

Association Consortium pour les Aires et Territoires du Patrimoine Autochtone et Communautaire (APAC)

STATUTES

Article 1: Name

The Association Consortium for Indigenous Peoples' and Community Conserved Areas and Territories (hereafter called "the Association" or "ICCA Consortium") is hereby established as a non-profit association governed by the present Statutes and, secondly, by Articles 60 and following of the Swiss Civil Code. It is politically non-partisan and non-denominational.

Article 2: Location and Duration

The headquarters of the Association is Chemin Très-chez-Roget 1, 1272 Genolier, Canton de Vaud, Switzerland. The headquarters may be transferred by a resolution of the Council ratified by the General Assembly. The duration of the Association is indefinite.

Article 3: Purpose

The Association is established to promote the appropriate recognition of, and support to, Indigenous peoples' and community conserved areas and territories (ICCAs—territories of life) at local, national and international levels.

This purpose is set in the context of the broader vision of conserving biodiversity and ecological functions, nurturing the sustainable livelihoods and wellbeing of Indigenous peoples and local communities, and implementing the UN Declaration on the Rights of Indigenous Peoples — including self-determination and the full respect of their cultural diversity and collective and individual rights and responsibilities.

Article 4: Resources

The resources of the Association are derived from funding of specific initiatives and projects by public and private donors, private donations, bequests and any other sources allowed by law. The resources of the Association can be used only and irrevocably for the purpose stated in its Statutes.

Article 5: Membership

The Association comprises two types of membership: Members (organisations) and Honorary members (individuals). Both are aligned with the Association's mission.

The Members of the Association are customary, informal and/or formal organisations from any country or territory with involvement in, experience with and commitment to governing and/or supporting collective lands, waters and territories conserved by Indigenous peoples and local communities at local, national, regional and/or international levels. For-profit, governmental and explicitly partisan entities are excluded from the membership.

Any organisation may apply for membership if they have demonstrated their dedication to the purpose/mission of the Association and adhere fully to these Statutes and supplementary documents, including the Membership Policy and Procedures. Only Members in good standing at the time of a General Assembly are entitled to participate in decision-making at that General Assembly.

Honorary members are individuals with demonstrated capacity and commitment to contribute to the purpose of the Association. Honorary members can attend the General Assembly and contribute in an advisory capacity without the right to participate in the Assembly's decisions.

The Association's Membership Policy and Procedures provide all relevant details about the rights, responsibilities and related procedures for Members and Honorary members.

Any Member or Honorary member who wishes to leave the Association may voluntarily terminate their membership in writing. The Membership Committee may temporarily suspend or permanently terminate the membership of a Member or Honorary member with good reason, including if they have exhibited a sustained lack of involvement in the Association's work and/or have prejudiced the Association's purpose/mission in a serious way.

The assets of the Association can only be committed in its own name. Members and/or Honorary members do not bear personal or organisational responsibility for the Association.

Article 6: Organs

The organs of the Association include:

- The General Assembly;
- The Council; and
- The Auditor of Accounts.

Article 7: General Assembly

The General Assembly is the highest authority and governing body of the Association and is composed of all its Members in good standing. The Ordinary General Assembly meets every year at the call of the Council. The call is submitted electronically providing as much notice

as possible and with a minimum of six weeks in advance. The preliminary agenda of the meeting is submitted at least ten days in advance.

A General Assembly is valid and has quorum if at least one-fifth of Members in good standing are in attendance for the required decisions. Members in good standing who cannot be physically represented in a General Assembly may submit a written proxy to another Member in good standing or may participate via electronic means (e.g., by video conference or teleconference).

The President or Vice President of the Association shall chair the General Assembly. In the absence of both the President and Vice President, the Members in good standing physically present, voting by proxy, or participating via electronic means shall elect a chair for that meeting.

If major decisions are required in the intervening period between Ordinary General Assemblies, an Extraordinary General Assembly may be called by the Council or at the request of at least one-fifth of the Members in good standing. An Extraordinary General Assembly shall be convened in the same manner as the General Assembly and has the same powers as the General Assembly, as stated in Articles 7-9 herein.

Article 8: Powers of the General Assembly

The General Assembly may:

- Designate the Council and approve members thereof;
- Note the annual reports and accounts and make relevant decisions as appropriate;
- Approve the annual plan and budget for the subsequent year;
- Decide about the admission or exclusion of Members as needed in line with relevant supplementary policies and procedures;
- Supervise the activities of other organs and bodies, powers of which it can revoke for serious reasons in the best interest of the Association;
- Consider and make relevant decisions as appropriate on other issues as requested by the Council;
- Designate the Auditor of Accounts and Ombudsperson;
- Decide all changes to the Statutes; and
- Decide on the dissolution of the Association.

Article 9: General Assembly Decisions

The General Assembly decisions are taken by consensus, building upon the advice of all Members and Honorary members willing to contribute constructively. Failing that, decisions are valid only when approved by a supermajority of two-thirds of Members in good standing present, voting by proxy or participating via electronic means. A report from the General Assembly to the Members will be submitted as soon as possible after the meeting clearly specifying all major decisions and agreements.

Article 10: Council

The Council is composed of a minimum of seven and a maximum of thirty individuals chosen from among the representatives of the Members and the Honorary members. These individuals, including the President, Vice President, Secretary and Treasurer, are elected by the General Assembly.

The Members of the Council take on their duty on a fully voluntary basis and can only claim compensation for the actual costs and travel expenses eventually incurred to accomplish such duties. The mandate of the members of the Council is for three years and is renewable.

The Council meets in person and/or by electronic means as often as required, but at least twice a year. The Council shall be convened by the President, Vice President or Secretary, or at the request of any two Members. Decisions are taken by consensus or by a majority of votes of the Members in case consensus proves impossible. The President shall have the deciding vote in case of a tie.

Article 11: Powers of the Council

The Council has the power to:

- Provide high-level guidance and strategic leadership and direction for the Association on an ongoing basis and contribute to the development and review of strategic plans;
- Ensure adherence to the Association's Statutes and organisational policies and procedures and take the appropriate measures to achieve the Association's purpose;
- Call for and convene General Assemblies and Extraordinary General Assemblies;
- Review and propose necessary or otherwise relevant changes to the Statutes and table them for approval by the General Assembly;
- Review, oversee preparation of and approve non-statutory organisational policies and procedures and any changes thereto; and
- Consider and provisionally confirm nominations for the Council of Elders.

Article 12: Auditor of Accounts

Each year the General Assembly appoints an Auditor of Accounts. It may also entrust this task to a fiduciary company. The Auditor of Accounts shall check the operating and annual accounts prepared by the Council and present a written and detailed report to the General Assembly. The Auditor of Accounts may also act as Ombudsperson.

Article 13: Engagement of the Association

The Association is engaged, including financially, by the individual signature of its President and/or the Secretariat's Global Coordinator and/or Programme Manager.

Article 14: Accounting and Accountability

The accounting period is the Gregorian calendar year (1 January – 31 December), except during the first year when it shall be from the date of establishment to 31 December of that year. The accounts are prepared by the Treasurer and controlled by the Auditor of Accounts designated by the General Assembly. The bank accounts are established and managed by the President and/or the Secretariat's Global Coordinator and/or Programme Manager.

Article 15: Dissolution

The dissolution of the Association shall be decided by a General Assembly called for that purpose at least three months in advance of the meeting. The eventual residual assets shall be donated to another civil society organisation that, in virtue of its public interest objective, is not subjected to income taxes in Switzerland and whose purpose is compatible with that of the Association. The assets could also be attributed to an initiative of the Swiss Confederation, of a Swiss Canton or of a Swiss Municipality also compatible with the purpose of the Association.

Article 16: Entry into Force

The present Statutes come into force immediately on the date of their approval by the General Assembly.

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Approved on 9 June 2021 by the 17th General Assembly of the Association.

Teodoro Brawner Baguilat, Jr
President of the Association

Holly Jonas (née Shrumm)
Global Coordinator

Sarah Ryder
Programme Manager