



STATUTE

of the Coalition of Civil Associations All for Fair Trials – Skopje
(13.12.2018)

GENERAL PROVISIONS

Article 1

The Coalition of Civil Associations All for Fair Trials (hereinafter referred to as: the Coalition) is a Coalition of civil associations from Republic of Macedonia which have voluntarily joined the Coalition in order to monitor the judicial proceedings before the competent courts in Republic of Macedonia, aiming to ensure that the guaranteed rights to a fair trial as prescribed by the Constitution, laws and the ratified international agreements are respected; to increase the public awareness and to contribute towards strengthening the confidence of the citizens in the institutions of the system; to identify the need for, and to work towards possible reforms in the judicial proceedings; to increase the practical knowledge of the law students; to strengthen the role and the capacities of the non-governmental organizations, etc.

The Mission of the Coalition is: Monitoring the respect of human rights and freedoms, particularly the implementation of the international standards for fair trial through various forms of acting and the intent to increase the level of their implementation by initiating institutional and legal reforms, recovering citizens' trust in the judiciary and in the other institutions of the system.

The Coalition stands for equal access to justice for all citizens of Republic of Macedonia, through providing free legal aid.

Article 2

The Coalition operates throughout the whole territory of Republic of Macedonia, and fulfills its rights, duties and responsibilities in accordance with the Constitution, the laws and this Statute.

Article 3

The Coalition is independent in organizing and realization of its goals, interests and activities as stipulated in this Statute and the Work Plan.

Article 4

The Coalition of Citizen Associations is a separate legal entity with its own bank account.

The Executive Director is an authorized signatory of the bank account; as an exemption to this, the Executive Director is entitled to authorize a third party as an authorized signatory with a Proxy specifically issued

for that purpose. The Coalition is a non-profit, non-partisan and non-governmental organization. If a profit is accumulated through the work of the Coalition, it shall be used exclusively for supporting and implementing the goals and activities of the Coalition, as stipulated with this Statute.

Article 5

The Coalition is accountable for its obligations with all its assets, and it shall not perform commercial activities.

Article 6

The name under which the Coalition is registered in the Central Register is: Coalition of Civil Associations "All for Fair Trials" – Skopje.

The abbreviated name is: Coalition All for Fair Trials.

The seat of the Coalition is in Skopje, on Macedonia str. no. 11/2-10.

Article 7

The Coalition of Civil Associations has its own stamp, seal, logo and an archive seal.

The stamp is in a circular form with 4 centimeter-diameter and with a written text in circular form, which reads: Coalition of Civil Associations All for Fair Trials – Skopje.

The seal has a rectangular form and written text:

Coalition of Civil Associations All for Fair Trials. No. . ___ / ___ (writ number) _____ (date) Skopje.

The Archive seal contains all the technical details for archiving documents and materials, as prescribed with the specific legal bylaws.

The text of the stamp and the seal is written in Macedonian, Albanian and Roma languages and alphabets.

The Logo of the Coalition shall be adopted by the Management Board upon previously conducted procedure for deciding upon various proposals.

Article 8

The Bodies of the Coalition shall work in Macedonian language.

The representatives of the Organizations which are members of the communities which are not considered a majority in Republic of Macedonia, may speak their own language.

All external correspondence of the Coalition shall be prepared in Macedonian language and Cyrillic alphabet; in the language requested for conducting the specific communication, as well as in the language and alphabet used by at least 20% of the citizens, and if possible, in the language and alphabet of the other communities in the Republic of Macedonia, as per the financial possibilities of the Organization.

Upon request of separate members or their representatives, the internal communication in the Coalition may be translated into the language and alphabet used by these communities, other than the Macedonian language and alphabet, at their own cost.

Article 9

The Executive Director presents and represents the Coalition in the legal transactions and in communication with third parties.

Article 10

The work of the Coalition is public. Such publicity is provided through:

Conducting regular informing of the citizens regarding the activities of the Coalition;

Ensuring presence of the representatives of the members and other persons either employed or otherwise engaged in the Coalition during the sessions of the bodies of the Coalition;

Providing publicity and access to the reports and other acts of the Coalition;

Representation through mass media

Cooperation with other NGOs, alliances and associations, state bodies and institutions;

Publishing printed materials, own web site and other means.

Article 11

The Coalition may cooperate, to accede into membership and to become associated with other international non-governmental organizations, networks of organizations and institutions.

GOALS AND TASKS OF THE COALITION

Article 12

The goals and tasks of the Coalition are as follows:

- To increase respect for fair-trial standards before the domestic courts;
- To contribute towards increasing the public confidence in the legal system and in the judiciary in general;
- To identify the problems in the judicial system and to point out the need for legal and institutional reform;
- To acquaint the public with the fair-trial rules and standards, and to strengthen the trust of the citizens in the functioning of the judicial system;
- To decrease the possibilities for inappropriate treatment of the parties in the dispute by the judges and other parties in the procedure, as well as to provide equal access to justice through providing free legal aid.

Article 13

The goals and tasks of the Coalition shall be achieved through:

- monitoring of the judicial procedure before the domestic and international courts;
- providing independent and impartial information and analyses regarding the functioning of the judicial system;
- Communication with representatives of the judicial, legislative and executive authority.

- Acquainting the public and the judiciary workers with the domestic and international acts which regulate the right to a fair trial, as well as organizing debates, consulting events, trainings, seminars etc.;
- Cooperation with domestic, foreign and international organizations, institutions and other civil associations;
- Providing free legal aid
- Other means as determined with the internal acts of the Coalition.

Article 14

The Monitoring of the trials shall be conducted by observers elected by the Executive Office on grounds of a public call, as per the Rulebook on rights and obligations of the observers.

TERMS AND CONDITIONS FOR ACCEDING TO THE MEMBERSHIP OF THE COALITION; RIGHTS, OBLIGATIONS AND LIABILITY OF THE MEMBERS OF THE COALITION

Article 15

The Coalition is constituted of Citizens Associations which have been registered in the Register of the Coalition, and which have accepted the anticipated goals and tasks.

The members which: act contrary to the provisions from this Statute; fail to respect or execute the decisions reached by the bodies; fail to actively contribute towards realization of the goals and tasks of the Coalition; fail to respect the ground principles; infringes the reputation of the Coalition or a member of the Coalition, or failed to be present at the Assembly twice in a row, shall be dismissed from the Coalition.

Any member is free to leave the Coalition at its own will.

The majority of the present representatives of the Assembly shall decide for admission of new members of the Coalition, upon previously submitted written request from the interested association.

The dismissal from the Coalition shall be decided by the Assembly, under the same conditions as for the admission, upon proposal by the Executive Director of the Coalition or the Management board, in case a member acts contrary to the terms and conditions as set out in par.2 of this Article.

Article 16

The Decision for admission and dismissal of membership in the Coalition, upon a well-argued proposal, may be also reached electronically.

Only votes received from the official e-mail address of each member of the Coalition shall be considered as valid.

The vote shall be stated in a clear manner by the representatives of the members in the Assembly, and delivered to the given address of the Coalition.

The deadline for voting regarding the issue of admission or dismissal from membership may not exceed 7 days.

All of the members of the Coalition shall be properly informed on the outcome of the vote, after the determination of the final results.

Article 17

The rights and obligations of the members of the Coalition are as follows:

- To propose representatives in the bodies of the Coalition and to participate in their work through them, to supervise and to contribute to the development and popularity of the Coalition;
- To raise initiatives and proposals in order to achieve the goals and tasks of the Coalition
- To comply with the provisions of the Statute and other acts of the bodies of the Coalition;
- To take active participation in conducting the program for action of the Coalition;
- To provide conditions for functioning of the Coalition, in accordance with their capacities, as well as
- To conduct other activities in accordance with this Statute, other acts reached by the bodies of the Coalition and the positive legal regulations.

GROUND PRINCIPLES

Article 18

The Coalition is founded on the following ground principles:

- impartiality and independence;
- publicity, transparency and reporting;
- legality;
- gender, sex, age, ethnic balance and equality

BODIES OF THE COALITION; RIGHTS, OBLIGATIONS AND LIABILITIES

Article 19

The Bodies of the Coalition are:

- Assembly;
- Management Board
- Supervisory Board and
- Executive Director

Persons which are not representatives of the members cannot be elected as members of the bodies of the Coalition, with an exception for the Supervisory board of the Coalition, and special consideration will be put for providing appropriate and just representation.

The work in the bodies of the Coalition is on voluntarily basis, with an exception for the position of the Executive Director, which is a paid position.

ASSEMBLY

Article 20

The Assembly is consisted of one representative (delegate) from each Association-member of the Coalition, and is the highest decision-making body.

The representatives are delegated by their respective Associations, and they are considered to represent the stands and interests of their respective Associations. The Associations are free to choose their delegate as well as the time period during which this delegate shall act in the capacity of their representative in the Assembly of the Coalition.

In case of change of a delegate, the members of the Coalition shall promptly notify the Executive Director of the Coalition and to appoint another representative.

Article 21

The Representatives in the Assembly of the Coalition:

- Are entitled to attend the sessions of the Assembly and of its working bodies;
- Are entitled to elect and be elected in the bodies of the Coalition;
- Are entitled to an insight in the work of the other bodies;
- Are obliged to comply with the provision of this Statute;
- Are entitled to propose solution of common interest;
- Shall notify the members of their respective Association upon the work of the bodies of the Coalition and for the current status of realization of its goals and tasks;
- Actively contribute towards realization of the goals and tasks of the Coalition.

Article 22

The Executive Director shall schedule Assembly sessions whenever needed, but at least once a year.

The Executive Director shall also schedule the Assembly session upon proposal by the Management Board or ½ from the total number of the member Associations.

In case the Executive Director fails to schedule a session within 30 days from the proposal, the session shall be scheduled by the Management board or the members who filed the initiative, respectively.

Article 23

The Assembly shall work and reach decisions during sessions attended by at least one half of the total number of members.

As an exception, in emergency cases, the Assembly may work and reach decisions via audio-visual conference connection.

Normally, the Assembly shall reach its decisions with the majority votes from the present representatives, except if stated otherwise.

The sessions of the Assembly may be attended by other parties without a right to vote.

Article 24

The members shall be delivered with the Invitation for the Assembly session, together with an Agenda and other materials 7 days before the session at latest.

The Session of the Assembly shall be opened and facilitated by the Executive Director of the Coalition, and in case of inability of the Executive Director, by a member of the Management Board.

Article 25

Decisions at the Assembly shall be reached via public vote, except in case the majority decided to conduct a secret ballot.

Each member of the Coalition has right to one vote.

Article 26

The rights, obligations and responsibilities of the Assembly in cases of emergency shall be conducted by the Management Board of the Coalition, with an obligation to submit a report for the conducted activities at the first following session of the Assembly.

The Assembly shall meet once a year, and if needed an extraordinary session may be scheduled.

Minutes shall be held for the work of the Assembly, which shall be verified by the Executive Director.

Article 27

The Assembly of the Coalition shall conduct the following activities:

- Reach a Statute with two-third majority from the present members, and an annual program with plain majority from the present members;
- Adopt Annual report and Annual statement of accounts;
- Decide upon change of the goal of the association with a two-third majority from the present members;
- Decide upon admission of new members and termination of membership;
- Elect the Management board and Supervisory board of the Coalition;
- Decide upon termination of the Coalition. If at least 5 organizations have voted against the Decision for termination, such decision shall be deemed as not reached.(the Coalition shall continue tis functioning with the minimal number of members as prescribed by Law);
- Decide upon other issues which are out of the authority of the other bodies of the Coalition.

EXECUTIVE DIRECTOR

Article 28

The Executive Director is the legal representative of the Coalition and represents the Coalition in its relations with third parties. The Procedure for election of an Executive Director shall be conducted by a three-member commission, consisted of members from the Management Board.

A proposal for candidate-Executive Director from the personnel in the Executive Office shall be given

Two members of the Management board. The proposed candidate shall be elected at a meeting of the Management board with a majority votes from the members of the Management Board.

If the Management Board fails to propose candidate for Executive Director from the personnel in the Executive Office, a call for the position of an Executive Director shall be published. Upon pre-selection of the received application, they shall be interviewed by the members of the Management board, which shall later elect the candidate with the majority of votes.

The Executive Director shall be elected for a period of 4 years, with a right to re-election.

Article 29

The Executive Director shall:

- Convene and prepare the Assembly sessions;
- Represent and present the Coalition in its communication with third parties and in the legal transactions;
- Ensure the enforcement of the Decisions, conclusions and other acts of the Assembly;
- Sign the acts reached by the Assembly;
- Reach internal policies and acts for operations of the Executive Office of the Coalition;
- Prepare and facilitate the sessions of the Management board and attends them without a right to vote;
- Ensure the enforcement of the decisions reached by the Management Board;
- Ensure the realization, coordination, and supervision of the projects and programs conducted by the Coalition, for which it can also appoint a Program Director, Program and Project Coordinators, whose rights and obligations shall be regulated with the Rules of Operations and the Rulebooks for work of the Executive Office;
- Reach decisions for employment and termination of engagement for employees in the Executive Office;
- Notify the Management Board for the undertaken activities;
- Consciously present and represent the organization in public and work towards improvement of the reputation of the Coalition in public and with the donor community;
- Propose members for the Management Board.

Article 30

The Executive Director shall also represent the Coalition, through:

- Presenting the results from the conducted projects at press conferences and other public events and promotions throughout the country and abroad;
- Maintaining communication with the media;
- Giving statements regarding specific cases;
- Presenting the recommendations and conclusions from the projects at round tables, discussion platforms, meetings and other similar events;
- Obeying the authorization to communicate with organizations and institutions throughout the country and abroad;

- Initiating cooperation with other organizations and institutions;
- Informing the members of the Management Board and the members of the Coalition for the conducted activities in its authority.

Article 31

The function of the Executive Director shall cease:

- Upon personal request;
- With a Decision reached by the Management Board;
- With the expiry of the mandate
- Loss of business capacity or death.

Article 32

The proposal for dismissal of the Executive Director may be submitted by at least two members of the Management board.

MANAGEMENT BOARD

Article 33

The Management Board is the executive body of the Assembly, consisted of 5 members – representatives of the members of the Coalition.

The mandate of the members of the Management Board is 4 years, with a right to re-election.

The preparation of the materials for the sessions of the Management Board is under obligation of the Executive Board of the Coalition, which is also responsible for coordination of the sessions of the Management Board.

Proposal for a member of the Management Board may be submitted by at least three members of the Coalition or by the Executive Director.

Article 34

The sessions of the Management Board shall be held as needed, at least once in every three months.

The Executive director and two members from the Executive Office shall attend the sessions of the Management Board, without a right to vote, and upon invitation, other external persons.

Article 35

The Management Board may work and decide only if more than one half of the total number of members attend the session.

The Management board reaches its decision publicly with a majority vote by the present members, except if predicted differently with this Statute.

Minutes shall be held for the work of the Management Board, which shall be adopted during the next

session.

The Minutes of the Management Board shall be verified by the Executive Director.

As an exception in emergency situation, the Management Board may hold a session through audio-visual conference connection.

Article 36

The Management Board shall conduct the following:

- Elect Executive Director and supervise its work;
- Give directions for work to the Executive Director;
- Follow the mission and realization of the goals of the Coalition;
- Prepare strategic plan and work programs together with the Executive Office;
- Conduct lobbying with the donors;
- Work on improvement of the reputation of the Coalition in public;
- Prepare Rules of Operations for its own operations;
- Propose admission and dismissal from membership in the Coalition;
- Prepare Rulebook on utilization of personal assets of the Coalition, collected from membership;
- Examine and propose the final account of the Coalition to the Assembly;
- Decide upon grievances and appeals of the employees and reaches decisions as a second-degree act to the decision reached by the Executive Director;
- Help in preparation of the sessions of the Assembly of the Coalition;
- In case of an extraordinary termination of the mandate of the Executive Director, appoint acting Executive Director, from the members of the Executive Office, members of the Management Board or members of the Coalition, for a period up until the election of an Executive Director of the Coalition, but not longer than 3 months.

Article 37

The function – member of the Management Board shall be terminated:

- Upon personal request;
- With a Decision reached by the Management Board;
- With the expiry of the mandate
- Loss of business capacity or death.

SUPERVISORY BOARD

Article 38

The Supervisory Board is constituted of 3 members, elected by the Assembly from the representatives

of the members and 1 can be an external member.

The mandate is for 3 years with a right to re-election.

Proposal for a member of the Supervisory Board may be given by at least three members of the Coalition.

Neither the Executive Director nor any member of the Management board is entitled to be elected as a member of the Supervisory Board.

Any member of the Supervisory Board may participate at the sessions of the Management Board without a right to vote, upon invitation by the Management Board or the Executive Director of the Coalition.

It is necessary that one of the members of the Supervisory Board has knowledge in the field of financial, program and administrative operations.

Article 39

The sessions of the Supervisor Board shall be convened as needed, at least once a year.

The sessions of the Supervisory Board are convened by:

- The Executive Director of the Coalition;
- At least two of its members.

Article 40

The Supervisory Board:

- Conducts regular supervision and control of the current financial operations of the Coalition;
- Conducts surveillance due to successful functioning of the Coalition, whenever needed, but at least once a year;
- Conducts supervision over the financial operations of the Executive Office of the Coalition;
- Prepares Report for the conducted supervision and delivers it to the Management Board for examination and to the Assembly for adoption.

ASSETS OF THE COALITION, MEANS OF FUNDING AND DISPOSAL WITH THE ASSETS

Article 41

The Coalition acquires assets for realization of its own goals, and disposes with them as in accordance with this Statute and the laws.

Article 42

The Coalition may acquire financial assets, objects and rights, from:

- donations;
- voluntary contributions;
- gifts;

- membership paid by its members;
- other assets from its members;
- projects;
- assets from the budget of Republic of Macedonia, budgets of the local municipality units as well as the budget of the city of Skopje, as well as
- other resources.

Article 43

The acquiring, utilization and disposal with the assets of the Coalition shall be conducted in a manner as prescribed with the Law and this Statute of the Association.

Article 44

The bodies of the Coalition shall decide upon utilization and disposal with the assets, in accordance with their authorizations as stipulated with this Statute.

Article 45

The Coalition shall adopt annual financial plan of its incomes and expenditures.

The Financial plan shall contain the income that has been acquired, as well as the expenditures for the planned activities, joint consumption of the employees, compensation for engagement of professionals and for the members, material costs required for the Coalition to be operating, etc.

CONTROL OVER THE WORK OF THE COALITION

Article 46

The authorized bodies and offices of Republic of Macedonia are competent for conducting control over the lawful operations of the Coalition.

Article 47

Each member of the Coalition is entitled to raise an issue for irregularities the work of the Coalition before the bodies of the Coalition.

The irregularities in operation of any collective or individual body or other body of the Coalition shall be determined by its immediate higher body.

TERMINATION OF THE COALITION

Article 48

The Coalition shall cease to exist:

With a decision reached by the Assembly, with a two-third majority of the total number of members of the Coalition. If at least 5 organizations have voted against the Decision for termination, such decision shall be

deemed as not reached, i.e. the Coalition shall continue its functioning with the minimal number of members as prescribed by Law;

If the number of members of the Coalition falls under the number of members required for its incorporation;

If the Constitutional Court of Republic of Macedonia reaches a Decision that the Program and the Statute of the Association do not comply with the Constitution;

In other cases as prescribed by Law.

Article 49

In case of termination of the Coalition, the assets which shall survive the payment of the obligations, shall be given to humanitarian organizations decided by the Assembly.

AMENDMENTS TO THE STATUTE OF THE COALITION

Article 50

Each of the bodies of the Coalition, or at least 5 members of it, are entitled to submit an Initiative for amendment to the Statute.

Article 51

The Initiative for amendment to the Statute shall be adopted with a two-third majority from the total number of present members of the Assembly.

TRANSITIONAL AND FINAL PROVISIONS

Article 52

The issues not regulated with this Statute shall be regulated with other acts of the Assembly.

Article 53

The Assembly is entitled to give interpretation of the provisions of this Statute, and between two sessions of the Assembly, this task falls to the Management Board.

Article 54

This Statute shall become valid with the day of its reaching.

Skopje, 13.12.2018

LS

Executive director

Natali Petrovska