

CHAPTER
OF THE
ASSOCIATION OF JUDGES OF ARMENIA

1. General Provisions

1.1 “Judges Association of the Republic of Armenia”, hereinafter referred to as Associations, is a voluntary independent self-sustainable professional organization which unifies judges of Armenia, members of Constitutional Court of Armenia, and creates with the purpose of promotion of intellectual, spiritual, and other nonmaterial needs of its members, protections of lawful interests of members, as well as for ensuring the authority of courts.

1.2 The Association is not conducting a political activity.

1.3 The Association is acting on the basis of this Charter and in accordance with Armenian Constitution and Laws.

1.4 The Association shall enjoy a status legal entity from the moment of registration, it has a stamp, bank account, and symbol.

1.5 The title of the Association is:

In Armenia «Հայաստանի Հանրապետության Դատավորների Միություն»

In Russian “Союз судей Республики Армения”

In English “Association of Judges of Armenia”

1.6 The Association is acting on the whole territory of Armenia.

1.7 Legal address of the Association is: 6 Khorhrdain street Yerevan, Armenia

2. Goals of the Association, Rights and Obligations

2.1 Main goals of Association are:

promotion of the formation and strengthening of sovereign, democratic, social, rule of law state in Armenia,

assistance to the process of judicial reform, creation of democratic legal system, and further development of judicial system,

participation in drafting of laws and other legal acts related to judiciary, discussions and expressing the positions of judges with regard to these drafts,

protection of judicial independence, assistance to strengthening of immunity and security of judges, as well as to increasing the authority of judiciary,

- promotion of persons with high professional and moral qualities appointment of judges,
- participation in the development of professional knowledge and training of judges and candidates for judges,
- protection of rights and lawful interests of the Association members,
- promotion of guaranties for protection of Constitutional rights and freedoms of citizens,
- creation of necessary conditions for meetings, exchange of professional experience for the Association members, and organization of rest for them,
- cooperation with foreign and international judges, associations, maintaining of independent foreign activities in accordance with the goals of this Charter,
- publication of a newsletter and legal literature,
- upon necessity, provision of financial assistance to the Association members.

2.2 For realization of goals defined in this Charter the Association will have the right to:

- disseminate information its activities,
- found mass media,
- organize republican, regional, and international conferences, seminars, and other activities,
- establish a center for professional training of judges,
- have branch offices, clubs,
- represent and defend its rights and lawful interests, as well as those of its members, in other public organizations, in court, and state and local self-government bodies,
- carry out other activities provided by this Charter and the Law on Public Organizations of Armenia.

2.3 The Association has no authority to interfere with the professional activities of judges.

2.4 The Association is obliged to fulfill all obligations of public organization provided by the legislation of Armenia.

3. Liability of the Association

3.1 The Association is liable for its obligations with all its property, in the manner presented by legislation.

3.2 The Association is not liable for the obligations of the state, and accordingly the state is not liable for the obligations of the Association.

3.3 The Association is not liable for its member's obligations, and the latter is not liable for the obligations of the Association.

3.4 The demands caused to the Association as a result of non-proper actions of state and other bodies or their officials, or as a result of violations of rights of Association, is subject to compensation by these bodies, in the way prescribed by legislation.

4. Membership in the Association.

Procedure of Acquiring Membership and Withdrawing from the Membership in the Association

4.1 Every judge or member of Constitutional Court of Armenia that accept the Association Charter, is willing to participate in the activities of Association, and pays a joining fee may become a member of the Association.

4.2 For joining the membership of Association it is necessary to submit a written application to the Council of Association and to pay joining fee.

4.3 The amount of monthly membership fee shall be established by General Meeting of the Association. The membership fee may be paid in a lump sum for three, six, or twelve months.

4.4 Membership in Association is terminated:

- on the basis of member's letter on withdrawing from Association,
- upon termination of powers of judge,

Membership in Association may be preserved after retirement of the judge, and in such case the amount of membership fee shall be reduced by fifty per cent.

4.7 After termination of membership in Association the membership fee is not returned back.

5. Rights and Obligations of the Association Members

5.1 The Association member has the right to:

- elect and be elected in the governing bodies of Association,
- participate in the work of the Association Council with deliberative vote,
- request protection of his/her rights and lawful interests,
- submit letters and suggestions to the governing bodies of the Association with the purpose of improving the activities of Association,
- freely withdraw the Association at any time, submitting a letter to the Council,
- participate in all activities organized by the Association.

5.2 The Association member obliged to:

- abide by the Association Charter, fulfill decisions of governing bodies of Association, and personal assignments,
- keep high the authority and honor of the judge,
- contribute to the increase of the authority of Association,
- protect rights and lawful interests of the Association members,
- participate in the activities of Association,
- pay the membership fee in time.

6. Management of the Association

6.1 The highest body of Association is General Meeting of members that is convened at least on time per year by the Association president.

Shall there arise a need for that a special General Meeting may be convened. The special meeting may be convened by the Association president, the Council, the Auditing Committee, as well as by one third of the Association members.

The Association members shall be informed about General Meeting as well as about issues to be discussed during the meeting at least one month before the date of the meeting.

6.2 Governing bodies of the Association are:

- the Association Council,
- the Association Auditing Committee,
- the Association president and vice-presidents.

6.3 Auditing Committee is the controlling body of Association.

6.4 Persons elected in the governing bodies of Association are not paid and carry out their duties on a pro bono basis.

6.5 The Association General Meeting:

- adopts the Association Charter and makes amendments and changes to it,
- elects the Association president, Council, and Auditing Committee,
- approves the Association symbol,
- defines the amount of joining fee and membership fee, and the payment or levy procedure,
- terminates the authority of the Association president, Council, and Auditing Committee,
- liquidates or reorganize the Association,
- approves the Association Rules of Conduct,
- considers reports of the Association president, Council, and Auditing Committee, regarding financial and other activities,
- may also discuss other issues relating the activity of Association,
- signs decisions of the Association General Meeting and the Council,
- represents the Association in external relations,
- on behalf of the Association maintains links with other organizations and citizens,
- carries out other activities provided by this Charter.
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6.6 General Meeting is competent if half of the Association members are present. Decisions on adoption and amendments of Charter as well as on liquidation and reorganization of Association shall be passed by the majority of two third members votes, and decisions on other issues shall be passed by simple majority of members votes.

6.7 The Association Council is elected by the General Meeting for the term of 3 years, and is composed of 11 members.

The Council organizes its work through sessions that are convened once in two months. A special session of the Council may be convened by the request of one third of the Council members, or the Association president, or one of the Association members.

6.8 The Association Council:

- approves the report to the General Meeting,
- oversees implementation of requirements of the Association Charter,
- submits suggestions to the General Meeting regarding questions that are within the competence of the General Meeting,
- admits into membership and terminates the membership,
- at the proposal of the Association president elects two vice-presidents of Association from among the members of the Council,

- elaborates Rules of Conduct of Association, and submits it for approval to the General Meeting,
- makes suggestions on bringing changes and amendments in laws and other legal acts,
- considers letters and suggestions of the members, adopts decisions regarding protection of rights and lawful interests of the Association members,
- organizes working groups for implementation of goals provided by the Charter,
- prepares agenda for the General Meetings,
- establishes financial expenditures of the Association.
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6.9 Sessions of the Council are competent if more than half of the Council members are present. Decisions of the Council shall be passed by the simple majority of votes.

6.10 The president of Association is elected by the General Meeting for the term of 3 years.

The Association president shall act also as the Chairman of the Council.

6.11 The president of Association:

- organizes the activity of Association and leads the work of the Council.
- carries allocation of works between him and vice-presidents,
- convenes General Meetings, and sessions of the Council,
- coordinates the activity of vice-presidents, the Council, the Executive Director,
- defines the remuneration for hired employees of the Council and submit it for the Council's approval,
- appoints and dismisses staff employees of the executive body of Association,
- signs decisions of the Association General Meeting and the Council,
- represents the Association in external relations,
- on behalf of the Association maintains links with other organizations, citizens,
- carries out other activities provided by this Charter.

6.12 During absence of the president his rights and obligations are carried out by the vice-presidents, as assigned by the Association president.

6.13 Vice-presidents are elected by the Association Council for the period of 3 years, by the simple majority of votes.

6.14 Vice-presidents supervise works in the field assigned by the Association President.

6.15 Executive activities of the Association are supervised by the Executive Director who is suggested by the Association president and appointed by the Council.

The Executive Director shall, within the scope of authorities vested in his position and without a special letter of attorney, shall represent the interests of Association, manage the property of Association, including financial resources, sign agreements, including labor agreements, serve as employer for the hired staff of the Association, issue letters of attorney, open bank accounts, issue orders, give mandatory instructions to the hired staff of the Association.

6.16 The Auditing Committee of the Association is elected by General Meeting for the term of 3 years and shall be composed of 5 members. Members of the Council as well as the Association president and vice-presidents may not be elected to the Auditing Committee.

The Committee shall elect a Chairman from amongst its members.

The Committee shall carry out its activities through sessions that are convened two times per year. Special sessions of the Committee may be convened by the request of the president of Association or one third of the Committee members.

6.17 The Auditing Committee:

- oversees (controls) financial and economic (administrative) activity of Association, and reports about that to the General Meeting,
- oversees (controls) the implementation of decisions of Association, checks the documentation and balance of the Association,
- ensures implementations of the requirements of the Charter in the process of decision making by General Meeting and during elections.

6.18 The Auditing Committee may discuss questions and adopt decisions if more than half of its members are present. Decisions of the Committee are passed by a simple majority of votes.

6.19 The Auditing Committee may require any information and reports from the president of Association, Executive Director, and other officers.

6.20 The Auditing Committee is obliged to report to the General Meeting about its activities, financial situation of the Association, expenditures and incomes, balance of the Association, safe keeping of the Association property and other issues.

6.21 Chairman of the Auditing Committee organizes and supervises the activity of Committee, signs decisions of Committee, participates to the meetings of the Association.

7. Property of Association.

Acquisitions Sources for this Property, and the Management Procedure

7.1 The Association has its own property. The Association's property is its goods and assets. The Association may have a property assets and financial means not prohibited by law.

7.2 Association's financial means derive from joining fee, membership fees and other sources not prohibited by law.

7.3 Assets of the Association may be used exclusively for realization of goals and purposes provided by this Charter.

7.4 Administrative expenses of the Association may not exceed 60 per cent of total expenses.

8. Liquidation of Association

8.1 The Association may be liquidated by decision of its General Meeting or by a court decision. After adoption of a liquidation decision the Association must within 5 days period notify in writing the Ministry of Justice.

8.2 In case of liquidation General Meeting shall create a liquidation commission and shall set up the procedure and terms for the liquidation.

The liquidation shall be carried out in the manner prescribed by law. Liquidation commission makes all mandatory payments, and the rest of the property is realized on the basis of decision of General Meeting.