

# Global Network on Electoral Justice

## Constitutive Act

### I. Purposes and principles

**Article one.** The Global Network on Electoral Justice is an international forum that brings together members of Tribunals, Courts, and Judicial Electoral Bodies from across the world with potential features of active participation of international organizations, civil society organizations, academic institutions and experts in elections and electoral justice.

**Article two.** The Global Network on Electoral Justice will pursue the following objectives:

- First. Facilitate the exchange of judicial-electoral information and the cooperation between members and associates of the Network.
- Second. Identify and exchange best practices for the advancement of Tribunals, Courts, and Judicial Electoral Bodies worldwide.

**Article three.** The Global Network on Electoral Justice shall be governed by the following principles:

- **Supremacy of the constitution and the law.** Compliance with the judicial-electoral norms.
- **Legitimacy of the electoral jurisdiction.** Judicial-electoral impartiality and independence.
- **Electoral participation.** Promote the organization of free, authentic and regular elections.
- **Loyalty to the information that is shared.**

- **Opportunities in providing input to this initiative.**
- **Respect for the internal autonomy and the resolutions of electoral bodies.**
- **Respectful and kind attention among the participants.**

## **II. Members**

**Article four.** Tribunals, Courts, bodies who either exclusively or partially dedicate themselves to the protection of political rights in electoral dispute resolution during the electoral cycle, research institutions or centers whose representatives have participated in the First Plenary Assembly celebrated in San Miguel de Allende, Mexico, on the 10<sup>th</sup> and 11<sup>th</sup> November 2017, and those who are in accordance with this Constitutive Act, are the original members of the Global Network on Electoral Justice.

**Article five.** All other Tribunals, Courts, bodies who either exclusively or partially dedicate themselves to the protection of political rights in electoral dispute resolution during the electoral cycle, and research institutions or centers, that agree with the content of this Constitutive Act through their Chairpersons or duly mandated legal representatives and that, according to the Network, are capable to meet the liabilities that this membership implies, may also be members of the Global Network on Electoral Justice. Persons who conduct academic and research activities that have participated in this assembly and whose institutions are not attached to the Network, may also participate in their personal capacity. Each member should appoint a person that will serve as liaison officer and will be responsible for the communications with the Network.

The admission of new members should be confirmed upon the voting of at least two thirds of the members of the General Assembly of the Global Network on Electoral Justice present at the time.

### III. Bodies

**Article six.** The General Assembly, the Governing Council, the Advisory Council and the Technical Secretariat are the bodies of the Global Network on Electoral Justice.

**Article seven.** The General Assembly is the main body of the Network and is invested with powers to discuss any topic and make any decision concerning the Network.

The Assembly will be comprised of all members of the Global Network on Electoral Justice.

**Article eight.** The Governing Council is the management body of the Network, invested with the powers of supervision and recommendation on any topic relevant to the Network. It will have the mandate to coordinate the tasks of the Network and to maintain its validity.

The Governing Council will always be comprised by a Presidency, and four Vice-Presidencies, who shall be elected in a nominative manner by the General Assembly of the Network. They will be appointed from the group of representatives of tribunals, courts or bodies who either exclusively or partially dedicate themselves to the protection of political rights in electoral dispute resolution during the electoral cycle, and research institutions or centers. Their mandates last for two years.

**Article nine.** To facilitate, support and strengthen the tasks of the Governing Council, the international organizations, civil society organizations and research institutions and centers, and other members can be part of an Advisory Council, and will suggest topics and new working mechanisms, develop analytical documents and policy suggestions, among other kinds of input.

**Article ten.** The Technical Secretariat is the executive body of the Network, invested with the power to participate in all of the meetings of the General Assembly and of the Governing Council, and to execute its decisions. It will set out periodic accountability checks for the Governing Council and, likewise, should present reports on its performance to the General Assembly, every time that they convene.

The Technical Secretariat will be comprised of a Head and a Substitute, who will act in the absence of the first. The Technical Secretariat will carry out its tasks with the support of the personnel that the Governing Council appoint, from within their own tribunals, courts, and other bodies.

The Head of the Technical Secretariat will be suggested by the Presidency of the Governing Council, and the Substitute by the Vice-Presidencies. Both will be ratified by simple majority of the General Assembly. The Technical Secretariat will represent the Global Network on Electoral Justice and will be renovated every three years.

**Article eleven.** The General Assembly of the Global Network on Electoral Justice will be invested with the power to create working groups that it seems necessary for the proper development of the tasks of the Network. These groups will be comprised by either of the members.

#### **IV. Judicial-electoral cooperation**

**Article twelve.** The members of the Global Network on Electoral Justice that have freely and voluntarily agreed to this Act commit themselves to actively participate in the Network within their own possibilities and cooperate, coordinate actions and collaborate in all the projects, analyses, studies, researchers, tasks and other efforts concerning the electoral jurisdiction.

#### **V. Miscellaneous provisions**

**Article thirteen.** The Global Network on Electoral Justice and its activities will be financed with the voluntary contributions, in-kind and financial, provided by the members of the Network for the implementation of its activities, projects and meetings.

## **VI. Underwriting and entry into force**

**Article fourteen.** The present Act will enter into force on the thirtieth day following its adoption by the first General Assembly of the original members of the Network. The will of the original members to comprise the Global Network on Electoral Justice will be expressed through the underwriting of this Act within the previously indicated period.

**Article fifteen.** Upon the recommendation of the Governing Council, the General Assembly will issue all other relevant regulations that are necessary for the proper functioning of the Network.

**Article sixteen.** The present Act can only be modified upon the vote in favor by three quarters by the members of the General Assembly of the Global Network on Electoral Justice.

**Signed in the city of San Miguel de Allende, State of Guanajuato, Mexico, on the eleventh day of November of two thousand seventeen.**