

EUROPEAN NETWORK OF ELECTION MONITORING ORGANIZATIONS ENEMO

Asserting free and fair elections as the main foundation for democratic representation of citizens,

Aware that a democratic political system is the only way for building a fair and free society,

Convinced in the constant need to protect and develop democracy,

Promoting the concept of gender, ethnic, national and religious equality and inclusion of people with special needs,

Aiming to engage citizens in exercising their democratic rights and serving as a resource in educating them on basic democratic procedures,

Recognizing the need for cooperation between civil society organizations and public authorities,

Recognizing the value and importance of international and cross border cooperation,

Considering benefits of cooperation and experience sharing among different election monitoring organizations,

Election monitoring organizations that met on 29th of September 2001 in Opatija, Croatia agreed and signed the ENEMO Constitutional Protocol.

The General Assembly of ENEMO on its session held within the period 18-21 February 2015, has adopted the consolidated text of the

CONSTITUTIONAL PROTOCOL OF EUROPEAN NETWORK OF ELECTION MONITORING ORGANIZATIONS

Article 1 DEFINITIONS

- (1) **ENEMO** means European Network of Election Monitoring Organizations
- (2) **ENEMO Constitutional Protocol** is a policy oriented documented agreement
- (3) **ENEMO's members** are signers of the Constitutional Protocol

Article 2 MISSION AND AIMS

(1) European Network of Elections Monitoring Organizations (ENEMO) is regional organization composed of leading non-profit, non-partisan and non-governmental organizations that works independently or with its member organizations in societies with democracies in transition and other non-democratic forms of governing towards improvement of electoral processes, greater transparency of the governments and their accountability to the citizens and respect of basic human rights and freedoms.

(2) ENEMO strives for promotion of civic organizations' involvement in election monitoring:

(3) In order to achieve its mission ENEMO is:

1. Promoting the standards of the network regarding election monitoring
2. Supporting international and exchange projects among ENEMO members
3. Developing information resources of electoral legislation and systems
4. Providing international support to Members
5. Supporting communication and information exchange between Members
6. Providing support to new election monitoring initiatives
7. Building relations with other international bodies active in election related matters
8. Promoting election monitoring as effective way to engage, educate and empower citizens

Article 3 WORKING PRINCIPLES

ENEMO operates upon the following principles:

- Avoiding conflict of interests;
- Transparency;
- Equality of its Members, according to their respective membership status.
- Adherence to the Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations and international election monitoring standards.

Article 4 MEMBERSHIP AND TYPES OF MEMBERSHIP

(1) An organization is eligible to be an ENEMO member should it meets the following basic criteria:

- The organization is non-governmental;
- The organization is non-profit;
- The organization is non-partisan.
- The organization is registered or de-facto operating in its own country, is active, functional and transparent and accountable to ENEMO regarding the criteria mentioned in this article.

(2) ENEMO recognizes 3 types of membership: full membership, consultative membership and associate membership.

(3) In order to apply, new members have to have at least three recommendations from ENEMO full members. When a new organization joins the Network, it receives the status of an associate member, or the status of a consultative member, depending on its projects and activities.

(4) An associate member may apply for full membership after two years since it has joined the Network. The decision for granting full membership status is made by the General Assembly with 2/3 majority of the total number of full members.

(5) A consultative member can become an associate member in case it starts election-related activities after becoming consultative member of ENEMO while preserving other criteria for associate membership. The change of membership type is to be supported by the 2/3 majority of the total number of full members.

(6) New members are to be accepted by the General Assembly with 2/3 majority of the total number of full members.

(7) Members can be excluded or suspended from ENEMO by the General Assembly with 2/3 majority of the total number of full members.

(8) Members shall be excluded from their membership in the network if they no longer fulfill the basic criteria for their membership, set in Paragraph 1 of this Article.

(9) Members shall be suspended from their membership in the network if they are not cooperative within the network and if they do not respect the Constitutional Protocol, as well as the ENEMO Policies and Procedures Handbook. The suspension shall be reviewed on the next General Assembly session. Should the organization still have not improved its conduct, it shall be excluded from ENEMO membership.

(10) A procedure for suspension of an ENEMO member may be initiated by at least one ENEMO full member in front of the Secretariat. The Secretariat, upon revision of the initiative and presented facts shall decide whether it shall propose suspension to the General Assembly.

(11) The members shall submit an annual report not later than the end of February for the previous year. The annual report will be the basis for determination of the membership status of the organizations by the Secretariat. The form of the report shall be determined by the Secretariat and can be a subject of change.

Article 5

FULL MEMBERS

Besides fulfilling the basic criteria set in Article 4, Paragraph 1, an organization is eligible to be an ENEMO full member should it meet the following additional criteria:

- The organization is an election monitoring organization;
- The organization has implemented at least one election-related project or activity during the past 4 years;
- The organization respects international standards set in the Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations;
- The organization has implemented at least one active project during the last calendar year, as proven by the submitted annual report;
- The organization pays membership fee, except when the Secretariat makes decision for exemption from paying membership fee, upon request from respective ENEMO full member.

Article 6

RIGHTS AND RESPONSIBILITIES OF FULL MEMBERS

ENEMO full members have the following rights and responsibilities:

- vote on the sessions of the General Assembly;
- nominate and elect members for the Secretariat and for the position of Secretary General;
- nominate candidates for all the positions within an election observation mission (EOM): members of the Core Team, LTOs and STOs;
- recommend candidates outside of the Network for the positions within the Core Team, apart from the positions of the Head of Mission and Deputy Head of Mission.
- nominate candidates for positions within non-election monitoring related projects.

Article 7

LOSING THE FULL MEMBER STATUS

- (1) The organization shall lose its full member status should the following conditions arise:
- The organization no longer fulfils all the criteria for full membership status set in Article 4, Paragraph 1, and in Article 5;
 - The organization does not pay membership fee within the prescribed deadline;
 - The organization does not attend 2 consecutive sessions of the Assembly.
 - The organization fails to communicate with ENEMO for duration of 1 year.

(2) Should one of the aforementioned conditions arise, the General Assembly shall decide to remove organization from full member status. The General Assembly should decide about the organization's new status on the same meeting. The new membership status can be reviewed on the next General Assembly session, upon request from the organization, and should the aforementioned conditions be no longer valid, the organization shall be reinstated as a full member, unless the organization is excluded.

Article 8

MEMBERSHIP FEE

- (1) ENEMO full members are obliged to pay annual membership fee.
- (2) The amount of the fee shall be set with a decision of the Assembly.

(3) The deadline for paying the membership fee shall be 30 June for the ongoing year.

Article 9 ASSOCIATE MEMBERS

Besides fulfilling the basic criteria set in Article 4, Paragraph 1, an organization is eligible to be an ENEMO associate member should it meet the following additional criteria:

- The organization has implemented at least one election-related project or activity during the past 4 years;
- The organization respects the international standards set in the Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations;

Article 10 RIGHTS AND RESPONSIBILITIES OF THE ASSOCIATE MEMBERS

ENEMO associate members have the following rights and responsibilities:

- Participate in the work of the General Assembly without the right to vote;
- Do not pay membership fee;
- Nominate STOs for EOMs. The number of STOs from the associate members cannot be higher than 30% of the average number of STOs allocated to full members.
- Nominate candidates for positions within non-election monitoring related projects.

Article 11 CONSULTATIVE MEMBERS

Besides fulfilling the basic criteria set in Article 4, Paragraph 1, an organization is eligible to be an ENEMO consultative member should it meet the following additional criterion:

- The organization conducts projects and activities in the areas of human rights, democratization and other related fields.

Article 12 RIGHTS AND RESPONSIBILITIES OF THE CONSULTATIVE MEMBERS

ENEMO consultative members have the following rights and responsibilities:

- Participate in the work of the General Assembly without the right to vote;
- Do not have the right to nominate and elect members for the Secretariat and for the position of Secretary General;
- Do not pay membership fee;
- Nominate candidates for positions within non-election monitoring related projects.

Article 13 ENEMO BODIES

(1) ENEMO has two governing bodies and one executive body: Assembly and Secretariat as governing bodies and Central Executive Office as an executive body.

(2) If necessary, the Assembly can create additional bodies such as boards, commissions, and clubs in order to facilitate ENEMO's functioning.

Article 14
ASSEMBLY

(1) ENEMO Assembly is composed of all ENEMO Members. Members are represented at the Assembly by their Liaison Officer.

(2) Assembly meets at least once a year.

(3) 2/3 of the full members have to be present for Assembly to take place. Associate and consultative members are not considered when calculating the quorum.

(4) Decisions are made by more than 50% of the present full members, but not less than 1/3 of the total number of full members.

(5) Amendments to the Constitutional Protocol are adopted with the vote of 2/3 of the full members. No amendment to the Constitutional Protocol shall be open for discussion until it has been seconded by a full member, but the proposer shall have the right to speak on the amendment in order to find a seconder.

(6) Assembly:

- accepts, excludes and suspends members;
- adopts and amends the Constitutional Protocol, the Rules of Procedure and program for work of ENEMO;
- sets goals and aims.
- elects and dismisses the Secretary General and the Secretariat members and directs the Secretariat's activities;
- votes upon documents and initiatives;
- adopts report about the work of ENEMO;
- conducts other activities.

(7) The work of the Assembly shall be regulated in more detail with the Rules of Procedure. The Rules of Procedure shall be adopted and amended by more than 50% of the full members.

Article 15
WORKING LANGUAGE

(1) Working language of the ENEMO bodies is English. All meetings, official communication and documentation of the ENEMO bodies will be in the English language.

(2) The working languages within an EOM shall be determined in accordance with the Type, Size and Composition of Election Missions Policy.

Article 16
SECRETARIAT

(1) The Secretariat shall be consisted of 5 full Member organizations (hereinafter Members). One of them shall be elected as Secretary General.

(2) The Secretariat members shall be elected through a secret vote by the Assembly, upon nominations by at least one member organization. A preferential voting for electing the

Secretariat members shall be used. The member organizations can vote for maximum 4 members on the ballot. The candidates with the highest number of votes shall be elected. If any number of mandates cannot be allocated due to equal number of votes, the tied candidates shall go to as many subsequent rounds as required in order to elect all 4 Secretariat members.

(3) The Secretariat is elected for a 2 year term. An organization cannot be elected to the Secretariat for more than 2 consecutive terms, except for the position of Secretary General for which an organization cannot be nominated for a second consecutive term.

(4) Each of the organizations, Members of the Secretariat, appoints one person to represent the organization in this body. The person appointed by the Secretary General bears the title Secretary.

(5) The Secretariat works on sessions which are held on a need basis.

(6) At least 3 members of the Secretariat members have to be present for the session of the Secretariat to take place.

(7) Decisions are made with at least 3 votes by the Secretariat members.

(8) The main tasks of the Secretariat are as follows:

- Establishes the Central Executive Office and supervises its activities and performance;
- Presents to the Assembly the plan for the upcoming year designed in joint effort with the CEO;
- Implements jointly with CEO the fundraising plan;
- Selects Core Team members within an EOM;
- Prepares and organizes the sessions of the Secretariat and the Assembly in cooperation with the CEO;
- maintains contact and communication with other international organizations, diplomatic representatives, international CSOs and governments in accordance with the Communications and Visibility Policy;
- reports at least on a monthly basis to the Network and submits annual report to the Assembly;
- conduct fundraising activities for the network;
- conducts other activities.

(9) The work of the Secretariat shall be regulated in more detail with the Rules of Procedure.

Article 17

SECRETARY GENERAL

(1) The Secretary General shall be elected through a secret vote by the Assembly, upon nominations by at least one member organization. Nominations by the member organizations should be submitted to the Network at least one week prior to the General Assembly session on which the elections will take place.

(2) Candidates for Secretary General have to present plan of actions for their term to the Assembly.

(3) The candidate who wins more than 50% of the votes by all ENEMO full members shall be elected as Secretary General.

(4) The previous Secretary General shall be included in the work of the Secretariat through an advisory system. The previous Secretary General shall provide advice to the current Secretary General for a period of 1 year. The previous Secretary General shall not be considered as a member of the Secretariat and shall not vote on the Secretariat decisions. In case of disagreement between the previous and the current Secretary General, both of them shall submit their proposals to the Secretariat, after which the Secretariat shall make the final decision on the matter.

(5) The Secretary General represents ENEMO and maintains contact and communication with other international organizations, diplomatic representatives, international CSOs and governments in accordance with the Communications and Visibility Policy.

(6) The Secretary General represents ENEMO at international events. In cases when the Secretary General is unable to attend, this task may be delegated to the Secretariat members or to the Executive Director of the CEO.

(7) The Secretary General signs the documents that are subject of an official correspondence, unless they are under the competence of the CEO, in which case they are signed by the Executive Director of the CEO.

Article 18 CENTRAL EXECUTIVE OFFICE (CEO)

(1) The Central Executive Office (CEO) is the responsible body for implementing all the acts and regulations adopted by the Secretariat and the Assembly.

(2) The CEO shall be located in accordance with a decision by the Secretariat, approved by more than 50% of the full members.

(3) The CEO is headed by an Executive Director and it employs staff depending on the current activities and available funds.

(4) The Executive Director shall be employed by the Secretariat in accordance with the Employment Policy. The other staff members shall be employed by the Executive Director, in accordance with the Employment Policy and the program approved by the Secretariat.

(5) The CEO and the Executive Director shall conduct their activities in accordance with the legislation in the country of operation.

(6) The work of the CEO in general and the Executive Director in particular is supervised by the Secretariat in accordance with the Monitoring and Evaluation Policy;

(7) Should any conditions restrict the functioning of the CEO arise, the Secretary General shall fulfill the responsibilities of the CEO until such conditions prevail.

Article 19 SCOPE OF WORK OF THE CENTRAL EXECUTIVE OFFICE

The Central Executive Office:

- Implements strategic plans (ENEMO strategic plan; PR plan; Fundraising Plan) adopted by the Secretariat and the Assembly;

- Conducts activities in accordance with the regulations adopted by the Secretariat and the Assembly;
- Prepares and administers projects and monitors their implementation;
- Prepares and administers EOMs;
- Disseminates information among ENEMO bodies and preserves internal communication between the CEO, the Secretary General, the Secretariat and the member organizations, in accordance with the Communication and Visibility Policy;
- Maintains contact and communication with other international organizations, diplomatic representatives, international CSOs and governments in accordance with the Communications and Visibility Policy.
- Gathers and maintains the (digital/electronic) archive of ENEMO operations/activities (institutional memory) in accordance with the Archiving Policy;
- Prepares and organizes the sessions of the Secretariat and the Assembly in cooperation with the Secretariat;
- Maintains ENEMO web pages and accounts on social media channels;
- Conducts other activities.

Article 20

RIGHTS AND RESPONSIBILITIES OF THE EXECUTIVE DIRECTOR

The Executive Director shall have the following duties and responsibilities:

- Responsible for the financial work of the CEO;
- Manages ENEMO funds and ensures that the projects' expenditures correspond with the planned budget and are accounted for, as prescribed by the legislation in the country of operation and donor requirements;
- Develops annual plan in a joint effort with the Secretariat which is approved by the Assembly;
- Reports on the work of the CEO to the Secretariat;
- Manages and coordinates day-to-day activities of the CEO;
- Supervises drafting of project proposals and monitors the implementation of the projects;
- Delegates duties and responsibilities to the CEO staff members and monitors and evaluates their work;
- Monitors administrative and technical issues;
- Maintains communication with relevant stakeholders;
- Fundraises with support and guidance from the Secretariat;
- Signs contracts with donors and other relevant financial documents;
- Submits monthly written reports to the Secretariat about the work of the CEO;
- Responsible for hiring staff for non-election monitoring related projects in accordance with the Employment Policy;
- Responsible for hiring staff for EOMs selected by the Secretariat in accordance with the Employment Policy and the Type, Size and Composition of Election Missions Policy;
- Conducts other activities.

Article 21

REGIONAL OFFICES

(1) The CEO shall have the right to establish regional offices based on the needs of the ongoing programs and the available funds.

(2) The regional offices shall operate under the supervision of the CEO, in accordance with the legislation in the country of operation, as well as in accordance with ENEMO regulations. The scope of the regional offices work and operation shall be determined by the CEO in accordance with the programing priorities.