**THE STATUTE**

**OF THE EURASIAN ASSOCIATION OF**

**CONSTITUTIONAL REVIEW BODIES**

**Preamble**

We, the undersigned members of the Eurasian Association of Constitutional Review Bodies,

Considering the Joint Communiqué adopted on 24 October, 1997,

Realizing the important role and significance of constitutional review in the strengthening of the rule of law and development of democratic processes,

Convinced of the need for close co-operation between constitutional courts and equivalent institutions, as well as the maintenance of regular contacts between them,

Summarizing the long-term experience of the association and emphasizing its enormous potential for further development, we accept this Statute.

**Section I. General Provisions**

**Article 1. Name, status and symbols of the Association**

1. The name of the association shall be “Eurasian Association of Constitutional Review Bodies” (hereinafter referred to as the “Association”).

2. The Association is a regional organization and operates as an autonomous, independent and non-politicized body. It shall not produce any legally binding effects outside the Association.

3. The Association has a flag, emblem and publication approved by the Committee of Members.

**Article 2. Objectives and principles**

1. The objectives of the Association shall be:

a) promotion of universally recognized constitutional values;

b) creation of conditions for continuous dialogue and exchange of experience between members on the constitutional review;

c) assistance in the implementation of guarantees of independence of the members of the Association.

2. To achieve the objectives specified in paragraph 1 of this article, the Association and its members shall be guided by the following principles:

a) equality of all its full members;

b) cooperation with each other;

c) respect for the rights and legitimate interests of members;

d) non-interference in the internal affairs of members;

e) fulfilling the obligations assumed in good faith.

**Article 3. Forms of work**

In order to achieve the stated objectives, the Association carries out its activities in the following forms:

a) holding meetings;

b) organization of congresses, conferences, symposia, seminars and other forums on topical issues of constitutional and legal development;

c) exchange of experience in constitutional case law and information on working methods in the examination of cases;

d) maintaining regular contacts among the participants and developing cooperation with international organizations and other associations on constitutional review issues.

**Article 4. Working Languages**

The official working languages of the Association shall be Russian and English.

**Section II. Membership in the Association**

**Article 5. Membership**

1. Membership of the Association is open to the bodies of constitutional review of the Eurasian countries.

2. Members of the Association can be full or associated.

3. Full members of the Association may be constitutional courts and equivalent institutions that carry out their activities independently and in accordance with the principles of a democratic and legal state. They are endowed with the right to participate in all events and in solving all issues related to the activities of the Association.

4. Associate members, by invitation, participate in Congresses and other events and do not have the right to vote in solving statutory tasks.

5. Only one body from the state can receive the status of a full or associate member of the Association.

**Article 6. Admission to Membership**

1. A written application for admission to the Association as a member shall be addressed to the President of the Association.

2. The application shall be accompanied by the documents translated into one of the working languages of the Association:

a) regulating the legal status, competence, procedure for the formation and composition of the constitutional review body;

b) evidence of the exercise of constitutional jurisdiction (official texts of decisions);

c) confirming the acceptance of this Statute.

3. The President of the Association transmits the received documents to its members. The admission to membership shall be effected by a decision of the Committee of Members.

**Article 7. Loss of Membership**

1. A member of the Association has the right to withdraw from its membership at any time by sending a written notification addressed to the President of the Association.

2. A member of the Association may be expelled or his membership temporarily suspended for violation of this Statute.

3. The Chairman of the Association notifies all members of the suspension or termination of membership in the Association.

**Article 8. Observers and guests**

1. The status of an observer may be granted to constitutional courts and equivalent institutions that have expressed a desire to acquire such status.

2. Observers are allowed to:

a) by invitation to participate in the Congress and other events of the Association;

b) submit reports and presentations at the Congress.

3. A written application for an observer status of the Association shall be addressed to the President of the Association, who submits it for consideration by the Committee of Members.

4. The President of the Association transmits the received application to its members.

5. The admission to an observer status shall be effected by a decision of the Committee of Members.

6. The President of the Association has the right to invite guests to the Congress and other events of the Association.

**Section III. Organs of the Association**

**Article 9. Organs**

The organs of the Association shall be the Committee of Members and the Congress.

**Chapter I. Committee of Members**

**Article 10. Composition**

The Committee of Members shall be composed of the Presidents of the constitutional courts and equivalent institutions with full member status.

**Article 11. Competence of the Committee of Members**

The competence of the Committee of Members includes:

a) admission, suspension and expulsion of membership in the Association;

b) granting and termination of observer status;

c) fixing the dates, venues and adopting the theme of the Congress;

d) adoption of the Statute, introduction of amendments to it, as well as other internal legal and other acts;

e) adoption of the final document of the Congress;

f) approving financial contributions from participants and third parties;

g) dissolving the Association;

h) taking decisions on other issues not specified in this Statute.

**Article 12. Presidency** **of the Association**

1. The President of the Constitutional Court or equivalent institution in charge of organizing next Congress shall preside over the Committee of Members.

2. If the next President of the Association is not determined, the term of mandate of the current President of the Association, with his consent, may be extended by the decision of the Committee of Members.

**Article 13. Meetings**

1. The Committee of Members shall hold its meetings as necessary, but at least once in the period between the fixed dates of the Congresses.

2. The President of the Association shall send invitations to all members of the Association with the attachment of the draft agenda.

3. The meeting of the Committee of Members, as a rule, takes place at the seat of the President of the Association. On the proposal of the President, supported by a majority of the members of the Association, the meeting may be held elsewhere.

4. The meeting of the Committee of Members shall be empowered if attended by at least two thirds of the membership of the Association. Heads of constitutional review bodies - members of the Association at the meeting may be represented by their representatives.

5. Decisions of the Committee of Members are taken by a majority vote of the number of full members and are reflected in the minutes. Each full member shall have one vote.

6. Upon proposal of the President of the Association that is approved by majority of the members of Association, the meeting of the Committee of Members may be held in electronic format.

**Chapter II. Congress**

**Article 14. Composition**

Full members, associate members, observers and guests take part in the Congress. Associate members, observers and guests are not allowed to participate in voting and decision-making.

**Article 15. Procedure for holding the Congress**

1. The Association holds a Congress every three years.

2. The Congress comprises an opening and closing session as well as discussions.

3. The Committee of Members shall appoint a member of the Association who will chair it and be responsible for the organization and conduct of the next Congress.

4. Upon the proposal of the President of the Association that approved by majority of the members of the Association, the Congress may be held in electronic format.

**Article 16. Media and Publicity**

1. The media are invited to the opening of the Congress.

2. After the closing session, a press conference may be held by the President of the Association.

3. The Association may have its own Internet resource.

**Section IV. Ensuring the activities of the Association and final provisions**

**Article 17. Secretariat**

1. The activities of the Association are provided by the Secretariat (Office) of the constitutional review body - host of the next Congress.

2. The President of the Association shall provide the overall direction of the activities of the Secretariat.

**Article 18. Financing**

1. A member of the Association – host of the next Congress has the right to fully or partially assume the costs of holding it.

2. Members of the Association may make financial contributions to the budget of the Association to reimburse the costs of organizing the Congress and other events.

3. Observers may contribute financially to cover part of the costs of organizing the Congress.

4. Acceptance of all types of financial contributions from third parties shall be pre-approved by the Committee of Members.

5. Members, observers and guests shall bear their own travel and accommodation expenses.

**Article 19. Liaison Officer**

Each member of the Association shall designate one officer as a Liaison Officer.

**Article 20. Final provisions**

1. This Statute shall be drawn up in Russian and English.

2. The Statute shall enter into force on the date of its adoption at the meeting of the Association.

Adopted in Nur-Sultan, Kazakhstan, on “26” August 2021