



FIAN International Statutes

Reformed as of International Council Meeting 2014*

* As registered on January 17, 2017 at Vereinsregister Mannheim, Germany

FIAN International - For the Right to Adequate Food and Nutrition

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§ 1 Name, Location, Financial Year

§ 1.1 The organization bears the name FIAN International e.V.. It was founded and registered in Heidelberg, Germany, in 1986 as FoodFirst Information and Action Network.

§ 1.2 The location of the organization is Heidelberg, Germany.

§ 1.2.1 The National Sections of FIAN International are located in their respective countries.

§ 1.3 The financial year is the calendar year.

§ 2 Vision and Mission

FIAN International envisions a world free from hunger and malnutrition, in which every person fully enjoys all human rights in dignity and self-determination, particularly the human right to adequate food and nutrition.

In pursuit of this vision, FIAN International's mission is to contribute throughout the world to implementing the provisions of the International Bill of Human Rights by working for the respect, protection and fulfilment - defined as facilitation, promotion and provision - of the human right to adequate food and nutrition of persons or groups threatened by or suffering from hunger and malnutrition.

§ 3 Objectives

FIAN International and its members worldwide aim to support the struggle for the full realization of all human rights, in particular the human right to adequate food and nutrition, including their universality, indivisibility and interdependency.

FIAN International promotes the mutual understanding of all peoples.

FIAN International advocates for the human right to adequate food and nutrition on the basis of the International Bill of Human Rights, in particular the International Covenant on Economic, Social and Cultural rights (Article 11), its Optional Protocol, and General Comment No. 12 as adopted by the UN Committee on Economic, Social and Cultural Rights, and other relevant human rights documents.

FIAN International fully promotes the work done towards the progressive evolution and interpretation of the human right to adequate food and nutrition, and strives to secure its realisation for present and future generations while recognizing the

importance of food sovereignty for the fulfilment of the human right to adequate food and nutrition.

§ 4 Strategic Goals

FIAN International will at all times set strategic goals to guide the organisation. For this purpose, a strategic plan shall be periodically discussed in a participatory process and approved by the International Council.

§ 5 Methods

FIAN International's work is based on human rights principles, particularly non-discrimination, participation, transparency, accountability, empowerment, and human dignity.

FIAN International recognizes both the individual and collective character of human rights and their violations.

FIAN International works independently of governments, political parties, corporate interests, ideologies and religions.

FIAN International researches, analyzes and documents the facts of concrete cases of violations and abuses of the human right to adequate food and nutrition.

It promotes human rights education and raises awareness about the human right to adequate food and nutrition. FIAN International responds to requests from individuals and groups whose human right to adequate food and nutrition is threatened or has been violated.

FIAN International denounces and demands investigation and punishment of the actors responsible when informed of infringements of the physical and mental integrity of individuals, related to violations or defense of the human right to adequate food and nutrition.

FIAN International holds governments and other actors accountable for their human rights obligations and their responsibility to prevent and stop violations, and to ensure the full enjoyment of human rights for all.

This includes monitoring of public policies, advocacy and recourse to the law in close cooperation with people struggling for their human rights.

FIAN International contributes to the strengthening of existing and the development of new instruments for the protection and accountability of international human rights within the United Nations system and other legal regimes.

§ 6 Non-Profit Status and Use of Assets

§ 6.1 The organization pursues exclusively and directly non-profit objectives within the meaning of the section on “tax-privileged purposes” of the German Fiscal Code.

§ 6.2 The organization is selflessly active; it does not pursue primarily economic purposes.

§ 6.3 Means of the organization may only be used for the purposes of the statutes. The members do not receive payments from the organization.

§ 6.4 Upon resignation, revocation of membership or disbandment of the organization, no members shall have their paid contributions refunded nor shall they have any claim on the financial assets of FIAN International.

§ 6.5 No person shall be financially reimbursed for expenditures not pertaining to the objectives of FIAN International or receive disproportionately high compensations.

§ 6.6 In the event of the dissolution or disbandment of the organization or in the event of the abolition of tax-privileged purposes, the assets of the organization shall be transferred to a legal entity of public law or another tax-privileged body for the purpose of promoting international understanding and human rights.

§ 7 Organization and Structure

§ 7.1 FIAN International is an international membership-based organization.

§ 7.2 The organs of FIAN International are:
the International Council;
the International Board;
the Auditors;
the Election Committee.

The International Secretariat provides service to members and the above-mentioned organs.

§ 8 Membership

§ 8.1 FIAN International has the following members:

- a) National Sections
- b) Individual members of the National Sections
- c) Individuals from countries where there is no National Section

§ 8.2 All members shall observe the objectives and methods of FIAN International in the spirit of the vision and mission statement set out in the present statutes.

§ 8.3 National Sections may accept institutional members in accordance with the Rules of Procedure of FIAN International and those of the National Sections.

§ 8.4 National Sections are admitted as institutional members of FIAN International by the International Board in accordance with FIAN International's Rules of Procedure. The admission requires the approval of the National Section's statutes, which shall be consistent with FIAN International statutes.

§ 8.5 There may be only one National Section per country.

§ 8.6 Individuals shall be admitted as members by the National Sections according to their Statutes or Rules of Procedure. If no National Section exists, they shall be admitted by the International Board according to FIAN International Rules of Procedure.

§ 8.7 Applications for admission as member of FIAN International shall be made in writing.

§ 8.8 If an application for admission is rejected the reason shall be given in writing. FIAN International Rules of Procedure shall provide an appeal mechanism in order to guarantee the rights of the applicants.

§ 9 Membership Fees

§ 9.1 The members of FIAN International are obliged to pay membership fees.

§ 9.1.1 National Sections shall pay a percentage of their national membership fees and donations. The percentage shall be proposed by the International Board and approved by the International Council.

§ 9.1.2 Individual members in countries without a section shall pay a membership fee directly to FIAN International. The amount shall be fixed by the International Board.

§ 9.2 The members of a National Section shall not pay fees to FIAN International but only to their National Section. The amount shall be fixed by the general meeting of the respective National Section.

§ 10 Termination of Membership

§ 10.1 Membership is terminated

- a) in case of disbandment of a National Section, and in case of death of an individual member;
- b) by voluntary resignation. In case of a National Section, this shall be notified in written form to the International Board; in the case of an individual member, this shall be notified to the International Secretariat;
- c) by revocation of membership.

§ 10.2 Revocation of membership may occur if

- a) a National Section or an individual member fails to pay membership fees six months after the end of the respective financial year;
- b) a National Section or an individual member does not act according to the objectives of FIAN International, does not apply the methods outlined by FIAN International, or violates the present statute in any other way.

In the above mentioned cases, membership is revoked by the International Council for National Sections, and by the International Board for individual members.

Members shall be given the opportunity to present their case before the decision on revocation is taken.

Revocation of membership of a National Section requires that the item is included on the agenda of the International Council meeting, and the member concerned is informed no later than 30 days before the meeting. Membership shall be revoked if proposed by the International Board and decided by the International Council by a majority of three quarters of the votes cast.

§ 11 The International Council

§ 11.1 Ultimate authority for the conduct of the affairs of FIAN International is vested in the International Council, which is composed of the delegates of the National Sections.

§ 11.2 The primary functions of the International Council are:

- i to define FIAN International's vision and mission, and to approve the Strategic Plan;
- ii to evaluate performance against agreed strategies and plans;
- iii to elect, hold accountable and formally approve the activities of the International Board;
- iv to elect the Auditors and the Election Committee;
- v to revoke membership;
- vi to amend the statutes and decide on the disbandment of the organization.

§ 11.3 The International Council shall meet every three years.

On behalf of the International Board, the President of FIAN International invites in writing to the International Council meeting no later than 42 days before the date of the meeting. The agenda and the venue shall be included in the invitation. The period of notice shall start the day after the invitations are sent out.

If the agenda includes a proposal for an amendment of the statutes, the invitation shall specify which articles of the statutes are proposed to be amended and how.

Every member eligible to participate can submit additions to the agenda to the International Board in writing no less than 14 days before the respective meeting of the International Council.

§ 11.4 Extraordinary Meetings

The International Board may if necessary call an extraordinary meeting of the International Council.

The International Board must call such a meeting if so requested by at least one third of the National Sections.

Invitations to the extraordinary meeting shall be sent by the International Board in writing no less than 28 days before the meeting. The invitation must include the agenda and the location of the meeting. The period of notice shall start on the day after the invitation is sent.

§ 11.5 Those eligible to participate and vote at the International Council are:

- a) the members of the International Board.

International Board members are eligible to vote on all issues with the exception of elections of the International Board, the Election Committee, and the Auditors, as well as the formal approval of the activities of the International Board. The members of the International Board shall each have one vote.

b) the delegates of the National Sections.

All National Sections shall have two votes in the International Council to be carried by one or two delegates as determined at the National Section level.

§ 11.6 The delegates of a National Section shall be elected in a general meeting of the respective National Section or by the national board in consultation with the members.

§ 11.6.1 The delegates elected to the International Council shall remain in office until the results of the next election are announced.

§ 11.6.2 If a delegate is unable to participate in the Council meeting, the national board may appoint a proxy among the delegates to vote on their behalf.

§ 11.7 A National Section that has not paid its fee for the previous financial year is not eligible to vote. Upon receipt of an application submitted at least 30 days before the scheduled International Council meeting from the respective National Section, the International Board may decide that the delegates may vote despite their National Section's lack of payment.

§ 12 International Council Meeting Procedures

§ 12.1 The president or the vice-president of the International Board shall chair the International Council meeting.

§ 12.2 There shall be a quorum when more than half of the National Sections are represented at the International Council.

§ 12.3 The International Council shall decide by a simple majority of valid votes cast. In case of a tied vote, another round of clarifications will be held, with at least one person defending and opposing the proposal. Then, another vote will be taken. If there is a tie a second time, the proposal shall be rejected.

§ 12.4 A majority of at least two thirds of the valid votes cast is necessary for an amendment to the statutes. At least three quarters of the valid votes cast are necessary for a revocation of membership, a change in the objectives of FIAN International as provided for in the present Statutes, or the disbandment of the organization.

§ 12.5 In case of urgent need for a decision in between regular International Council meetings or if a regular meeting cannot be held, decisions may also be taken by voting in writing, requiring the majorities defined under § 12.3. The invitation to vote in writing and the proposal in question shall be sent to all members of the International Council by the President of the International Board at least 21 days before the deadline for decision.

The members of the International Council shall send their votes to the President of the International Board. Votes not meeting the deadline shall be invalid. The President and another member of the International Board shall count the votes. The President of the International Board shall inform the members of the International Council of the result not later than 14 days after the deadline.

§ 12.6 The plenary shall appoint a Secretary at the beginning of the International Council meeting. The decisions reached by the International Council shall be recorded in writing by the Secretary of the meeting, and signed by the Chairperson and the Secretary of the meeting.

§ 13 Elections

§ 13.1 All elections shall be by secret ballot. Other decisions shall be taken by open vote, unless a secret ballot is requested by at least one member of the International Council.

§ 13.2 If in the individual elections for President, Vice-President and Treasurer there is only one candidate per position, this candidate shall be elected if she/he obtains the majority of valid votes.

If there are several candidates, a candidate shall be elected on the first ballot if she/he obtains the majority of valid votes cast. If no candidate receives a majority of the votes cast, there will be a run-off election, in which the two candidates with the highest number of votes will be voted for, to determine the winner.

§13.3 Additional International Board members will be elected in one ballot in a run-off election.

If there is a tie, an additional ballot will be held among those candidates involved in the tie. If there is a second tie, a coin will be tossed.

§ 13.4 Further details shall be defined by the Rules of Procedure.

§ 14 The International Board

§ 14.1 The International Board is the highest decision-making organ of FIAN International between International Council meetings and is responsible for all affairs of FIAN International except for those that have been specifically assigned to other entities of the organization by the present statutes.

The International Board has to follow the instructions of and is accountable to the International Council and guides and supervises the implementation of the International Council decisions.

§ 14.2. International Board tasks include:

- i Approve the affiliation of new National Sections;
- ii Establish an International Secretariat;
- iii Appoint the Secretary General of FIAN International to coordinate the International Secretariat;
- iv Adopt all necessary decisions to guide the International Secretariat and National Sections in the implementation of the decisions taken by the International Council, including the Strategic Plan;
- v Approve the work plan elaborated by the International Secretariat and delegate to the International Secretariat the competence to implement the decisions of the International Council;
- vi Supervise and hold the International Secretariat accountable for the adequate implementation of the work plan;
- vii Present an activity and financial report to the International Council;
- viii Provide guidance towards the solution of any conflict arising between and/or among National Sections and between National Sections and the International Secretariat;
- ix Adopt Rules of Procedure to further specify the governance arrangements of FIAN International.

§ 14.3 The International Board shall consist of President, Vice President, Treasurer and up to six additional members.

§ 14.3.1 The composition of the International Board shall be regionally and gender balanced.

§ 14.3.2 International Board members shall be members of FIAN International.

§ 14.3.3 International Board members shall not be delegates of National Sections.

§ 14.3.4 International Board members shall not be a staff member of the FIAN International Secretariat or of any National Section.

§ 14.3.5 No more than one person from the same country may be elected as a member to the International Board.

§ 14.3.6 The members of the International Board function in their personal capacity, and do not represent a National Section.

§ 14.4 The members of the International Board are elected for three years. They stay in office until the next elections. Re-election is possible. A maximum of three consecutive three-year mandates are allowed as member of the International Board. The terms of office begin and end at the close of the International Council meeting.

§ 14.5 If the office of President becomes vacant, the Vice President shall assume that office.

If the office of Vice President or Treasurer becomes vacant, the International Board shall appoint one of the other members for that office.

If the position of a regular member is vacated, no replacement shall be made.

§ 15 Responsibilities and Procedures of the International Board

§ 15.1 The organization shall be represented conjointly in and out of court by two out of the following: President, Vice-president and Treasurer.

The representation may be delegated by the International Board to any two members of staff of the International Secretariat.

§ 15.2 The International Board shall meet at least twice a year. Further meetings shall be called if so requested by the majority of members of the International Board.

§ 15.3 There shall be a quorum of the International Board meeting when more than half of the International Board members are present.

§ 15.4 Decisions are taken by a majority of valid votes cast. In case of a tie the International Board President shall have the casting vote.

§ 15.5 Decisions of the International Board between regular meetings may also be taken by telephone calls or other electronic means with subsequent written confirmation as long as there is a quorum according to § 15.3.

§ 15.6 The function of members of the International Board is honorary. They may be compensated appropriately for expenses incurred in their activities for FIAN International.

§ 16 International Secretariat

§ 16.1 FIAN International Secretariat is the executive (operational) entity of FIAN International, coordinated by a Secretary General.

The Secretary General is accountable to the International Board.

§ 16.2 The International Secretariat's tasks include:

- i Coordinate, together with the National Sections, the implementation of the Strategic Plan and any other decisions made by the International Board and International Council;
- ii Facilitate the cooperation among the different entities of the organization;
- iii Support the National Sections to carry out the organization's work at national and regional level;
- iv Carry out the organization's work at international level, and facilitate the participation of National Sections;
- v Elaborate and implement the annual International Secretariat work plan, approved by the International Board;
- vi Submit a half-yearly report of activities to the International Board for approval.

§ 16.3 The International Council shall decide on the location of the office of the International Secretariat.

§ 16.4 The Secretary General and staff of the International Secretariat shall participate as required in the meetings of the International Board, but shall not be eligible to vote.

§ 17 The auditors

§ 17.1 The auditors shall support the International Council by independently assessing the implementation by the International Board, the International Secretariat and the National Sections of the International Council's decisions, including the Strategic Plan. They shall present their findings to the International Council meeting as a basis for the approval of the activities of the International Board.

§ 17.2 Two auditors shall be elected by the International Council for a period of three years. They shall be elected for a maximum of two consecutive terms.

§ 17.3 Their composition shall be as gender and regionally balanced as possible.

§ 17.4 The auditors shall not be members of the International Board or staff of the FIAN International Secretariat or any National Section.

§ 17.5 The function of the auditors is honorary.

§ 17.6 Further details are defined in FIAN International Rules of Procedure.

§ 18 The Election Committee

§ 18.1 The Election Committee shall support the International Council by preparing and facilitating elections of the International Board, Auditors and Election Committee.

§ 18.2 The three members of the Election Committee shall be elected by the International Council for a period of three years. They may be elected for two consecutive terms.

§ 18.3 The membership of the Election Committee shall be as gender and regionally balanced as possible.

§ 18.4 The members of the Election Committee shall not be members of the International Board or staff of the FIAN International Secretariat or any National Section.

§ 18.5 The function of the Election Committee is honorary.

§ 18.6 Further details are defined in FIAN International Rules of Procedure.

§ 19 Disbandment of FIAN International

§19.1 The disbandment of FIAN International shall be decided by an extraordinary International Council meeting especially called for this purpose and with a majority as provided for in §12.4. This International Council meeting shall also determine the future use of the remaining assets and appoint the liquidators.

§ 19.2 The remaining assets after liquidation shall be donated only to German non-profit public interest civil society organizations.

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