



CONSTITUTIVE ACT

AMENDED IN THE THIRD PLENARY ASSEMBLY
ON 8 NOVEMBER 2019, IN LOS CABOS, MEXICO

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 principles established in the Code of Ethics promulgated by the members of the Preparatory Meeting held in May 2017 and the following pillars:

- **Supremacy of the constitution and the law.** Compliance with the judicial-electoral norms.
- **Legitimacy of the electoral jurisdiction.** Judicial electoral impartiality and independence, and respect for the judicial electoral decisions.
- **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 treatment 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 10th and 11th November 2017.

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, as laid out in article five bis. 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 must be confirmed by the vote of two thirds of the members of the Governing Council and a simple majority by the General Assembly, after receiving an application letter issued by the institutions that request to join the Network. The Technical Secretariat will oversee the centralization of these letters and will send an official notice via e-mail to the other members of the Governing Council.

Article five bis. The responsibilities of the members are:

- Participate in Plenary Assemblies at least once every two years.
- Participate in the Global Exchange Platform, with the minimum contribution of two judicial or academic documents per year, as well as participate in the Discussion Forums of said Platform.
- Ensure that the liaison maintains regular communication with the Technical Secretariat. In case the contact person changes, this must be notified to the Technical Secretariat.
- Disseminate the tasks of the Network within each of the institutions.
- Recognize that the opinions disseminated in the Plenary Assemblies are personal to those who attend and do not represent the position of the institutions.
- Appoint a maximum of two delegates who will attend the Plenary Assemblies, who will be appointed based on the principle of equal participation. The delegations can be



comprised of up to four people, including special interpreters, but only two places will be guaranteed in the Plenary Assembly.

Article six. Non-members.

Institutions interested in the protection of political-electoral rights and in the protection of the guarantees of legality and constitutionality of democracy, who have been contacted by the organizers of the Plenary Assemblies, due to their relevance to the objectives of the Network and electoral justice trends worldwide.

III. Observers

Institutions interested in the protection of political and electoral rights and in the protection of the guarantees of legality and constitutionality in a democracy that are not Network members but potentially seek to join, will be understood as observers of the Network. Their participation will be limited exclusively to Plenary Assemblies.

Observers may be suggested by the Advisory Council or at the proposal of the members through a petition letter addressed to said Council, which will approve the proposals by a two-thirds vote.

The participation expenses of the observers will be borne by the institutions that proposed them.

IV. Bodies

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

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



The Council will always be comprised of a Presidency, and four Vice-presidencies, who shall be elected in a nominative manner by the Advisory Council of the Network and the former Governing Council, and with each renewal of the Presidency, two Vice-presidencies shall be elected. The geographical representation shall be promoted through the Vice-presidencies.

The Electoral Tribunal of the Federal Judiciary of Mexico shall be a permanent honorary member of the Governing Council.

The Presidency, together with the Technical Secretariat, will organize the Plenary Assemblies of the Network and ensure the continuity of the previous activities of the Network. The Presidency will be granted to a national authority.

The Vice-presidencies will be in charge of coordinating and promoting the tasks of the Network in their respective region, as well as encouraging the participation of their region in the Network and on the Global Exchange Platform.

Article ten. The Scientific Committee facilitates, supports and strengthens the work of the Governing Council. It is comprised of up to ten experts, preferably on a parity basis. Its work consists of suggesting research topics and new working mechanisms, as well as elaborating documents and proposals related to Electoral Justice. It will be renewed every five years with the vote of two thirds of the Governing Council and its members can be re-elected. The members of the Scientific Committee will elect their Chair, who will guide their work.

Article eleven. The Advisory Council is comprised of the Scientific Committee, the Technical Secretariat and the founding international bodies, civil society organizations and centers of analysis and research of the Network: International Institute for Democracy and Electoral Assistance (International IDEA), International Foundation for Election Systems (IFES), the United Nations Development Programme (UNDP), Organization of American States (OAS), and the Venice Commission. Its members shall suggest topics and new working mechanisms, develop analytical documents and policy suggestions, among other inputs.

Moreover, this Council has the power to advise the Network on strategic sustainability issues, both in administrative, financial and substantive matters.

This Council will meet at least once a year to review the Network's annual agenda.



Article twelve. 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 it convenes.

The Electoral Tribunal of the Judiciary of the Federation will be in charge of the Technical Secretariat. It will guarantee a mechanism of coordination, information and management of the Network, that favors the members of the Governing Council.

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 that make up the Council.

Likewise, it will oversee the social communication strategy for the dissemination of the Network and its activities, in coordination with the Presidency.

Article thirteen. 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 may be comprised by either of the members.

V. Judicial-electoral cooperation

Article fourteen. The Global Exchange Platform is a technological tool that allows the exchange and discussion of judicial and legal documents and academic studies in the field of Electoral Justice. It facilitates the participation and digital and transnational dialogue among all members, and is available in the three working languages, Spanish, French and English.

The management and development of the Platform will be the responsibility of the Technical Secretariat, who will coordinate the contributions of the members and ensure the corresponding translation of the documents. It will also be in charge of opening access accounts for new members of the Network.

Article fifteen. 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. The recommendations and products developed by the Network will be non-binding for its members.



VI. Miscellaneous provisions

Article sixteen. 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.

Article seventeen. The official languages of the Network are Spanish, English and French.

Article eighteen. Members who wish to cancel their membership must send a letter to the Governing Council and the Technical Secretariat six months before the next Plenary Assembly.

VII. Underwriting and entry into force

Article nineteen. 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 constitute the Global Network on Electoral Justice will be expressed through the underwriting of this Act within the previously indicated period.

Article twenty. 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 twenty-one. The present Act can only be modified upon the vote in favor by two thirds of the members of the General Assembly of the Global Network on Electoral Justice.

Approved in Los Cabos, Baja California Sur, Mexico, on the eighth day of the month of November of two thousand nineteen.