

CHARTER OF THE GLOBAL JUDICIAL INSTITUTE FOR THE ENVIRONMENT

Preamble

Recognizing the compelling need for the elaboration, implementation, compliance and enforcement of effective laws in responding to environmental crises such as biodiversity loss and climate change and in restoring and maintaining the ecosystems that support the community of life on Earth,

The council of judges meeting at the Supreme Court of the State of Rio de Janeiro, in conjunction with the 1st UCN World Environmental Law Congress hereby set forth this Charter to found the Global Judicial Institute for the Environment

Article I Establishment

The Global Judicial Institute for the Environment is hereby founded, under the general terms provided by this Charter in Rio de Janeiro, Brazil, on April 29, 2016

Article II Mission

The mission of the Global Judicial Institute for the Environment is to support the role of courts and tribunals in applying and enforcing environmental law and in promoting the environmental rule of law and the fair distribution of environmental benefits and burdens

Article III Objectives

Consistent with its mission, the Institute established to promote and fulfill the following objectives:

- (a) Provide research, analysis and publications on environmental adjudication, environmental dispute resolution, court practices and procedures, court administration, legal claims and actions, judicial remedies and environmental justice, including access to environmental information, public participation in environmental decision making, and access to justice
- (b) Strengthen the capacity of judges in administration and resolution of cases and disputes related to the environment
- (c) Provide a forum for convening international, regional, national, and subnational judges, court officials, and judicial institutions, to create partnerships for collaboration and information exchange on environmental law issues and
- (d) Pursue such other objectives as consistent with the mission and with this Charter of the Institute.

Article IV Activities

The Institute will engage in facilitate activities to fulfill its mission and objectives, including, for example:

- (a) Developing carrying out, and facilitating programs and projects for judicial capacity building and education

- (b) Promoting platforms for mutual exchange and knowledge sharing among judges;
- (c) Providing reports, publications, case studies, and comparative analysis on judicial administration practices, remedies, and other key aspects of environmental adjudication;
- (d) Developing an interactive portal with resources such as a database of judicial decisions

courts, tribunals, and institutions of judges that include within their jurisdiction the consideration of environmental, land use, or natural resources issues.

- (b) The Bylaws shall provide for the process and criteria for receiving, reviewing, and approving institutional membership applications.
- (c) Membership will extend so long as the institution continues to operate and otherwise meets the requirements in this article, including the payment of any dues. An institution may resign its membership upon written notice to the Governing Council.

5.3 Individual Members

- 3) The Council shall prescribe, in the Bylaws processes for voting on decisions, including votes on important matters between meetings of the Council.
- (h) Governing Council members shall receive no remuneration for carrying out their duties on the Council. However, the Council may adopt policies for Council members to receive reimbursement for reasonable expenses incurred in fulfilling their duties, including travel expenses for attending meetings and other expenses as specifically authorized by the Council
- (i) Cessation of Membership on the Governing Council Governing Council members and Officers may be removed for good cause only upon a two-thirds majority vote of the Council for reasons and in a process as provided by the Bylaws. Prior to such a vote a Council Member shall be duly notified and shall have an opportunity to respond, pursuant to the process established in the Bylaws
- (j) Vacancy: The Governing Council shall provide in the Bylaws a process for filling any vacancy that should occur on the Council, due to termination of membership, resignation, or any other reason.

6.3 Officers

- (a) The Governing Council shall elect from among the Council Members the following officers:
- 1) A President;
 - 2) Two Vice Presidents;

- (b) The Governing Council shall designate a member to serve as Chair of each Committee established. Committees may, at the discretion of the Governing Council, invite other members or individuals to serve as advisors to the committees, on a nonvoting basis.

6.5 Geographic Regions

The Institute shall be organized by geographic or linguistic regions, as provided by the Bylaws.

Article VI Partnerships

The Institute may collaborate with international, regional, national, subnational governmental and nongovernmental organizations and legal professional bodies to establish initiatives and develop programs for work that further the mission and objectives of the Institute.

Article VIII Finances

8.1 Financial Management of the Institute

- (a) The Chief Financial Officer, under the direction of the President and the Council, shall exercise financial management authority for the Institute.
- (b) The Council shall set financial regulations for the Institute, including the establishment of a bank account, the formation of an annual or biennial budget, and other matters as needed. In doing so, the Council shall follow the highest standards of transparency and accounting practices.
- (c)

Article IX Secretariat

9.1 Role of Secretariat

- (a) The Institute shall have a Secretariat tasked with administering the day-to-day work of the Institute and carrying out the directions of the Governing Council
- (b) The Governing Council shall appoint an Executive Director to lead the work of the Secretariat, and may provide for the appointment of other positions within the Secretariat.

9.2 Secretariat Location

- (a) The Governing Council shall determine the location for the Secretariat. The immunities provided by the jurisdiction in which the Secretariat is located, and other considerations as deemed relevant for ensuring the functioning of the Institute.
- (b) Upon the formation of the Institute, the Interim Governing Council may choose a temporary location for the Secretariat until a long-term location can be found.

Article X Bylaws

The Governing Council shall prepare and adopt and may, from time to time, amend Bylaws for conducting the business of the Institute consistent with the provisions of this Charter.

Article XI Incorporation

The Global Judicial Institute for the Environment shall be incorporated pursuant to a decision of a transitory committee appointed following the adoption of this Charter.

Article XII Interpretation

Unless specifically provided otherwise, as used in this Charter:

- (a)
- (b)
- (c) Judicial Institute for the Environment;

- (d)
Article V.

Article XIII Interim Governing Council

Notwithstanding Article 6.1(c) and 6.2(d), an Interim Governing Council shall be elected to serve for a period of 2 years, at a meeting to be determined by the transitory committee described in Article XI, following initial approval of this Charter. The Interim Council may, by decision of said Council, continue serving for an additional 2 years until a Governing Council can be duly elected. The Interim Council shall exercise the authority and responsibilities provided for the Governing Council in this Charter.

Article XIV Amendments

The Governing Council may, by a two-thirds majority vote, propose amendments to this Charter. Amendments shall be adopted if approved by a simple majority of the General Assembly

Signed on 29 April 2016 in
Rio de Janeiro, Brazil