

Statutes of the Association

**„European Center for Constitutional and Human Rights“**

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**§ 1 Name - Place of Residence - Fiscal Year**

1. The association is registered under the name “European Center for Constitutional and Human Rights“.
2. The association has its place of residence in Berlin and is registered at the register of associations at the local court in Berlin-Charlottenburg.
3. The fiscal year is equivalent to the calendar year.

**§ 2 Purpose of the Association**

1. The purpose of the association “European Center for Constitutional and Human Rights” is to advance international humanitarian law and human rights sustainably and to help those persons or groups of persons who have been affected by human rights violations. This might take the form of support for victims or victim organizations, but might also be public advocacy for the needs of individual victims or victims in general and in specific cases.
2. This aim is to be achieved:
  - a) by offering personal support and free legal advice to needy individuals and groups whose human rights have been violated, if this is in the public interest.
  - b) through public events, special seminars/symposia and publications.

c) by organizing and holding courses and training events, in particular for those young lawyers working in the field of international humanitarian law and transnational human rights defense and by providing financial support for the training of young people in issues of human rights defense.

d) by organizing and running educational and training events for human rights organization representatives on the legal and practical bases of transnational human rights defense work.

e) through public relations exercises such as expert opinions, press releases and legal initiatives.

3. The association pursues only and directly non-profit aims. The association does not work to pursue its own interests and its aims do not seek primarily to make profit. The funds of the association may only be used for the aims stated in the statutes. Its members do not receive any share of the profit as a result of their membership, and nor may they receive any other payments from the funds of the association. No person may benefit through pending that do not promote the aims of the association or through disproportionately high payments. Surpluses produced by the association may not be paid to members; they are to be used only for the non-profit purposes mentioned above. Therefore parting members cannot demand payments from the association's funds.

### **§ 3 Membership**

1. Any individual and legal entity under public and private law approving and supporting the aims of the association can become a full member.

2. Written applications for membership have to be filed with the Board. Membership is granted by decision of the Board.

3. With the membership comes the obligation to pay the annual fee; payable for the first time upon joining for each current fiscal year. The amount of the annual fee is determined by the General Assembly. The minimum annual membership fee, however, is 50€. The membership fee is due at the latest by 30. January of each year. Membership fees for new members have to be paid no later than a month after admission to the association has been confirmed.

4. The Board is entitled, in accordance with the Advisory Committee, to appoint an honorary president and honorary members. Though not obliged to pay the fees, they possess the rights of members.

5. Membership is terminated

a. with the death of a natural person, with the disbandment of a legal person;

b. through a written cancellation of membership, sent at least three months before the end of the fiscal year;

c. through the collective agreement of the Board. This can be due to failure to pay the annual membership fee despite the issuing of two demands following the end of the fiscal year, or if continuing the membership would damage the reputation or vital interests of the association. Before any decision is taken, the member in question is given the opportunity to speak before the Board. The member has the chance to appeal this decision in the month after it has been communicated. The appeal is then decided at the next General Assembly.

**§ 4 The parts of the association are:**

a. the General Assembly

b. the Board

c. the Advisory Committee

d. the General Secretary and the Legal Director

**§ 5 General Assembly**

1. The Chairman of the Board is responsible for calling the General Assembly. In the case of his absence, this responsibility falls to one of his or her representatives. The Chairman chairs the Assembly.

2. The resolutions of the General Assembly have to be recorded as minutes and the minutes have to be signed by the Chairmen and the person who wrote them.

The Annual General Assembly must take place during the first three months of the Year.

3. The Board can call for an extraordinary meeting anytime. It is obliged to do so if the meeting is demanded by the majority of the Advisory Committee or a quarter of the members.

4. The invitation to a General Assembly has to be sent out in writing at least 8 days before the Assembly takes place, not including the day the invitation is mailed out and the day of the Assembly.

5. Every member can authorize another member to represent him/her through a written power of attorney.

6. The General Assembly receives the Board's annual report about the annual account and approves the actions of the Board.

In addition to this the following matters are the particular responsibilities of the General Assembly:

- a. changes in the statutes
- b. election of the Advisory Committee
- c. election of the Board
- d. election of the Treasurer
- e. dissolution of the association.

7. The statutes of the association can only be changed if a majority of the members vote to do so. In the event of a simple majority of votes, the Board shall be authorized to induce a resolution in a second General Assembly. Should the motion be accepted in the second General Assembly again with the simple majority of the votes given, it hence becomes a legal resolution. The call for the second General Assembly must refer to the fact that in the second meeting the motion can be decided with the simple majority of the votes given.

## **§ 6 The Board**

1. The Board consists at least of three members:

- the Chairman,
- the first Vice Chairman,
- the Treasurer.

2. Any two members can jointly represent the association in accordance with § 26 BGB. However, of them has to be a signatory of the Board, the Chairman, or the Chairman's representative.

3. Board members are elected by the General Assembly for a period of three years. Elections take place during the first General Assembly during the new fiscal year.

4. If an elected Board member leaves during the three-year term, a new member selected by the Advisory Committee will be added to the Board. This member has to be confirmed at the next General Assembly.
5. Board meetings are called and chaired by the Chairman. The Board has a quorum if at least three members are present. The resolutions passed by the Board must be recorded as minutes. The Board drafts its own rules of procedure.
6. The Board should seek the advice of the Advisory Committee on key issues.

### **§ 6a The General Secretary and the Legal Director**

The General Secretary and the Legal Director are the managing directors of the association. They are appointed by the Board. There is a head office at the association's headquarters with responsibility for carrying out the work of the association. The General Secretary and the Legal Director direct the head office. For day-to-day administrative transactions the General Secretary and the Legal Director represent the association externally as special representatives in accordance with § 30 BGB and are each individually authorized to represent the association. The General Secretary and the Legal Director are obliged to properly fulfill all rights and duties which arise from the law, statute, and the contract of service. The General Secretary and the Legal Director participate in an advisory capacity in all of the association's assemblies.

### **§ 7 The Advisory Committee**

1. As suggested by the Board, the Advisory Committee will be elected by the General Assembly. The committee will be elected for a period of three years. Consisting of no more than twenty members, the Advisory Committee has the right to call in honorary members as advisory members, and the duty to call in the association's Board during consultations (without voting right).
2. The chairman of the Board is also a member of the Advisory Committee.
3. The Advisory Committee has the assigned task of advising and supporting the Board in the realization of its tasks. The Advisory Committee must be convened at least once a year. The Board's power in accordance with § 26 BGB remains unaffected.

## **§ 8 Dissolution**

The decision to dissolve the association can only be passed upon the motion of the Board at a General Assembly especially convened for this purpose, where at least three quarters of the members are represented. The vote can only be passed with a majority of three quarters of the voting members present. This has to be made very clear in the call for this General Assembly. In the event that the General Assembly has no quorum, another General Assembly has to take place within a period of six weeks, which will have a quorum regardless of the number of members represented. This has to be stated expressly in the call for this General Assembly. For this meeting it also applies that a majority of three quarters of the voting members is required for an effective dissolution of the association. The funds of the association, existing in the moment of dissolution, shall be transferred to a charitable organization defined by the dissolution assembly. In case of dissolution of the Association, or in case of the discontinuation of tax concessions, the Association's assets shall pass to Amnesty International, Sektion Bundesrepublik Deutschland e.V., which must use them directly and exclusively for tax-privileged purposes.

Last version, 13 February 2012

I, the undersigned (Rachel Beddow, born on 5 May 1986 and resident in 10253 Berlin, Germany), hereby certify that the English texts attached hereto are, to the best of my ability, knowledge and belief, true, complete and correct translations of the original documents:

Rachel Beddow  
Boddinstr 45.  
Berlin 12053

Updates made to §2 (c) and §6 (a), 11 July 2012

I (Fiona Nelson, resident in Kochhannstr. 18, 10249 Berlin, Germany), hereby certify that the updated texts set out above are, to the best of my ability, knowledge and belief, true, complete and correct translations of the original documents.

Updates made to § 4 and § 6a, 22 July 2025

I (David Youssef, resident in 12055 Berlin, Germany), hereby certify that the updated texts set out above are, to the best of my ability, knowledge and belief, true, complete and correct translations of the original documents.