

Emmaus International - Extraordinary General Assembly - November 2003 - Statutes adopted

Preamble

Whereas at the time of its first General Assembly, held in Bern on the 24th and 25th of May 1969, the EMMAUS Movement adopted the "Universal Manifesto of the Emmaus Movement: To serve first those who suffer most", the text of which is annexed to the following statutes.

Whereas on the same occasion, it was decided to establish a liaison secretariat between the different groups.

Whereas Emmaus International was constituted during the second General Assembly of the EMMAUS Movement held in Montreal from July 2nd to 4th 1971 and which minutes are annexed to the following statutes.

Taking into account the necessity to put up-to-date the previous statutes adopted during the second General Assembly of the International Movement of EMMAUS (July 2nd to 4th 1971) and successively modified at the 4th General Assembly held in Århus from 25th to 28th October 1979 and at the 6th General Assembly held in Verona from 21st to 23rd September 1988, the minutes of which are annexed.

The Extraordinary General Assembly of Emmaus International meeting in Ouagadougou, Burkina Faso, on November 18th 2003, held at the time of the 10th General Assembly, adopts the present statutes which cancel and replace the previous ones:

I - NAME AND CONSTITUTION

Article 1 -

Under the name Emmaus International, an international, non governmental, non profit-making, contractual association is established.

Emmaus International, founded in 1971, is the only international movement and organism of Emmaus recognized by Abbé Pierre to carry on with the action started in 1949.

II - HEADQUARTERS

Article 2 -

The headquarters of Emmaus International are established at Alfortville 94140 (France), rue Paul Vaillant Couturier, 183 bis.

The Board may transfer the headquarters to another location in France or somewhere else in the world.

III - AIM AND OBJECTIVES

Article 3 -

The aim of Emmaus International is:

- to serve as a liaison and a mutual aid organ between the members throughout the world while respecting their respective personality and their individual autonomy;
- to reinforce and safeguard the identity of EMMAUS;
- to contribute and attend to the activity of its members so as to conform to the Manifesto.

Article 4 -

To reach its aim, Emmaus International (E.I.) strives to:

1. coordinate the material and moral efforts of its members and gather the maximum information in order to ensure effective help to those who suffer most and to avoid overlapping and wastage of funds;
2. develop any useful collaboration with other private or public institutions which share the same ideal of taking into account the dignity and accomplishment of Man.

PART IV / SEAL AND LOGO

Article 5 - Seal and logo

The seal of Emmaus International is the one marked in the margin of the original of these statutes. The President looks after it and has the right to use it.

The logo of Emmaus International is placed in the margin of the original version of these statutes and is an integral part of the seal of Emmaus International.

Only Emmaus International and its member organisations have the right to use the logo. The Board is its keeper.

PART V / MEMBER ORGANISATIONS

Article 6 - Definition

Apart from the founder, who is a member as of right of Emmaus International, of the Board and of the Executive Committee and the founding associations or federations, the list of which is in an appendix to these statutes,

Subject to their final admission at the end of the trial period referred to in Article 14, non profit organisations which have legal personality in the country of their registered office are members of Emmaus International if they satisfy the following more detailed conditions:

1. they expressly support the fundamental documents of Emmaus International, either the present ones or those that could be approved as such by General Assemblies in the future. Such texts, at the time of approval of the present Statutes, are the following ones and are in an appendix to

- the present statutes: the Universal Manifesto, Scope and Limits of Emmaus Social Commitment, the Solidarity Commitments, the Emmaus Principles and Membership Charter;
2. they must conform to the present statutes, to the internal rules and to the decisions of the General Assembly of Emmaus International;
 3. their decision making must be independent of the political authorities and of public, private or religious institutions;
 4. they must have a legal basis allowing them to run the organisation democratically and internal rules which set this out, and their accounting must be in accordance with the accounting standards in force in the country of the registered office of the organisation or, failing that, their accounting must be true and thorough according to the standards accepted by Emmaus International;
 5. they must be able to demonstrate that the majority of members and managers of each organisation come from the country of the registered office of each one of them;
 6. they must have been in existence and active for at least two years;
 7. they must commit themselves to active participation in General Assemblies, in Regional Assemblies and in National Assemblies;
 8. they must regularly pay their membership dues as set by the Board;
 9. they must use the logo in accordance with the visual identity defined by Emmaus International;
 10. they must be accepted by the Board, after making a request for membership duly signed by one or several of the duly authorised legal representatives, submitted to the Board by the representatives of the corresponding region of the world, following on the positive opinion of the national structure, as defined in Parts VII and VIII of the present statutes.

Exceptionally, and where the political or legal circumstances of the country in question justify this, the Board may, on a temporary basis, admit structures which are not legal entities but which nevertheless satisfy the other conditions set out above.

Except for the founding federations, the following shall not be considered as Emmaus International members: the alliances, associations, federations, or other structures linking member groups of Emmaus International, whether legally constituted or not. This does not prevent the Emmaus International organs maintaining relations with such bodies needed for rationalizing work so as to better achieve the goals of the association.

Article 7 - Rights

Each Emmaus International member organization has the right to:

1. keep its freedom, its distinctive nature and its right to be different, with a view to better implementing the values contained in the fundamental documents of Emmaus International, the statutes, and other decisions made at General Assemblies, according to the requirements of the local context.
2. know the identity of all the Emmaus International members, the state of the association's accounts, as well as the make-up and activities of its various bodies.
3. attend the General Assemblies, Regional Assemblies and National Assemblies with voting rights and delegate their right to vote.
4. propose candidates to Emmaus International bodies and the removal from office of their members.
5. contest decisions or actions of the bodies of the association that would be contrary to the fundamental documents of Emmaus International, the statutes, or the decisions made at General Assemblies.

6. have spoken or written access to Emmaus International bodies, to present proposals, requests and complaints, and to receive a response.

Article 8 – Obligations

Each Emmaus International member group has the obligation to:

1. act with a view to achieving the aims of Emmaus International;
2. fulfil all the legal requirements applicable to its legal status;
3. accept and meet the requirements of the fundamental documents of Emmaus International, the Statutes, and the decisions made at General Assemblies, as well as the broad lines of action defined by their corresponding Regional Assembly and National Assembly; and especially accept and meet the requirements of Article 6 sub-paragraphs 3, 4, 5 and 9 above;
4. participate in all bodies open to direct participation of the groups: General Assembly, Regional Assembly and National Assembly;
5. cease using the title "member of the Emmaus International Movement founded by Abbé Pierre" as well as all references to Emmaus or others which could lead to confusion, and cease using the Emmaus International logo, in the event of loss of membership status through withdrawal or in the event of exclusion from Emmaus International by Board decision;
6. finance the activities of Emmaus International by paying the set membership dues;
7. within the framework of its participation at the regional level, each group compares its annual financial and social results with those of the other Emmaus International member groups in the region, which is equivalent to approval of its management by Emmaus International.

Article 9 – Resignation

Any member organisation, whatever its status, can resign at any time from Emmaus International; it remains liable for its financial obligations, in particular for its membership dues for the current year and any loans there may be, until their complete repayment.

In the case of resignation, exclusion or cessation of activity, all material things that were obtained as a result of Emmaus International support shall revert to Emmaus International.

Article 10 – Exclusion

Any member organisation shall be excluded from Emmaus International in the case of non-compliance with the conditions set out in the present statutes, as well as non-payment of membership dues or non-attendance of three consecutive general and regional assemblies, even if it has been represented by another member organisation.

Besides the above, exclusion of a member organisation may be declared for a serious reason as a disciplinary measure.

The decision to exclude a member shall be taken while respecting the right of defence, after the member in question has been able to put forward its arguments. The sanction shall be decided by the Board and no appeal shall be possible.

The exclusion procedure is that set in the internal rules.

Article 11 - Suspension

In the case of emergency and if the actions of a member organisation are such as to seriously damage the whole of the Emmaus movement, the Executive Committee can provisionally suspend the membership of a member organisation as soon as the procedure for exclusion is submitted by a regional organisation.

The suspension of its membership will prohibit the member organisation in question from participating in the various bodies of the association and from benefiting from its status as a member organisation of Emmaus International until the final outcome of the exclusion procedure.

Article 12 - Dissolution or termination

Membership of Emmaus International terminates automatically on the dissolution or termination of activity of the member organisation.

A member organization that has been inactive over two consecutive years and that had not asked for authorization to suspend activities during a period of reorganization will automatically be excluded from Emmaus International.

Article 13 - Use of the name

Where a member organisation has resigned or been excluded or where it has lost the status of member, such member organisation automatically relinquishes the use of the title of "member of the Emmaus International Movement founded by Abbé Pierre", as well as the use of all references to Emmaus or others which could lead to confusion, and the use of the Emmaus International logo.

Article 14 - Trial Membership

In order to ensure that it fits in harmoniously within Emmaus International, each new member must be guided by another member organisation in its discovery of Emmaus and in conforming to its statutes, rules and practices.

In return for this guidance, this member receives provisional and trial acceptance of its membership with the right to use the name and the logo accompanied by the following obligatory statement "trial member of Emmaus International" in all its documents.

This dual role of guidance and acceptance on trial of a member is held by the national organisation or, failing that, the regional one.

During the trial period, the member is invited as an observer to the National Assemblies, Regional Assemblies and General Assemblies.

Between two years and five years, a request for full membership is made according to the conditions set in article 6 sub-paragraph 10.

Where at the end of the trial period the request for admission is rejected, membership is immediately automatically terminated without any justification required from the board.

PART VI / BODIES

Article 15 - Bodies

The bodies of Emmaus International are as follows:

- The General Assembly
- The Board
- The Executive Committee
- The Wise Persons' Committee

PART VI - 1 / GENERAL ASSEMBLY

Article 16 - Definition

The General Assembly is the highest body of Emmaus International and has full powers and responsibilities so that it can realise its aims and its objectives within the framework of the statutes, of the Manifesto and of any policies and decisions it may adopt.

Article 17 - Frequency

An important gathering for all the member organisations of Emmaus International, it takes place in principle every four years or at any other interval decided by the Board.

Article 18 - Place

It can be held in any city in the world at the discretion of the Board.

Article 19 - Exceptional General Assembly

At the request in writing of more than half of the member organisations or on the initiative of the Board, the President of Emmaus International must call an exceptional General Assembly within a maximum of three months.

Article 20 - Voting rights

Each member organisation may vote and has one vote at the General Assembly on condition that it is up to date with its obligations under the statutes and in particular the payment of its membership dues at least since the last two General Assemblies, unless an exception is granted by the Board upon justified request.

Article 21 - Proxies

A member organisation may give another member organisation a proxy to represent and vote on its behalf.

The member organisation may receive a maximum of two proxies which must be submitted to the President of Emmaus International at the latest at the start of the General Assembly.

Article 22 - Notice of meeting

Notices of meetings of the General Assembly are addressed to the member organisations in accordance with the conditions set out in the internal rules at least three months before the assembly and unless there are exceptional circumstances.

The General Assembly is convened and chaired by the President of Emmaus International.

Article 23 - Minutes

The minutes of the General Assembly are drafted by the Secretary.

Article 24 - Quorum

In order to make valid decisions, the General Assembly must consist of at least half the member organisations of the Movement, either present or duly represented

If this quorum is not reached at the Ordinary General Assembly, another Ordinary General Assembly is convened within six months and may take decisions in the absence of a quorum.

Article 25 - Agenda

The agenda is drawn up by the Board.

It is notified to the member organisations at the same time as the notice of meeting.

Any other proposal may only be submitted by a region or by a minimum of 10 percent of the member organisations and must be sent to the President of Emmaus International at least 8 weeks before the General Assembly. In this case, the President informs the member organisations by letter at least four weeks before the General Assembly

Article 26 - Voting system

The questions submitted to the Ordinary General Assembly are adopted by simple majority of member organisations present or duly represented. In case of a tied vote the proposal in question is deemed to be rejected.

Voting takes place by show of hands unless a secret ballot is requested by at least 10 percent of the member organisations present or duly represented.

Voting by correspondence is not authorised.

Article 27 - Election of the President

The Ordinary General Assembly elects the President of Emmaus International by secret ballot by a majority of two-thirds of the member organisations present or duly represented at the first round of voting and by simple majority in the second round of voting.

The term of office of the President runs until the next General Assembly and is renewable once.

Article 28 - Exclusive powers of the Ordinary General Assembly

Only the Ordinary General Assembly has the right:

1. to examine the accounts of preceding years approved by the Board;
2. to decide on the proposals which are submitted to it by the Board;
3. to decide on the policy report from the President, on the activity reports of the Board, of the Executive Committee and of the Treasurer and of the various working groups which have been given a specific mandate;
4. to adopt the general direction of work and priorities until the next General Assembly;
5. to set the number and extent of the Regions as well as the number of representatives per Region, on the proposal of the Board.

Article 29 - Exclusive powers of the Extraordinary General Assembly

Only the Extraordinary General Assembly has the right:

1. to interpret or modify the Manifesto;
2. to modify the statutes;
3. to dissolve Emmaus International.

The decisions concerning this article may only be taken by a majority of three-quarters of the member organisations present or duly represented.

PART VI - 2 / BOARD

Article 30 - Definition

The activity of Emmaus International is under the direct responsibility of the Board.

The Board is responsible for encouragement, follow-up and supervision of all other Emmaus International bodies, including the Executive Committee.

Article 31 - Members

The Board consists of natural persons who represent the member organisations of a specified region and are called Councillors of Emmaus International. They are selected from the member organisations of Emmaus International.

They are elected by the Regional Assemblies according to their own procedures, which are first ratified by the Board. Only member organisations of Emmaus International may take part in voting.

Article 32 - Term of office

The term of office of the members of the Board is four years, renewable once.

Article 33 - End of mandate

The status of member of Board ends:

1. on his death or his civil incapacity;
2. when he stops being a member of a member organisation;
3. at the end of the mandate received from the Regional Organisation;
4. on his resignation in writing.

Article 34 - Election of the Executive Committee

Within the limits provided for in Article 41 below, the Board sets the number of, and elects from among its own members, the members of the Executive Committee, with the exception of the President, who is elected by the Ordinary General Assembly.

Article 35 - Responsibilities

The Board is the policy-making body of Emmaus International.

Any questions which are not expressly the concern of another body will form part of its responsibilities.

The Board has the following duties in particular:

1. to implement the policies, suggestions and decisions decided at the General Assembly;
2. to lead and coordinate reflection to promote the fight for the rights of the poorest throughout the world;
3. to organise the communication policy of Emmaus International towards the public and political authorities;
4. to coordinate actions of solidarity and the sharing of resources between all the member organisations of Emmaus International;
5. to form alliances with other organisations which share the same aim in order to fight with them extreme poverty and its causes in all parts of the world;
6. to decide on membership or exclusion of member organisations;
7. to check the work of the Executive Committee, to which it has delegated responsibilities, and to examine its financial and activity reports;
8. to set up suitable working groups to carry out a specific mission which it gives them;
9. to prepare the agenda of the General Assemblies.

Article 36 - Financial Powers

As regards finance, the Board approves the accounts of the previous financial year and adopts the budget for the next financial year, before the 31st May. The rules governing the execution and payment of expenses are set in the internal rules.

Article 37 - Meetings

The meetings of the Board may be held in any place selected by the President or, failing that, one of the two Vice-Presidents, depending on the requirements of that particular time.

All meetings are convened in writing, at least three months in advance, unless there is an emergency or there are exceptional circumstances.

The convening order must contain the agenda.

A consultation may take place by correspondence at the initiative of the President or, failing this, of one of the two Vice-Presidents. The decision is considered to be adopted if it is approved in writing by the majority of responses received within the time limit provided.

The Board meets physically at least once a year, before 31st May, in addition to any meetings by correspondence, as the case may be.

Article 38 - Quorum

The quorum of attendance required for the Board meetings to be valid is always one half of the members of the Board.

Article 39 - Voting and minutes

Each member has the right to only one vote.

Decisions are taken by simple majority of the members present. In the event of a tied vote, the President of Emmaus International has the casting vote.

Minutes of the meeting shall be drafted by the secretary.

PART VI - 3 / EXECUTIVE COMMITTEE

Article 40 - Responsibilities

The Executive Committee has all the powers necessary for the daily management of the affairs of Emmaus International, on the basis of a mandate given by the Board. It accounts for its activity to the Board.

Article 41 - Members and term of office

The Executive Committee is made up of :

- the founder member, member as of right for life;
- the President, elected by the Ordinary General Assembly under Article 27;
- 5 members of the Board, elected by the Board. which may, if it deems it necessary, increase the number of elected members to 7. The Board shall also designate from among those elected the two Vice-Presidents, the Treasurer and the Secretary.

The term of office of the members of the Executive Committee is for 4 years renewable once.

Article 42 - Co-opted members

The Executive Committee may decide to co-opt up to two further members if it feels this would enable it to carry out its work more effectively. These persons may be chosen from outside the Board because of their knowledge and experience of Emmaus International. If so required the Executive Committee may appoint them as deputy officers. These persons shall be entitled to vote in the Executive Committee and attend the Board meetings in an advisory capacity.

Their term of office shall run up to the following General Assembly and may be renewed once.

Article 43 - Meetings, decisions and reports

The Executive Committee sits as often as necessary and at least six times a year, and makes decisions by simple majority.

It cannot take a decision unless the majority of its members is present.

The reports of the Executive Committee are given to each member of the Board according to the methods provided for in the internal rules.

Article 44 - Guests

The Executive Committee can invite third parties to participate in its work in an advisory capacity.

Article 45 - Report

The Executive Committee presents a report on the management of Emmaus International to each meeting of the Board.

Article 46 - Specific tasks

The Executive Committee may give a mandate to one of its members or to a third party to carry out a particular task, in particular to visit the member organisations and give them moral or technical support.

Persons who receive such a mandate must give a report to the Executive Committee.

Article 47 - International Secretariat

The International Secretariat of the Emmaus Movement has the following main tasks, under the authority of the Executive Committee and the responsibility of a Chief Representative:

- dynamics and co-ordination at the international level;
- secretariat of solidarity actions;
- communication;
- general administration.

PART VI - 4 / PRESIDENT

Article 48 - Public statements

The President of Emmaus International represents Emmaus International both within and outside the Movement. He/she has the right to make public statements relating to the ideals and the aims of Emmaus International.

Article 49 - Responsibilities

The President represents Emmaus International in legal matters, to third parties and before the courts.

He/she carries out all the duties which the law and the statutes entrust to him/her.

He/she is responsible for carrying out the decisions of the General Assembly, of the Board and of the Executive Committee and he/she signs letters on behalf of the association Emmaus International.

The President, as the representative of Emmaus International, is entitled to participate in an advisory capacity in all the activities carried out by any regional organisation, and in particular in the Regional Assemblies.

Article 50 - Other responsibilities

He/she calls and chairs the meetings of the Board and of the Executive Committee.

He/she can grant a mandate to the Vice-Presidents or to any other member of the Executive Committee to represent him/her.

PART VI - 5 / WISE PERSONS' COMMITTEE

Article 51 - Members

The General Assembly elects, for a term running until its next meeting, the Wise Persons' Committee composed of one member per Region. Its members are natural persons who do not belong to the Board.

It is composed of members known for the length of time they have been involved with Emmaus International, for open-mindedness and for ability.

The Committee elects from its members a president who has responsibility for conducting its work.

Should a seat in the Committee become vacant, the candidate who was not elected but had the highest place in the previous vote, will become the replacement member until the next General Assembly.

Applications from candidates are presented by the regional organisations, in accordance with methods set by them.

They must be made known to the Board at least one month before the date set for the General Assembly.

Article 52 - Definition

The Wise Persons' Committee has the following tasks:

- to ensure that the bodies of the Emmaus International association faithfully follow general orientations set out in its founding texts;
- to prepare opinions and proposals concerning the settlement of conflicts between the Regional Organisations or between one or more National or Regional Organisations and the Board, and, as a last resort, conflicts within a National Organisation or a Regional Organisation.

Article 53 - Functioning

The Wise Persons' Committee can exercise its functions independently of the Board or of the Executive Committee. It addresses its recommendations and reasoned opinions in writing to the Board and can on request by the Board present them orally.

The Wise Persons' Committee is tasked by the Board, the Executive Committee, a Regional Organisation or a National Organisation. Tasking the Wise Persons' Committee must be in writing with a copy to the parties concerned.

Where there is a conflict to be settled, the request will state the procedures which have already been undertaken without success by the various third parties.

The Wise Persons' Committee will be provided with all the documents needed for its information. All the members of Emmaus International must give their help when they are asked.

Article 54 - Opinions and recommendations

In the case of an opinion on general orientations, the request to the Wise Persons' Committee should be justified by explicit reference to the text(s) which is (are) being referred to.

Once it is tasked, the Committee gives official acknowledgement to the party submitting the request. From that point, the Committee has a time limit of five months in which to produce its opinions and/or its recommendations.

The Committee gives the majority opinion of its members, the president having the casting vote.

The Wise Persons' Committee is convened by its president, who sets the agenda, at least one month in advance.

PART VII / REGIONAL ORGANISATIONS

Article 55 - Definition

The members of Emmaus International from a given region are formed into regional organisations, which are decentralised structures and to which are delegated the duties set out in Article 56 below, sub-paragraphs 1 to 13.

The budget of each regional organisation is made up of the membership dues which it is authorised to collect from its members as part of financial powers delegated by the Board and/or funds allocated by the Board (budget for operations, solidarity funds, etc...).

Each regional organisation shall adopt its own internal rules and constitute working groups as agreed by its members and whilst respecting the Statutes of Emmaus International.

Article 56 - Responsibilities

These Regional Organisations have the following duties:

1. to give dynamics to and coordinate the region;
2. to elect the councillors of Emmaus International to the Board, in charge of giving dynamics to and coordinating the groups of the region;
3. to settle internal regional disputes;
4. to give their opinion to the Board on the applications for membership of the trial members in their respective geographical regions to Emmaus International;
5. to examine, adopt and to monitor the actions of solidarity proposed by the members of the region;
6. to gather all the information necessary to work out the political stance of the Movement;
7. to organise the training of the various people involved in the activities of Emmaus in the region;
8. to contribute ideas necessary for the proper working of the Emmaus International working groups which are set up by the Board;
9. to manage the regional funds and budget both for co-ordination and solidarity;
10. to protect the name of Emmaus and of Abbé Pierre and the logo of Emmaus International in their region;
11. to draft a report on the activity of Emmaus in the region before each meeting of the Board;
12. to collect and pass on to Emmaus International the annual financial accounts of each member;
13. to ensure the participation of the members in the national and regional life of Emmaus International.

Article 57 - Duties of the Councillors

The Councillors of Emmaus International have the following duties:

1. to maintain and follow up their relations with the members of their respective regions;
2. to represent them before the Board of Emmaus International and to pass on to them information from the Board;
3. to draft a report on the activity of Emmaus in their region before each meeting of the Board of Emmaus International;
4. to conduct investigation into the membership applications of trial members in their regions to Emmaus International;
5. to manage regional budgets;
6. to be in all circumstances practical examples of the values of Emmaus International.

PART VIII / NATIONAL ORGANISATIONS

Article 58 – Definitions and Responsibilities

All the countries with at least three member organisations of Emmaus International must set up a national organisation, according to the laws of that country. Such organisation will adopt the rules and the operational resources accepted by the member organisations of the country, according to the general policies of the region it belongs to and the provisions of the present Statutes as well as the fundamental texts of Emmaus International.

The national organisations have the following tasks and responsibilities:

1. to help, support and coordinate the activities of the member organisations of Emmaus International in the country;
2. to promote new communities and groups in the country;
3. to become political interlocutor with the national authorities for the resolution of social problems in the country;
4. to represent Emmaus on a national level and in dealings with public and private organisations;
5. to protect, in their country, the name of Emmaus and that of Abbé Pierre, as well as the logo of Emmaus International;
6. to give their opinion regarding Emmaus International membership requests from trial members of their country;
7. to defend, within the country, the moral positions of Emmaus International as expressed in General Assemblies.

PART IX / FINANCIAL RESOURCES

Article 59 – Financial resources

The financial resources of Emmaus International come from:

1. the membership dues, as set by the General Assembly on the basis of the Board's proposal;
2. donations and authorised legacies, with or without specific indication of use to be made, which are made by its members or by third parties;
3. subsidies;
4. additional contributions requested by the Board;
5. and all other resources authorised by law.

The association undertakes to present its accounting ledgers and documents, at the request of the Minister of the Interior or the Prefect, concerning the use of gifts which it is authorised to receive, and to provide the Prefect with an annual report on its financial situation and accounts, and to allow delegates of the ministers concerned to visit its premises and to account for the operation of these premises.

Article 60 - Responsibilities

The member organisations are not personally liable for the obligations contracted by Emmaus International; only the assets and resources of the Association are liable for such obligations.

Emmaus International is in no circumstance liable for the obligations which its member organisations contract in its name, without prior express authorisation.

PART X / ACCOUNTS AND AUDITING

Article 61 - Treasurer's responsibility

The treasurer is responsible for keeping the accounts of Emmaus International.

Article 62 - Auditing of the accounts

The President of Emmaus International or the Executive Committee can at any time commission audits of the various accounts using one or more chartered accountants.

Article 63 - Financial year

The financial year of Emmaus International is the calendar year.

Article 64 - Auditors

The Board appoints one or several auditors.

Their reports are provided to the member organisations of Emmaus International.

Article 65 - Auditing a member organisation

In the case of serious accusations or serious doubts as to the operations or actions of a member organisation, the Executive Committee and/or the Board have the duty to bring everything to light with the aim of transparency both towards its members and the general public.

For this it has the right to commission an audit of the member organisation concerned, in particular of its accounting and financial management, its internal operation and its social actions, and to appoint the organisation that will carry out the audit.

The cost of the audit will be covered by the budget of Emmaus International.

The member organisation must comply and cooperate in every way to facilitate the work of the auditors.

The findings of the audit will be brought to the attention of the Board, which will then take the decisions which it considers relevant.

PART XI / LANGUAGES

Article 66 - Official languages

French, English and Spanish are the official languages of Emmaus International.

They will be used on an equal footing in all bodies, publications and documents.

For the purposes of the present statutes, the French version is deemed to be the official one in the case of litigation.

PART XII / MODIFICATION OF THE STATUTES AND DISSOLUTION

Article 67 - Modification of the statutes and dissolution

Except for the provisions of Article 2 Paragraph 2, decisions concerning the modification of the statutes and the dissolution of Emmaus International may only be taken by a majority of three-quarters of the members present or duly represented at an Extraordinary General Assembly.

Such an assembly must be convened by the President of Emmaus International on the request of two-thirds of the members of the Board or of one half of the member organisations of Emmaus International.

Dissolution can only be decided by an Extraordinary General Assembly which has been specially convened for this and which has no other item on its agenda.

Article 68 - Disposal of assets

In the case of dissolution, the balance of assets shall be allocated, after the payment of debts and according to the law and directives adopted by the Extraordinary General Assembly, to an association which shares the same aims.

PART XIII / INTERNAL RULES

Article 69 - Internal rules

Internal rules are drafted by the Board and adopted or modified by the General Assembly of Emmaus International.

APPENDICES

The following are appendices to the present statutes:

1. Minutes of the First General Assembly held on 24th and 25th May 1969 in Bern (Switzerland) **APPENDIX I.**
2. The Universal Manifesto of the EMMAUS Movement "*Serve first those who suffer most*) **APPENDIX II.**
3. Minutes of the constituent General Assembly of Emmaus International held from 2nd to 4th July 1971, in Montreal (Canada). **APPENDIX III.**
4. Minutes of the 4th General Assembly of Emmaus International held from 25 to 28 Oct 1979, in Århus (Denmark), which modified the statutes. **APPENDIX IV.**
5. Minutes of the sixth General Assembly of Emmaus International held from 25th to 28th September 1988, in Verona (Italy), which modified the statutes. **APPENDIX V.**
6. "Solidarity Commitments" and "Emmaus Principles and Membership Charter" approved by the 8th General Assembly of Emmaus International held from 9th to 12th September 1996 in Paris (UNESCO). **APPENDIX VI.**
7. "Scope and Limits of Emmaus Social Commitment" adopted by the 4th General Assembly of Emmaus International held from 25th to 28th October 1979 in Århus (Denmark). **APPENDIX VII.**
8. List of organisations which took part in the Constituent Assembly, considered as Founding Members. **APPENDIX VIII.**
9. List of the member organisations of the Emmaus International Association, as of the date of the General Assembly. **APPENDIX IX.**

N.B. : the documents mentioned above are attached in an appendix to the original version of the Statutes. They may be obtained from the Secretariat of Emmaus International.

APPENDIX II TO THE STATUTES

UNIVERSAL MANIFESTO OF THE EMMAUS MOVEMENT

Adopted in Bern, on May 24th 1969, by the 1st International Assembly of the Emmaus Movement

PREAMBLE

The name of our Movement -EMMAUS- comes from the Palestine town where two desperate re-covered hope. This name shows all people, believer and non-believer alike, our mutual conviction that love alone can unite us and make us progress together.

The EMMAUS Movement was born in November 1949 from the encounter of:

- people who came to realise that they were in a privileged condition and who understood their social responsibilities in the presence of injustice,
- and people who had no longer any reason to live ;

They both decided to combine their will and their actions in view of helping each other as well as those who suffer, because they believe that you can save yourself by saving others.

In order to achieve this, Communities were formed: they work in order to live and give.

Furthermore, some groups of friends or volunteers were formed in order to fight at the civil and private levels.

1. Our Law is the one upon which depend, for all mankind, a meaningful life, true peace and joy for every person and society:

"Serve before yourself those who are less fortunate".

"Serve first those who suffer most".

2. Our Firm Belief is that the respect of this law must animate any pursuit of justice and consequently of peace among men.

3. Our Aim is to help through our action every man, every society and every nation to live, assert and fulfil itself through communication and sharing, and with equal dignity.

4. Our Method is based on the creation, support and animation of circles where all, feeling free and respected, can meet their own needs and help each other.

5. Our First Means, wherever feasible, is the recovery work which allows the revaluation of things and the increase of possibilities for emergency action to help those who suffer most.

6. All Other Means, making the awakening of consciences and challenge possible, must also be used in order to help or make others help first those who suffer most, by sharing their troubles and struggles, both private and civil, until the very roots of each particular ill disappear.

7. Our Freedom: In the accomplishment of its task, EMMAUS is not subordinated to any ideal other than the one expressed in this Manifesto, and to no authority other than the one instituted within the Movement, according to its own constitution. It operates in accordance with the Declaration of Human Rights, adopted by the United Nations, and in accordance with the fair laws of every society and nation, without any political, racial, linguistic, spiritual or other discrimination.

The acceptance of the contents of this Manifesto is the only thing required from anyone wishing to participate in our activity.

8. Our Members: This Manifesto constitutes the simple and specific foundation of the EMMAUS Movement. It must be adopted and applied by any group wishing to become an active member.

APPENDIX VI.I TO THE STATUTES

SOLIDARITY COMMITMENTS

Adopted by the 8th General Assembly of Emmaus International, Paris, 9 to 12 September 1996.

TOGETHER WE CAN MAKE A DIFFERENCE Emmaus worldwide

A STATEMENT OF OUR VALUES, OUR RESPONSES TO THE CHALLENGES OF MODERN SOCIETY AND HOW WE CAN WORK FOR CHANGE.

The world is divided by poverty and inequality. People suffer from exclusion, oppression and exploitation. In Emmaus we believe that the world must change. Ours is a worldwide movement committed to showing that it is possible to work together in harmony, sharing a life where every one is treated equally and can live in dignity.

Those who live and work in Emmaus are drawn from all walks of life and cultural backgrounds. It is this diversity that gives us our strength. We are able to share our skills and resources, to celebrate our differences and to be one Movement.

OUR CORE VALUES

These are the values by which we strive to live in Emmaus. They set the standard for our way of life together.

- Showing respect:
 - Being tolerant of other people's way of life and their beliefs recognising that other people may have a different point of view.
 - Being willing to listen to what others have to say.
 - Having compassion for others and respect for their circumstances especially towards those who have suffered or are in distress.
 - Respecting the skills of others and valuing their work.
- Being open and honest
 - In the way we live our life within the Movement.
 - About how we report our finances and our activities.
 - In the way we take decisions.
 - By communicating properly so everyone knows what is happening and understands the decisions that are made.
- Sharing.
 - Sharing and exchanging our resources and skills, being willing to receive as well as to give.
 - Learning from each other.
 - Fighting together against injustice, accepting the risks that may be involved.
- Taking and Sharing Responsibility.
 - Encouraging people to participate actively at all levels of the Movement.
 - Ensuring that everybody's voice is heard.
 - Ensuring that decisions are taken and implemented democratically.

TODAY'S CHALLENGE

In a world where poverty and inequality are to be found everywhere, our Communities and Groups should be living examples of our values. They should be like oases of freedom and justice where everyone's basic human rights are respected, where people are free and treated as equal.

Right across the world there are countries where the poor and the powerless are oppressed and exploited. There are also many more countries in which society is just indifferent to the

plight of the poor. This indifference is its own form of oppression and is just as much a challenge.

As a Movement we are committed to fighting poverty and oppression and its causes wherever we are able to and our response to these challenges, both as individuals and as a Movement must reflect our core values in practical ways:

- At both a political and a local level there are various ways in which we can take up the challenge:
 - Empowering others through working with them at grass roots level.
 - Enabling people to find their own voice and become their own advocate to fight their cause.
 - Campaigning so as to expose injustice and oppression whenever we become aware of it.
 - Lobbying politicians and decision makers to influence decisions and policies, whether at local, national or international level.
 - Combining with other like minded organisations to take collective action.
- We can also play our part in challenging the world's economic systems, for example:
 - Running our projects and investing our resources according to Emmaus values.
 - Creating jobs rather than accumulating wealth
 - Actively supporting projects that help people to become self supporting.
 - Showing responsibility as consumers by buying goods that have been fair traded in preference to those that have not.
 - Actively campaigning, either alone or with other organisations, against multi-nationals and other companies who exploit local labour markets or the environment.
 - Supporting the development of local credit schemes.
 - Campaigning for the cancellation of third world debt.

A VOICE FOR CHANGE

By living by its beliefs, by challenging the accepted values of society, by showing that there are fairer ways of living, Emmaus is truly a voice for change.

Through the life we live, we are able to show that it is possible to break down the barriers that exist between people of different languages and cultural backgrounds, bringing them together as one Movement.

In place of mistrust and misunderstanding, we substitute acceptance and tolerance, a willingness to listen and learn. This is our voice for change.

There are practical ways that we can make our voice heard and play our part in making change happen.

- Improving communication:
 - Sharing knowledge and exchanging information at all levels of the Movement
 - Telling the world about Emmaus and the values we live for. How, on a daily basis, we are working and living together sharing with those who are worse off than ourselves.
 - Breaking down barriers that exist between people of different ages, languages and cultural backgrounds.
- Raising awareness:
 - Raising peoples' awareness of the plight of the poor and of the practical things they can do to support the work of those who are fighting to end oppression and exploitation.
 - Raising our own awareness by keeping up to date with current world development and being informed on issues relating to poverty, exploitation and the environment.
 - Using the knowledge and experience we gain to strengthen our own work so that we are better able to argue for the rights of those for whom we are campaigning.
- Education and training:
 - Listening to those who have suffered and learning from their experiences.
 - Setting up training and development programmes to encourage people to develop skills and enable them to find their voice and have confidence to speak out.
 - Providing opportunities for involving young people in our work and widening their knowledge of the issues affecting the poor and the exploited.

APPENDIX VI.II TO THE STATUTES

EMMAUS PRINCIPLES AND MEMBERSHIP CHARTER

*Text adopted by the 8th General Assembly of Emmaus International, Paris, 9 to 12 September 1996
English revision by the Emmaus International Administrative Committee, December 1998.*

THE EMMAUS MOVEMENT

1. The Emmaus Movement is made up of different groups and communities striving continuously towards common goals while:
 - responding to differing local conditions whether social, economic, political, or cultural;
 - paying due heed to the Movement's Universal Manifesto and its Statutes and always seeking practical implementation of the General Assembly's policy decisions.
2. Our Movement draws on its own strengths to create the resources necessary for both its own development and to inspire people to take up the challenge.

Emmaus is committed to the eradication of poverty and the attainment of dignity for all mankind.

3. The grass-roots groups are the decision-makers; thus the General Assembly decides what policies our Movement should follow at local, national, regional, and international level.
4. Emmaus is a non-violent Movement, which shuns violence and respects pluralism. It is free from any external authority.

THE EMMAUS PRINCIPLES

1. That men and women from all walks of life meet and learn about one another, through working together, sharing common goals, combating injustice and seeking to enable the poor to build their own future:
 - by solidarity through a common outlook, life and work;
 - by admitting and reaching out to any group or persons living a precarious or marginal existence, as well as those seeking a new way of life;
 - by work that provides the resources to enable the group to live as well as to help others;
 - by sharing all experience, resources and skills as well as the risks inherent in the fight for justice;
 - by a social and political commitment based on actions and aimed at denouncing and working against any kinds of injustice or oppression, and fighting for a just and humane world.

RIGHTS & OBLIGATIONS OF THE GROUPS

RIGHTS

1. To use the Emmaus name.
2. To participate at all levels in the Emmaus Movement: to receive information, state views, launch projects, submit ideas, and take decisions.
3. To request support from the Movement (manpower, moral, material and financial).
4. To equal respect for different cultures and customs without distinction.

OBLIGATIONS

1. To follow the Manifesto and defend the Emmaus name.
2. To take part in the life of the Movement at national, regional, and international levels; to pay dues; to ensure transparency, especially financial, in line with standards defined by Emmaus International.
3. To give human, material and financial support, and to participate in common initiatives, according to ability at local, national, regional and international levels; and to develop social actions.
4. To implement the decisions of the General Assembly and Administrative Committee as endorsed by the Executive Committee; to respect decisions taken by other regions.
5. To allow each community member to receive information, state their views, launch projects, submit ideas and take decisions.

CONDITIONS OF MEMBERSHIP

1.
 - Adoption of the Universal Manifesto.
 - Adoption of the Statutes of Emmaus International and of the region.
 - Implementation of General Assembly policy decisions (See Art. 6 of EI Statutes)
2. Due respect by the group of a participatory and communal way of life both within the group and at all levels of the Movement, by enabling individual members to relate to each other according to the principles of Emmaus.
3. The development by the group of activities aimed at providing support, both within and outside the group of a human, moral, material and financial nature.
4. Transparency of the group's affairs, especially financial; being active within and, if possible, outside the Movement.
- 5.1 The group shall live off its earnings, aiming at self-sufficiency and independence.
- 5.2 The group shall engage in an income generating activity, which emphasises personal dignity and skills as well as self-sufficiency.
- 5.3 Any help or donation shall be used only to develop the group or for its actions to help others.
- 5.4 Outside financing, whether from public or private sources, should be covered by a contract relating to specific activities.

APPENDIX VII TO THE STATUTES

SCOPE AND LIMITS OF EMMAUS SOCIAL COMMITMENT

*Adopted by the Emmaus International Administrative Committee, Paris, October 1976
Then adopted by the Emmaus International 4th General Assembly, Århus, 25 to 28 October 1979*

I

1. Because the Emmaus groups feel morally obliged to show their solidarity with those levels or groups of society which are rightly considered to be down-and-out, excluded or oppressed – in short, the "**most suffering members**" of society;
2. Because, in concrete cases, the demands of these social groups for the satisfaction of their needs and aspirations in the fields of health, education, nutrition, dwellings, working conditions, etc., are not treated by the powers that be either public or private ones, with the promptness and sense of justice required by the seriousness and urgency of the requests;
3. Because the aim that Emmaus has set itself "**to stir people's consciences**" requires that on the one hand it should arouse the privileged classes to recognize where their duty lies, and on the other should open the eyes of the needy to the injustices inflicted on them, so that both can fulfil their responsibilities with ever-greater efficiency;

II

After due deliberation, the Administrative Committee of Emmaus International judges the moment opportune to define its position as follows :

1. As a Movement, Emmaus – as well as being "**preliminary and complementary in any struggle for social justice**" – is devoted to the interests of the weakest members of society; its mission consists not only in giving emergency aid, but in helping the people themselves claim their just rights, that is make "**their own voice heard**".
2. This commitment implies that Emmaus will always be in conflict with those who, consciously or unconsciously, are the cause of these sufferings, especially national or international groups which exert an oppressive influence.
3. Every member-association of Emmaus International must determine, in the light of local conditions, whether it is opportune and how to make known the scope and limits of this Emmaus's commitment, and to shape its social policy accordingly.
4. In line with its Universal Manifesto, Emmaus must found, inspire, sustain and aid social or popular movements claiming people's injured due rights (see art. 6 of the Manifesto).

The Administrative Committee of Emmaus International insists that any group which commits itself with a particular option (of course not in contradiction with the Universal Manifesto), will consider it has the duty to clearly specify in public that this is a special choice, peculiar to this group and not the commitment of the Movement as a whole.
