



STATUTES

Modified on the 28th of October 2019

Preamble

Whereas the Emmaus International Association was constituted during the second General Assembly of the Emmaus Movement held in Montreal, Canada, from 2 to 4 July 1971;

Taking into account the last modification of the Statutes of the Emmaus International Association, adopted by the latter's Extraordinary General Assembly held on 18 November 2003 in Ouagadougou, Burkina Faso, of which Article 28 Paragraph 5 entrusts the Ordinary General Assembly with the exclusive power "to set the number and extent of the Regions as well as the number of representatives per Region, upon recommendation of the Board";

Taking into account the decisions adopted by the Emmaus International Ordinary General Assembly in its closing session of 22 November 2003 in Ouagadougou, Burkina Faso; in particular Motion 2, which gives a mandate to the Board to "work to implement the Statutes resulting from the vote by the Extraordinary General Assembly, and especially to revise the number and extent of the regions as well as the number of representatives per region, called 'Councillors of Emmaus International', which will be valid until ratification by the next Ordinary General Assembly" scheduled for 2007;

Taking into account the decisions made by the Emmaus International Board during its meeting in Châtenay-Malabry, France, from 18 to 23 October 2004, and in particular its motions 14.4 creating a "Europe continental region" and 14.5, setting the number of Councillors of this region at twelve;

The Emmaus International Member Organisations of the Europe continental region meeting on 21 May 2005 in Paris, France, decide to constitute the "Emmaus Europe" association and for this purpose adopt the present statutes.

Preliminary note

In order to avoid any ambiguity between the Emmaus International Statutes, bodies and structures and those of Emmaus Europe, and unless otherwise specified in the present statutes, the following terms refer to those of Emmaus International when the first letter of each word is capitalised:

Emmaus International: General Assembly, Association, Executive Committee, Board, Councillor, Member Organisation, National Organisation, Regional Organisation, Internal Rules, Statutes.

Emmaus Europe: regional assembly, association, (regional) executive, regional council, member organisation, internal rules, statutes.

I. NAME AND CONSTITUTION

Article 1

Under the name Emmaus Europe, a civil society association in the form of a federation of the Emmaus organisations in Europe is established.

Emmaus Europe is a non-profit organisation whose action falls within the scope of the orientations and requirements of Emmaus International as defined by the Universal Manifesto, the Statutes and other fundamental documents, as well as by the decisions of the General Assemblies.

Article 2 – Headquarters

The headquarters of Emmaus Europe are established at 47, avenue de la Résistance 93100 Montreuil, France.

The Emmaus Europe board, hereinafter called the regional council, can transfer the headquarters to another location in Europe, and in relation to this issue has the corresponding power to modify the statutes.

II. AIM AND OBJECTIVES

Article 3 – Aim

Emmaus Europe is the Regional Organisation of Emmaus International for the European continent, as defined by article 55 of the Emmaus International Statutes. As such, its general aim is to implement Emmaus International's policies and decisions on the continent.

The aim of Emmaus Europe, directly and/or through the intermediary of the National Organisations where they exist, is to:

1. Reinforce and safeguard the identity of Emmaus in Europe, in order to fight against all forms of exclusion and of social, racial, political, economic, religious, philosophical, ethnic and other forms of discrimination, and to fight for the recognition and effective enjoyment of the rights of the poorest people, in Europe and everywhere in the world;
2. Serve as a liaison and mutual-aid body between the Emmaus members in Europe, all the while respecting their respective personality and their individual autonomy;
3. Contribute and ensure that the activity of its members complies with the Emmaus International orientations, and especially its fundamental documents and the decisions of its General Assemblies.

Article 4 – Objectives

To achieve its aims, Emmaus Europe strives to:

1. Coordinate the region's member organisations;
2. Organise political, economic and social training for the various people involved in the activities of Emmaus in the region, in order to make them capable of fulfilling their political role at local, national and regional level;

3. Gather all the information needed to develop the political stance of the Movement in order to refer it to the region's member organisations, and contribute ideas so that the Emmaus International working groups run properly;
4. Lobby political authorities and European political bodies;
5. Form alliances with other European organisations that share the same aim in order to work together to combat extreme poverty and its causes in all parts of the world, and especially in Europe;
6. Examine, adopt and monitor the regional solidarity initiatives proposed by the members of the region.

III. MEMBER ORGANISATIONS

Article 5 - Definition

The members of Emmaus Europe are the non-profit associations or organisations that have legal status in the country of their registered headquarters and have been accepted as members of Emmaus International.

Article 6 - Rights

Each Emmaus Europe member organisation has the right to:

1. Keep its freedom, its distinctive nature and its right to be different, with a view to better implementing the values contained in the fundamental documents of Emmaus International, the Statutes, and the decisions made at General Assemblies and regional assemblies, according to the requirements of the local context;
2. Know the identity of all the Emmaus Europe members, the state of Emmaus Europe's accounts, as well as the make-up and activities of its various bodies;
3. Attend the regional assembly with voting rights in accordance with what is laid down in Article 18, and delegate their voting right;
4. Put forward candidates to sit on the bodies of Emmaus Europe and Emmaus International and propose the removal from office of their members;
5. Challenge decisions or actions of Emmaus Europe that could conflict with the orientations and fundamental documents of Emmaus International, the Statutes of Emmaus International and statutes of Emmaus Europe, or the decisions made at General Assemblies and regional assemblies;
6. Have spoken or written access to Emmaus Europe's bodies, to present proposals, requests and complaints, and to receive a response.

Article 7 - Obligations

Each Emmaus Europe member organisation has the obligation to:

1. Act with a view to achieving the aims of Emmaus International and Emmaus Europe;
2. Fulfil all the legal requirements applicable to its legal status;
3. Accept and meet the requirements of:
 - 3.1 The Statutes of Emmaus International, and especially of Article 6 subparagraphs 3, 4, 5 and 19, and the statutes of Emmaus Europe;
 - 3.2 The decisions made at General Assemblies and regional assemblies;
 - 3.3 The main work areas defined by General Assemblies and regional assemblies;
4. Support the activities of Emmaus Europe, notably by paying the set membership dues;
5. Submit its annual social activity report and financial results.

Article 8 - Resignation

Any member organisation, whatever its status, can resign at any time from Emmaus Europe; it remains liable for its financial obligations, in particular for its membership dues for the current year and any loans that it has been granted until they have been fully repaid.

Resignation from membership of Emmaus Europe entails ipso facto resignation from membership of Emmaus International and the consequences listed in the Statutes.

Article 9 - Exclusion

Any member organisation shall be excluded from Emmaus Europe in the case of non-compliance with the conditions set out in the present statutes, as well as for non-payment of membership dues to Emmaus Europe, or for non-attendance at three consecutive regional assemblies, even if it has been represented by another member organisation.

A member organisation may be excluded on serious grounds as a disciplinary measure.

The decision to exclude a member shall be taken in accordance with the right of defence, after the member in question has been able to put forward its arguments. The sanction shall be decided by the regional council with there being no right to appeal.

The exclusion of a member organisation by the National Organisation to which it belongs immediately sets in motion the exclusion procedure from Emmaus Europe.

Article 10 - Disbanding or termination of activity

Membership of Emmaus Europe terminates automatically when a member organisation disbands or terminates its activity.

Article 11 – Use of the name and of the logo

Where a member organisation has lost the status of member, it automatically relinquishes the use of the "member of the Emmaus International Movement founded by Abbé Pierre" wording, as well as the use of all references to Emmaus or others which could lead to confusion, and the use of the Emmaus International logo.

Article 12 – Trial membership

In order to ensure that it harmoniously fits into Emmaus Europe, each new member must be guided by another member organisation, so that it can discover Emmaus and bring its statutes, rules and practices into line.

In return for this guidance, this member receives provisional and trial acceptance of its membership with the right to use the name and the logo accompanied by the following obligatory wording "trial member of Emmaus International" on all of its documents.

This dual role of guiding and provisionally accepting a member is held by the National Organisation or, failing that, the Regional organisation.

During the trial period, the member is invited as an observer to the national assemblies, regional assemblies and General Assemblies, and to the activities of Emmaus Europe.

Between a minimum of two years and a maximum of five years, a request for full membership of Emmaus International is made in accordance with the conditions set by the Statutes.

If the Board rejects the full membership application at the end of the trial period, membership is immediately and automatically terminated without any justification being required from the Board.

IV. - BODIES

Article 13 – Bodies

The bodies of Emmaus Europe are as follows:

- The general assembly, referred to as the "regional assembly";
- The board, referred to as the "regional council";
- The regional executive.

IV – 1. REGIONAL ASSEMBLY

Article 14 - Definition

The regional assembly is the highest body of Emmaus Europe and has full powers and responsibilities so that it can realise its aims and its objectives within the framework of the Statutes and of the fundamental documents of Emmaus International, and of any policies and decisions the General Assembly and regional assembly may adopt.

Article 15 – Frequency

An important gathering for all the member organisations of Emmaus Europe, the regional assembly takes place in principle every four years or at any other shorter interval decided by the regional council.

Article 16 – Place

It can be held in any place in Europe.

Article 17 - Ordinary regional assembly convened on an extraordinary basis

At the request in writing of more than half of the member organisations or on the initiative of the regional council, the president of Emmaus Europe must call an ordinary regional assembly convened on an extraordinary basis within a maximum of three months.

Article 18 – Voting rights

Each member organisation may vote and has one vote at the regional assembly on condition that it is up to date with its obligations under the statutes and in particular the payment of its membership dues to Emmaus Europe, at least since the last regional assembly, unless an exemption is granted by the regional board following a justified request for exemption.

Article 19 – Proxies

A member organisation may give another member organisation a proxy to represent and vote on its behalf.

A member organisation may receive a maximum of two proxies. All proxies must be sent by post to Emmaus Europe's headquarters or by email to the RAEE registration email address at the latest one week before the RAEE. All blank proxies are shared out by the president of Emmaus Europe among the members registered to attend the RAEE.

Article 20 – Notice of meeting

Notices of meetings of the regional assembly are addressed to the member organisations in accordance with the conditions set out in the internal rules, at least three months before the assembly, unless there are exceptional circumstances.

Article 21 – Minutes

The minutes of the regional assembly are drafted by the secretary.

Article 22 – Quorum

In order to make valid decisions, the regional assembly must consist of at least half the member organisations, either present or duly represented.

If this quorum is not reached at the ordinary regional assembly, another regional assembly is convened within six months and may take decisions in the absence of a quorum.

Article 23 – Agenda

The agenda is drawn up by the regional council.

It is sent to the member organisations at the same time as the notice of meeting.

Any other proposals can only be submitted by a National Organisation or by a minimum of 10 percent of the member organisations and must be sent to the regional executive at least six weeks before the regional assembly. In this case, the regional executive informs the member organisations of such proposals by letter at least three weeks before the regional assembly.

Article 24 – Voting system

The proposals submitted to the ordinary regional assembly are adopted by absolute majority of member organisations present or duly represented. In the event of a tied vote, the proposal in question is deemed to be rejected.

Voting takes place by show of hands unless a secret ballot is requested by at least 10 percent of the member organisations present or duly represented.

Postal voting is not authorised.

Article 25 – Exclusive powers of the ordinary regional assembly

The ordinary regional assembly has the following powers:

1. To elect the Councillors of Emmaus International;
2. To propose one or several candidates to the Emmaus International Wise Persons' Committee;
3. To set up regional working groups by theme or by geographical area to better stimulate the region's action;
4. To examine the accounts of preceding years approved by the regional council;
5. To decide on the proposals submitted to it by the regional council;
6. To adopt the president's policy report, the activity report of the regional council, the financial report of the treasurer and the reports of the various regional working groups that have been given a specific mandate;
7. To adopt the general work areas and priorities until the next regional assembly.
8. The regional assembly elects the president of Emmaus Europe with a two-thirds majority of the member organisations in attendance or duly represented in the first round of voting and a simple majority in the second round. The president's mandate lasts for four years and runs from one ordinary general assembly to the next. The president's mandate runs from the date of the assembly at which s/he is elected to the date of the following assembly, even if they are not held in the same month of the year. The mandate can be renewed once.
Votes are taken by a secret ballot.

Article 26 – Exclusive powers of the extraordinary regional assembly

Only the extraordinary regional assembly has the right:

1. To modify the statutes;
2. To dissolve Emmaus Europe.

Decisions concerning this article may only be taken by a majority of two-thirds of the member organisations present or duly represented.

IV – 2. REGIONAL COUNCIL

Article 27 – Definition

The activity of Emmaus Europe is under the direct responsibility of the regional council.

The regional council is responsible for boosting, monitoring and supervising all other Emmaus Europe bodies, including the regional executive.

Article 28 – Members

The regional council is made up of:

1. The president of Emmaus Europe elected by the regional assembly.
2. The Councillors of Emmaus International, with a maximum of four Councillors per country. The number of these Councillors is set by the Ordinary General Assembly. At the time of approval of the present statutes, this number is set at twelve;
3. The national delegates, i.e. one per country.

Article 29 – Term of office

The term of office of the members of the regional council is:

- Set by the Statutes and Internal Rules for the Councillors of Emmaus International. At the time of approval of the present statutes, this term of office is four years, renewable once;
- Four years, renewable once, for the national delegates.

Article 30 – End of term of office

The remit of a regional council member ends:

1. On his/her death or his/her disablement;
2. When s/he ceases to be a member of a Member Organisation;
3. At the end of the mandate received from the National Organisation, in the case of national delegates;
4. When s/he ceases to be a Councillor of Emmaus International;
5. On his/her resignation in writing.
6. If the representative totals consecutive non-excused absences from two regional councils.
7. If removed from office by the relevant organisation (group or national organisation).

If the period of office of a CEI ends for any of these reasons between two regional assemblies, the Regional Council elects a new CEI from among the ranks of the candidates who were not elected at the previous regional assembly.

In the absence of such candidates, as a last resort the RCEE may ask the groups to submit new candidacies.

The period of office of the CEI elected by the Regional Council runs until the following regional assembly.

Article 31 – Duties of the members of the regional council

The members of the regional council have the following duties:

1. To maintain a sustained relationship with the member organisations of Emmaus Europe;
2. To manage regional budgets;
3. To be in all circumstances practical examples of the values of Emmaus International.

According to the Statutes, the Councillors of Emmaus International have the following, more specific duties:

1. To represent the member organisations of Emmaus Europe before the Board and to convey information to them from the Board;
2. To draft a report on the activity of Emmaus in Europe before each meeting of the Board;
3. To prepare the membership applications of trial members in the Europe region for Emmaus International.

Article 32 – Election of the regional executive

Within the limits provided for in Article 39, the regional council sets the number of, and elects from among its own members, the members of the regional executive.

Article 33 – Responsibilities

The regional council is the policy-making body of Emmaus Europe.

The regional council has the following duties in particular:

1. To implement the policies, suggestions and decisions passed at the General Assembly and regional assembly;
2. To participate in leading reflection to promote the fight for the rights of the poorest people throughout the world;
3. To organise the communication policy of Emmaus Europe aimed at the public and the political authorities;
4. To coordinate solidarity initiatives and initiatives to combat exclusion within Europe and for developing world countries in conjunction with Emmaus International;
5. To form alliances with other European organisations that share the same aim in order to work together to combat extreme poverty and its causes wherever it is found, and especially in Europe;
6. To present to Emmaus International, through the Councillors of Emmaus International, new members' requests for Emmaus International membership and requests for exclusions of Member Organisations;
7. To supervise the work of the regional executive, to which it has delegated responsibilities, and to examine its financial and activity reports;

8. To set up suitable regional working groups to carry out the specific missions that it gives them;
9. To prepare the agenda of the regional assemblies;
10. To promote the development of the Emmaus Movement in Europe.

Article 34 – Financial powers

As regards finance, the regional council approves the accounts from the previous financial year and adopts the budget for the next financial year within the French legal deadline. The rules governing the execution and payment of expenses are set by the internal rules.

Article 35 – Meetings

The meetings of the regional council may be held at any location the regional executive chooses.

All meetings are convened in writing, at least two months in advance, unless there is an emergency or there are exceptional circumstances.

The notification to attend must contain the agenda.

A consultation may take place by correspondence on the initiative of the regional executive. A decision is considered to be adopted if it is approved in writing by the majority of responses received within the set time limit.

The regional council meets physically at least twice a year, in addition to any meetings by correspondence.

Article 36 – Quorum

The quorum of attendance required for regional council meetings to be valid is always one-half of its members.

Article 37 – Voting method and minutes

Each member has the right to only one vote. However, if a national delegate is at the same time a Councillor of Emmaus International, s/he shall have two votes.

Decisions are taken by absolute majority of the members present.

The EE president has the casting vote in the event of a tie.

Minutes of the meeting shall be drafted by the secretary.

IV – 3. REGIONAL EXECUTIVE

Article 38 – Responsibilities

The regional executive has all the powers necessary for the daily management of the affairs of Emmaus Europe, on the basis of a mandate given by the regional council. It accounts for its activity to the regional council.

Article 39 – Members and term of office

The regional executive is made up of a minimum of five members:

- The president elected from among the members of the regional assembly. The president of Emmaus Europe automatically becomes the president of the regional council.
 - The secretary and treasurer elected from within the regional council.
- Regional executive members have a four-year mandate, which can be renewed once.

The Regional Executive of Emmaus Europe includes Councillors of Emmaus International (CEI) and National Delegates in order to coordinate better with the Emmaus Movement.

Article 40 – Meetings, decisions and minutes

The regional executive meets as often as necessary and at least four times a year. It makes its decisions by absolute majority of the members present.

It cannot take a decision unless the majority of its members are present.

The minutes of the regional executive are sent to each member of the regional council in accordance with the procedure laid down in the internal rules.

Article 41 – Co-opted members

In order to more effectively perform its role, the executive can include a maximum of two people who are not regional council members, and who are selected based on their skills and experience in Emmaus Europe. If necessary, the executive can entrust them with duties. They take part in regional executive meetings but do not have voting rights.

The executive decides on a case-by-case basis if the co-opted member should attend all the executive meetings or only be present for items on the agenda that equate to his or her area of expertise and specific duties.

Article 42 – Report

The regional executive presents a report on the management of Emmaus Europe to each meeting of the regional council.

Article 43 – Specific tasks

The regional executive may give a mandate to one of its members or to a third party to carry out a particular task, in particular to visit the member organisations and give them moral or technical support.

Persons who receive such a mandate must deliver a report to the regional executive.

Article 44 – Europe Region Secretariat

The secretariat of the Europe region has the following main tasks, under the authority of the regional executive:

- Secretariat for intra and extra-European solidarity initiatives;
- Information and communication;
- General administration.

IV – 4. PRESIDENT

Article 45 – Responsibilities

Within Europe, the president represents Emmaus Europe in legal matters, to third parties and before the courts.

S/he carries out all the duties entrusted to him/her by the law and the statutes.

S/he is responsible for implementing the decisions of the regional assembly, of the regional council and of the regional executive, and s/he signs letters on behalf of the association.

Article 46 – Other responsibilities

S/he calls and chairs the meetings of the regional council and of the regional executive.

S/he can mandate any member of the regional executive to represent him/her outside the Movement.

Article 46a - End of the president's mandate

The president's mandate expires in the following cases:

1. Death or disablement.
2. End of the mandate given by the regional assembly.
3. Written resignation.
4. Removal from office by the regional assembly convened in accordance with the conditions laid out by article 17 of these statutes.

In scenarios 1 and 3, the regional executive takes note of the death, disablement, impediment or resignation. The post is temporarily filled by another member of the regional council of Emmaus Europe until the end of the mandate or until the next regional assembly meeting held in accordance with article 15 of the statutes.

In scenario 4, the regional assembly meeting in an extraordinary session elects a new president for the time remaining until the end of the mandate, in accordance with the duration stated in article 39.

V. FINANCIAL RESOURCES

Article 47 – Financial resources

The financial resources of Emmaus Europe come from:

1. The membership dues paid by the member organisations, as set by the regional assembly on the basis of the regional council's proposal;
2. Authorised donations and legacies;
3. Funding allocated to it for targeted initiatives;
4. Additional contributions requested by the regional council;
5. And all other resources authorised by law.

The association undertakes to present its accounting ledgers and documents, at the request of the Minister of the Interior or the Prefect, concerning the use of gifts which it is authorised to receive, and to provide the Prefect with an annual report on its financial situation and accounts, and to allow delegates of the ministers concerned to visit its premises and to account for the operation of these premises.

Article 48 – Responsibilities

The member organisations are not personally liable for the obligations contracted by Emmaus Europe; only the assets and resources of the association are liable for such obligations.

Emmaus Europe is in no circumstance liable for the obligations which its member organisations contract in its name, without prior express authorisation.

VI. ACCOUNTING AND AUDITING

Article 49 – Treasurer's responsibility

The treasurer is responsible for keeping the accounts of Emmaus Europe.

Article 50 – Auditing of the accounts

The president of Emmaus Europe or the regional executive can at any time commission audits of the various accounts using one or more chartered accountants.

Article 51 - Financial year

The financial year of Emmaus Europe is the calendar year.

Article 52 – Auditors

The regional board appoints one or several auditors.

Their reports are sent to the member organisations of Emmaus Europe.

Article 53 – Auditing a member organisation

In the case of serious accusations or serious doubts about the operations or actions of a member organisation, the regional executive and/or the regional council have the duty to bring everything to light with the aim of being transparent both with regard to its members and the general public.

For this they have, in agreement with the National Organisation and with the Executive Committee and/or Board, the right to commission an audit of the member organisation concerned, in particular of its accounting and financial management, its internal running and its social action, and to appoint the organisation that will carry out the audit.

The cost of the audit will be covered by the budget of Emmaus International.

The member organisation must comply with and facilitate the work of the auditors.

The findings of the audit will be brought to the attention of the National Organisation and of the Executive Committee and Board, and of the regional council. The latter, in relation with the Board, will then take the decisions that they consider relevant.

VII. LANGUAGES USED

Article 54 – Official languages

French, English and Spanish are the languages of Emmaus Europe.

They are used on an equal footing in all its bodies, publications and documents.

For the purposes of the present statutes, the French version is deemed to be the official one in the event of litigation.

VIII. MODIFICATION OF THE STATUTES AND DISSOLUTION

Article 55 – Modification of the statutes and dissolution

Except for the provisions of Article 2 Paragraph 2, decisions concerning the modification of the statutes and the dissolution of Emmaus Europe may only be taken by a majority of two-thirds of the member organisations present or duly represented at an extraordinary regional assembly.

Such an assembly must be convened by the president of Emmaus Europe on the request of two-thirds of the members of the regional council or of one-half of the member organisations of Emmaus Europe.

Dissolution can only be decided by an extraordinary regional assembly which has been specially convened for this end and which has no other items on its agenda.

Article 56 – Disposal of assets

In the event of dissolution, the balance of assets shall be allocated, after the payment of debts and according to the law and the directives adopted by the extraordinary regional assembly, to an association that shares the same aims.

IX. INTERNAL RULES

Article 57 – Internal rules

Internal rules are drafted by the regional council and adopted or modified by the regional assembly.