

# **BALKAN AND EURO –MEDITERRANEAN NETWORK OF COUNCILS FOR THE JUDICIARY**

## **Charter**

The councils for the judiciary from the Balkan and Euro- Mediterranean area agree to continue their cooperation in the form of a network as the successor of “The Conference of Regulatory Judicial Authorities of the Balkan Area ”, which shall be governed by the following principles.

By signing the present charter the members that have been contributing to the network verify their intention of membership and they consider it continuous.

## **Article 1- Name**

The name of the Network shall be “**The Balkan and Euro -Mediterranean Network of Councils for the Judiciary**”.

## **Article 2- Aims and Objectives**

The main objectives of this Network are;

- to improve cooperation among its members with a view to strengthening the independence and impartiality of the judiciary as a safeguard of the rule of law in the region,
- to safeguard and strengthen the status of judges and prosecutors,
- to improve confidence in the judiciary,
- to enhance the effectiveness and efficiency of judiciary,
- to strengthen the institutional capacity of the councils for the judiciary.

## **Article 3- Membership of the Network**

Membership is open to all councils for judiciary or organs performing similar functions from the Balkan and Euro-Mediterranean region, which are independent of the executive and legislature or which are autonomous.

Application for membership shall be made to the secretariat, which shall be submitted to the approval of the plenary of the Network. Admission of a new member shall require the simple majority decision of the plenary. Members are free to withdraw from the membership of the Network at any time.

The Plenary may expel a member from the network by unanimous decision if the member is considered to have lost the conditions in the first paragraph of this article.

#### **Article 4- Organs of the Network**

The Network shall operate through a plenary, a president, the board and a secretariat. Each member of the network should appoint a contact person to work with the secretariat to ensure efficient communication and exchange of information.

#### **Article 5- The Plenary**

The Plenary shall comprise representatives of all the members of the Network, which shall convene at least once a year.

The plenary is endowed with all the powers necessary to realize the aims and objectives of the network.

The Plenary shall be convened by the President.

The Plenary is quorate when at least half of the organizations that are registered in the network are present.

Unless regulated by the charter differently the Plenary makes decisions with simple majority.

Each member has 6 votes at the Plenary. If a country is represented by more than one member (council or autonomous authority) in the network, they shall have 6 votes altogether that are proportionately distributed among them.

#### **Article 6- The President**

The president shall be elected by the qualified majority of the plenary for a term of one year.<sup>1</sup> The president can be re-elected once.

The president shall chair the plenary and prepare the agenda with the secretariat for the plenary. The president shall represent the Network.

If the president is incapable to act the tasks of the president shall be performed by the board.

#### **Article 7- The Board**

The board shall consist of five representatives from the members of the Network elected by the simple majority of the plenary for a term of two years. The board shall be convened by the president of the network at least once a year. The president of the network shall convene the board by the simple majority of the members of the network. The board shall be convened also by the majority decision of the board.

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<sup>1</sup> The duration of president was changed as two years in the XI. Conference taken place in Rome on 13-14 June and will put into force in 2017.

A person of the same nationality as the president may not be a member of the board. Each country shall delegate maximum one member to the board.

The meetings of the board are chaired by the president of the network, who has the right of consultation. If the president is incapable to act the board shall decide with simple majority decision on the person of the chair.

The board is quorate if at least 3 members of the board and the president of the network are present, but if the president is incapable to act the board is quorate if at least 3 members of the board are present.

The board shall make decisions with simple majority.

Between two Plenaries the board shall execute the decisions of the Plenary following the instruction of the president and shall prepare the next Plenary.

The board shall prepare the draft annual working program and submit it to the plenary for approval.

#### **Article 8- The Secretariat**

The secretariat is the administrative unit of the network. It supports the presidency and the members of the Network. The secretariat shall work with a view to realize the aims and objectives of the Network and to implement the annual working program.

The secretariat shall be responsible for managing the daily coordination of the network and especially for operating and updating the website of the Network.

The secretariat shall be seated in one of the member states of the network for a term of three years.

The Plenary decides on the member that provides the secretariat and on the seat of the secretariat.

#### **Article 9- Activities**

In order to realize the aims and objectives of this charter, the Network may

- organize regional and international conferences, seminars, workshops and etc.
- run projects, researches and surveys,
- prepare reports and publications,
- organize working groups, study visits and internship programs,
- facilitate cooperation among national and international judicial organizations.

#### **Article 10- Financial Issues**

The operational costs of the board shall be borne by the member of the network that delegates the president.

The resources needed to operate the secretariat shall be provided by that member where the secretariat is seated.

The expenses to be incurred for all the other activities shall be met by the member organizing the event. The accommodation and international travel expenses shall be covered by each member.

Contributions in kind and money for specific projects and activities will be fixed by individual agreements between participants in the projects. All such agreements shall be brought to the knowledge of all members.

**Article 11- Entry into force and validity**

This Charter shall enter into force on the date of its signature by at least 10 bodies which have participated in the Conference of Regulatory Judicial Authorities from the Balkan area.

**Article 12- Modification of the Charter**

The modification of the Charter can be initiated by any member, and it shall be adopted by the Plenary with qualified majority.