRIMINAL COURT BAR ASSOCIATION

The Australian Bar Association and the **International Criminal Court Bar Association** (hereinafter “the ICCBA”), together referred to as “**The Parties**”,

Whereas the Parties consider that their respective objectives are fully consistent and concur in promoting competence and outreach about the activities and functioning of the ICC, knowledge, competence and outreach about the rights of victims, defendants, witnesses and Counsel and their support staff before the ICC, and the promotion and protection of these rights and of the independence of Counsel and their support staff before the ICC;

Whereas Article 38 of the ICCBA Constitution provides that other associations may be affiliated with the ICCBA;

Whereas the “ICCBA Procedure Regarding Affiliations” of 27 April 2017 (hereinafter “the Procedure”) welcomes the affiliation of all national Bars established under the domestic law of each country, be it a State Party to the Rome Statute or not, as well as national, regional and international bars and associations of Counsel;

Whereas the Australian Bar Association has expressed its interest in becoming affiliated to the ICCBA under Article 38 of its Constitution;

Whereas, the Executive Council of the ICCBA unanimously welcomed the affiliation of the Australian Bar Association pursuant to section 4(2) of the Procedure;

HEREBY AGREE AS FOLLOWS:

Article 1

By entering the present Agreement, the Australian Bar Association is affiliated to the ICCBA pursuant to Article 38 of the ICCBA Constitution.

Article 2

The purpose of the Australian Bar Association’s affiliation to the ICCBA is to establish closer mutual bonds between the Parties. The Parties endeavour to pursue together the shared goal of promoting in Australia the highest standards of ethics and competence for Counsel, the independence of the legal profession, the resolution of legal, administrative and disciplinary issues impacting on Counsel, the principles of fair trial and equality of arms and respect for internationally recognized human rights and fundamental freedoms in the context of the ICC.

Article 3

The ICCBA Executive Council will rely on the Australian Bar Association to provide support for and advice on the activities of the ICCBA and may seek, where it deems appropriate, advice on issues of common interest and any other form of relevant assistance or collaboration. In particular, the ICCBA Executive Council will rely on the Australian Bar Association to assist, facilitate, or otherwise support its outreach activities, through the ICCBA Executive Council, or the ICCBA Regional Focal Points, in all countries, be they States Parties to the Rome Statute or not, and before all relevant regional organizations.

Article 4

The ICCBA Executive Council will also rely on the Australian Bar Association to encourage Counsel who are members of the Australian Bar Association to register on the List of Counsel before the ICC, with a particular focus on female Counsel, in order to enhance their representation in proceedings before the ICC. The ICCBA will explain the application process to such members and provide such advice and assistance relating to the same as deemed appropriate. The explanation will include information which may be published on the Australian Bar Association website.

Article 5

The ICCBA Executive Council will also rely on the Australian Bar Association to encourage Counsel who are members of national bars and all relevant professionals to join the ICCBA and become Affiliate Members, Associate Members or, once registered on the List of Counsel before the ICC, Full Members of the ICCBA.

Article 6

Whenever possible or otherwise considered appropriate, the Australian Bar Association and the ICCBA will invite each other's representatives to their major events, seminars, trainings and general assembly meetings in order to maintain and enhance the mutual bonds between the parties. Unless agreed otherwise, the inviting Party will not bear the costs for the attendance, travel and accommodation of the other Party's representatives.

Article 7

The Australian Bar Association will be referred to as an Affiliated Association on the ICCBA Website.

Article 8

The Australian Bar Association is free to publish this agreement on its website or to disseminate information relating to this Agreement in any way it deems appropriate in order to achieve the purpose of the present Agreement.

Article 9

The present Agreement remains in force until the Australian Bar Association expressly withdraws its affiliation by letter to the ICCBA President or Secretary, or until a majority of the ICCBA Executive Council decides to withdraw the status of affiliated association from the Australian Bar Association, pursuant to section 4(4) of the Procedure.

Article 10

The present Agreement is entered in English and signed by the President of the Australian Bar Association, Peter Dunning KC, and by the President of the ICCBA, Marie-Hélène Proulx. It enters into force on the date of last signature as set forth below.

For the Australian Bar Association:

For the ICCBA:



**Peter Dunning KC
President of the Australian Bar
Association**

**Marie-Hélène Proulx
President of the ICCBA**

Date: 11/08/2024

Date: 12/08/2024