

III INTERNATIONAL STRATEGY MEETING WORKING MATERIALS



PRAGUE, CZECH REPUBLIC
1ST - 5TH FEBRUARY 2023



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The European Law Students' Association

FOREWORD

Dear Network,




The new year and the second half of all our ELSA terms are in full effect, and the Network is motivated and ready to realise the big opportunities that the rest of their board year holds. We will all be able to profit from the experience gained in the first half of the year to have a positive impact on ELSA during the next 6 months.

It is this motivation and experience, combined with the certainty that not all of our goals are achievable until the first of August, that we look forward to the III International Strategy Meeting Prague. This gathering will give us the opportunity to think bigger and work on the strategy of ELSA for the mid and long-term.

We look forward to meeting for the first-ever in-person International Strategy Meeting and the opportunity to discuss our ideas with you!

ELSAfully yours,

    Inês Gonçalves

Yuri, Basil, Mikko, Inês, Jean, Linnéa, Leia and Dora
International Board 2022/2023

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INTERNATIONAL STRATEGY MEETING GUIDE

What is the International Strategy Meeting?

According to the International Council Meeting Decision Book of ELSA, the International Strategy Meeting is an annual internal meeting of the Members and Observers, organised during winter.

The aims of the International Strategy Meeting are strategic planning for the future of the Association and evaluation of current activities. The representatives of ELSA Groups participate in various workshops, conducting discussions and creating the foundations for the decision-making process.

The outcomes of the ISM become the pillars of further developments, starting from the upcoming ICM through the more detailed plans for the next term, ending with drafting long-term priorities for the Association as a whole.

How should I prepare myself for this meeting?

- Read all reminders and preparation tips carefully.
- Be ready to actively participate in the discussions since all workshops rely on them.
- Remember that you do not represent your area but the opinion of the entire National Group.
- Be aware that opinions and statements you will express are considered valid and accurate for your National Group and, therefore, might be used for future changes and their argumentation.
- Do not expect activity reports or knowledge management sessions - our daily agenda is focused purely on exchanging opinions to prepare the most important decisions for the entire Network.

Finger rules for workshops

The “finger rules” are intended to make the job of the Chair easier and to ensure that the discussions are as effective and smooth as possible. The theory behind the finger rules is simple; you indicate what you want to state by using one of the following gestures:

- One** finger: New topic or idea
- Two** fingers: Direct comment or response
- Three** fingers: End the discussion as it is not useful
- Pinkie** finger: Technical remark (e.g. “open the window”, “the font is too small”)
- Scissors: Remove yourself from the speakers’ list
- Thumb up: Show immediate feedback to the conversation (“I like this idea”)
- Thumb down: Show immediate feedback to the conversation (“I do not like this idea”)

The **priority** amongst the different hand gestures goes in the following order: pinkie, three fingers, two fingers, one finger. This way, the Chair can more easily moderate the discussions. Scissors and thumbs up/down do not require a direct reaction by the Chair, and that is why the priority rule is not applied to them.



Structure of Agenda

Due to the desire to ensure an effective discussion and to allow the largest possible number of participants to speak, we will divide a significant part of the workshops into sessions.

These sessions generally do not differ in content. The purpose of the division is only to improve their efficiency.

Due to the described changes in the agenda, the participants are divided into **three groups**, which will be communicated to you during the Opening Workshop on Wednesday, 1st of February.

Please be aware that this is the first time we will have a physical ISM. Therefore, many things have not been done like this before, so there might be differences compared to previous meetings you have experienced!

Workshops

Every participant is entitled to take part in the workshops, but only one representative per National Group has voting rights.

Voting in the workshops

The Chair of the workshop controls the voting procedure. As usual, each National Group representative shall vote either in favour of, against or abstain from voting on a respective matter.

Questions

The International Board of ELSA has put in their best efforts to cover all information necessary in these guidelines. However, there still might be some issues that are not tackled in these guidelines. In case you have any questions, please refer them directly to the Secretary General of the International Board of ELSA at secgen@elsa.org.

Preparation and reminders

Documents

In order to actively participate and contribute to the workshops, please, do not forget to:

- Read these Working Materials cover to cover;
- Read relevant parts of the [Statutes and Standing Orders](#);
- Read relevant parts of the [International Council Meeting Decision Book, 59th Edition](#);
- Bring your ELSA spirit, share your thoughts and suggestions, and leave your personal touch in the III ISM!

Please read the aforementioned documents carefully. This is of great importance for the discussions and the outcome of the Workshop sessions. To access some of the documents above, you require the following username and password:

Username: officer

Password: 7zXZZNq

Also, please read the following draft agenda carefully. Should you need any clarifications, please do not hesitate to contact the Secretary General of the International Board at secgen@elsa.org.

Discussion points

We have five days to discuss the future of the Association. It seems like a lot, but in practice, the pace of the workshops can be intense at times. In order to get the most out of them and avoid problems with keeping up, we ask you to discuss the key issues before the meeting. Pay special attention to the "Preparation" section next to the workshop descriptions, and make sure that you have a clear opinion on each of the questions asked there.

Use the area mailing lists as well as Facebook groups and start a discussion even before the III International Strategy Meeting! These platforms can be used to bring up ideas you want to share, no matter if you will be able to participate personally in the meeting or not.

Please also check if you and your fellow Officers joined [the participants' group on Facebook](#) because all the updates and information during the meeting will be posted there.

It is our pleasure to welcome you to ISM Prague!

DRAFT TIMETABLE

	February 1st Wednesday	February 2nd Thursday	February 3rd Friday	February 4th Saturday	February 5th Sunday
8:00-8:30	Arrivals	Breakfast	Breakfast	Breakfast	Breakfast
8:30-9:00					
9:00-9:30		Sightseeing	Workshops	Workshops	Workshops
9:30-10:00					
10:00-10:30					
10:30-11:00					
11:00-11:30					
11:30-12:00					
12:00-12:30		Lunch	Lunch	Lunch	Departures
12:30-13:00					
13:00-13:30					
13:30-14:00		Workshops	Workshops	Free time	
14:00-14:30					
14:30-15:00					
15:00-15:30					
15:30-16:00		Break	Break	Gala Ball	
16:00-16:30					
16:30-17:00	Opening workshops	Workshops	Workshops		
17:00-17:30					
17:30-18:00					
18:00-18:30					
18:30-19:00	Dinner	Dinner	Dinner		
19:00-19:30					
19:30-20:00					
20:00-20:30					
20:30-21:00	Social programme	Social programme	Social programme		
21:00-21:30					
21:30-22:00					

DRAFT AGENDA

Wednesday, 1st February 2023

17:00 – 19:00

Opening Workshop

Description

During the workshop, we will inform you about the agenda, division of the groups and discuss the rules of the meeting. You will also be closely acquainted with the goals, general structure and expected outcomes of the III International Strategy Meeting of ELSA.

Outcome

Knowledge of the Agenda and drafting of Workshop Rules.

Preparation

None.

Thursday, 2nd February 2023

14:00 – 16:30 (Group 2) / 17.00 - 19.00 (Group 3)

An Advocating Association: Through the Lens of Law Students and Young Lawyers

Description

ELSA is considered an Association with a strong commitment to human rights. Simultaneously, a part of the Association thinks this commitment could be more thorough and effective and focus on more topics related to human rights. During the workshop, we will evaluate ELSA's current commitment to human rights. We will engage in a discussion on what constitutes ELSA's mandate to advocate and to what topics this mandate relates. Finally, we will discuss what structural changes could bring ELSA durably closer to its human rights commitment.

Outcome

Gauging the Network's stance on advocating. Assessing ELSA's current and possible commitment to human rights. Settle on a durable approach to advocating and human rights within ELSA.

Preparation

Read all parts of the [ICM Decision Book](#) relating to “Human Rights” and “Advocacy”. Reflect on the following questions: What are the main and side effects of the current way Human Rights are regulated? What does the human rights commitment look like on your national/local level?

14:00 – 16:30 (Group 3) / 17.00 - 19.00 (Group 2)

A Non-Political Association

Description

ELSA is a non-political Association as described in the Statutes. However, there are many different views and interpretations of what that exactly means within our network. We will use this time to discuss what “non-political” for ELSA means and the effects of any possible interpretation of this might have on the Association.

Outcome

Have a better understanding of what it means to be a non-political Association and what the ramifications of this are for ELSA and its members.

Preparation

Think about what non-political in the context of ELSA means for you. Read the part about non-political discussions in the past in [this presentation](#).

14:00 – 16:30 & 17.00 - 19.00 (Group 1)

Statutory Proposal

Description

Following the discussions at the ICM Dubrovnik and in accordance with the Decision Book, we will discuss and amend the Statutory Proposals that will be brought to a vote at the ICM Malta.

Outcome

Have the Proposals ready for a vote at the ICM Malta.

Preparation

Read the proposals annexed to these Working Materials and prepare any amendments.

Friday, 3rd February 2023

10:00 – 12:30 & 14.00 - 16.30 & 17.00 - 19.00

Strategic Planning

Description

As the current Strategic Plan is ending this year, we will discuss in groups the ideas for the new Strategic Plan that will be voted upon at the ICM Malta.

Outcome

Furthering the work on a proposal for the new Strategic Plan 2023-2028

Preparation

Read the materials annexed to these Working Materials regarding the Strategic Plan and prepare questions, suggestions etc.

Saturday, 4th February 2023

10:00 – 12:30

Strategic Planning

Description

As the current Strategic Plan is ending this year, we will discuss in groups the ideas for the new Strategic Plan that will be voted upon at the ICM Malta.

Outcome

Furthering the work on a proposal for the new Strategic Plan 2023-2028

Preparation

Read the materials annexed to these Working Materials regarding the Strategic Plan and prepare questions, suggestions etc.

Sunday, 5th February 2023

10:00 – 12:30

Closing Workshop

Description

At the end of the III ISM, we will have a joint workshop with all participants where we will summarise what has been discussed during the workshops and discuss any potential unanswered questions as well as close the III ISM.

Outcome

Bringing everyone on the same page and saying goodbye.

Preparation

None.

STRATEGIC PLANNING MATERIALS

[Strategic Plan Draft](#)

[Presentation given to the Working Group on Strategic Planning](#)

DRAFT STATUTORY PROPOSALS**No. 1: Statutory amendment concerning the Scope of the Association section**

The International Board of ELSA is proposing the following to the International Council:

Scope of the Association

Article 2 – Official Seat

English Translation:

ELSA has its seat ~~domicile~~ in Amsterdam, the Netherlands ~~and has its office at 239 Boulevard Général Jacques, 1050 Brussels, Belgium.~~

Comment: Seat is the correct word for what is meant, and the second part is not needed and not in the Dutch Statutes.

No. 2: Statutory amendment concerning the Members and Observers section

The International Board of ELSA is proposing the following to the International Council:

Members and Observers

Article 5 – Definitions

English Translation:

[...]

5.2 Observership

A national organisation from any European State, with members being either local groups present at law faculties or law students and young lawyers, which supports the aims and activities of ELSA, may become an Observer National Group of ELSA (hereinafter Observer) if its application for observership is approved by the International Council with a two-thirds majority of the votes cast. The International Council is the only body of ELSA able to decide upon Observership Applications.

5.3 Membership

A national organisation from any European State, with members being either local groups present at law faculties or law students and young lawyers, which supports the aims and activities of ELSA and is already an Observer of ELSA, may become a Member National Group of ELSA (hereinafter Member) if its application for membership is approved by the International Council with a two-thirds majority of the votes cast. The International Council is the only body of ELSA able to decide upon Membership Applications.

[...]

Comment: This needs to be specified to prevent the International Board of ELSA from also being able to decide upon Observer- and Memberships.

No. 3: Statutory amendment concerning the Members and Observers section

The International Board of ELSA is proposing the following to the International Council:

Members and Observers

Article 5 – Definitions

English Translation:

[...]

5.5 Demotion

If a related proposal is submitted to the International Council by the International Board or a Member, the membership of another Member can be demoted to Observership with a two-thirds majority of the votes cast by the International Council if:

- a. that Member has not duly fulfilled its financial obligations towards ELSA and has not signed a payment agreement with ELSA on that matter for two consecutive regular International Council Meetings; or
- b. that Member has not elected or appointed, in accordance with their national regulations, a National Board for four consecutive regular International Council Meetings; or
- c. that Member has not been represented, personally or by proxy, in four consecutive regular International Council Meetings, without good reason; or
- d. that Member has not obtained voting rights for four consecutive regular International Council Meetings; or
- e. that Member has not attained legal personality status for four consecutive regular International Council Meetings after losing it and has not taken necessary steps to regain it.

[...]

Comment: This Proposal was initially voted on at the 79th ICM and has so far not been notarised, but as there were amendments made during the ICM, we need to revote it before we can notarise it.

No. 4: Statutory amendment concerning the Members and Observers section

The International Board of ELSA is proposing the following to the International Council:

Members and Observers

Article 5 – Definitions

English Translation:

[...]

5.6 Termination

- a. Observership or membership immediately ends:
 - i. if an Observer does not attain membership for four consecutive regular International Council Meetings following the one where the Observer can apply for membership and this period is not extended by a two-thirds majority of the votes cast by the International Council; or
 - ii. if an Observer or a Member sends a written notification, signed by all elected members of its board, to the International Board stating its intention to terminate its Observership or membership with a decision taken in accordance with its statutes and the domestic law of the State where the Observer or Member is based; or
 - iii. if an Observer or a Member sends written notification to the International Board stating its dissolution as decided by its council in accordance with its statutes and the domestic law of the State where the Observer or Member is based; or
 - iv. if an Observer or a Member sends written notification to the International Board stating its dissolution as decided by a supreme domestic decision-making instance whereby the dissolution takes effect according to the domestic law of the State where the Observer or Member is based; or
 - v. if an Observer or a Member is expelled from ELSA by the International Council.

b. When an Observer or a Member ceases to exist, its membership shall not pass to any acquiring legal person or, respectively, to one of the acquiring legal persons.

[...]

Comment: This is to prevent any unintentional memberships, as we believe that if an NG ceases to exist, they should go through the application procedure again to rejoin the network to ensure the stability of the NG.

No. 5: Statutory amendment concerning the Members and Observers section

The International Board of ELSA is proposing the following to the International Council:

Members and Observers

Article 5 – Definitions

English Translation:

[...]

5.7 Expulsion

An Observer or a Member can only be expelled from ELSA, if a related proposal is submitted to the International Council by the International Board or a Member, an Observer or another Member can be expelled from ELSA and is passed with a two-thirds majority of the votes cast by the International Council; Such a proposal can only be submitted, if that Observer or Member has either:

- a. violated the Statutes or the Standing Orders of ELSA, the decisions made by the International Council, or the interests of ELSA; or
- b. not duly fulfilled its financial obligations towards ELSA and has not signed a payment agreement with ELSA on that matter for four consecutive regular International Council Meetings; or
- c. caused considerable harm to ELSA, to any of the ELSA Groups or to anyone within their responsibility; or
- d. ceased to support the aims and activities of ELSA or to satisfy in any other way the requirements set for being an Observer or a Member; or
- e. not taken or ceased to take appropriate measures in case anyone within the Observer or Member's responsibility violates ~~clauses art. 5.7 a, b and/or d above~~ of these Statutes.

[...]

Comment: This is to ensure that the International Council is the only body to decide upon expulsions and some language-unifying corrections.

No. 6: Statutory amendment concerning the International Council section

The International Board of ELSA is proposing the following to the International Council:

The International Council

Article 7 – Main Provisions

English Translation:

[...]

7.3 Voting Rights

- a. Each Member of ELSA has three votes in the International Council, regardless of the number of delegates attending the meeting. Members of ELSA may exercise their voting rights by electronic means of communication. The International Board may determine conditions ~~to for~~ the use of electronic means of voting. These conditions ~~shall will~~ be announced in the summoning for the meeting. A Membership shall be suspended by the International Board for the duration of the International Council Meeting, thus not having voting rights but keeping the rights to attend and address the International Council; until it has:
 - i. fulfilled its financial obligations towards ELSA;
 - ii. filled in the State of the Network Inquiry, sent prior to the respective International Council Meeting, and handed it in to the International Board;
 - iii. submitted the letter of authorisation to the Secretary General of the International Board; and
 - iv. submitted the National Group Report to the International Board.

b. Any Member suspended according to this article can appeal this decision following the procedure according to art. 6.3 of the Standing Orders of ELSA.

[...]

Comment: This is to ensure that the procedure for suspension of voting rights is legal.

No. 7: Statutory amendment concerning the International Council section

The International Board of ELSA is proposing the following to the International Council:

The International Council

Article 7 – Main Provisions

English Translation:

[...]

7.6 International Council Meeting Officers

- a. The Chair and Vice-Chair of the International Council Meeting shall be appointed by the International Board in accordance with art. 6.4 of the Standing Order of ELSA.
- b. Any other International Council Meeting Officer, including the Secretaries, shall be elected by the International Council according to art. 6.5 of the Standing Orders of ELSA.

7.7 Procedures

Further procedures regarding an International Council Meeting shall be defined in the Standing Orders of ELSA.

[...]

Comment: This is to ensure that the procedure for appointing and electing International Council Meeting Officers is legal.

No. 8: Statutory amendment concerning the International Board section

The International Board of ELSA is proposing the following to the International Council:

The International Board

Article 8 – Main Provisions

English Translation:

8.1 Role

The International Board is the supreme executive body of ELSA. Its tasks are to represent ELSA, to carry out and be responsible for the day-to-day running and management of ELSA, to promote and supervise ELSA's fields of activities, to advance the aims and efficiency of ELSA as well as to execute and to implement the decisions made by the International Council. The International Board exercises its executive power through Board Meeting decisions.

8.2 Elections

- a. The International Council shall elect the members of the International Board during the second International Council Meeting of the term. The International Board shall be elected for a period of one year, starting on the 1st of August in the year of their election and terminating on the 31st of July of the following year.
- b. In order for the International Board to be legally constituted, at least half of the positions ~~=, as specified in the Standing Orders and~~ rounded up to the nearest natural number, ~~have to be occupied either by elected or deputy members of the International Board~~
- c. The International Board shall consist of members of any Local Group that is a member of any National Group of ELSA. Any person standing for election to the International Board of ELSA shall follow the procedure according to art. 11 of the Standing Orders of ELSA to be eligible to be elected.
- d. The individual members of the International Board of ELSA are elected into their specific position, as listed in art. 9.1.a of the Standing Orders of ELSA.
- e. If there are any open positions in the International Board of ELSA after an International Council Meeting, the International Board of ELSA may appoint further International Board members according to art. 9.3 of the Standing Orders of ELSA.
- f. Any International Board member appointed according to art. 8.2.e of these Statutes must be confirmed in their position by the International Council at the subsequent International Council Meeting to their appointment, following the procedure as described in art. 11 of the Standing Orders of ELSA. If the International Board member is not confirmed by the International Council, they shall lose their position in the International Board of ELSA the day after the official closing of the International Council Meeting.

[...]

Comment: This is to ensure that the procedure for appointing and electing International Board members and “deputies” is legal. With the procedure in lit. e and f, it is ensured that the deputies are fully liable for their actions, while the International Council keeps the right to confirm or dismiss the people in these positions.

No. 9: Statutory amendment concerning the Finances section

The International Board of ELSA is proposing the following to the International Council:

Finances

Article 9 – Financial principles, Financial Reporting and Auditors

English Translation:

[...]

9.2 Any income or profit from ELSA's activities shall only be used to carry out its aims in accordance with its philosophy, ~~and never for the profit of its members.~~

9.3 Each member of ELSA is obliged to pay a membership fee per financial year, the amount of which is to be decided by the International Council.

[...]

Comment: This is to prevent any potential confusion about how the finances of ELSA shall be used and a minor grammar correction.