

# **THE STATUTE OF “YOUTH INITIATIVE FOR HUMAN RIGHTS”**

*According to Articles 12 and 49 of the Law on non-governmental organizations (Official Gazette of Montenegro, no.39/11), and Article 20 of the Statute of Youth Initiative for Human Rights, the NGO Assembly in Podgorica adopted at the session on 28 May 2018*

**AMENDMENTS OF**

# **THE STATUTE OF “YOUTH INITIATIVE FOR HUMAN RIGHTS”**

## **General provisions**

### **Article 1**

Non-governmental organization “Youth Initiative for Human Rights” (hereinafter referred to as “the Initiative”) is non-governmental organization with the mission to promote universal human rights among citizens of Montenegro.

### **Article 2**

Statute of the Initiative shall define fundamental goals of acting, election of bodies, principles of work, internal organization, rights and duties of members, competences of bodies, and other matters important for the work of the Initiative, as well.

### **Article 3**

Work of the Initiative shall be public.

Public work of the Initiative shall be exercised by statements, publishing of annual financial reports and other information important for the work of the Initiative on the web page of this non-governmental organization.

### **Article 4**

Goal and duties of the Initiative shall be to:

- Inform the citizens about the true on the recent war past and changes of the social system values;
- Develop Montenegro as democratic, civil and responsible society, where human and minority rights are respected and promoted;
- Incite and strengthen capacities of young people to participate in political and public social life;
- Encourage media to inform objectively about the recent war past and to promote values of civil society.

### **Article 5**

Full name of the NGO shall be “Youth Initiative for Human Rights”.

Shorter name of the association shall be “the Initiative”.

## **Article 6**

The seat office of the Initiative shall be in Podgorica.

The Initiative may carry out its activities in other countries.

## **Article 7**

The seal of the Initiative shall be round shaped with the inscription Udruženje “Inicijativa mladih za ljudska prava” written on the edge. “Podgorica” shall be written in the middle.

## **Article 8**

The Initiative has its own logo.

Logo of the Initiative shall represent three stylized white human figures in a white circle on red and black background. Full name of the Initiative is written in Latin alphabet on Montenegrin, English and Albanian language.

Decision on changes of symbols of the Initiative shall be made by the Assembly after the proposal of Program Director.

## **Article 9**

The Initiative shall perform its activities only for charitable, scientific or educational purposes in accordance with law.

Asset or property of the Initiative may not be used for private purposes or for purposes of profitable organization, except in cases prescribed by Article 11 of the Statute.

That restriction shall not be applied to payments for goods and services important for conduction of activities of the Initiative.

Physical persons or groups of physical persons may not have any proprietary interest in the Initiative nor in any goods produced by the Initiative.

## **Article 10**

The Initiative may not participate in campaigns of political parties or in campaigns of candidates for public functions, directly or indirectly.

The Initiative may not be engaged in amending or adopting of new laws and the Initiative may not lobby for amending of legislation.

## **Article 11**

The Initiative shall fulfill its goals by organizing different public events, seminars and conferences, as well as by publishing activities, in accordance with law.

The Initiative shall cooperate with media, associations of citizens and similar organizations and institutions in the country, region and worldwide, in the frame of its activities.

Within the scope of its activities, the Initiative may establish other legal entities dealing with certain activities, such as radio and television program production, printing and distribution of material, provision of services from the area of tourism and catering, and similar.

Those legal entities may generate profit which shall be used exclusively for goal achievement of the Initiative.

Representatives in management bodies of organizations established by the Initiative, shall be elected by the Assembly of the Initiative.

## **Membership in the Initiative**

### **Article 12**

All legal entities and individuals may be members of the Association, if they adopt goals and activities defined by the Statute of the Initiative, according to the recommendations of one of members.

Decision on reception in membership shall be made by the Assembly, by majority of votes.

Membership shall be achieved by signing the application.

The registry of members shall be kept for registration.

## **Termination of membership**

### **Article 13**

A member may terminate its membership by providing the written statement on termination.

Membership in the Association shall terminate after a decision made by the Assembly, due to the lack of respect of provisions of the Statute or due to disturbing the reputation of the Association.

Any member of the Association may submit the initiative for exclusion from the Association.

A member has to be allowed to explain reasons for filling the proposal for decision on termination of its membership in the Association.

## **Rights and duties of members**

### **Article 14**

A member shall have the right to:

1. Participate in accomplishing of goals of the Association, equally with other members;
2. Participate directly in decision making process during the sessions, and other bodies of the Association;
3. Elect and be elected in bodies of the Association;
4. Be informed timely and duly about the work and activities of the Association.

A member is obliged to:

1. Actively contribute to exercising of goals of the Association;
2. Participate, in accordance with its interests, in activities of Association;
3. Pay the membership fee;
4. Perform other affairs given by the Assembly of the Association.

## **Organs and bodies of the Initiative**

### **Article 15**

Organs of the Initiative shall be:

5. Assembly
6. A person authorized for representation – Executive Director
7. Program Director
8. Managing Board

Mandate of the Initiative organs shall be three years.

After the expiration of mandate, they may be elected again for the same function.

Candidates for the Initiative organs may be all members of the Initiative registered in the Registry of members, save in those members who have functions in organs of political parties, executive and legislation authority.

### **Article 16**

The Assembly of the Initiative shall be the highest body of the Initiative.

Assembly shall be composed of all members of the Initiative registered in the Registry of members

## **Assembly plenum**

### **Article 17**

Assembly may be regular and extraordinary.

Regular Assembly shall be called once in a year.

Extraordinary session of the Assembly may be appointed after the initiative of at least third of members, not later than 30 days, since the day of its initiating.

Assembly session may be called by the written statement about the place and time and the agenda proposal. The session shall be chaired by the person elected at the beginning of the session, by public voting.

Regular session shall be called by Program Director.

### **Article 18**

## **Quorum for work and decision making**

Assembly may take place and make decisions if 50% plus one members of the association are present.

Assembly may take place and decide if 50% of the overall number of members who are authorized representatives, are present.

Assembly shall be chaired by the Presidency consisting of three members elected by the Assembly after the proposal of Program Director.

If the Assembly does not meet in envisaged time, organs of the Initiative shall perform regular activities until the session of the Assembly.

Agenda, proposal of decisions and documents for regular Assembly shall be prepared by the Managing Board after the proposal of Program Director.

Each member may require amendments of the agenda at the Assembly, on which shall decide the Assembly.

Program Director, Managing Board, or 1/3 of members of the Assembly may initiate Extraordinary session of the Assembly.

Extraordinary session shall be appointed by Program Director of the Initiative not later than 20 days from the day of initiating.

If Program Director rejects to call for the session, it shall be called by the Managing Board.

Agenda of the extraordinary session shall be proposed by a person who required the session to be convened.

#### **Article 19**

If the session fails to take place due to the lack of quorum, it shall be called again within the seven days, with the same agenda.

#### **Article 20**

The Assembly of the Initiative shall:

- Adopt the Statute of the Association;
- Adopt amendments of the Statute;
- Appoint and remove from office a person authorized for representation;
- Appoint and remove from office other bodies of the Association;
- Decide on association in unions and other forms of associating;
- Adopt the plan of work for the following year and the report on work for the previous year;
- Adopt annual financial report;
- Decide on changes of goals and activities, termination of work and allocation of remaining property of the Association;
- Decide on other matters for which the Statute has not determined the competence of other bodies of the Association.

#### **Article 21**

The Assembly shall decide by 2/3 majority of votes of present and authorized members of the Association, on adoption of the Statute and its amending.

The initiative for the amending procedure of the Statute may start any member of the Assembly and person authorized for representation

#### **Article 22**

The Assembly shall decide by majority of votes of present members of the Association on other matters within its area.



## **DECISION MAKING PROCESS**

### **Article 23**

The Assembly shall decide by public voting. Public voting shall be performed by raising hands or by expressing standpoints of each individual member.

### **Article 24**

The Assembly shall decide by secret voting on specific issues, when this requires at least 50 members plus one member of the Association.

Secret voting shall take place by voting paper.

### **Article 25**

Absent member may vote by written statement.

Letter by which the absent member votes on matters from the agenda is valid and shall be taken into account if the Assembly receives it until the time it takes place.

The chairman is obliged to inform all the present members how the absent member voted.

## **MINUTE ON WORK OF MANAGING BOARD**

### **Article 26**

Minutes shall be taken at each session of the Assembly.

Basic data on work of the Assembly shall be noted in minutes, but especially:

- Place and time of the session,
- Agenda;
- Names of present members;
- Names of the chairman;
- Name of the person taking minutes;
- The course of work, and especially issues that were discussed about, names of persons who participated in discussion and short content of their discussions.
- Result of voting on specific points of agenda;
- Statement of chairman on decision making process;
- Separated opinion of members;
- Time of termination of work.

### **Article 27**

Each decision of the Assembly shall be noted in minutes.

In addition to the minutes shall be delivered evidence on calling of the session of the Assembly.

### **Article 28**

The minutes shall be signed by the Chairman of the Assembly and the person taking minutes.

If the minute is composed of more pages, Chairman and the person taking minutes shall write short signatures on each page of the minutes.

### **Article 29**

Members of the Assembly shall have right to review the minute after its composition and its signing by the Chairman and the person taking minute.

Minute on work of the Assembly shall be kept at the archive of the Association as the document of permanent value.

## **AUTHORIZED REPRESENTATIVE**

**(Executive Director)**

### **Article 30**

Person authorized for representation shall be elected by the decision of the Assembly of the Association on three years mandate.

Decision on appointment shall define the day when the function of the Executive Director of the Association comes in force.

## **COMPETENCES OF THE PERSON AUTHORIZED FOR REPRESENTATION**

### **Article 31**

Person authorized for representation shall:

- Make contracts and undertake other legal matters in the name and for the account of the Association;
- Be responsible for the legality of work;
- Conduct affairs in accordance with the decisions of the Assembly;
- Deliver proposal for the annual financial report to the Assembly;

- Perform other affairs in accordance with the law, the Statute, and other acts of the Association.

## **RESPONSIBILITIES OF THE PERSON COMPETENT FOR REPRESENTATION**

### **Article 32**

Person competent for representation is responsible for its work in the Assembly and periodically files the report on work to the Assembly.

For each session of the Assembly of the Association, person competent for representation is obliged to deliver report on its work for the period between two sessions.

## **DISMISSAL OF PERSON COMPETENT FOR REPRESENTATION**

### **Article 33**

Executive Director may be dismissed in the following cases:

1. In case of financial losses
2. If damages the Association by its unconscientious or unprofessional work or by exceeding competences, or if any damage occurs as the result.
3. Due to inability to organize and conduct delegated affairs and affairs from its scope.

### **Article 34**

Decision on dismissal of Executive Director shall make the Assembly of Association.

Decision of the Assembly on dismissal of Executive Director shall be final.

### **Article 35**

Managing Board is the supervisory body of the Initiative.

Managing Board is composed of:

9. Program Director
10. Five members elected by the Assembly

Managing Board shall meet at least twice in a year.

Sessions of the Managing Board shall be called and shall be chaired by the Program Director.

Sessions of the Managing Board may attend other persons invited at the session by Managing Board, whose attendance is important for the work of Managing Board.

### **Article 36**

Managing Board shall:

- Execute decisions of the Assembly;
- Provide advice;
- Deliver the report on work to the Assembly;
- Announce about the election of members of Advisory Board;
- Perform other affairs between two sessions;
- Award persons who provided significant contribution to work and development of the Initiative, after the proposal of Program Director.

### **Article 37**

Program Director shall chair the Managing Board.

Program Director shall take care about the conduction of decisions of Managing Board.

### **Article 38**

Program Director of the Initiative shall:

- Call for and chair the sessions of the Managing Board;
- Appoint and dismiss members of Advisory Board;
- Provide regional access to work of the organization;
- Deal with developing projects of the organization;
- Maintain contacts with donors and deal with the collection of funds for the organization;
- Appoint Deputy Director after the proposal of Executive Director;
- Propose opening of regional and local offices to Managing Board and appoint heads of the office;
- Deal with cooperation with other organizations and institutions;
- Perform other affairs important for the undisturbed work of the organization;

- Call for the session of each body and organ of the Initiative;
- Perform other affairs delegated by the Assembly or Managing Board.

### **Article 39**

Advisory Board is the body of the Initiative that has at least five members and is composed of persons having experience and reputation in the area of human rights and work of nongovernmental organizations.

Members of Advisory Board do not have to be members of the Initiative.

Members of the Advisory Board shall be appointed and dismissed by Program Director.

Advisory Board shall elect the chairperson from its lines after the proposal of Program Director.

Program Director shall attend sessions of the Advisory Board.

### **Article 40**

In accordance with the needs of the Initiative, Managing Board may establish other bodies of the Initiative such as boards, sub-boards, working groups, commissions, forums, councils, and similar.

Program Director of the Initiative may call for the conference that shall attend members of the Assembly, which is of program and advisory character.

### **Article 41**

Matter of responsibility of bodies and organs of the Initiative may initiate three members of the Managing Board, Supervising Board, 1/5 of members of the Initiative and Program Director.

Decision on responsibility of organs and bodies shall make the body that electing them.

## **MANNER OF WORK AND ORGANIZATION OF THE INITIATIVE**

### **Article 42**

Initiative is organized by the program and territorial principle.

Initiative may establish its offices in the country and abroad, and Managing Board shall decide on its establishing.

All offices of the Initiative shall be responsible for its work and activities to Executive Director, Program Director and Managing Board.

Manner of work, communication, competences and organization of all offices and organs and bodies of the Initiative shall be closer defined by the Rulebook adopted by the Managing Board after the proposal of Executive Director.

#### **Article 43**

My Initiative is the network of activists within the framework of the Initiative, who do not have to be members of the Initiative.

Organization, activities and manner of coordination of My Initiative shall be define by special decision adopted by the Managing Board.

#### **Article 44**

It is possible to engage persons who are not members of the Initiative for performing affairs important for the functioning of the Initiative.

Engagement shall be performed in accordance with the law.

Program Director and Executive Director shall decide on engagement.

### **FINANCING OF THE INITIATIVE**

#### **Article 45**

The Initiative shall be financed from:

- Funds, working in accordance with the law,
- Membership defined by the Assembly of the Initiative;
- Gifts;
- Voluntary contributions of citizens;
- Sponsorship;
- Incomes of executed profitable activities of legal persons whose establisher is Initiative, defined by Article 11 of the Statute;
- Other sources in accordance with law.

Financial business of the Initiative shall be performed in accordance with positive regulations, and on the basis of financial plan adopted by Managing Board.

## TERMINATION OF WORK OF THE INITIATIVE

### Article 46

Decision on termination of work of the Initiative shall be made by the Assembly, by the 2/3 majority at the session, attended by at least half of members of the Assembly, after the initiative of Managing Board.

### Article 47

In case of termination of work, all the property of the Youth Initiative for Human Rights shall come into property of other nonprofit organization or public institution for its charitable activities, on which shall decide the Assembly of the Initiative.

## THE PROCEDURE OF AMENDING THE STATUTE

### Article 48

The Assembly or Managing Board shall initiate the procedure of adopting the Statute of the Initiative, and its amending.

Managing Board shall prepare the draft of the Statute and its amendments and send it to the Assembly for adoption.

The Statute or its amendments are adopted if 2/3 of present members of the Assembly of the Initiative vote for it at the session that attends more than half of members of the Assembly.

### Article 49

The Statute and its amendments shall come into force on the day of its adoption, unless otherwise provided by the Statute.

## FINAL PROVISIONS

### Article 50

The Assembly is competent for interpretation of the Statute.

Date: 30 September, 2021



Edina Hasanaga Čobaj

Executive Director

*Edina Hasanaga Čobaj*