

STATUTES OF THE AFRICAN INSTITUTE OF INTERNATIONAL LAW

Article I Establishment

The African Institute of International Law (hereinafter referred to as “the Institute”) is established by the African Foundation for International Law, in cooperation with the Government of the United Republic of Tanzania, following the decision taken by the Assembly of Heads of State and Government of the African Union at its 18th ordinary session (Assembly/AU/Dec.405(XVIII)).

Article II Mission and objectives

1. The Institute shall be an autonomous international educational and research institution, with the mission of advancing, through sustainable capacity-building in the field of international law, the rule of law, legal predictability and certainty, and more stable and rule-based intergovernmental relations within the African continent and with the outside world.
2. The objectives of the Institute shall be:
 - (a) to create a wide pool of legal skills in international law that will be readily available to African countries to enhance their capacity in international legal transactions, both private and public, and to implement international legal instruments in their domestic legal systems;
 - (b) to strengthen the ability of government officials and legal practitioners in African countries to play a more prominent role in intergovernmental negotiations as well as in negotiations with international institutions and foreign investors, the conclusion of related agreements, and the settlement of eventual disputes regarding the implementation of agreements or contracts arising from such negotiations.
3. To that end, the Institute shall:
 - (a) offer specialized and focused training courses, seminars, academic and research

programmes in international law to advanced students, legal scholars, practitioners, judges, prosecutors, diplomats and other government officials either directly or through a network of associated faculties of law in selected African universities.

- (b) establish a network of associated faculties of law in selected African universities, and strengthen their research, teaching and training capabilities, so that they can in turn organize training courses in the field of international law;
- (c) engage in the capacity building of members of the judiciary and law enforcement agencies, legal officers of the Foreign Ministries and other government officials in African countries, directly and through the network of associated law faculties;
- (d) establish a fellowship programme for African and foreign scholars engaged in research on subjects of direct relevance to international law in Africa and to political and economic integration schemes among African countries;
- (e) offer technical assistance and support in the field of international law, directly or through its associated law faculties, to African states, regional and sub-regional integration institutions and other intergovernmental organizations.
- (f) cooperate and undertake joint projects and programmes with universities and other academic and research institutions active in the field of international law in various parts of the world;
- (g) promote scholarly publications and research papers on various aspects of international law of particular relevance to African states and organizations, as well as on multilateral instruments, which were concluded among African states or to which African states are party.

Article III

Legal status

1. The Institute is vested with juridical personality in the United Republic of Tanzania and shall have the capacity:
 - (a) to contract;
 - (b) to institute legal proceedings and participate in legal proceedings; and
 - (c) to acquire and dispose of immovable and movable property solely for the purposes of performing its functions.
2. The Institute shall enjoy functional autonomy necessary to achieve its objectives.

3. All the activities carried out in the exercise of the autonomy enjoyed by the Institute shall be in conformity with these Statutes.
4. The Institute shall have its seat in Arusha, the United Republic of Tanzania.

Article IV **Organs**

The organs of the Institute shall be:

- (a) the Curatorium;
- (b) the Administrative Committee;
- (c) the Rector.

Article V **Curatorium: Composition**

1. The Curatorium is the Scientific Board of the Institute. The Curatorium shall be governed by the present Statutes and its own Rules of Procedure.
2. The Curatorium shall be composed of nine to fifteen members chosen amongst the most highly qualified scholars or practitioners of international law with a worldwide reputation.
3. The members shall be appointed for a term of five years renewable only once.
4. The Curatorium shall elect its President from among its members. He or she shall be eligible for re-election only once.
5. The Rector of the Institute shall be an *ex officio* member of the Curatorium.

Article VI **Curatorium: Functions**

1. The functions of the Curatorium shall be:
 - (a) to determine the scientific policy and overall strategic direction of the Institute;
 - (b) to draw up its teaching, training and research programmes;
 - (c) to choose lecturers and other academic staff from amongst the most highly

- qualified scholars and international practitioners in various fields of international law;
- (d) to select research fellows;
 - (e) to select the faculties of law which will become part of the network of associated faculties;
 - (f) to adopt the budget of the Institute.
2. The Curatorium shall hold an ordinary session at least once a year. It may be convened in extraordinary session by the Chairperson, either on his/her own initiative or at the request of two-thirds of its members or of the Rector. The Curatorium may hold ordinary and extraordinary sessions, either by meeting physically or by any means of communication.
 3. The President and the members of the Curatorium shall receive no compensation for their services. The Institute shall cover the costs of their travel and daily subsistence, when they are on official business of the Institute.
 4. The Curatorium shall adopt its own rules of procedure.

Article VII

Administrative Committee

1. The Administrative Committee shall be composed of five to seven members. Members are appointed by the Curatorium for a term of four years, renewable only once. The Rector and the Executive Director of the Institute shall be *ex-officio* members.
2. The Administrative Committee shall hold an ordinary session at least twice a year, either by meeting physically or by any means of communication.
3. The functions of the Administrative Committee shall be:
 - (a) to supervise the management and administration of the Institute;
 - (b) to prepare a budget of the Institute and to submit it, with its own recommendation, to the Curatorium for approval;
 - (c) to approve the appointment of the administrative staff of the Institute;
 - (d) to determine the scientific policy and the activities of the Institute;
 - (e) to receive funds and approve expenditure of the Institute;
 - (f) to establish administrative and financial rules and regulations of the Institute.
4. The Committee shall adopt its own rules of procedure.

Article VIII

Rector

The Rector shall be the chief executive officer and the academic head of the Institute. He/she shall be in charge of the academic, administrative and financial management as well as the development of the Institute. Under the authority of the Curatorium and the Administrative Committee, the Rector shall:

- (a) manage and provide scientific and pedagogic orientation for the Institute, in particular the design and implementation of teaching and research programmes, in accordance with the decisions of the Curatorium;
- (b) prepare the Institute's draft teaching and research programmes and budget estimates, and submit them to the Curatorium and/or to the Administrative Committee for recommendation or approval;
- (c) hire lecturers based on the decisions and deliberations of the Curatorium;
- (d) select and admit students to academic programmes;
- (e) appoint and manage administrative staff and other members of the Institute's personnel, in conformity with the Institute's administrative and financial rules and regulations;
- (f) conclude or authorize the conclusion of such agreements and contracts as may be necessary for the operation of the Institute, subject to the authority of the Curatorium or of the Administrative Committee;
- (g) perform any other task necessary to implement the decisions of the Curatorium and the Administrative Committee.

Article IX

Finance

1. The income of the Institute shall consist of:
 - (a) voluntary contributions from states, international organizations and agencies as well as other entities allocated to it for purposes consistent with the policies, programmes and activities of the Institute;
 - (b) such subventions, endowments, gifts and bequests as are allocated to it by individuals, foundations or other entities for purposes consistent with the policies, programmes and activities of the Institute;

- (c) tuition fees collected for training and other academic and research programmes;
 - (d) fees collected for technical advice or support to governmental or intergovernmental institutions or from the sale of publications;
 - (e) miscellaneous income.
2. The income of the Institute shall be paid into account opened and managed, in accordance with these Statutes and the financial rules and regulations of the Institute.
 3. Contributions in kind by the Government of the United Republic of Tanzania shall be allocated to the Institute, as defined in the Host Agreement, including the provision to the Institute of a plot of land for permanent premises and such temporary premises or other physical facilities as are necessary for the operation of the Institute. Such contributions may also be provided to the Institute, for purposes consistent with its policies and activities, by other governments, international organizations and academic institutions.

Article X

Auditor

1. The auditor is appointed by the Curatorium once every four years. It is external and independent from the Institute.
2. The auditor shall conduct a biennial audit of the financial statements and the status of the Institute's assets and shall prepare a report to the attention of the Administrative Committee and the Curatorium.

Article XI

Support by Member States of the African Union

Member States of the African Union wishing to make voluntary contributions to the Institute or to support its activities by other means may send a notification to this effect to the Minister of Foreign Affairs of the United Republic of Tanzania. The Foreign Minister shall inform the Institute and the Member States of the African Union of such notifications.

Article XII

Duration

1. The duration of the Institute is unlimited.
2. The Institute may be dissolved only for reasons provided for by the law of the United Republic of Tanzania, by a decision of the African Union, or by a resolution of the Curatorium adopted by at least three-quarters of its members present and voting.
3. In the event of dissolution, its assets shall be given to an institution that has a similar goal and that is tax exempt. The return of the Institute's assets to the Institute's organs or officials is prohibited.

Article XII

Amendments

These Statutes may be amended by a decision of the Curatorium taken by a two-thirds majority of its members present and voting.