

# BEE TOOLKIT

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## EXPANSION MANUAL

*elsa*

The European Law Students' Association

# **BEE TOOLKIT**

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## **Expansion Manual**

## **FOREWORD**

Dear ELSA member,

This is the Expansion Manual of ELSA, a document which elaborates on how to expand on the local and national level in our association.

With this ELSA offers you additional support expanding your National ELSA Network, or becoming an Observer or Member of our Association. Should you have any questions, you can always contact the acting President of ELSA at [president@elsa.org](mailto:president@elsa.org) or the Coordinator of the BEE Toolkit at [coordinator.beetoolkit@elsa.org](mailto:coordinator.beetoolkit@elsa.org).

Enjoy the read!

Yours sincerely,

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ELSA International 2019/2020

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## I. What is Expansion in ELSA?

### A. The status quo and the European dimension

Since its establishment in 1981, ELSA has focused on finding new members in law faculties all over Europe. To this point, ELSA covers more than 70,000 members all over **the European continent** and is established in more than 350 law faculties, all over 44 countries. The growth of ELSA has strongly been connected with Europe and 43 National Groups of our organisation are member states of the Council of Europe, human rights partner of ELSA.

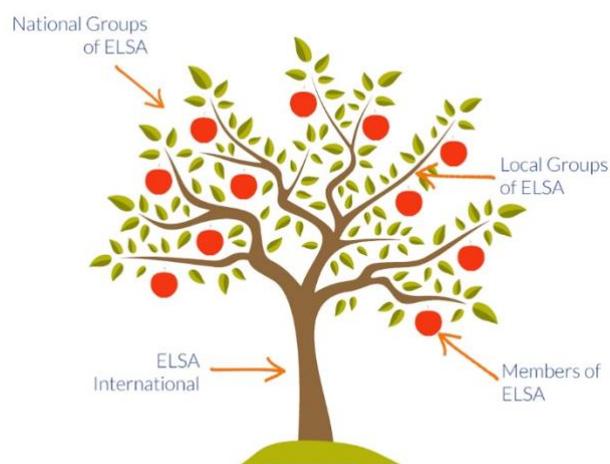
### B. How does ELSA expand

ELSA, being a faculty-based association, expands when more Local Groups are established in law faculties all over Europe, and new National Groups are created in various European countries. A National Group may be established and based in one or several faculties.

## II. Important Terms

### A. Our Association as a “tree”

We can imagine our association as a tree. The trunk of it is ELSA International, the base, where our strategy for expansion starts. As our tree grows, it develops its crown, the National Groups, which ELSA has as its official statutory members. The branches of our tree are the Local Groups of ELSA, through which our association grows, as a faculty-based association. Finally, the seeds (fruits) of ELSA are its members, where life and development happen.



### B. The definition of Expansion in ELSA

Expansion is the process of establishing presence of National and Local Groups and furthering their development in the respective European States (as defined in article 5.1 of the Statutes of ELSA) and law faculties (as defined under Article 1 of the Standing Orders of ELSA).

The President of the International Board of ELSA shall create, implement, and coordinate strategies related to the expansion in European States. The Presidents of National Groups shall create, implement, and coordinate strategies related to the expansion at all law faculties in their respective European States.

Expansion of ELSA shall continue until National and Local Groups are present at all law faculties in European States.

### C. European State

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According to Article 5.1. of the Statutes of our association, for the purposes of ELSA, a European State shall be defined by its geographical location. Since the eastern border of Europe is unclear, the divisions between Asia and Europe occur at the Ural Mountains, the Ural River and the Caspian Sea in the east, the Caucasus Mountains and the Black Sea with its outlets, the Bosphorus and the Dardanelles in the south. Armenia, Azerbaijan, Georgia, Kazakhstan, Russia, and Turkey are considered part of both Europe and Asia.

#### **D. Law Faculty**

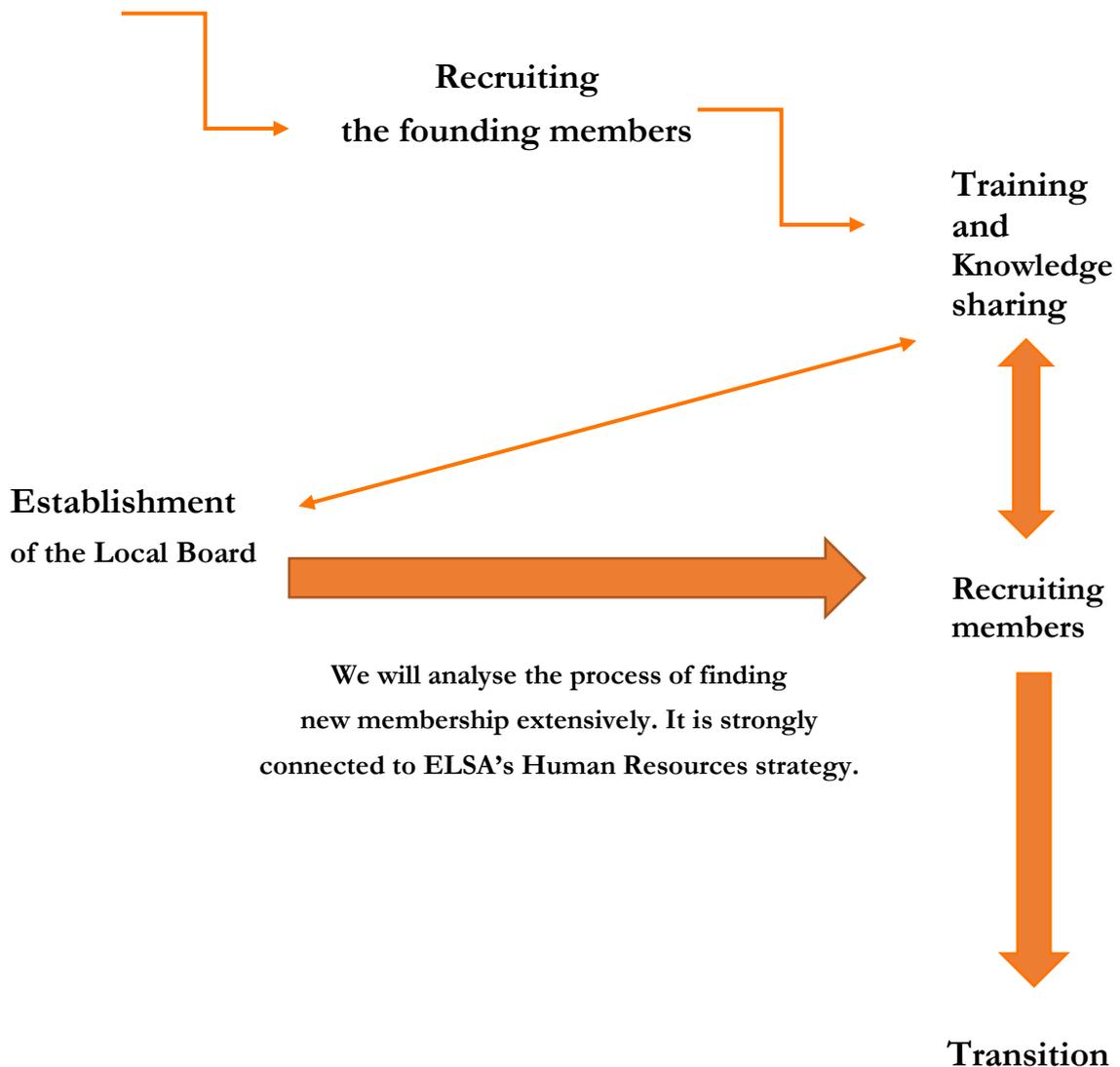
According to Article 1 of the Standing Orders of our association, Local Groups of ELSA can only be established in the presence of one or more law faculties. The term “law faculty” shall be interpreted as meaning an educational institution offering courses that enable the students enrolled thereto to enter a kind of legal profession. The education shall contain a substantial amount of law-related content thus enabling students to carry out the aims of ELSA

### III. Establishing a Local Group

#### A. How to start on the local level

Developing a Local Group is a step-by-step process. To depict it in a concise way we have created the following scheme.

#### Finding a Law Faculty



## B. Important Partnerships

### Law Faculty

When establishing a Local Group, it is particularly important to connect and cooperate with great supporters of your work, right from the start. The faculty of law is a great partner for every potential Local Group of ELSA. From logistic, to academic and even monetary support, the **Law Faculty** are the first people you should approach, when aiming at creating a Local Group.

### Local Bar Association

After the creation of the Local Group, it is hugely important to invest in external relations. Besides focusing on approaching law firms and other companies, keep in mind that the local **Bar Association** can be a great supporter of your vision.

## C. Unwritten rules

When establishing the first Local Group of a National Network, there are some **unwritten rules**, the founding members need to follow.

- Understand and promote the vision and the aims of our association.
- Use the Brand and the respect the Corporate Identity of ELSA.
- Understand and develop the governance structure (Positions etc.) and the Human Resources Strategy (Cycles of HR Manual) of ELSA.

Every founding member of a new Local Group or National Group, in a country where ELSA is not represented, should follow these unwritten rules. That is a major responsibility of the International Board to guide and educate new members of our Association.

## D. Creating membership

The phase of finding and maintaining new members is always the most important and challenging one for an association. These cycles of ELSA' Human Resources' Strategy are called Recruitment, Integration, Maintenance and can be found on our **Human Resources Manual**, where you can find a lot of tips & tricks on how to gain, integrate and maintain new members, while sharing the values and vision of ELSA.

## **E. Transition and Continuity**

The transition is the process through which we assure the transfer of the strategic direction, knowledge, information, and experience, from the current board to the new board. Simply, transition ensures continuity and you can learn more about it on our [Transition Manual](#).

## IV. Establishing a National Group

As we have mentioned previously on this Manual, starting on the national level may happen in two cases. One case might be that Local Groups have been established and a National Group is thereafter created. The other case is that a National Group is established solely based in one Law Faculty. We will examine these two cases:

### A. Already established National Groups

When one or more Local Groups already exist in a European State, the following step in the process of expanding is creating a National Group. National Groups are usually established in the capital of the state, they need to follow the legislation of the respective state and be registered. Being registered under the national legislation and having a recognised status are necessary requirements to become an Observer of ELSA (something we will examine in the following chapters). The National and Local Groups should support the aims and activities of ELSA.

### B. National Group established directly in a Law Faculty

When the founding members of an ELSA Group in a European State wish to directly establish a National Group, the process followed is the same. Following the national legislation, the National Group needs to be registered and have a recognised status. The National Group should support the aims and activities of ELSA.

## V. How to become an Observer of ELSA

### A. Application Process

The process of applying for an Observership Status in our association is stipulated in the Statutes and Standing Orders of ELSA.

<b>Observership</b>	<i>Article 5.2. Statutes of ELSA</i>	<i>“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.”</i>
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The Application Requirements that follow concern the application for Observership Status:

<b>Application for Observership Status</b>	<i>Article 3.4 Standing Orders of ELSA</i>	<p><i>An application for observership can be submitted, provided that there is no existing Member or Observer in the State of the national organisation applying, and shall include:</i></p> <ul style="list-style-type: none"> <li><i>a. the statutes and standing orders of the applicant which shall be compatible with those of ELSA,</i></li> <li><i>b. a declaration in which the applicant expresses its commitment to the aims and activities of ELSA and its will to become an Observer of ELSA,</i></li> <li><i>c. a report stating by whom the status of the applicant is recognised, d. a document containing an official confirmation or explanation that the applicant has attained legal personality within the State it operates.</i></li> </ul>
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## B. Unwritten Requirements

Initiative Groups applying for Observership should provide the above information. However, it has been common practice to include additional information and material such as:

- Activity reports.
- Information regarding organisational structure.
- A guarantee for continuity.

In fact, this additional information is only necessary for a Membership application. These guidelines encourage applicants for Observership to prepare only the documents that they are required to prepare by the Statutes and Standing Orders (listed above). This is because the purpose of Observership is to observe and learn how to become part of ELSA and therefore the period of Observership should be a time where groups learn how to put together activity reports etc. by seeing contributions from other National Groups or asking them for assistance and so forth.

The purpose of Observership is for groups to learn and develop until they are ready to apply to be a Member. It is not, therefore, necessary for Initiator Groups applying for Observership to “become” ELSA before they have even been voted into the network, because they will have the Observership period to do this.

## C. Rights of an Observer

Observers do not have the right to:

- vote or give proposals;
- give or hold a proxy;
- host an International Internal Meeting;
- nominate or second candidates.

Becoming a Member will give an Observer all of the aforementioned rights.

Observers have a right to:

- attend and participate in discussions of the International Internal Meetings;
- call their Group “ELSA” and use the ELSA Corporate Identity;

- apply for and contribute to the ELSA Development Foundation (EDF);
- participate in all projects and programmes organised by ELSA;
- approach national and international entities, after being granted permission by ELSA International.

Observers have the responsibility to:

- pay the Observership fee;
- fill in the Local Group Report and the State of the Network Report and share the respective reports with ELSA International;
- send Activity Reports to the mailing lists of ELSA, before the International Council Meetings.

#### **D. Using the ELSA Brand**

An Initiative Group applying for Observership is allowed to use the ELSA brand, Corporate Identity (including especially the ELSA logo), and call itself “ELSA”. ELSA International should, however provide the Initiator Group with appropriate materials and supervise the usage of ELSA Brand and Corporate Identity.

## VI. How to become a Member of ELSA

<b>Membership</b>	<i>Article 5.3. Statutes of ELSA</i>	<i>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.</i>
<b>Direct Membership</b>	<i>Article 5.4. Statutes of ELSA</i>	<i>An active Local Group of ELSA or a group of active Local Groups of ELSA, whose geographical location is no longer considered part of a State that was previously considered as such but is still situated in a European State, may become a Member National Group of ELSA (hereinafter Member) if its application for direct membership is approved by the International Council with a two-thirds majority of the votes cast.</i>

The Application Requirements that follow concern the application for Membership Status:

**A.  
Application  
for  
Membership  
Status**

*Article 3.5 Standing Orders of ELSA*

*An application for membership can be submitted by an Observer no earlier than at the second regular International Council Meeting immediately following the regular International Council Meeting where the status of observership was attained, and shall include:*

*a. the statutes and standing orders of the applicant which shall be compatible with those of ELSA,*

*b. a declaration in which the applicant expresses its commitment to the aims and activities of ELSA and its will to become a Member of ELSA,*

*c. a report stating by whom the status of the applicant is recognised,*

*d. a document containing an official confirmation or explanation that the applicant has attained legal personality within the State it operates,*

*e. a list of income and expenses related to its current financial year and a fundraising plan regarding fulfilment of future financial obligations towards ELSA,*

*f. a report stating the organisational structure of the applicant, including guarantees for continuity,*

*g. a report stating the applicant's activities during its period as an Observer.*

The Application Requirements that follow concern the application for Direct Membership Status:

**B.  
Application  
for Direct  
Membership  
Status**

*Article 3.6 Standing Orders of ELSA* An application for direct membership shall include:

*a. the statutes and standing orders of the applicant which shall be compatible with those of ELSA,*

*b. a declaration in which the applicant expresses its commitment to the aims and activities of ELSA and its will to become a Member of ELSA, c. a report stating by whom the status of the applicant is recognised,*

*d. a document containing an official confirmation or explanation that the applicant has attained legal personality within the State it operates,*

*e. a list of income and expenses related to its current financial year and a fundraising plan regarding fulfilment of future financial obligations towards ELSA,*

*f. a report stating the organisational structure of the applicant, including guarantees for continuity,*

*g. a report stating the applicant's activities during its period as an active Local Group of ELSA or as a group of active Local Groups of ELSA.*

## VII. General Application Requirements

The General Application Requirements are common for the applications for Observership, Membership or Direct Membership Status:

<b>Submission</b>	<p><i>Article 3.1 Standing Orders of ELSA</i></p> <p><i>Any application for observership, membership or direct membership must be submitted to the International Board at least 35 days prior to the opening of the regular International Council Meeting where a decision on the application will be made.</i></p>
<b>Reminder</b>	<p><i>Article 3.2 Standing Orders of ELSA</i></p> <p><i>The International Board shall send a reminder to all Observers at least 50 days prior to the opening of the regular International Council Meeting where each Observer has the possibility to apply for a membership.</i></p>
<b>State Eligibility</b>	<p><i>Article 3.3 Standing Orders of ELSA</i></p> <p><i>Observership, membership or direct membership is open to organisations established in a State that is recognised as a member or observer of the United Nations and under the same name.</i></p>
<b>Recommendation by the International Board</b>	<p><i>Article 3.7 Standing Orders of ELSA</i></p> <p><i>The International Board shall justifiably recommend to the International Council whether to accept or decline an application for observership, membership or direct membership. The International Board shall consider the compliance of the applicant's statutes and standing orders with the Statutes and Standing Orders of ELSA.</i></p>

## VIII. Demotion, Termination, Expulsion

### Demotion

*Article 5.6 Statutes of ELSA*

*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 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.*

### Termination

*Article 5.7 Statutes of ELSA*

*Observership or membership immediately ends:*

*a. if an Observer does not attain membership for four consecutive regular International Council Meetings following the one where the Observer can apply for membership; or..*

*b. 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..*

*c. 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..*

*d. 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*

## Expulsion

*Article 5.8 Statutes of ELSA*

*domestic law of the State where the Observer or Member is based;*

*e. from the moment the International Board is informed that an Observer or a Member lost its legal personality; or f. if an Observer or Member is expelled from ELSA by the International Council.*

*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 with a two-thirds majority of the votes cast by the International Council 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 a, b and d above.*

**Right to explain***Article 5.9 Statutes of ELSA*

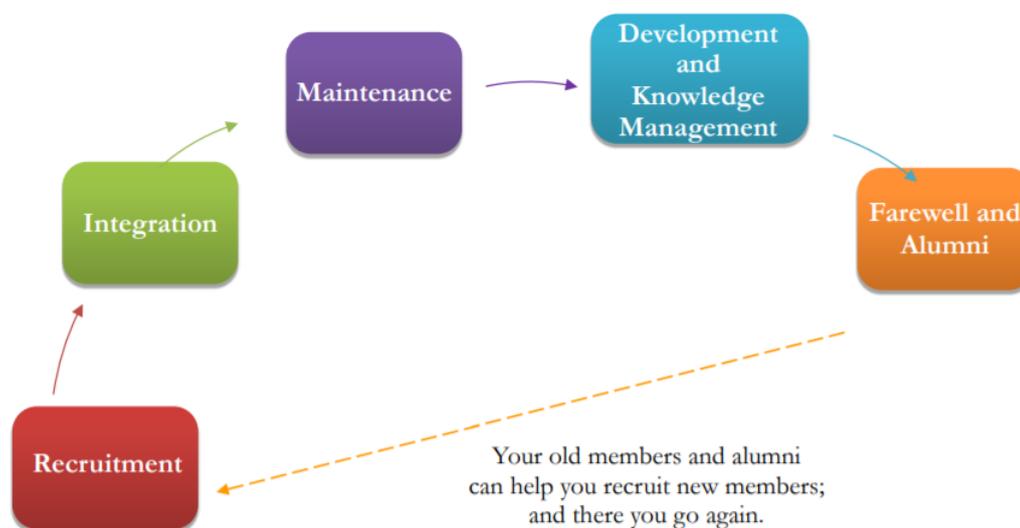
*In order for a demotion or expulsion to be valid, the Observer or Member in question must be given an adequate opportunity to explain its acts and to reply to any allegations made against it.*

*The International Board must prove to the International Council that the respective letter of invitation to the International Council Meeting was sent to the Observer or Member, thereby giving it an adequate opportunity*

## IX. Human Resources

According to the International Council Meeting Decision Book (and specifically under Internal Management, Human Resources), the Human Resources Cycles of ELSA constitute a framework to be implemented throughout the ELSA Network and in all areas of activity provided by the association on all levels, with the purpose of increasing the quality and quantity of ELSA members and officers in the countries where ELSA is present.

It is an undisputable truth that Expansion in ELSA, as in every organisation, is strongly connected to the Human Resources Cycle of our Association. Finding new members, differentiating between the “active” and the so called “passive” members of ELSA, is a long, time-consuming, and hugely important process. As Human Resources are coordinated, in the majority of the National Networks of ELSA, by the Secretaries General, we invite you to read the respective **Human Resources Manual**, created by ELSA International.



## X. Useful links

- i. [BEE Handbook](#)
- ii. [Human Resources Manual](#)
- iii. [Transition Manual](#)
- iv. [Statutes and Standing Orders of ELSA](#)
- v. [International Council Meeting Decision Book of ELSA](#)