

## **Justice Network for Prisoners' Bylaws**

### **First chapter**

#### Definitions

##### *Article 1:*

##### **Mission:**

For improving the situation of detainees and prisoners and to provide legal protection and rehabilitation for them in future; it was the establishment of the Justice Network for Prisoners

##### *Article 2:*

The following terms would be considered as:

Network: Justice Network for Prisoners

Board: The directory board which is defined in this bylaw

President: The president of the directory board

Vice president: The vice president of the directory board

Treasurer: Treasurer of the network

Articles: The bylaws

Member: member in the general assembly

##### *Article 3:*

1. The network is established according to this bylaw. It is called Justice Network for Prisoners. It combines, voluntary, of non-governmental, non-profit and independent organizations, which work in the field of human rights and monitoring prisoners and detainees' rights in Iraq, with a reference to the international and national standards

2. The network is based in Baghdad; it has the right to have branches in the rest of the Iraqi governorates

### **Second Chapter**

## Objectives

### *Article 4:*

1. To promote awareness about detainees and prisoners' rights
2. To monitor and document violations at detention centers and prisons
3. To afford legal assistance to detainees and prisoners
4. To improve the conditions of detainees, prisoners and achieve justice in prisons
5. To rehabilitate and educate prisoners and prison's staffs
6. To propose amendments to the Iraqi regulations with accordance to international standards of treating prisoners
7. To monitor the implementation of national and international standards of women and juveniles' treatment at detentions and prisons

### *Article 5:*

The network is trying to achieve its desired goals through all possible means, particularly through:

1. Cooperation and coordination with the bodies which are relevant to the network's objectives (the Iraqi parliament, Ministries, and any other relevant association which is official or unofficial but recognized in Iraq).
2. Cooperation and coordination with the available means of media to promote the objectives of the network
3. Cooperation and coordination with the local and international organizations and networks which share similar goals
4. Organize training workshops to identify the network's objectives and the approaches of achieving them
5. Conduct researches and analyses to develop the network (database creation)
6. Create and develop a website to promote awareness about prisoners' rights and the network's activities
7. Establish a legal aid centre
8. Establish medical and psychological consultation centers
9. Disseminate periodic reports about prisons and detentions' situation
10. To benefit from the local and international experiences in terms of prisons' reforms
11. To receive complains from the Iraqi residents in Iraq about incidents of violations of detainees and prisoners' rights, the network to do the suitable actions in addressing the relevant governmental bodies and present the needed advice.

## **Third Chapter** Membership

### *Article 6:*

The member is the recognized person from a non-governmental organization which is active in the field of prisoners and detainees rights, and human rights in general.

*Article 7:*

The network is established from members of non-governmental organizations, and should meet the following criteria:

1. Officially registered according to the Iraqi law which regulates the affairs of non-governmental organizations
2. Approval of the Articles of the Associations of the network, in a written document
3. Adherence with the network's objectives and goals, and its bylaws
4. Neutrality and independence
5. Paying the membership fees of 100 thousand Iraqi dinars per annum

*Article 8:*

Decision made by the directory board of the membership loss, after 60 days of notice to correct a certain situation, in cases of:

1. A written withdrawal from the network
2. Missing of one of the membership requirements according to these bylaws
3. Preaching one the network's bylaws
4. Didn't pay the subscription fees for two continuous years, without a convenient reason

*Article 9:*

1. The organization which lost its membership due to a preach in the network's bylaws has the right to complain against this decision before of the general assembly, in a regular meeting, the decision of the general assembly is conclusive
2. The organization which lost its membership has the right to apply for a new one after the passage of one year of loss according to these bylaws
3. In case of losing membership according to Article 8, paragraph 4, the organization can apply for a new membership once it pays its overdue fees

## **Fourth Chapter**

### **General Assembly**

*Article 10:*

The General Assembly consists of all working members in the network. It is considered as the highest authority in the network

*Article 11:*

1. The general assembly holds its ordinary (regular) meeting with a reference to the call of the directory board
2. The head of the directory board sends the members the invitation, the agenda of the meeting, and the location in advance of not less than one month

*Article 12:*

1. The meeting of the general assembly is legal in case of attendance of more than half of the members (50% +1)
2. In case of not reaching the quorum then the meeting will be postponed 3 days, then the meeting will be held according to the present attendees to consider the quorum is complete.
3. The decisions to be made according to the simple majority of the attendees

*Article 13:*

1. The general assembly holds a non-regular meeting responding to two third of the directory board, or to a written request from 20% of the general assembly members to be submitted to the board clarifying the meeting's agenda
2. The board, in its first meeting, has to call the general assembly to the meeting in advance of a maximum period of two weeks, the agenda of the meeting will be in accordance to the submitted request

*Article 14:*

Decisions to be made by the general assembly according to the absolute majority of the attendees except in the cases which are mentioned in these articles

*Article 15:*

The general assembly meetings are chaired by the board's director or his/her deputy, in case of his/her absence. In case of both are absent then the eldest member chairs

*Article 16:*

The general assembly discusses in its annual meetings the followings:

1. The annual report submitted by the board
2. The proposed budget for the next financial year
3. Election of the directory board according to these articles
4. Deciding the network general policy
5. Monitoring programs' implementations conducted by the network
6. Discussing the annual budget and certifying it by the simple majority (50% +1 of the attendees)
7. Resigning the directory board with accordance to two third of the attending members
8. Amending the Network's Bylaws with accordance to Article 41
9. Resolving the network with reference to two third of the attending members

*Article 17:*

All general assembly decisions to be documented in the meetings' record and signed by the President and the Directory Board The record should include the names of the General Assembly attendees, the decisions made and the number of votes

*Article 18:*

A member does not have the right to vote if the proposed topic was associated with an agreement with this member, or claiming financial dues, or finalizing a complains between him/her and the network, or if he/she had a personal interest in the proposed issue, except the elections of the board membership

*Article 19:*

It is not allowed to combine between the board membership and a paid job with the network

*Article 20:*

- 1- The General Assembly has the authority of restructuring the coordination groups and expanding them with accordance to these Articles
- 2- The General Assembly impeaches the directory board in case if the latter didn't commit to its periodic meeting within three months.

## **Fifth Chapter**

### Directory Board

*Article 21:*

1. The directory board consists of seven members for a term of two years with possibility of renewing through elections for one additional term, representing seven coordination groups, with accordance to the considered divisions
2. The member organizations of the coordination groups elect its representatives to join the network directory board, the elected members' position should be approved by the General Assembly at least of two third of the attendees
3. In case of absence or inability to participate or loss of the membership of any candidate, he/she should be replaced by another elected person from the same group, elected by the majority of the same group.

*Article 22:*

The board holds its first meeting within a week from the date of election to redefine the positions of the members: which are the president, vice president and the treasurer

*Article 23:*

In case of impossibility of electing a new board after the passage of two years, the old board proceeds in performance until electing a new one, of no more than three months, under the condition that the board is not the reason of the elections' delay

*Article 24:*

1. The board holds a regular meeting every three months. It can be postponed ten days in case of impossibility to hold the meeting
2. The board members should receive a written invitation to attend the meeting
3. The meetings is considered of the attendance of the absolute majority of its members, under the condition of the presence of the president or his/her deputy

4. The decisions to be made according to the absolute majority of the attendees, in case of equal votes, then the vote of the president will finalize the issue

*Article 25:*

The board establishes the committees which might be necessary to achieve the network's desired goals. The board produces the needed regulations to facilitate the network's activities

*Article 26:*

If a member was absent in three progressive meetings without presenting a reasonable justification to the board, he/she loses the board membership

*Article 27:*

1. If the position of the president was vacant, then the vice president acts the presidents' role to facilitate the network's activities if the remaining period of the term is less than six months, otherwise election should be hold for a new president and vice president for the board.
2. If thee members' positions were vacant, the board will be considered as a resigned one, the president will call the coordination groups to elect new board, with reference to Article 42 of these bylaws

*Article 28:*

The directory board activities:

1. Planning the activities of the network
2. Proposing the general budget of the network
3. Nominate an executive manager to the network and assign him/her of certain authorities which are approved by two third of the General Assembly

*Article 29:*

The president of the directory board will fulfill the following:

1. Chairing the general assembly and directory board meetings
2. Signing financial treaties along with the signatures of the executive manager and the treasurer
3. Any duty assigned by the board which does not conflict with these articles
4. The president has to nominate who is suitable to represent him/her from the board for one issue or more
5. The vice president takes care of the president's duties in case of absence or any other duty that he/she's assigned to

*Article 30:*

Duties of executive manager:

The directory board authorizes the executive manager the following:

1. Represent the network before of official and unofficial bodies
2. Negotiate and coordinate with donors and propose projects according to the network's objectives which are stated in these articles

3. Withdraw cash from the network accounts, compiling with the signed documents by him/her, the president or who represents him/her and the treasurer
4. Contracting with whom he/she thinks is suitable to do necessary jobs for the network's administration
5. Attend the meetings of the directory board and the general assembly, report the projects' progress reports, answer all inquiries could be made by the board and the assembly on this concern

*Article 31:*

The duties of the treasurer:

1. Document the financial records of the network and organize them
2. Sign the cash documents of deposited/withdrawn cash and all money transfers of the network, along with the signatures of the president and the executive manager
3. Draft the budget and present it to the board and the general assembly
4. Draft the balance and present it to the board and the general assembly
5. Receive the cash flow and deposit at the official considered bank
6. Present the financial report to the general assembly

## **Sixth Chapter**

### **Financial issues**

*Article 32:*

The financial year of the network starts in the 1<sup>st</sup> of January of each year and finished in the 1<sup>st</sup> of December of the same year

*Article 33:*

All of the network's income to be deposited at one of the banks, it is not allowed to withdraw any sum without official signatures of the president, the executive manager and the treasurer, altogether

*Article 34:*

The network has to follow its financial records to regulate its financial issues; the board is not allowed to spend the network money unless the spending is meeting its objectives

*Article 35:*

All accounts should be audited annually by an official registered audit approved by the general assembly according to the suggestion of the directory board

*Article 36:*

None of the members, whose membership is ended or broken for any reason, can be compensated for any sum he/she made for the network

## **Seventh chapter**

### **Amendment and resolve**

#### *Article 37:*

It is not allowed to amend any article of these bylaws unless 'two third' of the general assembly were present in the annual regular meeting, with accordance to these bylaws

#### *Article 38:*

It is possible to resolve the board or resign one of the board members according to a decision made by 'two third' of the general assembly, who are attending a regular or non-regular meeting, with accordance to these bylaws

#### *Article 39:*

The network cannot be resolved unless there is a decision made by 'two third' of the general assembly members, who are attending the regular or non-regular meeting, which is held for this purpose. The request should be written and signed by at least half of the members, who paid their membership fees and present the reasons. The board should announce about and invite to this meeting one month prior to the general assembly meeting

#### *Article 40:*

All financial balance of the network will be transferred, in case of resolution decision, to the body which is assigned by 'two third' of the general assembly within its meeting. The decision to be made by the majority which meets the objectives of the network, in all cases the cash should not be transferred out of Iraq

#### *Article 41:*

Those who established the network are the first general assembly and enjoy the authorities that these articles present; they should elect the directory board in their first meeting, once they approved these bylaws.

## **Eighth Chapter**

### **General regulations**

#### *Article 42:*

The network is sovereign and independent to the extend which enables it to achieve its goals that it is established to serve for, according to these articles and to the Iraqi active regulations

#### *Article 43:*

This network can not lose its legal entity once it is established except according to the regulations of these articles



*Article 44:*

The network does not adopt political or sectarian objectives; it doesn't believe of violence nor promote it

**Annex 1**

According to Article 37 which authorizes the General Assembly the right to amend in its meetings, and according to the request of two organizations; Al Mesalla for human resources –Baghdad and the Islamic organization for human rights –Mosul, accordingly, Paragraph 3 of Article 28 has been amended with a vote of the majority on the 10<sup>th</sup> of May 2007, on Thursday at 12:00 pm.