

**International Organization for the Right to Food**



**THE FIAN INTERNATIONAL STATUTE**

**FIAN International Secretariat**  
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## **THE FIAN - STATUTE**

(Amended by the International Council at Vienna, Austria, 12 - 15 May 1994)

### **§ 1 Name, location, financial year**

1.1 The society carries the name "FIAN-FoodFirst Information & Action Network" and shall be registered; after registration it carries the addition "e.V."

1.2 The location of the society is Heidelberg.

1.3 The financial year is the calendar year.

### **§ 2 Aims of FIAN**

CONSIDERING that every person has the fundamental human right to be free from hunger and the duty to extend the same duty to others;

RECOGNISING that:

- a) all continents have the potential to produce more than enough food for their population even at low and intermediate levels of input;
- b) in many countries, even where per capita foods production has increased, there exists large pockets of malnutrition and risk of famine;
- c) the situation of the people afflicted by hunger and malnutrition arises from social inequality, oppression, neo-colonialism in all its forms and discrimination in particular against women;

BELIEVING that hunger can be eradicated only by attacking its causes and helping to remove those political, social and economic obstacles which prevent the hungry from

obtaining their internationally recognized human right to food and especially their right to feed themselves;

AFFIRMING that:

- a) the causes of people's inability to feed themselves lie in the neglect and destruction of participatory rural social and food production structures and entail environmental degradation;
- b) hunger when it is a violation of human rights cannot be separated from cases of structural and individual oppression;
- c) all human rights and fundamental freedoms are indivisible and inter-dependant; equal attention and urgent consideration should be given to the implementation, promotion and protection of economic, social and cultural, civil and political rights;

THE AIM OF FIAN shall be to contribute throughout the world to the implementation of the provisions of the International Bill of Human Rights by working for the protection of the human right to food and, above all, the right to feed oneself of persons or groups threatened or suffering from hunger and malnutrition, especially peasants, agricultural workers, landless labourers, squatters, sharecroppers, and other whose land rights or agricultural labour rights have been or are being violated. FIAN should strictly keep independent of all political and confessional groupings.

### **§ 3 Objectives of FIAN**

3.1 The objective of FIAN is the support of activities aiming at:

the realisation of the human right to food in all parts of the world (International Covenant on Economic, Social and Cultural Rights) and the human right to feed oneself in particular;

respect for human rights and particular attention to groups and individuals persistently discriminated against (women, indigenous peoples);

tolerance in all fields of culture and the mutual understanding of all peoples.

3.2 FIAN shall pursue this objective by the co-operation of national sections, groups and individuals in the field of development education and by advocating the human right to food nationally and internationally. This will include in particular material and non-material support for

- a) the documentation of violations of the human right to food,
- b) public information activities
- c) activities aiming at the prevention of violations of the human right to food.

#### **§ 4 Non-Profit Status**

4.1 FIAN shall pursue exclusively and directly charitable objectives in the sense of the article on "charitable purposes" of the West German tax law.

4.2 FIAN works as a non-profit organisation; it shall not primarily pursue objectives for its own economic interests.

4.3 The funds of FIAN shall only be used for the objectives under this statute. No part of the receipts or assets of FIAN is to be transferred to any of its members, except as a remuneration for activities laid down in an employment or other work or service contract.

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

4.5 No person shall be financially reimbursed by expenditure not pertaining to the objectives of FIAN.

4.6 Upon disbandment or cessation of its previous objectives, the financial assets must be used for non-profit purposes in the field of the realisation of human rights in accordance with the tax laws. Decisions about the future use of those assets can only be implemented with the consent of the revenue-office.

## **§ 5 Methods**

5.1 In order to achieve the aforesaid objectives FIAN shall work as an international organisation on the basis of the Universal Declaration of Human Rights and the International Human Rights Covenants, independent of governments, political parties, ideologies and religions.

5.2 FIAN shall always seek the co-operation of the groups and individuals affected by violations of human rights within its mandate.

5.3 FIAN shall serve the work of participating groups and individuals. These groups and individuals act independently within the frame work of this statute and in accordance with the agreed programme.

5.4 The members of FIAN shall

-observe the mandate of FIAN

-respect the necessity of restricting themselves to factual and well-founded statements.

-strictly keep independent of all political and confessional groupings.

-be factual and correct in form and expression.

## **§ 6 Members of FIAN.**

6.1 The members of FIAN are:

-national sections,

-affiliated groups,

-individual members,

-supporting members.

The members of national groups and affiliated groups are also members of FIAN:

- 6.2 The national sections shall consist of at least two FIAN-groups or ten individual members. They shall observe the aims and objectives of FIAN by applying the methods outlined by FIAN. The founding of a national section needs the consent of the International Executive Committee, to whom it should also submit its statutes for approval.
- 6.3 Affiliated groups have at least three members. The society sets up working rules according to which members are taken on to a group. FIAN groups have to become members of the respective national section. If there is no national section, such groups can be affiliated directly to FIAN. The groups have to pursue the aims and objectives of FIAN by applying the methods outlined by FIAN.
- 6.4 Individual members are members of a group or members who are not yet able to find a group or section, whatever the reason might be.
- 6.5 FIAN may admit individuals or juridical persons as supporting members. Supporting members regularly pay a supporting fee.

## **§ 7 Criteria for Membership**

- 7.1 National sections are admitted as members by the International Executive Committee.
- 7.2 Groups, individual and supporting members are admitted as members by the Executive Committee of the national section, whom the group, individual or supporting member shall be affiliated to and if such a section does not exist - by the International Executive Committee. The International Executive Committee also decides in the case of problems as to which section the group, the individual or supporting member is to be affiliated or whether (in exceptional cases) the group, the individual or supporting member shall be directly affiliated to FIAN.

7.3 Applications for admission have to be made in writing.

7.4 If an application for admission has been turned down the reason must be given in writing.

## **§ 8 Termination of Membership**

8.1 The membership is terminated

a) for national sections and groups in case of disbandment, for individual and supporting members in case of death.

b) by voluntary resignation which has to be declared to the International Executive Committee no later than six months before the end of the year. If the respective group, individual or supporting member is a member of a national section, resignation has to be declared to the national section no later than six month before the end of the year.

c) by revocation of membership.

8.2 Revocation of membership can occur, if

a) a national section, affiliated group, an individual or supporting member fails to pay its annual fee (fixed in accordance with this statute) within six months after the end of the financial year.

b) a national section, affiliated group, an individual or supporting member does not act according to the aims and objectives of FIAN or does not apply the methods outlined by FIAN or violates this statute in some other way.

In case a) membership will be revoked by the International Executive Committee, who shall give the member the opportunity to present his case before this step is taken. If the respective group, individual, or supporting member is member of a national section, it will be deprived of its membership status by the respective national section after having been given the opportunity of presenting his case.

In case b) membership shall be revoked by the International Council (if the member is a national section or does not belong to any national section) if there is a majority of three quarters of the votes cast upon proposal by the International Executive Committee or a national section. If the member is a member of a national section, the membership shall be revoked by the general meeting of the respective section upon proposal of the Executive Committee of this section.

If a revocation of a membership is planned for a meeting, it has to be put onto the agenda and the member concerned has to be informed well before the meeting. The member must be given the opportunity of presenting his case.

## **§ 9 Organs of FIAN**

The organs of FIAN are

- a) the International Council - IC
- b) the International Executive Committee - IEC
- c) the International Secretariat - IS
- d) the Advisory Board
- e) the Executive Committees of the national sections
- f) the auditors
- g) the special representative/s appointed by FIAN for special functions.

## **§ 10 The International council**

10.1 The IC shall meet at intervals of approximately one year, but in any event of not more than two years. The meeting shall be called by the chairperson of the IEC under the direction of the IEC no later than 42 days before the date hereof. The agenda and the location shall be sent with the invitation. The a.m. period shall start the day after the invitations have been sent out.

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

Every member eligible to participate can submit to the IEC additions to the agenda in writing not less than 14 days before the respective meeting of the IEC.



10.2 Eligible to participate and vote are

- a) the members of the IE.
- b) the representatives of the national sections.

All national sections shall have the right to appoint one representative to the IC meeting. In addition they may appoint further representatives, whose number shall depend on the number of groups and individual members belonging to the respective sections:

a national section may appoint in addition

either

for 10 - 49 groups: one representative

for 50 - 99 groups: two representatives,

for 100 or more groups: three more representatives

or, if it consists primarily of individual members,

for 500 - 2499 individual members: one additional representative,

for 2500 or more: two more representatives.

10.3 The representatives of a national section are elected in a general meeting of the respective section. The meeting is called by the chairman of the Executive Committee on behalf of the latter at least 21 days before the scheduled meeting; the information on agenda and location is to be sent with the invitation.

The representatives are elected for a period of two years. They stay in office until the results of the next election are announced.

10.4 Representatives unable to participate in a meeting may appoint a proxy to vote on their behalf. The proxy must be a member of FIAN. If a national section is not able to send as many representatives as it is entitled to according to 10.2, it may authorize its representative/s to cast votes up to its maximum entitlement under 10.2 thereof.

10.5 A national section not having paid its fee for the previous financial year is not eligible to vote. The IEC may decide upon application of the representative/s of the respective section that the delegates may vote in spite of their section's default.

## **§ 11 Procedures of the Meeting**

- 11.1 The chairperson of the IEC or the Vice-Chairperson shall preside the meeting.
- 11.2 The IC shall have no quorum.
- 11.3 The IC is responsible for the following:
- a) Directions to the IEC concerning the measures for the implementation of FIAN's aims and objectives, and the methods outlined by FIAN.
  - b) Election of members of the IEC.
  - c) Appointment of special representatives.
  - d) Election of auditors.
  - e) Clearing of the annual reports and the IEC.
  - f) Fixing of the annual fee and date of payment for the national sections and the affiliated groups, the individual and supporting members not belonging to national sections.
  - g) Revocation of membership according to §8.2b.
  - h) Amendment of statute and disbandment.

In the IC each representative and member of the IEC shall have one vote. In votes on amendments of statute the members of the IEC shall not vote if there are representatives in the IC.

- 11.4 The IC decides by a simple majority of valid votes cast. In case of a tie the motion is rejected. A majority of at least two thirds of the valid votes cast is necessary for an amendment of statute. At least three quarters of the valid votes cast are necessary for a revocation of membership, a change of the objectives of FIAN or for disbandment.
- 11.5 In special cases (including the election of the IEC) decisions may also be taken by voting in writing, requiring the majorities under §11.4. The invitation to vote in writing and the motion in question have to be sent to all members of the IC by the Chairperson of the IEC at least 21 days before the deadline.

The members of the IC shall send their votes to the chairperson of the IEC. Votes not meeting the deadline shall be invalid. The chairperson and a further member of the IEC shall count the votes. The chairperson of the IEC shall inform the members of the IC of the result not later than 14 days after the deadline.

## **§ 12 Elections**

- 12.1 Secret ballot and/or individual votes must be carried out if so requested by any member of the organs.
- 12.2 If in an individual election there is only one candidate, this candidate will be elected if he/she obtains the majority of votes. If there are several candidates, a person will be elected on the first ballot, if he/she obtains the majority of valid votes cast. If further ballots become necessary, the candidate obtaining the largest number of valid votes will be elected.
- 12.3 The details shall be regulated by the rules of procedure.

## **§ 13 Extraordinary meetings of the International Council**

The IEC may if necessary call extraordinary meetings of the IC. The IEC must call such a meeting if so requested by at least one third of the national sections. Extraordinary meetings shall be called by the IEC in writing not less than 28 days before the meeting. The invitation must include the agenda and the location. The time period starts on the day after the invitation has been sent.

## **§ 14 The International Executive Committee**

- 14.1 The IEC shall consist of the treasurer and two to eight regular members. The members of the IEC shall be members of FIAN: Not more than one member of a national section or affiliated group may be elected as a regular member to the Committee.

The IC shall elect the members of the IEC individually among them the chairperson, vice-chairperson and treasurer.

14.2 The members of the IEC shall be appointed for two years. They will stay in office until the next elections. Re-election is possible.

14.3 If a member of the IEC has to leave office during his/her term for whatever reason, the remaining members may appoint a substitute for the rest of the term of the one who left. The IEC is entitled if necessary to charge a person with two offices. The substitute and/or the redistribution of offices needs the election by the next IC.

## **§ 15 Responsibilities and procedures of the International Executive Committee**

15.1 The judicial and the extra-judicial representation of the society are guaranteed by at least two out of the following three: chairperson, vice chairperson and treasurer.

15.2 The IEC is responsible for all affairs of FIAN; except for those , that have been specifically assigned to other bodies of the organization by this statute.

15.3 The IEC shall meet at least once a year. Further meetings have to be called if so requested by the majority of members of the IEC. The meetings shall be called by the chairperson of the IC: The agenda needs not be included with the invitation.

15.4 The IEC shall have no quorum. If a member is unable to participate, it can appoint another member of FIAN in writing as his/her proxy.

15.5 In general the chairperson will preside the meeting. Decisions shall be passed with the majority of valid votes cast. In case of a tie the motion shall be rejected.

15.6 Decisions of the IEC may also be arranged by telephone with subsequent written confirmation.

15.7 The decisions of the IEC shall be included in the minutes according to §20. Every member of the IEC shall receive a copy of the minutes.

15.8 The function of a member of the IEC is an honorary function. They can be remunerated appropriately for the expenses they incurred in their activities for FIAN.

## **§ 16 International Secretariat**

- 16.1 The IEC establishes the IS and appoints a network secretary for the conduct of current affairs. He/she shall work under the direction of the IEC.
- 16.2 The IEC decides on the location of the office of the IS. This decision needs the consent of the IC.
- 16.3 Upon decision by the IEC the network-secretary shall appoint such professional staff as are necessary for the proper conduct of the affairs of FIAN. The details of the terms of employment shall be determined by the IEC.
- 16.4 The network-secretary shall participate in the meetings of the IEC, but shall not be eligible to vote. If he/she is unable to participate, another member of the IS may be authorized by him/her as a substitute.

## **§ 17 Advisory Board**

- 17.1 The members of the Advisory Board shall be appointed by the IEC for three years. They need not be members of FIAN.
- 17.2 The members of the Advisory Board shall give FIAN their advice.
- 17.3 Every member of the Advisory Board can participate in the IEC meetings.

## **§18 Membership fees**

- 18.1 The members of FIAN are obliged to pay fees, whose amounts shall be fixed separately for the national sections, groups, individual and supporting members and may depend on the size of the respective national section or group.
- 18.2 Members of a national section shall not pay fees to FIAN but only to their national section. The amount shall be fixed by the general assembly of the respective national section.

## **§19 The auditors**

The auditors shall be elected by the IC for a period of two years. They shall neither be a member of the IEC nor of the IS nor of the Advisory Board. They shall audit once a year the annual balance of FIAN before the IS presents it to the IEC. They have to explain every annual balance to the IC:

## **§20 The records of the FIAN organs**

20.1 The decisions reached by the IC have to be laid down in writing by the secretary of the meeting, and have to be signed by the respective chairperson and the secretary of the meeting. The meeting shall appoint a secretary at the beginning of the meeting.

20.2 If decisions have been taken in writing in the cases provided for by this statute, they shall also be put into the minutes, which shall be signed by the chairperson of the IEC and another IEC member.

## **§21 Disbandment of FIAN**

21.1 The disbandment of FIAN can be decided only by an IC meeting especially called for this purpose and with a majority according to §11.4. This IC meeting also appoints the liquidators.

21.2 The financial assets remaining after liquidation shall only be transferred to non-profit purposes in the field of the implementation of human rights.