The role of the working party rapporteur

The Inter-Conference Working Parties process, first established at the second IARLJ Conference in Nijmegen in January 1997, has, as its objective, to assist in the development of a coherent body of international refugee jurisprudence. The IARLJ has defined itself in the following way:

The Association is an independent body of individual judges whose aims are broadly to encourage standardization of practice procedure and interpretation of refugee law and practice throughout the world.

Indeed, the Constitution of the Association requires that its members commit themselves to promoting "within the judiciary and quasi-judicial decision makers world-wide a common understanding of refugee law principles and to encourage the use of fair practices and procedures to determine refugee law issues." (IARLJ Constitution, Part 1: Objects of the Association, Section 2(1)) The Constitution of the Association also calls upon its members "to promote or undertake research initiatives, publications, and projects that further the attainment of the objects of the Association." (Section 2(5)) The Inter-Conference Working Parties process has been one of the principal vehicles for promoting these central objectives of the Association. Working Parties are established from time-to-time to examine legal issues of concern to IARLJ members. Typically, IARLJ members and associated members either join a Working Party or are appointed to serve on a Working Party. Working Parties are small transnational groups that are made up of between five and ten judges and/or quasi-judicial decision-makers. Working Parties are led and directed by a Rapporteur who is appointed by the IARLJ.

Rapporteurs are expected to perform a number of functions to ensure that their Working Party fulfils their mandate. Rapporteurs are responsible for filing a report of the activities and progress of their Working Party at each IARLJ World Conference. Working Parties also are expected to present conference papers, reports and/or other materials on the legal issue(s) on the area of international and comparative refugee law that they have been mandated to examine. Rapporteurs are expected to coordinate the drafting of their Working Party's contribution to the IARLJ. Rapporteurs are also expected to lead and assist their Working Party participants to reach a consensus on the legal issue(s) under examination. Rapporteurs must stay in touch with their Working Party participants on a regular basis, most typically by e-mail, but also occasionally by telephone, and teleconference and/or videoconference. Rapporteurs are free to get assistance from associate members of the Association and/or academics in this field of study. Rapporteurs are also free to delegate some of their duties to their Working Party participant colleagues.

As the leader, coordinator and facilitator of their Working Party, the Rapporteur will have to set goals for their Working Party, in consultation with they Working Party participants. Rapporteurs are expected to encourage their Working Party colleagues to contribute to their common research task. Rapporteurs will have to edit material submitted from their Working Party participants and, in most instances, they will have a substantial role in writing the conference reports and/or papers for the IARLJ's World Conferences.

The Association Council will also appoint an Alternate or Associate Rapporteur for each Working Party to not only assist their Working Party's Rapporteur but, also, to serve as the functional leader of the Working Party in the absence, for any reason, of the Rapporteur of the
Working Party.

The Association Council also appoints a Working Party Coordinator to assist Rapporteurs in their tasks and to help coordinate and direct the activities of Working Parties and the Inter-Conference Working Party Process as a whole.

Rapporteurs submit all Working Party materials to the IARLJ Inter-Conference Working Parties Coordinator and the IARLJ Secretariat. All materials submitted by Rapporteurs to the IARLJ Working Parties Coordinator and the Secretariat shall be presented to the IARLJ Executive Council for consideration. It will be up to the IARLJ Executive Council to determine whether the Association might wish to consider the recommendations of any Working Party or to take up its position on the legal issues under examination.