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**RULES
OF THE INTERNATIONAL COMMISSION ON CIVIL STATUS**

adopted in Strasbourg on 24 September 2020

First chapter - GENERAL PROVISIONS

Article 1 - Status and functions of the ICCS

The aim of the International Commission on Civil Status ("ICCS") is to facilitate international co-operation in civil-status matters and to further the exchange of information between civil registrars. To this end, it carries out any studies and work, in particular by drawing up recommendations or draft conventions, aimed at harmonising the provisions in force in the member States on matters relating to the status and capacity of persons, to the family and to nationality and at improving the operation of civil-status departments in those States. The ICCS also compiles and keeps up to date a documentation on legislation and case-law setting out the law of the member States on the aforesaid matters and provides, on the basis of that documentation, information to the authorities referred to in Article II of the Bern Protocol of 25 September 1950.

In the matters referred to in the preceding paragraph, the ICCS co-ordinates its activities with those of other international bodies¹ and furthers relations with bodies dealing with matters having an interest for civil-status purposes.

The ICCS may also, in areas within its competence, enter into collaboration with third States with a view to furthering co-operation between them and the member States.

Article 2 - Admission of new members

Any State party to the Convention for the Protection of Human Rights and Fundamental Freedoms or to the International Covenant on Civil and Political Rights may become a member of the ICCS in accordance with the procedure laid down by the Luxembourg Protocol of 25 September 1952 and the present Rules.

Membership of the ICCS is also open to any international organisation, any regional economic integration organisation and any other international entity which has submitted an application for membership to the Secretary General and whose application has been accepted by the General Assembly. Admission becomes final only after the acceptance of the present Rules by the organisation or entity concerned.

Article 3 - Withdrawal and suspension of a member

Any member may withdraw from the ICCS by giving notice of its decision to the Swiss Confederation at the address of the Federal Council. The decision shall be communicated by the Swiss Confederation to the other member and shall take effect six months after the date of the notification.

If a member does not fulfil its financial obligations, its right to be represented on the Bureau and at the General Assembly may be suspended by the General Assembly, for as long as it has not complied with those obligations.

¹ Agreements have notably been concluded with the Council of Europe (in October 1955), with the Hague Conference on Private International Law (in October 1969), with the United Nations High Commissioner for Refugees (in May 1981) and with the Commission of the European Communities (in July 1983).

Article 4 - Observers

Observer status may be granted to States, to international organisations, to regional economic integration organisations or to any other international entities. Such status shall entitle the holders to be represented at General Assemblies of the ICCS at which questions of interest to them are to be examined.

Article 5 - Language

French and English are the official languages of the Commission.

Article 6 - National Sections

Each member State shall set up in its territory a National Section responsible in particular for representing the member State within the ICCS, promoting the aims of the ICCS in its territory, notably with the national authorities, proposing new activities and ensuring liaison with the other Sections through, if appropriate, the intermediary of the Secretary General.

The National Section shall prepare and transmit to the Secretary General an annual report on its activities and on legislative and case-law developments in its State.

Article 7 - Votes

Save as hereinafter provided, decisions shall be taken by a simple majority of the votes cast. Abstentions shall not be taken into account. Each member represented shall have one vote. In the event of a tie, the proposal shall be considered as rejected.

The admission of a member to the ICCS and the grant of observer status, or its renewal, shall be decided by a majority of two-thirds of the members. A decision to admit a member or to grant observer status shall become final if, within thirty days, no member has objected thereto by written declaration addressed to the Secretary General.

The adoption of a Convention or Recommendation shall be decided by a simple majority of the members.

Second chapter - ORGANS OF THE ICCS

Article 8 - Organs of the ICCS

The organs of the ICCS are :

1. The General Assembly ;
2. The Bureau ;
3. The President ;
4. The Secretary General.

GENERAL ASSEMBLY

Article 9 - Meetings of the General Assembly

The ICCS shall meet in General Assembly in principle once every year, in September, at the seat of the ICCS and on the date chosen by the General Assembly the previous year, failing which by the Bureau. Following a decision of the General Assembly, failing which of the Bureau, the General Assembly may on the invitation of a member State meet in that State's territory.

The dates and places of the General Assembly may be modified by the General Assembly or the Bureau.

Additional meetings shall be held if requested by more than half of the members or when the Bureau considers them to be necessary.

Article 10 - Composition of the General Assembly

The General Assembly shall be composed of the members of the National Sections and of the representatives of the international organisations, the regional economic integration organisations and the other international entities, and, if appropriate, experts, designated to that end by each of the members. No member may be represented by more than six persons. However, an unlimited number of members of the National Section and experts of the State on whose invitation the Assembly is meeting may participate in the proceedings thereof.

Observers and any experts or personalities invited by the Bureau or the Secretary General in accordance with the provisions of Articles 16 and 25 may also attend the proceedings of the General Assembly.

Article 11 - Functions of the General Assembly

The General Assembly shall exercise the following functions :

- 1° deciding on any proposal of the Bureau concerning the admission of a State, an international organisation, a regional economic integration organisation or another international entity to the ICCS ;
- 2° adopting the text of any Convention or Recommendation and the explanatory report thereto ;
- 3° carrying out any other task expressly entrusted to it by a Convention or Recommendation adopted by the General Assembly ;
- 4° deciding on any proposal to modify these Rules or the Financial Regulations ;
- 5° furthering exchanges on legislative and case-law developments in the matters referred to in Article 1;
- 6° it can organise discussions on specific topics;
- 7° monitoring the operation and the follow-up of ICCS Conventions;
- 8° it can invite to its meetings the State party to one or more ICCS Conventions.

Article 12 - Procedure of the General Assembly

The General Assembly shall examine the items included in the agenda fixed by the President in accordance with Article 21.

If the President, one or more members or the Secretary General tables a motion to adjourn or postpone one or more of those items, to modify the agenda, or exceptionally to examine an item not included therein, the Assembly shall take an immediate decision on that motion. If the motion is rejected, it cannot be tabled again during the same session.

Article 13 - Record

A record or summary of the proceedings and decisions of the General Assembly shall be drawn up by the Secretary General and submitted to the General Assembly for approval. Subject to the provisions of point 7 of Article 25, these documents are not accessible to the public.

BUREAU

Article 14 - Meetings of the Bureau

The Bureau shall meet twice every year. Additional meetings shall be held if requested by more than half of the members or when the Bureau considers them to be necessary.

Article 15 - Composition of the Bureau

The Bureau shall be composed of the representatives of the members.

Article 16 - Functions of the Bureau

The Bureau shall take all decisions concerning the ICCS other than those expressly attributed to other organs thereof. It shall also carry out any other task expressly entrusted to it by a Convention or Recommendation adopted by the General Assembly.

The Bureau shall exercise, in particular, the following functions :

- 1° seeing to the implementation of the decisions of the General Assembly ;
- 2° taking all decisions pending the next meeting of the General Assembly and fixing the date and place of that meeting if that has not been done ;
- 3° designating the President, the Vice-President, the Secretary General and, if appropriate, the Deputy Secretary General of the ICCS ; it may confer an honorary title on former Presidents or Secretaries General who have rendered exceptional services to the ICCS ;

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- 4° it may grant to international organisations, regional economic integration organisations and other international entities the right to participate, as an observer, in the General Assembly and in other activities of the ICCS ;
- 5° it can also grant, for a renewable period of five years, the same rights to a State and, in case of renewal, request that State to pay a contribution of an amount fixed by the Bureau ;
- 6° it can grant a special status to certain subjects of international law ;
- 7° it can invite experts or personalities to attend one of its meetings or a General Assembly ;
- 8° carrying out studies preliminary to the launching of a new activity and determining the conduct and priority-ranking of that activity ;
- 9° setting up working parties, reviewing their conclusions and determining the follow-up thereto ;
- 10° determining how the documentation referred to in the first paragraph of Article 1 is to be compiled and updated and also the utilisation thereof ;
- 11° exercising the functions conferred on it by the Financial Regulations, and in particular the adoption of the budget, the approval of the accounts of the Secretary General and the nomination of an auditor ;
- 12° fixing the amount of the shares of the members in the operating expenses of the ICCS, provided for by Article III of the Bern Protocol of 25 September 1950 ; it can, when a new member is admitted, decide that it shall pay a reduced contribution during a period to be determined ;
- 13° modifying, in case of urgency, the agenda fixed by the President pursuant to Article 21.

Article 17 - Procedure of the Bureau

The Bureau shall examine the items included in the agenda fixed by the President in accordance with Article 21. Deliberations of the Bureau shall be valid only if more than half of the members are represented. The Bureau may, however, take by correspondence a decision on any item on which a decision cannot be deferred.

Article 18 - Record

A record or summary of the proceedings and decisions of the Bureau shall be drawn up by the Secretary General and submitted to the Bureau for approval. Subject to the provisions of point 7 of Article 25, these documents are not accessible to the public.

PRESIDENCY

Article 19 - Designation

The President and the Vice-President of the ICCS shall be designated by the Bureau from amongst its members.

Article 20 - Term of office

The President and the Vice-President shall hold office for a term of two years and shall not be immediately re-eligible. If the President is temporarily prevented from carrying out his or her duties, he or she shall be replaced by the Vice-President. If the President ceases to carry out his or her duties prematurely, he or she shall be replaced by the Vice-President until the Bureau has proceeded to elect a new President.

Article 21 - Functions

The President shall represent the ICCS in its relations with authorities ; for this purpose he or she may delegate signing powers to the Secretary General. The President shall chair meetings of the General Assembly and the Bureau and fix their agendas.

Article 22 - Plurality of offices

The office of President or Vice-President of the ICCS may be held concurrently with the office of President of a National Section.

SECRETARY GENERAL

Article 23 - Designation

The Secretary General shall be designated by the Bureau from amongst the members of the National Sections or, exceptionally, persons qualified in the matters falling within the competence of the Commission.

The Secretary General may be assisted by a Deputy Secretary General designated in the conditions set out in the preceding paragraph.

Article 24 - Term of office

The Secretary General and, if appropriate, the Deputy Secretary General shall hold office for a term of three years. They shall be immediately re-eligible. If the Secretary General is temporarily prevented from carrying out his or her duties, he or she shall be replaced by the Deputy Secretary General, failing which by the President or the Vice-President. If the Secretary General ceases to carry out his or her duties prematurely, the Bureau shall proceed with a minimum of delay to his or her replacement, his or her place being taken in the interim by the Deputy Secretary General, failing which by the President or the Vice-President.

Article 25 - Functions

The Secretary General, if appropriate assisted by the Deputy Secretary General, shall exercise the following functions :

- 1° implementing the decisions taken by the ICCS ;
- 2° fulfilling the obligations imposed on him or her by the Financial Regulations ;
- 3° convening, on the instructions of the President, meetings of the General Assembly and the Bureau ; he or she can also, of his or her own motion, convene such meetings with a precise agenda, if the President or Vice-President cannot be contacted ;
- 4° he or she can, in case of urgency and after consulting the President, invite in the name of the latter experts or personalities to participate in a General Assembly ;
- 5° participating, in a purely advisory capacity, in the proceedings of the General Assembly and the Bureau; drawing up the record or summary of the proceedings and the decisions taken and transmitting it to the members as soon as possible ;
- 6° ensuring liaison between the members, in particular by transmitting or circulating all correspondence and documentation that may be of interest to them ;
- 7° ensuring the keeping and custody of the records, registers and archives of the ICCS and, in concertation with the Presidency, deciding on the desirability of authorising the consultation thereof ;
- 8° deciding on the desirability of providing information to third parties ;
- 9° carrying out any task expressly entrusted to him or her by a Convention or Recommendation adopted by the General Assembly ;
- 10° preparing and keeping up to date the table of signatures and ratifications of the Conventions adopted by the General Assembly ;
- 11° ensuring, with the agreement of the President, liaison and collaboration with the other interested institutions ;
- 12° organising the Secretariat General and recruiting the necessary staff ;
- 13° submitting an annual report on the activities of the Secretariat General ;
- 14° he or she can submit to the General Assembly an annual report on legislative and case-law developments in the member States, based on members' reports.

Article 26 - Incompatibilities

The functions of Secretary General and Deputy Secretary General shall be incompatible with any other function in the Commission.

Third chapter - MISCELLANEOUS PROVISIONS

Article 27 - Drafting of Conventions

- 1° Proposals that a Convention be drafted can emanate from a member or the Bureau. In the former case they must be submitted to the Bureau.
- 2° A proposal emanating from a member must be addressed to the Secretary General, who will transmit it to the other members. In order to be included in the agenda of the Bureau, the proposal, together with an explanatory report, must reach the Secretary General at least two months before the date fixed for the meeting.
- 3° The text of a Convention shall be final once it has been adopted by the General Assembly. It can then be the object only of corrections, effected by the Secretary General, of purely clerical or grammatical errors.
- 4° The text of the Convention so adopted shall be transmitted to the Swiss Federal Council, which shall be responsible for notifying the members thereof through diplomatic channels, with an indication that it is open to their signature.

Article 28 - Drafting of Recommendations

The provisions of paragraphs 1 to 3 of Article 27 shall be applicable to the drafting of Recommendations. The text adopted by the General Assembly shall be communicated to the members through the good offices of the Secretary General.

Article 29 - Notices of meetings

Notices of meetings of the General Assembly or the Bureau shall be sent to the members by the Secretary General at least, save in case of urgency, six weeks before the intended date of the meeting. The agenda and the working documents shall be appended thereto.

Article 30 - Working parties

The Bureau may refer the study of a question to a working party whose mandate it shall determine. Each member shall be entitled to be represented on working parties.

Article 31 - Modification of the Rules

The present Rules may be modified by decision of the General Assembly taken by a majority of two-thirds of the members.

Article 32 – Dissolution or transformation of the ICCS

The dissolution or transformation of the ICCS, notably by its absorption by another international organisation, shall require a decision of the General Assembly taken unanimously by the members represented. Such decision shall become final unless at least three members object thereto by written declaration addressed to the Secretary General within three months following the General Assembly that took the decision.

Save contrary decision taken unanimously by the members represented, the assets of the ICCS shall, after payment of its liabilities, be shared between the members in accordance with the budgetary scale habitually fixed for their contributions decided by the Bureau following the procedure set out in the Financial Regulations of the ICCS. Account shall be taken of the contributions paid by the members.

Article 33 - Entry into force

The present Rules, which were considered and adopted by the General Assembly of the ICCS during its meeting held in Strasbourg on 24 September 2020, shall enter into force on 1 January 2021.