

STATUTE OF THE INTERNATIONAL RIGHTS OF NATURE TRIBUNAL (v. 2304)

Article 1. Establishment of the Tribunal

The International Rights of Nature Tribunal is formally established as of December 4, 2015.

The Tribunal is constituted as an international organization of a popular character, whose mandate and powers emanate from the peoples represented by the signatories of the present Convention.

The seat of the Tribunal is in the city of Quito, Ecuador.

Article 2. Purpose of the Tribunal

The Tribunal is established with the following purposes:

- a) To investigate, hear and decide cases involving alleged violations of the Universal Declaration of the Rights of Mother Earth, as well as co-violations of the human rights of defenders of the Earth.
- b) To develop Earth jurisprudence by drafting and disseminating judgments/advisory opinions interpreting the Declaration and its relationship to the human rights of Earth guardians, applying those rights and obligations to the specific facts of the cases presented.
- c) Promote universal acceptance among the peoples of the world of their duty to respect the inherent rights of all natural beings, as well as universal observance of the rights and duties contained in the Declaration.
- d) To demonstrate how the application of the rights and duties of the Declaration promotes harmonious coexistence between human beings and other beings in a manner that strengthens the integrity, health, and functioning of the entire Earth community.

Article 3. Assembly of Judges

The Assembly of Judges shall be composed of judges of the Tribunal who actively participate in the affairs of the Tribunal and shall be the supreme decision-making body of the Tribunal.

Membership in the Assembly shall be open to any person who has served as a judge on a panel of the Tribunal, and has been invited to join by the secretariat and/or the coordinator of the Assembly or invited by at least two judges and accepted at a meeting of the assembly of judges, by a simple majority.

The functions of the Assembly shall include:

- (a) Deciding whether a case shall be heard by a Tribunal: The decision as to whether a case shall be heard by the Tribunal shall be governed by the provisions of the Rules of Procedure.
- b) Establishing case-specific tribunals and appointing panels of judges: The establishment of case-specific tribunals and the appointment of the panel of judges for each case shall be governed by the provisions of the Rules of Procedure.

c) Provide support and strategic direction to the Tribunal: The Assembly of Judges shall provide strategic support and advice in relation to the work and activities of the Tribunal.

d) Contribute to the development of theoretical and academic frameworks on the Rights of Nature in collaboration with the Global Alliance for the Rights of Nature (GARN) by promoting research and dissemination of these issues internationally.

e) Organize field missions or send independent observers: The organization of field missions or the sending of independent observers shall be governed by the provisions of the Rules of Procedure.

f) Issue declarations, urgent actions or legal briefs (e.g. amicus curiae) in support of the rights of Nature and land defenders: The Assembly of Judges may issue declarations, urgent actions or legal submissions in support of initiatives seeking the recognition of the rights of Nature, consistent with the principles of the Convention and the objectives of the Tribunal.

g) Decide on the recognition or termination of regional or special purpose chambers, and provide them with support.

h) Hear appeals and issue advisory opinions to regional or special purpose chambers: The Assembly of Judges shall have the power to hear appeals and provide advisory opinions to regional or special purpose chambers recognized by the Tribunal, as provided in the Rules of Procedure.

i) Approve strategic alliances and forms of cooperation with related organizations;

j) Other functions provided for in the statutes.

The Assembly may establish an executive committee to enhance its capabilities. The Assembly shall elect a coordinator from among its members to convene meetings and facilitate the work of the Tribunal. The Assembly shall hold extraordinary meetings and two general assemblies per year.

Article 4. Creation of Regional or Special Purpose Chambers

The Assembly of Judges may approve the creation of regional or special purpose chambers, which shall operate as divisions of the International Rights of Nature Tribunal, to deal with cases in specific geographical areas or for specific purposes, for a specified time. Eventually the Assembly of Judges may consider the possibility of giving permanent status to such a tribunal.

A formal application for the recognition of a regional or special purpose chamber shall be submitted by a minimum of two members of the Assembly of Judges, with the support of two judges belonging to that region and with the support of local organizations and personalities. This request shall be submitted to the Secretariat of the Court and the Executive Committee for analysis and presentation to the Assembly of Judges, which shall decide on the matter.

Approval shall be subject to ratification by a two-thirds majority of the votes cast by the members present at one of the two annual meetings.

In case of urgency, the coordinator of the assembly may convene an extraordinary assembly to decide on the formation of a regional or special purpose chamber.

To avoid jurisdictional conflicts, the Assembly shall not approve more than one regional or special purpose chamber with jurisdiction over the same area or sub-region at the same time, nor more than one tribunal with the same specific purpose.

In approving the application, the Assembly may grant the regional or special purpose chamber the right to use the name, logo and human, technical resources and capabilities of the Tribunal, and impose reasonable conditions to prevent jurisdictional conflicts and maintain the integrity and professionalism of the Tribunal.

Article 5.- Withdrawal of recognition of regional or special purpose chambers

The Assembly of Judges may withdraw recognition of any regional or special purpose chamber. This decision must be approved by a two-thirds majority of the votes cast by the members present at the meeting.

The Secretariat of the Tribunal and the coordinator of the Assembly of Judges, in coordination with the Executive Committee, may propose, if there are good grounds, to the Assembly to withdraw the recognition granted to a regional or special purpose chamber.

In case of urgency, the coordinator of the Assembly may convene an extraordinary assembly to decide on the withdrawal of the recognition of a regional or special purpose chamber.

The assembly shall give the representatives of such chapters the opportunity to present their arguments before taking a decision.

The decision to withdraw recognition shall be duly justified and officially communicated to the parties involved.

Article 6. Proposal and Approval of Strategic Alliances

The General Secretariat and the Assembly of Judges shall have the power to formally propose strategic alliances and other forms of cooperation with related organizations, both nationally and internationally. Proposals for alliances shall be subject to evaluation and vote by the Assembly.

Strategic alliances shall be approved by a resolution adopted by a two-thirds majority of the members present at one of the two annual meetings of the Assembly of Judges. In case of necessity, it shall be proposed to the Assembly of Judges to approve the alliance proposal according to the silence-consent criterion, whereby the proposal shall be tacitly approved in the absence of any response to the contrary.

Article 7. Formalization and monitoring of strategic alliances

Alliances whose formalization is considered necessary for both parties, shall be formalized through the signing of agreements by the secretary and/or the Coordinator of the Assembly and the corresponding organization.

The alliances could be signed through agreements or memorandums of understanding by the Secretariat and/or the coordinator of the Tribunal.

The Secretariat of the Tribunal shall monitor the strategic alliances to ensure compliance and evaluate their impact on the work of the Tribunal.

Article 8. General Secretariat

The Tribunal shall have a Secretariat responsible for the administration and management of matters affecting the functioning of the Tribunal and/or participating in official delegations of the Tribunal. The General Secretariat is exercised by the Global Alliance for the Rights of Nature.

The Secretariat shall be headed by a Secretary General, who shall be responsible to the Assembly of Judges and shall be accountable to the Assembly of Judges for the performance of the administrative and operational functions of the Tribunal.

The Secretary General shall be appointed by the Assembly of Judges by resolution passed by simple majority.

The duties of the Secretariat shall be as follows:

- a) To raise the funds necessary for the financing of the activities of the Tribunal, including the Secretariat, the activities of the Tribunals and the Assembly of Judges.
- b) To assist in the coordination and organization of the meetings of the Assembly of Judges and of the regional or special purpose chambers, in accordance with the Rules of Procedure.
- c) Manage the communication and logistics of the activities of the Tribunal and its delegations.
- d) Represent the Tribunal institutionally in matters relating to its functioning with external actors.
- e) To review, in the first instance, whether the cases presented before the Tribunal comply with the minimum formal requirements for their subsequent resolution.

Article 9. Establishment of the Executive Committee

The Assembly of Judges may establish an Executive Committee for the purpose of enhancing its operational capabilities and facilitating the ongoing management of the Tribunal's activities.

The Executive Committee shall be a permanent body which shall meet regularly in accordance with the Statutes.

Article 10 . Composition of the Executive Committee

The Executive Committee shall be composed of a minimum of [3] and a maximum of [7] members of the Assembly of Judges, elected by the Assembly; the Secretary General; and the Coordinator of the Assembly, who shall chair it.

The members of the Executive Committee shall be elected for a period of [2/3] years, and may be re-elected by a simple majority of the members of the Assembly of Judges.

Nominations for such positions may be through self-nominations or the secretary may propose a candidate upon acceptance.

Article 11. Functions of the Executive Committee

The Executive Committee shall have the following functions:

- a) Manage the operational and administrative matters of the Tribunal between formal meetings of the Assembly of Judges.
- b) Propose items for the agenda of the meetings of the Assembly of Judges.
- c) To monitor the implementation of the decisions of the Assembly of Judges.
- d) To advise the Secretariat of the Tribunal in fundraising and resource management.
- e) To report to the Assembly of Judges on the activities of the Tribunal and the progress in the implementation of its decisions.
- f) To recommend candidates for the Legal Advisory Committee, in accordance with the provisions of Article 6 of the Convention.
- g) To act as an admissions chamber to determine whether a case will be heard and decided by the Tribunal.

Article 12. Procedures of the Executive Committee

The Executive Committee shall meet at least once a month and may convene extraordinary meetings proposed by the judges when necessary.

Decisions of the Executive Committee shall be made by a simple majority vote of its members present. The Committee shall report monthly through a report to the Assembly of Judges after each meeting.

Article 13. Coordinator of the Assembly of Judges

The Assembly of Judges shall elect from among its members a Coordinator, who shall be responsible for collaborating with the Secretariat of the Court to facilitate the work of the Assembly and the Court.

The Coordinator shall have the following responsibilities:

- (a) Represent the Assembly politically in its interactions with other stakeholders and key actors, as decided by the Assembly.
- b) Coordinate and chair the meetings of the Executive Committee and the Assembly of Judges in coordination with the Secretariat of the Tribunal.

c) Facilitate communication between the Secretariat, the Executive Committee and the Assembly of Judges.

d) Propose periodically the elaboration of policy documents or resolutions on specific topics.

The Coordinator shall be elected for a period of 3 years, with the possibility of re-election by a simple majority of the members of the Assembly of Judges.

Article 14. Legal Advisory Commission

The Legal Advisory Commission is a specialized body composed of earth prosecutors and lawyers, created to provide legal advice to the Tribunal on matters related to its competencies and objectives, as provided for in the Convention and in these Statutes.

The members of the Commission shall be proposed by the Secretary General of the Tribunal, in consultation with the Executive Committee for approval by the assembly of judges.

It shall be ensured that the members of the Commission have a geographical representation and gender balance.

Article 15. Functions of the Legal Advisory Committee

a) To provide legal advice to the Tribunal on the interpretation and application of the rights of nature and related human rights, as set forth in the Convention and in cases brought before the Tribunal.

b) Advise the Tribunal on procedural and substantive legal issues that arise during the processing of cases.

c) Support the development of Earth jurisprudence by drafting legal reports and proposals for the Tribunal.

d) Support in the drafting of documents required by a Tribunal within the hearing of a case, e.g. a judgment.

Article 16. Earth Prosecutor

The Executive Committee of the Assembly of Judges shall propose to the Assembly of Judges the appointment of an earth prosecutor, who may or may not be a member of the legal advisory committee, to represent nature and other victims of rights violations in each case brought before the Tribunal.

The prosecutor shall act as an advocate for nature in cases heard by the Tribunal, ensuring that the rights of nature and victims are adequately represented.

Article 17. Composition of the Hearing Panel of Judges

The Assembly of Judges shall appoint a panel composed of a minimum of three judges to hear each case it accepts for hearing. The decision of the appointed panel shall be considered the official decision of the Tribunal.

The judges appointed to the panel shall have relevant experience in the issues involved in the case as set forth in these Statutes and the Rules of Procedure.

One of the members of the panel shall be in charge of following up on the judgment rendered.

Article 18. President of the Panel of Judges

The Assembly of Judges shall appoint one of the judges of the panel as president.

The president of the panel shall be responsible for conducting the hearings and, if necessary, resolving procedural issues arising during the hearings, after consultation with the other judges of the panel.

The president shall be responsible for opening the hearing sessions before the tribunal, in addition to reading the oral verdict from the deliberation of the judges.

Article 19. Hearing Procedure

The hearings of the Tribunal shall be conducted in accordance with the Rules of Procedure, which shall determine the format for the presentation of evidence, the time allotted to each party, and other procedural details.

The hearings may include the participation of nature advocates, representatives of affected parties (ecosystem-individuals), experts, academics and other interested parties, as provided for in the Rules of Procedure.

The decisions of the Tribunal shall, in the first instance, be rendered orally (verdict) and transferred to writing (judgment) duly grounded in accordance with the principles set forth in the Declaration of the Rights of Mother Earth and any relevant international convention or document.

Article 20. Adoption, Amendment and Revision of Statutes

The present Statute of the Tribunal shall be adopted by a resolution approved by a majority of the judges present or represented at a meeting of the Assembly of Judges, as provided in the Convention.

The Statute may be amended at any time after its adoption by a resolution approved by a majority of the judges present or represented at a meeting of the Assembly of Judges.

The Secretariat of the Tribunal shall periodically review the Statute and any rules of procedure adopted by the Assembly of Judges, and shall submit proposals for improvement to the Assembly for its consideration.

Approved amendments shall enter into force immediately, unless the resolution of the Assembly provides otherwise.