

Statutes of association

Human Right 2 Water

Name and headquarters

Article 1

Human Right 2 Water is a non-profit association governed by the present statutes and, secondly, by Articles 60 et seq. of the Swiss Civil Code. It is neutral politically, and non-denominational.

Article 2

The Organization's headquarters are located in the State of Geneva.

The Association shall be of unlimited duration.

Aims

Article 3

The Association shall pursue the following aims:

To integrate human rights to water and sanitation into law and policy to realise safe and sustainable access to water and sanitation for all people, including vulnerable and marginalised people.

Sub-Objectives:

1. Research:

Analysing law and policy to support the Human Rights to Water and Sanitation

2. Partnerships with governments:

Scaling up innovative public and private sector solutions for marginalised areas and vulnerable people by incorporating the HRWS into national standards

3. Partnerships with water and sanitation utilities:

Programmes with state and local water utilities to realise the HRWS through recommendations based on research, capacity building and human rights indicators.

4. Visibility:

Recognition that the human-rights based approach is necessary for achieving SDG 6 for marginalised people, women and vulnerable groups

Resources

Article 4

The Association's resources are derived from:

- donations and legacies;
- sponsorship;
- public subsidies;
- membership fees;
- any other resources authorized by the law.

The funds shall be used in accordance with the Association's social aims.

Members

Article 5

To become a member of the Association the individual or organisation must demonstrate specialised knowledge or interest in realising the human rights to water and sanitation.

Any physical person or legal entity may become a member if they have demonstrated their dedication to the goals of the Association through their commitments or actions.

The Association comprises, but is not limited to:

- founding members
- active members (both Ordinary and Corporate)
- honorary members,

Requests to become a member must be addressed to the CEO. The Board then processes for admission of new members and decides on membership fees and informs the General Assembly accordingly. The process is provided through the bylaws of the Association.

Membership ceases:

- On death;
- By written resignation thereby notifying the Board before the end of the financial year;

- By exclusion ordered by the Board, for just cause, with a right of appeal to the General Assembly. Appeals must be lodged within 30 days of the Board's decision being notified;
- For non-payment of any dues.

In all cases the membership fee for the current year remains due. Members who have resigned or who are excluded have no rights to any part of the Association's assets.

Only the Association's assets may be used for obligations/commitments contracted in its name. Members have no personal liability.

Organs

Article 6

The Association shall include the following organs:

1. General Assembly,
2. Board,
3. Executive,
4. Auditor.

General Assembly

Article 7

The General Assembly is the Association's supreme authority. It is composed of all the members.

It shall hold an Ordinary Meeting once each year. It may also hold an extraordinary session whenever necessary, at the request of the Board or at least of one-fifth of its members.

The General Assembly shall be considered valid provided that at least half of the Board Members are present.

The Board shall inform the members in writing of the date of the General Assembly at least six weeks in advance. The notification, including the proposed agenda, shall be sent to each member at least 10 days prior to the date of the meeting.

Article 8

The General Assembly:

- Elects the members of the Board at the end of each two-year term;

- Notes the contents of the reports and financial statements for the year and votes on their adoption;
- Approves the annual budget;
- Supervises the activity of other organs, which it may dismiss, stating the grounds therefore;
- Appoints an auditor for the Organization's accounts;
- Decides on any modification of statutes;
- Decides on the dissolution of the Association;
- Approves the annual membership fees.

Article 9

The General Assembly is presided over by The President of the Association.

Article 10

Decisions of the General Assembly shall be taken by a majority vote of the members present. In case of deadlock, the President shall have the casting vote.

Decisions concerning the amendment of the Statutes and the dissolution of the Association must be approved by a two-third majority of the members present.

Article 11

Votes are by a show of hands. Voting can also take place by secret ballot, if at least five members request it.

Article 12

The agenda of the ordinary annual session of the General Assembly must include:

- Approval of the Minutes of the previous General Assembly
- Approval of the Board's annual Activity Report
- Approval of the report of the Treasurer and of the Auditor
- Setting of membership fees
- Approval of the budget
- Approval of reports and accounts
- Election of Board members and Auditor
- Miscellaneous business

The Board

Article 13

The Board is authorized to carry out all acts that further the purposes of the Association. It has the most extensive powers to manage the Association's day-to-day affairs.

Article 14

The Board is composed of at least three members elected by the General Assembly. Each member's term of office shall last for 2 years and renewable 2 times.

The Board meets as often as the Association's business requires, but a minimum of 3 times per year. A quorum is met when at least half the Board Members are present.

The number of Board Members, their powers and duties, qualifications, manner of election, and all other matters pertaining to the Board Members shall be provided in the bylaws of the Association.

Article 15

The Board members work on a volunteer basis and as such can only be reimbursed for their actual expenses and travel costs. Potential attendance fees cannot exceed those paid for official commissions. For activities beyond the usual function, each Board member is eligible for appropriate compensation.

The paid employees of the Association have only a consultative vote on the Board.

Article 16

The functions of the Board are:

- to take the appropriate measures to achieve the goals of the Association;
- to convene the ordinary and extraordinary General Assemblies;
- to take decisions with regard to admission of new members as well as the resignation and possible expulsion of members;
- to ensure that Statutes are applied, to draft rules of procedure, and to administer the assets of the Association.

Executive

Article 17

The Executive reports to the Board through the Chief Executive Officer (CEO).

The CEO is a paid employee of the Association and has delegated financial and operational authorities as outlined in the bylaws of the Association.

The CEO is appointed by the President, in consultation with the Board, to run the Executive office within approved budgets.

Auditor

Article 18

Each year the General Assembly appoints the auditors. It may also entrust this task to a fiduciary company.

The auditors shall check the operating and annual accounts prepared by the Board and present a written and detailed report to the annual ordinary general meeting.

Signature and representation

Article 19

The Association is legally bound by the joint signature of The President and The Secretary.

The Chief Executive Officer (CEO) has sole signatory rights for banking.

Various provisions

Article 20

The financial year shall begin on 1 January and end on 31 December of each year.

Article 21

Should the Association be dissolved, the available assets should be transferred to a non-profit organization pursuing public interest goals similar to those of the Association and likewise benefiting from tax exemption. Under no circumstances should the assets be returned to the founders or members. Nor should they use a part or a total of assets for their own benefit.

The present Statutes have been approved by the Special General Assembly of Human Right 2 Water on 11th November 2020.

For the Association

A handwritten signature in black ink, appearing to read 'Dhesigen Naidoo', written over a horizontal line.

President, Dhesigen Naidoo

A handwritten signature in black ink, appearing to read 'Callum Clench', written over a horizontal line.

Secretary, Callum Clench