

ICC Global Partnership Agreement

2019

ICC GLOBAL PARTNERSHIP AGREEMENT

The *International Chamber of Commerce* (ICC) is the largest and most representative business organization in the world. Our fundamental goal set in the ICC Constitution is clear: to serve world business by promoting trade and investment, open markets for goods and services, free flow of capital, and to foster economic growth.

ICC's global network of National Committees is the backbone of our organisation and provides us with a strong international membership base, experts in Policy commissions and task forces, nominations of arbitrators for the *International Court of Arbitration* as well as advocacy to national governments. This unique network allows us the legitimacy to be called *The World Business Organization* – the voice of world business.

This Global Partnership Agreement sets out clear working guidelines between the ICC International Secretariat either at the ICC International Headquarters or elsewhere, and National Committees and Groups in a spirit of partnership and mutual value. The International Chamber of Commerce is also convinced of the paramount need of enhancing the respect of high standards, equity and good faith in international professional and business relationships. With a view to establish a transparent and collaborative working relationship, this document is the result of suggestions and recommendations of a working group of National Committees and senior managers from ICC.

Preamble

ICC and the National Committee [Group] in United Kingdom agree that they share the following objectives:

- to promote international trade and investment and the elimination of obstacles and distortions to international commerce, with a view to promoting global economic development;
- to promote the market economy system based on free and fair competition, corporate responsibility and sustainable development.
- to foster economic growth of both developed and developing economies;

- to work together – in a spirit of partnership and in accordance with the ICC Constitution – to strengthen and further develop ICC's role as the most authoritative and internationally representative business organization.
- to be the voice of the business community on key international issues of importance to business;
- to further sustainable development and advocate for enabling frameworks which advance private sector innovation and its deployment;
- to promote the writing and setting of ICC rules and standards and the development of global policies by business; as well as to develop ICC's activities, products and services, (especially ICC Dispute Resolution, Policy Advocacy and the ICC Academy);
- to represent and defend ICC's interests and protect the use of its brand, intellectual property and values;
- to abide by the ICC Constitution ;
- to propose arbitrators in response to ICC International Court of Arbitration requests;
- to develop joint activities with other NCs;
- to nominate representatives in ICC Commissions.



ICC confers the following rights on the National Committee [Group]

- To have exclusive representation of ICC in the national context.
- To recruit members to ICC from companies, professional/law firms, chambers of commerce and local business organisations.
- To use the ICC logogram on its letterhead, website and other communications following the ICC guidelines established for this purpose. This right is restricted to the National Committee and other parties authorized by the National Committee, and does not extend to individual members.
- To enjoy full voting rights (as specified in the Constitution) at ICC's highest governing and decision-making body – the ICC World Council.
- To represent ICC positions towards its government and other national authorities/organizations.
- To participate in ICC Commissions, events and activities open to all National Committees and members.
- To submit views, opinions and positions in developing all ICC work, including rules and policies; all National Committees have an equal voice in ICC work.
- To nominate members to the ICC International Court of Arbitration.
- To distribute and disseminate the ICC Dispute Resolution Bulletin, free of charge, to ICC members in their country.
- To appoint members to ICC Commissions
- To be offered the opportunity to be the distributor for ICC's publications, services, products and training programs in the country of the National Committee, and to enter into a separate commercial agreement with ICC Services SA and/or The ICC Academy, ATA Carnet, Certificates of Origin, etc.

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1. ICC's commitments to the National Committee [Group]

- To pledge its help and support to the National Committee and its members on key international business issues within ICC's mandate. To answer queries by National Committees and their members and to seek continuous improvement in close collaboration with National Committees.
- To maintain an international secretariat that will provide knowledgeable, proactive and effective programme support to all ICC members, in close collaboration with the National Committees.
- To offer the National Committee training, advice and guidelines so that it can fulfil its obligations towards ICC; and to encourage exchanges of experience, expertise, knowledge among National Committees, including "twinning" possibilities through bilateral and multilateral initiatives.
- To assist and support National Committees in recruiting new members and, on request, in developing efficiently the National Committee.
- To provide National Committees with all the necessary information concerning ICC events, policies, codes, rules, guidelines; ICC functions, finances, publications, products, services, etc.
- To provide the National Committee and its members all drafts and working papers, in a timely manner and wherever possible, in advance with appropriate time for comment and input before their finalization, such as ICC policy statements, rules, etc. In cases of differing views, ICC will encourage and facilitate dialogue among interested National Committees with relevant ICC Commission officers and chairs to arrive at an acceptable solution.
- To offer opportunities to National Committees to nominate arbitrators for the ICC International Court of Arbitration, in compliance with the Court's applicable note to National Committees, and assist in organising events to promote ICC dispute resolutions services including ADR and Arbitration.
- To provide access to all specialized divisions of ICC and ICC Services.
- To make use of and actively develop ICC's contact network worldwide.
- To provide information on all ICC activities and developments.

- To inform and consult with the National Committee about important initiatives in the country of the National Committee.
- To inform and provide adequate notice to National Committees, as exclusive partners, when approaching members or engaging in official government visits in the National Committee country, and to work closely with the National Committee in leveraging outreach.
- To maximise the use of ICC's strong global network by inviting National Committees to represent ICC in meetings and deliberations occurring in their home country, as appropriate.
- To make available all the publications to be used by and for members (annual report, handbook, promotional material, statements, etc.).
- To consult and inform National Committees on ICC's global strategy and Programme of Action.
- To compensate National Committees for their services and costs incurred for the sale of ICC products and services as well as for the recruitment of sponsors and partners of ICC special projects, initiatives and the ICC Academy, (pursuant to specific contractual agreements).

2. The commitments of a National Committee [Group] towards ICC

- To include in its membership leading companies, professional/law firms, major business associations, leading chambers of commerce, as well as smaller enterprises with international interests.
- To ensure the establishment of a sound and sustainable financial structure, with its own specific members who participate fully in ICC's arbitration, rule-making, policy and international advocacy activities.
- To make best efforts to ensure that its members constitute a broad and balanced representation of business in the country, with particular emphasis on those companies that are the most active on world markets.
- To seek and elect/appoint as the chairman of the National Committee a nationally well-known, high-ranking business leader of a renowned company.
- To fulfil its financial obligations to ICC with regular and timely payment of the ICC Membership Contributions.
- To keep itself informed of the activities of ICC through the network of information put at its disposal, and maintain close contact and cooperation with the International secretariat.
- To disseminate promptly to its members, as relevant, information received from ICC's International secretariat, including reports on ICC Commission work, communiqués, surveys, questionnaires, working documents, ICC activity reports.
- To provide business executives and experts from amongst its membership to contribute to ICC Commissions work and to the formulation of ICC rules, policy statements and other work.
- To convey ICC official positions to the government for the majority of all requests made to National Committees by ICC's international secretariat. In cases of disagreement with the official ICC position, the National Committee should inform ICC of the reasons for limitations in local outreach.
- To ensure that ICC official positions are voiced by the National Committee in its representation of ICC.
- To be represented at major official ICC events.

- To support and actively promote ICC dispute resolution services, and, in particular, arbitration among the national business and legal community. The National Committee shall propose qualified and available arbitrators, mediators, neutrals and experts, (in accordance with the applicable Note of the Court to National Committees), when requested by the different ICC dispute resolution secretariats. The proposal of arbitrators/neutrals/experts by the National Committee shall not be made conditional on membership; final decisions as to their appointment/proposal are taken by the International Court of Arbitration or another relevant body of ICC dispute resolution services.
- A National Committee shall not, without prior agreement of the President of the International Court of Arbitration, engage in activities that compete with ICC dispute resolution services. In particular, a National Committee shall not (i) enter into cooperation or promotional agreements with the Court's main international competitors; and (ii) directly operate or support an institution administering arbitration cases. Whenever, with prior consent of the Court, a Chamber that is host of a National Committee operates or supports a local arbitration centre, the National Committee shall make sure that (i) such arbitration centre does not operate under the ICC brand or use the ICC brand in any manner; (ii) a proper institutional and functional separation is maintained between the National Committee and the arbitration centre, which the National Committee shall not promote directly, and (iii) the arbitration centre shall not administer cases under the ICC Rules of Arbitration.
- Not to create confusion with ICC rules on dispute resolution (such as ICC Rules of Arbitration, ICC Expert Rules, ICC ADR rules, ICC Dispute Boards Rules, etc.) by adopting local rules copying or adapting such ICC rules.
- To enhance awareness of ICC and its work in the country, particularly among the business community, through actions in the national media, which can be undertaken in co-operation with ICC's international secretariat as needed.
- To monitor in the national context the protection of ICC's intellectual property rights, including, but not limited to, its brand, name and logo and its publications. Any infringements shall be promptly reported to the ICC international secretariat.
- Not to reproduce and/or sale any ICC materials including books and electronic documents without prior authorization of ICC.
- To comply with administrative requirements as explained in the enclosed *Administrative Annex*.

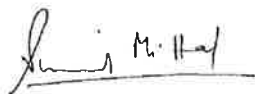
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3. Non-compliance with commitments and obligations

- The ICC World Council, the organization's highest governing and decision-making body, has the right to review compliance with this Global partnership Agreement, in the interest of all National Committees [Groups] and ICC members. If a National Committee is found in non-compliance, a suitable period of time shall be designated to work with a National Committee to help fulfill its obligations. After this time, the World Council has the right to terminate this Agreement and withdraw the rights of representation if it considers that the obligations of a National Committee to ICC have still not been met. This decision shall normally be taken no less than a year after the National Committee has been informed that its obligations have not been fulfilled. The National Committee has the right to appeal to the Chairmanship, which will consult as it considers appropriate, and make a recommendation to the World Council.
- The ICC Executive Board has created a committee, the Global Network Committee, to review, on its behalf, all matters concerning National Committees [Groups], including compliance, membership contributions, National Committee activities and performance levels. The Global network Committee will also oversee regular reviews of commitments/obligations between the National Committees [Groups] and the ICC Secretariat and may be consulted on request. The Global Network Committee reports to the Executive Board at least 3 times per year and will be represented by members of the National Committees from all regions, levels and sizes. The Global Network Committee will submit requests and recommendations to the Executive Board.

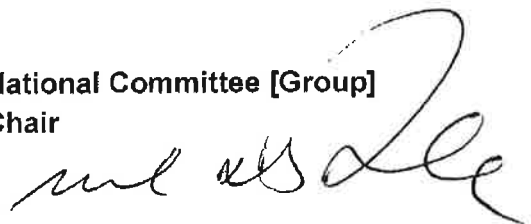
Signatures and seals

ICC Chairman



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**National Committee [Group]
Chair**



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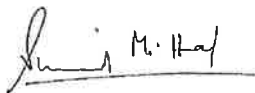
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Administrative Annex

- The National Committee [Group] shall provide to ICC's international secretariat all relevant information on ICC members in its country, according to the ICC administrative membership form
- All new members and cancellations of membership shall be notified to the international secretariat in a timely manner Pursuant to ICC obligations under French law, an up-to-date full listing shall be provided to the international secretariat at least once a year The list of NC members held in the database at the international secretariat will be made available to NCs whenever requested
- Once a year the National Committee [Group] shall provide ICC's international secretariat with a fair and accurate report of its finances, including revenues, membership fees, etc
- The National Committee [Group] shall only use the ICC brand, logo and presentations following guidelines issued by ICC's international secretariat
- When requested, the National Committee [Group] shall complete profile questionnaires on its membership and its activities This information will be used for ICC internal purposes only to enable a better understanding of National Committee developments and needs
- The National Committee [Group] shall assure the necessary administration infrastructure and human resources to fulfil its obligations This should follow applicable laws and international business standards
- The National Committee [Group] should take the appropriate insurance coverage
- The National Committee [Group] shall be provided with all the necessary guidelines to fulfil these administrative duties

signed by

ICC Chairman



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National Committee [Group]
Chair



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