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## **International Bar Association**

### **India Working Group (“IWG”) and IWG Advisory Board Charter**

#### **I. Purposes/ Objects of the IWG and the IWG Advisory Board:**

- To act in an advisory capacity to the International Bar Association (“**IBA**”) officers of the Asia Pacific Regional Forum (the “**APF**”), senior IBA officers and the Asia Office regarding various aspects of the IBA’s activities in India specific to Indian members of the IBA and prospective members.
- To organise conferences, workshops, webinars, seminars and special projects within India or abroad relating to the Indian justice system, Indian and Commonwealth law, legal developments and proposed legislation.

#### **II. IWG Responsibilities:**

To provide advice to the APF and to the IBA LPD leadership on issues specific to India and to pursue the following activities:

- joint opportunities with governmental organisations, chambers of commerce, bar associations, the Bar Association of India, the Bar Council of India and State Bar Councils, the Supreme Court Bar Association and High Court Bar Associations, the Society of Indian Law Firms, the Indian Law Institute and similar legal associations that can raise the profile of the IBA and broaden its outreach;
- engage with the IBA’s Indian members to help their active involvement in planned IBA activities, article contribution, participation in conferences, webinars, seminars etc.;
- assist the IBA in identifying steps to increase membership in India including promoting the benefits of IBA to potential members through local bar associations and legal organisations, and expanding the IBA’s relationship with leading Indian law firms;
- promoting IBA conferences, webinars, special projects, and programmes;
- supporting IBA members with interests in India by ensuring important legal developments in India are addressed or reported in IBA or APF publications;
- acting as a central-hub for information, for example, membership benefits, activities and news relevant to the IBA’s Indian members, demonstrating the value that the IBA and APF places on its Indian membership community;
- ensuring that IBA members based in India have the opportunity to be involved in IBA activities through participation in specially designated and planned events, interactions/exchanges and panels and through initiatives that expand their interactions with other IBA members who share similar interests;
- organizing conferences, webinars, projects, programmes and events, in India or abroad, with IBA support and where necessary in collaboration with other

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International Bar Association is incorporated as a Not-for-Profit Corporation under the laws of the State of New York in the United States of America and is registered with the Department of State of the State of New York with registration number 07114000655 - and the liability of its members is limited. Its registered address in New York is c/o Capitol Services Inc, 1218 Central Avenue, Suite 100, Albany, New York 12205.

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reputed organizations to raise the profile of the IBA and/ or broaden the IBA's outreach in India;

- Working as a base group for hosting the annual conference of the IBA in India.
- identifying ways in which the IBA can assist Indian lawyers and international lawyers in response to Indian Government initiatives to liberalise access to the Indian legal market; and
- any other legal or law related matter concerning India pursuant to either an approved proposal from the IWG or a request made by the APF, LPD Council, any committee chairs or by senior officers of the IBA.

### III. The IWG:

#### 3.1 IWG Number of members

- The size of the India Working Group ("IWG") membership will vary from time to time, initially the number is proposed to be no more than 40 persons. IWG members should be paid-up members of the IBA for the duration of their IWG membership, but the core-committee members and the IWG Advisory Board Chair may induct eminent lawyers and potential members who are not members of the IBA yet subject to the condition that they will become IBA members within 3 months.

#### 3.2 Nomination and appointment:

- IWG Members shall be nominated by the core-committee team of the IWG and approved by the APF or LPD officers.

#### 3.3 Selection criteria:

- Leading and/ or upcoming legal professionals in India, who are also IBA members.
- IWG members may be drawn from different regions/ cities of India, to provide a broader representation to the Indian bar/ legal fraternity.
- Indian in-house/ corporate counsel may be considered for membership as well.

#### 3.4 Selection process:

- To be shortlisted by the existing IWG Co-Chairs in consultation with the IWG Advisory Board Chair.

#### 3.5 Meetings of the IWG:

##### Meeting schedule:

- Four (4) physical meetings per year (one (1) on the side-lines of the IBA Annual Conference with IBA senior officers and relevant committee chairs, one (1) on the side-lines of the IBA Mid-Year Meeting and one (1) each in Mumbai and Delhi). The IWG shall

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endeavour to permit remote participation to such meetings for members who are unable to attend them physically.

- Conference calls or virtual platform meetings (preferably once every 6 weeks) to be scheduled/ led by IWG Advisory Board Chair along IWG Co-Chairs and Vice Chairs.
- Additional meetings to be scheduled, if required and as appropriate.
- A request to hold an IWG meeting (both physical and virtual) must be submitted in writing to the IBA Asia Office Director and approved by the APF and LPD officers in advance.

### 3.6 Duties of members of the IWG:

- Regular attendance vital to the purposes of the IWG. Members must accept the duty and obligation to participate in conference calls and attend meetings. Habitual absence may be considered as an abandonment/ abdication of the appointment, and may be grounds for terminating/ not renewing a member's appointment. The Asia Office will monitor attendance and update the IWG Co-Chairs on a half-yearly basis.

### 3.7 Meetings of the IWG:

- The IWG Co-Chairs will develop the agenda for each meeting, under the guidance of the IWG Advisory Board Chair, and with the assistance of the IBA Asia Office staff. IBA Asia Office Director may add/ include additional items on the agenda, basis advice from IBA APF Co-Chairs and/ or senior IBA officers.
- The Agenda will be distributed to members at least five (5) days prior to the scheduled meeting.

### 3.8 Meeting records

The IBA Asia Office staff will prepare meeting notes or minutes for approval by the IWG Advisory Board Chair and the IWG Co-Chairs and thereafter, for further distribution to the IWG members, IBA senior officers, relevant committee chairs and relevant IBA senior staff prior to the next meeting.

### 3.9 Meeting logistics

The IBA Asia Office staff will organize and set up the meetings, physical or virtual, and provide appropriate logistics support, subject to approval/ guidance by the IWG Advisory Board Chair and the IWG Co-Chairs. The IWG Advisory Board Chair and the IWG Co-Chairs may also coordinate and set-up periodic IWG and Advisory Board meetings at physical venues in Delhi or Mumbai as also on virtual platforms. The

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cost of such meeting and sponsorship, sharing of expenses etc. to be approved by the IBA if there is any financial implication, but IWG members may contribute and mutually organise the meetings under intimation to the IBA.

### 3.10 IWG Co-Chairs & Vice Chairs (the “**IWG Core Committee**”):

Selection:

- to be nominated by the APF Co-Chairs from amongst the IBA’s members based in India (ideally not more than one co-chair / vice-chair shall be from the Delhi NCR region and similarly, for Mumbai)

Responsibilities:

- To set the agenda for each meeting, lead the meetings, and maintain a liaison with the IBA Asia Office, to assist the IWG Advisory Board Chair to fulfil his/ her responsibilities.
- responsibility for IWG events organized in India and support to India related sessions or events organised or supported by the IWG outside India.

## IV. The IWG Advisory Board:

### 4.1 Purpose:

The IWG Advisory Board will provide guidance on India related matters, connect the IBA to the higher judiciary and officers of government to execute projects, advise on organizing conferences and webinars including the IBA’s annual conference, suggest and pursue human rights related initiatives and law reform.

### 4.2 Advisory Board Membership:

To be constituted from leading members of the Indian Bar and Superior Court judges. The Advisory Board shall include the core-group of the IWG and its past/prior members. The Advisory Board may include past senior officers of the IBA, APF and IWG, who shall mentor and guide the IWG. Members of the IWG Advisory Board are required to be current members of the IBA. However, for those who are not in private practice, Co-Chairs of the IWG may submit a request to the IBA Asia Office Director to make an exception to the policy to have their IBA membership requirement waived where a specific individual is requested to join the IWG Advisory Board for a specific project, or on an ad hoc basis. Any such request will be reviewed and approved by the APF and LPD officers on case-by-case basis and the officers may limit the term of their IWG Advisory Board membership to not exceed the duration of the project for which they have been appointed.

### 4.3 Special Invitees (Ex-officio):

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- The IBA President
- The IBA Secretary General
- The LPD Chair and the LPD Vice-Chair

#### 4.4 Chair:

- To be nominated by the APF and LPD officers, from amongst long-serving IBA members from India, to act as a goodwill ambassador in India.

#### Responsibilities:

- guiding engagements and seeking opportunities for cooperation with governmental organisations and/or legal/industry associations
- mentoring the IWG Core Committee
- liaison with LPD, APF and IBA leadership
- guidance to the IWG, APF and LPD about Indian cultural nuances, especially in the context of international conferences.
- responsibility for IWG events organized in India and support for India related sessions or events organised or supported by the IWG outside India.

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