

# ***Forum Crisis Prevention e.V.***

## **Statutes**

*As amended on 21 January 2005*

### **Article 1**

#### **Name, Place, Registration, Business Year**

1. 1. The Association shall bear the name "*Forum Crisis Prevention*".

1.2. The Association shall be established in Bonn, Germany, and shall be entered in the register of associations. Upon registration, the suffix "e.V." (*eingetragener Verein*/registered association) shall be appended to the Association's name.

### **Article 2**

#### **Purpose/objectives**

2.1. The purpose and objectives of the Association shall be:

- to foster international understanding and reconciliation,
- to develop structures for non-military international conflict prevention,
- to promote relevant initiatives and institutions, such as the establishment of a UN Commission on Peace and Crisis Prevention (UNCOPAC),
- to support endeavours to strengthen conflict-preventive peace work worldwide, with a particular focus on the aspect of human security,
- to prevent genocide and crimes against humanity.

In accordance with the international community's commitment to maintain peace, enshrined in the United Nations Charter, the Association shall work to prevent war, armed force and preparations for such activities.

2.2. The Association shall not maintain any party-political, ideological or religious affiliation. It shall cooperate with all initiatives, institutions, networks and interested individuals pursuing similar objectives.

2.3. Based on a positive concept of peace, the Association shall seek to achieve its purpose and objectives by the following means:

- by drafting and developing proposals to strengthen the preventive capacities of local or regional actors (peace constituencies, multi-stakeholder constituencies),
- through cooperation and networking among various civil-society institutions, universities, research bodies and advocacy organisations,
- by initiating, promoting or implementing national and international initiatives and projects relating to peace-building and peace education, crisis prevention and conflict transformation,

- by establishing an international network of non-government organisations and civil-society actors in order to create structures for cooperation between civil society and the United Nations in the field of conflict and crisis prevention,
- by lobbying national governments, organisations of states, international organisations and NGOs, and at UN level,
- by arranging conferences, lectures and seminars,
- by producing its own publications.

To achieve the aforementioned purpose and objectives, the Association shall also engage in publicity work and fundraising.

### **Article 3**

#### **Use of funds, non-profit status**

3.1. The Association shall be guided by altruistic motives. It shall not seek to achieve any purpose or objectives geared primarily towards its own economic advantage, but shall exclusively and directly pursue non-profit purposes as defined in the section on "Tax-Privileged Purposes" of the German Tax Code. The Association's assets, including any surpluses, shall only be used for the purposes defined in the Association's Statutes.

3.2. Donations of a financial nature or in kind may only be used for the purpose specified by the donor, if the donor stipulates how the donation is to be used. Should such use of the donation conflict with the Association's purpose and objectives, the donation shall be refunded to the donor after deduction of expenses. Alternatively, with the donor's consent, the donation may be used for the purposes of the Association as it sees fit.

3.3. Members shall not receive shares of any profits, nor shall they be granted any other allowances from the Association's assets in their capacity as members. No persons shall benefit from expenses not in accordance with the Association's purpose and objectives nor from excessive remuneration.

On retiring from the Association or on the Association's dissolution, members shall not receive shares or remuneration from the Association's assets.

### **Article 4**

#### **Membership**

4.1 The Association shall consist of:

- full members,
- associate members,
- honorary members.

4.2. Any natural or legal person from Germany or abroad may become a full or associate member of the Association. Membership applications shall be submitted in writing by letter, fax or e-mail. The Executive Board shall approve the admission of members. In the event that an application for membership is denied, the applicant may lodge an objection, in which case the General Meeting's decision shall be final.

4.3. The Executive Board may propose that honorary life members be appointed by members at the General Meeting. Honorary members shall be exempt from payment of membership fees.

4.4. Membership shall cease upon submission of a written resignation tendered to the Executive Board by letter, fax or e-mail, or upon expulsion from the Association or death. Resignations may only be tendered at the end of the business year. One month's prior notice is required.

The expulsion of a member must be approved by a 2/3 majority of members present at the General Meeting.

## **Article 5**

### **Rights and duties of members**

5.1 All members are entitled to participate actively in achieving the Association's purpose and objectives, as defined in the Statutes, within the scope of their assigned duties.

5.2. Members shall be obliged:

- to promote the Association's purposes by their best endeavours,
- to deal responsibly and economically with the Association's assets,
- to pay their annual subscription regularly.

5.3. If after the end of a calendar year a full member is more than six months in arrears with the payment of the annual membership fees, a written reminder will be sent by the Executive Board. After a further reminder, membership shall lapse within two months.

## **Article 6**

### **Membership subscription**

The General Meeting shall set the membership fees.

## **Article 7**

### **The Association's bodies**

The Association's bodies shall be:

- the General Meeting (GM),

- the Executive Board (EB),
- the Advisory Council.

## **Article 8**

### **General Meeting (GM)**

8.1. An ordinary General Meeting of members shall be held at least once every two years. The General Meeting shall be convened in writing by the Executive Board at least six weeks in advance, with notice of the agenda.

8.2. The Executive Board may convene extraordinary General Meetings. At the request of at least one quarter of members, the Executive Board must convene an extraordinary GM within four weeks, stating the reason for the meeting.

8.3. The General Meeting shall be deemed to have a quorum provided that it has been properly convened, irrespective of the number of persons present.

8.4. Only full members shall be entitled to vote.

8.5. A member may confer proxy voting rights on another member in writing. No person may exercise more than two votes in total.

8.6. The General Meeting shall adopt resolutions by open ballot. Elections of the Executive Board and decisions on membership applications shall be secret, unless the General Meeting adopts a unanimous decision in favour of an open procedure. Resolutions shall be adopted by a simple majority, while amendments to the Statutes shall require a 2/3 majority of members present.

8.7. Every member shall have the right to table motions.

8.8. A record of the proceedings at the General Meeting shall be prepared by a member elected to fulfil this function. The record shall include the names of the persons present and the resolutions adopted, and shall be signed by the member responsible and the chairperson of the Meeting.

## **Article 9**

### **Tasks of the General Meeting**

The tasks of the General Meeting shall include

- general planning, establishing guidelines and evaluating the Association's work,
- receiving the Executive Board's annual report,
- scrutinising and approving the annual accounts,
- discharging the Executive Board,

- appointing at least one auditor,
- approving the admission of new full members,
- voting on the expulsion of members due to infringements of the Statutes or conduct likely to bring the Association into disrepute,
- electing or dismissing the Executive Board,
- setting the minimum membership fees,
- amending the Statutes,
- disbanding the Association.

## **Section 10**

### **The Executive Board**

10.1. All members of the Executive Board shall have equal rights. The members of the Executive Board shall designate two spokespersons to represent the Association in and out of court in accordance with Section 26 of the German Civil Code (§ 26 BGB). If possible, the composition of the Executive Board shall reflect gender balance. More detailed provisions shall be set forth in the Executive Board's Rules of Procedure.

10.2. The Executive Board shall consist of at least three full members. It shall be elected for a two-year period and shall remain in office until new elections take place. Re-election shall be permissible.

10.3. Upon retiring from the Association, membership of the Executive Board shall automatically terminate.

10.4. If a member of the Executive Board retires during the period of office, the Executive Board shall remain in office provided that the minimum number of Board members is maintained. If the number of Board members falls below the minimum, an extraordinary General Meeting must be convened without delay. Until the start of this meeting, the remaining Board members shall conduct the business of the Executive Board as usual.

10.5. Board meetings shall be open to all members of the Association. Board decisions shall require a simple majority of votes cast by Board members.

10.6. Amendments to the Statutes demanded by the financial, legal or administrative authorities for formal reasons may be undertaken by the Board acting on its own initiative.

## **Article 11**

### **Rules of Procedure**

11.1. The Executive Board shall establish Rules of Procedure for itself, which must be submitted to the General Meeting for information.

11.2. These Rules of Procedure shall regulate the responsibilities within the Board and the organisation of the Secretariat.

## **Article 12**

### **Functions of the Executive Board**

12.1. The Executive Board shall handle the general affairs of the Association. It shall be responsible for administering the Association's assets and implementing the resolutions adopted by the Association. The main tasks of the Executive Board shall be as follows:

- preparing and convening the General Meeting at least once every two years, and drawing up the agenda,
- producing the annual report and annual accounts for adoption by the General Meeting,
- convening specialised committees and working groups,
- approving the admission or expulsion of members.

12.2. In the event of a dispute, the Executive Board may suspend a membership until the next General Meeting if a mediation attempt involving a person recognised as impartial by both sides has already taken place and has failed to reach a satisfactory outcome.

12.3. The Executive Board may grant authorisations to manage the general affairs of the Association. The Executive Board may appoint an Executive Director.

## **Article 13**

### **Advisory Council**

13.1. The Executive Board may appoint an Advisory Council for advice and support.

13.2. Advisory Council members shall be entitled to attend Executive Board meetings and General Meetings in an advisory capacity.

## **Article 14**

### **Executive Director**

14.1. To coordinate and manage the Association's general affairs, the Executive Board may appoint a full-time Executive Director. The Executive Director shall have the status of a special representative in accordance with Section 30 of the German Civil Code (§ 30 BGB). He/she shall be responsible for the proper management of the Association's business, particularly for

- drafting and implementing the annual work programme, and developing and implementing strategies to achieve the objectives defined in the Statutes,

- managing the full-time staff (including the conclusion and termination of employment contracts),
- reporting, accounting and financial control,
- providing the necessary assistance to the Executive Board, members and – if appointed – the Advisory Council.

14.2 In addition to the powers set forth in Article 14.1. above, the Executive Director may be authorised, by means of a unanimous vote taken by the Executive Board, to represent the Association on a more comprehensive basis if required to do so.

## **Article 15**

### **Funding**

15.1. To enhance the rest of its work, the Association may establish designated funds for specific purposes which are financed from capital contributions from donors. Income earned on these sums must be deployed and administered by the Association on a fiduciary and purpose-specific basis. The details shall be regulated by a Financial Regulation for Funds to be adopted by the General Meeting.

15.2. The Association may fund itself from:

- membership fees,
- donations from individuals, societies and support groups,
- subsidies from church or public bodies, both national and international,
- grants made under the terms of the Federal Government's Comprehensive Concept on Civilian Crisis Prevention, Conflict Resolution and Post-Conflict Peace-Building and from the funding programmes of other national and international ministries,
- and resources that can be obtained through fundraising targeted towards national and international donors.

15.3. The General Meeting may approve the formation of support groups with the purpose of encouraging the flow of donations for specific projects. A support group may comprise natural and legal persons, associations without legal capacity and comparable groups which are prepared to support the Association's objectives financially. A support group may send one delegate to the General Meeting to represent, in an advisory capacity, sponsors who are not members of the Association.

## **Article 16**

### **Audit**

16.1. The auditor(s) elected by the General Meeting shall be entitled to inspect the Association's finances at any time. They shall audit the Association's ledgers to ensure that its expenditure and revenue comply with the Statutes and sound accounting principles. A written auditor's report shall be submitted to the General Meeting each fiscal year.

16.2. The Association's business year shall be the calendar year.

**Article 17****Dissolution of the Association**

17.1. The dissolution of the Association requires a 3/4 majority of members present at a General Meeting provided that this item is mentioned in the invitation to the said GM.

17.2. In the event of the Association's dissolution or the cessation of its current purpose, its assets shall pass to *Initiativkreis Plattform Zivile Konfliktbearbeitung e. V.*, which must use them solely and directly for non-profit purposes.

**Article 18****Entry into force**

The Statutes shall enter into force with immediate effect.

Bonn, 21 January 2005

Signatures: