



Rules of procedure

Conference of Constitutional Jurisdictions of Africa

Having regard to Article 23 of the Statute of the Conference, the Executive Bureau, meeting in Algiers (Algeria) on 28, 29 and 30 June 2011, adopts these Rules of Procedure.

TITLE I: PURPOSE

Rule 1 : The purpose of these Rules of Procedure is to clarify and supplement the provisions of the Statute.

TITLE II: HEADQUARTERS

Article 2 : The seat of the Conference of African Constitutional Jurisdictions is located in Algiers.

The country hosting the headquarters shall provide the Conference with the necessary means for its functioning.

The seat of the Conference houses the Permanent General Secretariat* and the administration of the Conference.

A headquarters agreement shall specify the modalities of application of this article.

TITLE III: QUALITY OF MEMBERSHIP

Article 3 : The constitutional judicial organs designate the Constitutional Councils and Courts, and the African Supreme Courts whose competence includes constitutional review.

The Constitutional Jurisdictions of the Member States of the African Union which accede to the Statute and assume their obligations shall be active members of the Assembly.

Article 4: Accession is made by a request addressed to the Permanent General Secretariat* which submits it to the General Assembly* at its next session.

Article 5: The active member has the right to vote.

Article 6: The active member may be provisionally suspended under the conditions provided for in Article 9 of the Statute.

The Bureau may suspend the member institution that has not paid its dues. The decision of the Bureau is presented to the next General Assembly for decision.

Article 7: The quality of membership is lost either by the withdrawal of the latter, or by the loss of any attribute of constitutional jurisdiction, or by exclusion decided by the General Assembly*.

Article 8: The Conference shall also include observer members and honorary members.

Observer members are constitutional courts whose States are not members of the African Union and those which expressly request observer status.

Honorary members are constitutional courts which do not fulfil the conditions for membership in the Conference, but to which the General Assembly* has conferred this title for service rendered.

Article 9: Observer and honorary members shall not have the right to vote or stand for election, and they shall not be required to pay any financial contributions. They may, however, make donations to the Conference.

TITLE IV: CONGRESS

Article 10: The Congress shall comprise the General Assembly and the Thematic Congress*.

The General Assembly* meets every two years in the country chosen by the previous General Assembly.

The Thematic Congress is held at the same time as the General Assembly.

Decisions of the General Assembly* shall be taken by consensus. In the absence of consensus, a vote shall be taken. Voting shall be by show of hands.

In the case of the appointment of members to various positions in the organs of the Conference, voting may be by secret ballot.

Only members who are up to date with their dues may participate in the General Assembly with voting rights.

Proxy voting is not permitted.

TITLE V: EXECUTIVE BUREAU

Article 11: When it is decided to hold an Extraordinary General Assembly*, the Executive Bureau sets the date and place within (02) months at most from the date of the decision. The convening and the agenda are sent to the member courts no later than one month before the extraordinary general meeting.

Article 12: Applications for the various positions of the Executive Bureau are proposed to the General Assembly by the sub-regions*.

Article 13: The Executive Bureau shall meet once a year in ordinary session upon convocation by its President in the country of the jurisdiction holding the Presidency of the Congress or in a member jurisdiction of the Bureau which so requests. It may meet in extraordinary session at the request of a majority of its members. In this case, the meeting may be hosted by any other member jurisdiction.

Rule 14: the presence of each member of the Bureau at meetings is compulsory, any member prevented from attending, may be represented by a member of his jurisdiction well acquainted with the files of the Conference.

TITLE VI: PERMANENT GENERAL SECRETARIAT*

Article 15: The Permanent General Secretariat* is the administrative organ of the Conference.

It comprises a Permanent Secretary General* and a Secretary General.

The Permanent Secretary General* animates and coordinates the activities of the administrative service.

Article 16: The Permanent Secretary General* shall exercise his functions on a full-time basis.

TITLE VII : FINANCIAL PROVISIONS

Article 17: The resources of the Conference shall be derived from:

- (a) the annual subsidy granted by the host country;
- (b) the annual contributions of the constitutional courts which are members of the Conference;
- (c) grants and contributions;
- (d) gifts and bequests.

The amount of the contribution is decided by the Executive Board. *

Article 18: The funds of the Conference shall be deposited in one or more bank accounts opened, in foreign and local currency, in the country of headquarters.

Article 19: The accounts shall operate under the double signature of the Permanent Secretary General * and the Treasurer. The President may delegate his signature to the Permanent Secretary General*.

Article 20: The annual budget closing account accompanied by the auditor's report is submitted to the General Assembly, by the treasurer, for discharge.

Article 21: When the Conference entrusts specific missions to its members, the expenses shall be borne from the budget of the Conference.

The travel and subsistence expenses of the Permanent Secretary General*, the Secretary General, and the Treasurer, on mission on the occasion of the holding of the Congress, the Symposia*, the sessions of the Bureau and other activities*, shall be borne by the budget of the Conference.

TITLE VIII: FINAL PROVISION

Rule 23: These Rules of Procedure shall be drawn up in four (4) originals, English, Arabic, French and Portuguese, all equally authentic.

Done at Algiers, 30 June 2011.

(Articles amended and approved by the 4th Congress of the CJCA held on 26 April 2017 in Cape Town, South Africa)*