

Rules of organisation and operation of the Balkan and Euro-Mediterranean Network of Councils for the Judiciary

Preamble

According to the Charter of the Balkan and Euro-Mediterranean Network of Councils for the Judiciary (following as BEMNCJ or Network) 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.

In order to efficient fulfilment of that purposes the members of BEMNCJ acting according the following rules.

1. Organisation of the BEMNCJ

1.1 President

The President seats at the seat of the member who delegate the President. The Secretariat shall support the daily work of the President.

1.2 Board

The members of the Board shall prepare the meetings of the Board. The Secretariat shall support the work and communication of the Board.

1.3 Secretariat

The Secretariat shall be seated at the seat of the member who provides the Secretariat.

The Secretariat shall be responsible for operate and update of the website of the Network. The Secretariat collect information from the members on a regular basis.

The Secretariat shall keep records of the members including the following data:

- official name of the member
- representative of the member (name, e-mail address, post address, phone)
- contact person of the member (name, e-mail address, post address, phone)

The Secretariat shall keep records about decisions of the Plenary and the Board. The records of decisions shall be uploaded to the website of the Network.

The e-mail address of the Secretariat is bemncj.secretariat@obh.birosag.hu

1.4 Election of the President, Board and Secretariat

Written applications to become a President, Board member or seat of Secretariat must be sent to the President and Secretariat at least 4 weeks before the date fixed for the meeting of the Plenary and to the members of the Network by the Secretariat at least 2 weeks before the Plenary.

The President shall be elected by the two-thirds majority of the members. The Board members and Secretariat are elected by simple majority of the Plenary.

2. Operation of the Network

2.1 Plenary

The Plenary shall be convened by the President.

The place of the next Plenary shall be decided by the last Plenary. Each member may apply to host the next Plenary on the actual Plenary.

The draft of the agenda and the date of the Plenary shall be accepted by the Board. The host of the Plenary shall be invited to the Board meetings before the Plenary with right of consultation. The President shall convene the Plenary within a reasonable time before the date.

The Plenary has two main sessions. First session discuss one or two professional topics according to the decision of the last Plenary. The professional topics are processed on the basis of questionnaires to be answered by each member. The questionnaires are to be accepted by the Board. The Board shall decide about the speakers of the Plenary. The Secretariat shall send the questionnaires to the members with a reasonable deadline. The members shall send their answers to the Secretariat. The Secretariat send the answer sheets to the members, and to the speakers of the topic. A common report may be accepted by the Plenary about the professional topics of the Plenary. The draft of final report shall be presented by the speakers before the Plenary for the members' opinion.

The second session discuss actual organisational issues. The President shall present the main organisational issues on the Board meeting before the Plenary.

The President shall prepare the decisions of the Plenary. The President, the Board, and the simple majority of members may request the inclusion of an agenda item. The request for inclusion of an agenda item may submit to the President – by sending it to the Secretariat – either in writing before the Plenary or in oral before the Plenary.

Minutes of each Plenary shall be drawn up. The Minutes have to be sent to the members for opinion after the Plenary. The final minutes shall be uploaded to the website of the BEMNCJ.

2.2 Board meeting

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. The meetings of the Board are chaired by the President of the Network.

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 participants of the Board meetings are:

- President
- Board members
- representatives of the Secretariat
- representatives of the host of the Plenary

In order preparation of the next Plenary the Board shall make a decision about:

- date of the Plenary
- speakers of the professional topics
- questionnaires of the professional topics
- draft of the annual working plan
- necessary modifications of the charter
- recommendations in order more efficient cooperation

Minutes of each Board meeting shall be drawn up. The Secretariat shall send the minutes to the members after the meeting.

2.3 Homepage

The website of the Network is www.bemncj.org what is operated by the Secretariat.

The website shall contain:

- list of members
- charter of Network
- Rules of organisation and operation
- information about member institutions
- actual events
- reports of the Network
- records of decision
- documents of Plenaries (for example questionnaires, draft reports, agenda, presentations)
- minutes of Plenaries
- Newsletter of BEMNCJ
- other necessary content

The Newsletter of BEMNCJ contains actual important and interesting information about the Network and its members. Each member shall send a short notice about the activity of its organisation in every two month. The Secretariat shall edit the newsletter with the notices of the members. The newsletter will be sent to the members and uploaded to the website in every two month.

2.4 Communication

Each member shall appoint a contact person for daily communication and coordination regarding the operation of the Network. The members shall send the up to date contact details to the Secretariat.

2.5 Connection with other institutions

The Network is represented by the President. The President has the right to contact other institutions and third parties. The President has the right to negotiate on behalf of the Network. The President has the right to conclude contract or to undertake obligations and rights only with the agreement of the Plenary.

3. Members

[list of members institutions and representatives]

4. Candidates

Each member may recommend new candidates. Any institution who meets the condition of membership has the opportunity to apply for membership on its own right.

Application for membership shall be made to the secretariat, which shall be submitted to the approval of the plenary of the Network. The candidates shall be invited to the Plenary.