



CONFLICT COMMITTEE

TERMS OF REFERENCE

1. Purpose

- 1.1. These Terms of Reference (the Terms) regulate the work of the Conflict Committee (the Committee).
- 1.2. The purpose of the Committee is to:
 - i. Resolve any conflict regarding the application and/or interpretation of the Constitution in accordance with Article 17;
 - ii. Decide an appeal against a decision by the Executive Committee regarding an application for organisational membership in accordance with Article 2.7;
 - iii. Decide an appeal against a decision by the Executive Committee regarding an application for individual membership in accordance with Article 3.4;
 - iv. Decide an appeal against a decision to recommend suspension or expulsion of membership in accordance with Annex 3;
 - v. Consider any other matters which may be referred to it by the Executive Committee.

2. Membership

- 2.1. The Committee shall consist of at least five members.
- 2.2. Members of the Committee shall be appointed by the General Meeting.
- 2.3. Members of the Committee may be any member within the meaning of Article 19 of the Constitution, save that Executive Committee members are not eligible to be members of the Committee. Any IAP member who wishes to be considered for membership of the Committee should notify the Secretary-General in writing, and their interest will be notified to the Executive Committee.
- 2.4. The members of the Committee shall appoint one of their number as Chair, who shall serve for a term of up to three years. The term of office as Chair is renewable without restriction.
- 2.5. A member shall serve for a term of three years. Members shall be eligible for reappointment without restriction.
- 2.6. A member may resign from the Committee by providing notice in writing to the Secretary-General.
- 2.7. A member of the Committee may be dismissed by the General Meeting if, after due enquiry, the General Meeting decides, in accordance with Article 14.6 of the IAP Constitution, that the member is unable or unwilling to perform their duties as required by the Constitution or these Terms, or has acted in such a way which is inconsistent with their continued membership of the Committee.

- 2.8. The President may appoint a member to act as a member of the Committee in the event of the death, permanent incapacity, resignation or dismissal of a member of the Committee. A member so appointed shall hold office until the next General Meeting, who shall then appoint that member or another member to serve on the Committee.
- 2.9. No member may remain on the Committee if that member ceases to be a member of the IAP.
- 2.10. Committee members shall disclose any conflict of interest relating to the work of the Committee to the Chair of the Committee. If requested to do so by the Chair, the member shall withdraw from the Committee or from any part of the Committee meeting or activity as is deemed appropriate by the Chair.

3. Process for Appointment

- 3.1. A call for nominations for appointment or re-appointment to the Committee will be distributed by the IAP Secretariat not less than three months before the date of the next General Meeting.
- 3.2. Any eligible member of the IAP who wants to apply for appointment or re-appointment to the Committee shall provide the following information in writing to the Secretary-General by the date specified in the call for nominations:
 - i. Full name of nominee
 - ii. Job title of nominee and name of prosecution service (if applicable)
 - iii. Brief biography of nominee
 - iv. Brief statement of motivation/statement in support of nomination by nominee.
- 3.3. The document(s) outlined at subsection 3.2. above will be distributed to all members for consideration not less than one month before the date of the relevant General Meeting.
- 3.4. All members, including members of the Executive Committee, are eligible to vote for the appointment of a member of the Committee.
- 3.5. Voting will take place in accordance with the procedure outlined in Article 14 of the Constitution.

4. Procedure

- 4.1. The Committee will meet to consider any matter that is referred to it in accordance with Article 17 of the IAP Constitution. Meetings can be in-person, online, or in a hybrid format.
- 4.2. The quorum for any meeting, recommendation or decision shall be a simple majority of the Committee's membership.
- 4.3. Each member shall have an equal vote in relation to each matter that is referred to the Committee for its consideration.
- 4.4. The Committee shall consider any written or oral submissions that are made to it by any of the parties concerned.

- 4.5. The Committee shall have the opportunity to seek further information from any of the parties concerned if necessary.
- 4.6. The Committee will reach a decision within six weeks of receipt of a referral. The Committee can extend the time for a decision if special circumstances apply.
- 4.7. The Chair of the Committee should aim for consensus on all decisions. If consensus cannot be reached, then decisions shall be made by a simple majority of members present and voting. In those circumstances, majority and minority positions shall be noted in the minutes of the meeting and shall be reported to the Secretary-General and to the Executive Committee.
- 4.8. The Committee will provide its decision in writing to the Secretary-General and to all parties concerned. It will include written reasons for its decision.

5. Rules of procedure

- 5.1. The Committee may make and vary its own rules of procedure, including these Terms.

6. Record keeping

- 6.1. A record should be kept of each Committee meeting. The record of the meeting should be sent to the IAP Secretariat for storage in the IAP archives.

Approved by the IAP Executive Committee on 28 September 2024 in Baku, Azerbaijan.
In force with immediate effect.

