

## Iran Tribunal Foundation's Constitution

### Chapter 1:

Article 1- Name: Iran Tribunal Foundation ("ITF")  
*or hereinafter referred to as ITF*

### Chapter 2:

Article 2- Description: ITF is an independent non-profit, non-governmental, grassroots foundation. ITF has evolved from the Iran Tribunal Campaign, which was established in October 2007 by a group of individuals comprised of the families of 1980s victims, former political prisoners, survivors of 1980s political mass executions, political, labour and human right activists, women's rights activists, lawyers, students, children's rights activists and activists from other areas of political and social causes.

Iran Tribunal activities spanned between September 2007 and October 2012, which included two stages of legal proceedings first in London in June 2012, followed by the second stage at The Hague in October 2012. Now, Iran Tribunal will continue as the ITF based on the constitution herein and a new organization.

ITF was founded on 23 June 2013 following the decision of the General Assembly of the Iran Tribunal Campaign. It is both a real and legal entity. It functions in accordance with the rules and regulations of public non-profit bodies as mandated by the Constitution of ITF, decisions and ratifications of the General Assembly and its internal regulations and by-laws. ITF is directed by the ITF's executive board (the "Executive Board") and operates under the supervision of the ITF's board of trustees (the "Board of Trustees").

The Iran Tribunal Foundation is the embodiment of the strength and will of the people and relies on the collective will of individuals to achieve its goals and plans.

### Article 3- Goals

3-1 To safeguard the achievements of the two legal stages of the Iran Tribunal.

3-2 To pass on the organizational and legal experiences of the Iran Tribunal as the embodiment of the will of people instituting itself outside the governmental institutions, through research, education and campaigns of public awareness, with respect to torture and killings in Iranian prisons

3-3 To collect documents of crimes committed in Iranian prisons against political prisoners, focusing on the crimes committed in 1980s.

3-4 To establish a permanent legal commission in order to collect and record written and oral testimonies pertinent to the crimes committed in Iranian prisons.

3-5 To create prosecutory files for the crimes committed by perpetrators of the Islamic Republic of Iran, and establish watchdog committees to identify and pursue the perpetrators.

3-6 To establish worldwide contacts with other justice seeking campaigns similar to Iran

Tribunal.  
**Chapter 3**

Article 4- In order to fulfill the goals described in Article 3, safeguard its achievements and to give effect to the historic judgment that was issued at The Hague, ITF is bound to carry out its goals and objectives based on the following organizational structure.

**The Different Bodies of Iran Tribunal Foundation**

Article 5 – General Assembly.

The General Assembly is the highest decision-making body of the ITF. It holds its meetings four times a year on the first Sunday of each season.

Article 6- The General Assembly reaches quorum by the presence of fifty percent plus one of the ITF's members. If that cannot be achieved on the first attempt, the General Assembly shall be held with the presence of one third of the ITF's members at the second attempt.

Article 7- An emergency meeting for the General Assembly shall be called at the request of the Executive Board or request of one third of the ITF's members.

Article 8- A call for holding a General Assembly should be issued at least two weeks in advance.

Article 9- Duties and responsibilities of the General Assembly:

- A. Review of the activities and functions of the ITF;
- B. Making decisions about the main policies and activities of the ITF;
- C. Re-evaluation and amendment of the ITF Constitution;
- D. Election of the Executive Committee;
- E. Handling of disciplinary matters.

Article 10- Board of Trustees.

The Board of Trustees is comprised of twenty members of ITF, its supporters and Iran Tribunal legal experts. The members of the first Board of Trustees will be selected and invited by the decision of the General Assembly.

The Board of Trustees has the right to invite individuals suitable for membership in the Board of Trustees as it may deem necessary.

Article 11- The Board of Trustees will have quorum with the presence of fifty percent plus one of its members. If quorum cannot be achieved after the first call, the meeting shall be held with the presence of one third of the ITF's members after the second call.

If necessary, an emergency meeting of the Board of Trustees shall be called at the request of the Executive Board or one third of the Board of Trustees' own members.

A call for holding a meeting should be issued at least two weeks in advance.

Article 12- Tasks and responsibilities of the Board of Trustees:

- A. Supervision over the executive affairs of the ITF;
- B. Making decisions on the legal activities of the ITF and supervision of these activities within the framework and goals of the ITF;
- C. Organization of legal activities of the ITF with coordination and cooperation of other working groups of the ITF in general and the Executive Board in particular;
- D. Establishment of a legal commission for the recording of oral and written testimonies;
- E. Assisting the establishment of the Watchdog Committees and the supervision of their legal activities; and,
- F. Determination and implementation of the Board of Trustees internal by-laws.

Article 13- Executive Board.

The Executive Board is the highest executive body of the ITF. Members of the Executive Board will be elected by the General Assembly for a period of two years.

Article 14- Tasks and responsibilities of the Executive Board:

- A. Implementation of the decisions of the General Assembly and legal decisions of the Board of Trustees;
- B. Leadership and guidance in the global activities of the ITF;
- C. Supervision of the activities of local ITF working groups and providing assistance in establishing local ITF groups;
- D. Presentation of quarterly and annual reports to the General Assembly;
- E. Presentation of quarterly and annual reports to the Board of Trustees;
- F. Coordination between all bodies and divisions of the ITF;
- G. Budget planning, fundraising and donation collections from individuals on a regular basis, in addition to supervision of the financial affairs and bank accounts of the ITF;
- H. Collection of written testimonies and documentation of the crimes of the Islamic Republic of Iran in prisons;
- I. Establishment and implementation of its internal by-laws and division of work and duties both on an individual and collective basis;
- J. Announcement of meetings of the General Assembly and providing agendas for these meetings; and,
- K. Admittance of new members.

Note: The Executive Board may establish new divisions in order to conduct its duties and activities as it may deem necessary.

Article 15- Local Working Groups:

Local Working Groups are the first order of the ITF divisions and are comprised by members of the ITF in their cities of residence.

#### Article 16- Duties of the Local Working Groups

- A. The carrying out of the goals and duties of the ITF as stipulated in articles 2 & 3 of this Constitution; the decisions of the General Assembly; and, the legal decision of the Board of Trustees. Local Working Groups may be established by at least three members of the ITF;
- B. Collection of documentation pertinent to the crimes committed by the Islamic Republic of Iran in prisons; making contact with former political prisoners of the 1980s and the families of 1980s political mass executions in order to obtain and record their written and oral testimonies;
- C. Establishment of local Watchdog committees;
- D. Assignment of a local spokesperson for interviews with local media;
- E. Ongoing and continuous collection of financial donations;
- F. Recruitment of new members and activists, especially from former political prisoners and their families; and,
- G. Determination and implementation of internal by-laws by each Local Working Group for its own work and in order to divide work both on an individual and collective basis.

#### Article 17- Education and Development Working Group.

The Education and Development Working Group is tasked to implement educational, research and social projects. They are to release legal and educating booklets as well as lecture notes based on legal achievements and current official documents of the Iran Tribunal. The work of the Education and Development Working Group shall be carried out in accordance with the ITF Constitution and the decisions of the General Assembly and the Board of Trustees.

#### Article 18- : Editorial and Website Working Group.

The Editorial and Website Working Group is tasked to provide and issue official documents, declarations and communiqués of the ITF, and to administrate the website and the official email address of the ITF.

#### Article 19- Translation Working Group.

The task of the Translation Working Group is to translate the ITF's documents.

#### Article 20- Social Media Working Group.

The task of the Social Media Working Group is:

- A. The production of video footage, film footage and audio reports; and,
- B. Organization and management of social media platforms such as Facebook, Twitter, YouTube, Paltalk etc.

Note: The Social Media Working Group noted above shall work under the supervision of The Executive Board.

#### Article 21- : Accounting and Banking Working Group.

The Accounting and Banking Working Group is responsible for the accounting and banking of the ITF. The Accounting and Banking Working Group is to work under the supervision of the Executive Board which is responsible for the financial planning of the foundation.

### Chapter 4

#### Article 22- Organizational principles

The structure of the ITF is democratic and it is based on mutual understanding and collective work arising from the following principles:

- A. All members and working groups of the ITF respect and follow the decisions and policies of the ITF;
- B. All working groups and positions in the ITF are based on elections;
- C. All working groups are self-determined in carrying out their internal and local affairs within the limits of the mandate and policies of the ITF;
- D. All working groups report to the General Assembly and higher divisions on a regular basis; and,
- E. All members are free to discuss and voice opinion on, favourable or otherwise the decisions and policies of the ITF within the framework of the ITF's Constitution and its policies.

#### Article 23- Membership Definition

A member of the ITF is a person who:

- A. Has accepted the ITF Constitution and works within the ITF mandate;
- B. Participates in at least one of the bodies of the ITF;
- C. Pays membership fees; and,
- D. Believes in social justice and equality of all human beings regardless of belief, ideology, race, ethnicity and gender.

Note: The General Assembly determines the membership fee. Legal experts, lawyers, members of legal bodies, activists who volunteer for the ITF, Iranian or not, are not obligated to pay the membership fee.

#### Article 24-Membership Rights

All members have the right to:

- E. Participate in discussions with respect to the policies of the ITF;
- F. Participate in elections; elect and be elected; and,
- G. Express their views and have equal right in the decision-making processes of the ITF

#### Article 25- Duties of members:

1. Advancement of the ITF's goals and programs.
2. Securing ITF confidentiality and protection of ITF's documents and properties; and,
3. Membership and activity in one of the ITF's Working Groups.

Article 26- Membership admission: The admission of new members to ITF's Working Groups takes effect with the approval of a particular Working Group or by approval of at least two members of the ITF. Applications for new members are to be also approved by the Executive Board. Application for membership should be made in writing and must include a biography of the applicant.

Article 27- The ITF refrains from accepting as a member any person who has cooperated or associated with the decision making, executive and/or judiciary branches of the Islamic Republic of Iran as well as with former regime of Iran and their security apparatus in any shape or form and without any temporal limitations.

## Chapter 5

Article 28- Rules of Resignation:

If a member wishes to resign, the member must submit a written resignation notice to the related body of the ITF and at least two weeks prior to the effective date of the resignation.

Article 29- Disciplinary Regulations

If a member of the ITF abuses the Constitution of the ITF, its policies or programs by that member's own personal misinterpretations, and contradicts in the carrying out of her/his responsibilities the mandate of the ITF, the said member upon the request of a Working Group shall appear in front of a higher body of the ITF for investigation of the matter in dispute. All parties involved in the dispute shall be present and the higher body is obligated to do the following in such circumstances;

- A. Attempt to resolve the dispute;
- B. Issue an official warning to the member in question;
- C. Take away or modify the member's responsibilities; and/or,
- D. Refer the dispute in question to the General Assembly for a final decision.

## Chapter 6

Article 30- Iran Tribunal Foundation's Finances.

ITF relies on the membership fees, donations from its members, activists, fellow supporters and people who are interested in supporting this justice seeking movement. ITF does not accept funding from governments, their institutions, NGOs funded by governments, corporations or political parties.

Article 31- Membership Fee: The membership fee will be determined by the General

Assembly. The amount of the fund for expenses of the ITF shall be proposed by the Executive Board and approved by the General Assembly.

#### Article 32- Dissolution

Conditions for Dissolution: Dissolution of the ITF is with respect to a point in time when the necessity of the ITF ceases to exist or at a time when the ITF fails to fulfill its obligations as mandated by its Constitution.

Right to Dissolution: The Founding Board has the right to dissolve the ITF. The Founding Board is composed of individuals who originally established the Iran Tribunal Campaign. The General Assembly inherits the right to dissolve the ITF after the death of the original members of the Founding Board.

Procedure for Dissolution: The Iran Tribunal documents are a historical achievement and a legacy for the Iranian people and people of the world. In order to maintain and safeguard the documents after ITF's dissolution, the said documents shall be donated to a non-governmental institution or to a Law Faculty in a University based on the decision of the General Assembly.

Movable and immovable properties shall be sold with the discretion and decision of the General Assembly. The income from these shall be donated to a non government (people's) organization that shares similar goals and principles as the ITF.

This Constitution was approved by the General Assembly on the 23<sup>rd</sup> of June 2013. The Constitution contains 6 chapters, 32 Articles and 3 Notes