

## **By-Laws of the Civil Association**

Complete version By-Laws of the Civil Association dated 22. 10.2001 registered by Ministry of Interior on 11.06.2001 under no. VVS/1-900/90-19167, as amended and supplemented.

### **Article I Introductory Provisions**

The name of the Association:

Center for Civil and Human Rights (hereinafter only “Association”)

Address: Krivá 23, 040 01 Košice

### **Article II Legal status**

1. The Association is a voluntary, independent, associating members on the basis of the common interest.
2. The Association is a legal entity.

### **Article III Objectives and Aims of Activities**

1. The association aims are to promote respect for civil, human rights and fundamental freedoms in the Slovak Republic and to develop their full implementation in accordance with ratified international treaties on the protection of human rights and freedoms.
2. With respect to this purpose, the Association particularly:
  - a) develops programs focused on the protection of human rights and freedoms, consumer rights and protection of disadvantaged groups;
  - b) develops programs focused on social prevention and provides social counseling;
  - c) develops programs focused on promotion and protection of women's rights;
  - d) develops programs focused on development and integration of national minorities, ethnic groups and foreigners;
  - e) promotes the conformity of national legislation with ratified treaties on human rights and fundamental freedoms;

- f) monitors the legislative activities of governmental bodies with regard to the fulfillment of their obligations under the ratified treaties on the protection of human rights and fundamental freedoms;
- g) draws attention to possible acts of discrimination, violation of the principle of equal treatment and proposes systematic solutions in this area;
- h) in the field of protection against discrimination, provides legal advice and representation in proceedings before courts and other authorities;
- i) monitors and analyses the unsolved problems of people at risk of homelessness (homeless) and supports the conceptual solutions to assist such persons;
- j) offers information and advisory service in the field of human rights for individuals, entities, NGOs and employees of state and public administration institutions and other bodies and institutions;
- k) organises educational events related to the subject of its activities;
- l) develops programmes related to protection of the children's rights, promotes all relevant forms of non-institutional foster care with special respect to the Convention on the Rights of the Child;
- m) promotes larger transparency of the prison system and supports wider use of alternative punishments;
- n) develops programs related to the protection of human rights of persons placed in all institutions where the freedom of movement is restricted (in particular residential institutions for children and youth, institutions assigned for imprisonment and detention, medical institutions for long-term patients, retirement homes, conducted departments of Psychiatry);
- o) tries to improve the citizens' legal awareness and in needed areas it elaborates legal aid programs in order to contribute to a higher level of law enforcement in the Slovak Republic.
- p) provides social and other counseling to persons in material and social need.

#### **Article IV Membership**

1. Membership in this Association is voluntary

2. Member of the Association can be persons of 18 years old and older and legal entities that agree with the By-laws and aims of the Association
3. The council of the Association decides on the acceptance of a member based on his/her written application.
4. Membership commences on the day when a member is accepted.
5. Membership terminates when:
  - a) a resigning member submits a written notice to the Council
  - b) death of the member
  - c) membership is canceled based on the Council's decision
  - d) cessation of the Association
  - e) dissolution of a legal entity

## **Article V Members' Rights and Duties**

1. A member is entitled in particular:
  - a) to participate in activities of the Association
  - b) to vote to the bodies of the Association
  - c) to be elected to the bodies of the Association
  - d) to refer to the bodies of the Association with suggestions and complaints and request their statements.
2. A member is obliged in particular
  - a) to respect the By-Laws of the Association
  - b) to participate actively in fulfilment of the aims of the Association
  - c) to fulfil the functions in the Association's bodies assiduously.

## **Article VI Association's bodies**

The Association's bodies are:

- e) Council
- f) Chairperson of the Association
- g) Revision Commission
- h) Governing Board

## **Article VII Council**

1. The Council is the supreme body of the Association.

2. The Council's members are all members of the Association.
3. The Council is convened by the Chairperson of the Association as may be required, however once a year is a minimum. The Association's Chairperson is also obliged to convene the Council if he/she is asked to do so by at least one third of the members of the Association;
4. The Council in particular:
  - a) co-ordinates the Association's activities;
  - b) approves tasks for a relevant period, the annual report, the budget and the annual balance of the Association;
  - c) decides to accept a member to the Association;
  - d) decides on termination of membership in the Association;
  - e) elects from its members the Chairperson and the Deputy Chairperson of the Association;
  - f) authorises the Deputy Chairperson of the Association to act on behalf of the Association in the absence of the Chairperson of the Association;
  - g) proposes the members of the Revision Commission;
  - h) proposes the members of the Governing Board;
  - i) convenes the Governing Board;
  - j) regularly, at least once a year, informs the Governing Board on the activities of the Association;
  - k) is responsible for the financial management of the Association;
  - l) submits a management report, including financial balance annually by 30.4. to the Revision Commission;
  - m) decides on changes of the Association's By-Laws
  - n) can issue organisational or other internal regulations of the Association;
  - o) decides on dissolution of the Association or on merging with other association.
5. The Council may establish the Association's office or field offices to ensure its activities.

### **Article VIII Council election**

1. All members of the Association have the right to vote in the Council.
2. The Council is having a quorum if there is an absolute majority of all the members present.
3. The Council's decision is accepted if majority of the present members' votes are in favour of it. In case the votes are equal, the Chairperson's vote decides. The decision of the Council specifies the minority view, for it to be raised at least by one third of the members present.

**Article IX**  
**The Chairperson of the Association**

1. The Chairperson is an executive body of the Association.
2. The Chairperson of the Council represents the Association externally and acts on its behalf. If the Association is represented by another member of the Council, may do so based on the written authorization by Chairperson of the Association.
3. The Chairperson is elected by the Council of the Association from its members.
4. The Chairperson is elected for a maximum period of 7 years.
5. The Chairperson in particular:
  - a) convenes the Council if necessary, at least once a year, or if requested by at least one third members of the Association;
  - b) appoints the members of the Revision Commission following the Council's proposal;
  - c) appoints the members of the Governing Board;
  - d) may give written authorisation to represent the Association to another member of the Association or third party.
6. Deputy Chairperson of the Association is a representative of the Chairperson of the Association and is authorized to act on behalf of the Association in the absence of the Chairperson.
7. Deputy Chairperson is elected by the Council of the Association from its members.

**Article X**  
**Revision Commission**

1. The Revision Commission is a control body of the Association.
2. There are three members of the Revision Commission.
3. Members of the Revision Commission are appointed by the Chairperson of the Association following the Council's proposal.
4. The Revision Commission in particular:
  - a) supervises the financial management of the Association;
  - b) points out discovered insufficiencies and proposes their solution to the Council;
  - c) where appropriate, carries out control at least once a year.

**Article XI**  
**Governing Board**

1. The Governing Board is an advisory body of the Association.
2. Members of the Governing Board do not need to be members of the Association.
3. Members of the Governing Board are appointed by the Chairperson of the Association following the Council's proposal for a maximum period of 5 years.
4. The Governing Board has its Chairperson elected by members of the Governing Board. The Chairperson of the Governing Board manages the activities of the Board and convens its meetings.
5. The Governing Board may issue considerations on various issues related to the activities and objectives of the Association. Governing Board's Considerations have, for the bodies of the Association, recommendatory nature.
6. The Governing Board shall meet as required. The Board meetings are convened by the Chairperson of the Governing Board or by the Council.

**Article XII**  
**Principles of financial management**

1. The Association may carry on economic activities in accordance with applicable law in order to achieve the targets and improvement activities of the Association.
2. May issue periodical or non-periodical publications.
3. Expenditures of the Association are expenses on the Association's activities geared towards fulfilling the Association's objectives and the expenses for administration of the Association.
4. Financial resources to implement the goals of the Association are: donations, grants and sponsorship, incomes from its own economic activities, wills, income from public collections, lotteries and other games, tax assignation.

**Article XIII**  
**Cessation of the Assocation**

1. The association ceases to exist:
  - a) by voluntary dissolution based on the Council's decision;
  - b) merging with another association/s based on the Council's decision;

- c) by the decision of the Ministry of Interior of the Slovak Republic.
2. Should the Association fail to exist by the voluntary dissolution, the Council also decides how the property is settled.

**Article XIV**  
**Final and transitional provisions**

1. Based on the Council's decision the Association may issue the organisational or other internal procedure of the Association.
2. Members of the Preparatory Committee become members of the Association on the day of its registration.

**Article XV**  
**Effect**

1. The By-Laws of the Association become effective on the day of registration the Association.
2. These By-Laws are full text of the By-Laws from 22.10.2001 registered by the Ministry of Interior of the Slovak Republic on 6 November 2001 under number VVS/1-900/90-19167 as any amendments and additions.

In Kosice on 28.02.2011