



YOUTH INITIATIVE FOR HUMAN RIGHTS
NISMA E TË RINJVE PËR TË DREJTAT E NJERIUT
INICIJATIVA MLADIH ZA LJUDSKA PRAVA

Statute of Youth Initiative for Human Rights - Kosovo

This statute shall govern the non-for-profit association “Youth Initiative for Human Rights - Kosovo; Nisma e të Rinjve për të Drejtat e Njeriut - Kosovë; Inicijativa mladih za ljudska prava - Kosovo” established in accordance with the Law No. 06/L- 043 on Freedom of Association in Non-Governmental Organizations in Republic of Kosovo.

Article 1

Name, form and address

1. The organization shall be called Youth Initiative for Human Rights - Kosovo; Nisma e të Rinjve për të Drejtat e Njeriut - Kosovë; Inicijativa mladih za ljudska prava – Kosovo.
2. It may also be known as **YIHR KS**.
3. The organization is a not-for-profit association, according to the definition given by article 16.1 of Law No. 06/L- 043, on Freedom of Association in Non-Governmental Organizations in Republic of Kosovo.
4. The organization shall not distribute any net earnings or profits as such to any person. The assets, earnings and profits of the organization shall be used to support its non-profitable purposes of the organization and shall not be used to provide special individual benefits, directly or indirectly, to any founder, director, officer, member of the association, employee or donor of YIHR KS. However, the payment of reasonable compensation to such persons can be made for work performed for the organization.
5. Any transaction between YIHR KS and any other affiliated organization or between YIHR KS or members, officers, members of the Board or its employees is prohibited, unless the governing body decides, after reasonable investigation, that the transaction is in the interests, fair and reasonable for YIHR KS, and that YIHR KS could not provide more favorable arrangement with reasonable efforts and under existing circumstances.
6. YIHR KS may engage in economic activities in order to support its nonprofit activities, in accordance with paragraph 1.4 of the Statute and Article 35.2 of the Law on Freedom of Association with NGOs 06/L- 043, provided that the income generated through economic activities are used exclusively to accomplish the purposes specified in this statute.
7. YIHR KS has its head office at **St. Adrian Krasniqi, 5, 2nd floor, Pristina, 10,000 Kosovo**.

8. YIHR KS will be a legal and mission inheritor of the non-governmental organization “Youth Initiative for Human Rights; Inicijativa mladih za ljudska prava; Nisma e të Rinjve për të Drejtat e Njeriut” registered at the Ministry for Public Services of the Government of Kosovo on November 24, 2004 (registration number 5300445-8).

Article 2 Founders

1. The founders of the organization are:

- ***Shpend Qamili***
- ***Raba Gjoshi***
- ***Besart Lumi***

2. The Assembly of Members shall appoint the Authorized Representative of YIHR KS, who shall represent the organization and receive all official notices on behalf of the organization. He or she shall be responsible for informing the relevant competent authorities of any changes to the stated data when registering the organization.

3. Authorized Representative of YIHR KS is Executive Director.

Article 3 Purpose

1. The organization's mission is to promote, protect and advocate for human rights, dealing with the past, rule of law and civic values as the core foundations of a free, responsible and progressive society.

2. The organization is founded with the purposes of:

- a) Ensuring respect for human rights, democratic values and rule of law;
- b) Empowering youth and activism for human rights;
- c) Creating platforms for dealing with the past and peace-building in Kosovo as well as in the region.

3. In order to accomplish its purposes, the organization will undertake, but will not be restricted to, the following activities: advocacy campaigns, policy papers, monitoring programs, small grants, youth exchanges, trainings, workshops, public debates, research and documentation, street actions, and other activities in line with the mission and objectives of the organization.

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Article 4 Membership

1. The membership to the organization is open to any person regardless of race, color, gender, language, religion, political opinions or others, national or social origin, liaison to any

community, property, economic and social conditions, sexual orientation, birth, disability or any other personal status. In order to join the organization, every interested person shall accept the Statute and Mission of the organization and engage in meeting the organization's goals.

2. The Assembly of Members shall determine whether a membership fee shall be required from members. In case of imposing payment of membership, the Assembly shall decide on the rules and procedures of payment of membership, including various measures, to the exclusion of a member from the organization in case of failure to pay the membership.

3. Membership of any member can also be terminated or suspended by decision of the Assembly of Members in case of:

- a) Not complying with the Statute of YIHR KS,
- b) Non-compliant actions with interests and image of YIHR KS,
- c) Absence on three consecutive AGMs.

4. In case of suspension, the length of the suspension will be specified by the Assembly of Members.

5. The termination or suspension of membership by the Assembly of Members shall be decided by the majority of the members present.

Article 5 Assembly of Members

1. The Assembly of Members is the highest governing body of the organization. It shall consist of all members of the organization.

2. The Assembly of Members shall have ultimate responsibility for the policies and financial affairs of the organization. In this context, the Assembly of Members has the power to:

- a) Elect and dismiss Executive Director based on the proposal of the Board,
- b) Approve annual work report and financial report based on the proposal of the Board,
- c) Approve amendments and modifications to the Statute,
- d) Decide on the merger, division or dissolution of the YIHR KS.

These responsibilities cannot be delegated to other lower bodies.

3. Apart from the reserved powers, the Assembly of the Association shall also have the following powers:

- a) Sets mission and objectives of YIHR KS,
- b) Elects and dismisses members of the Board,
- c) Accepts the Board Members' resignation by a majority of members present;
- d) Approves decisions on changing the objectives of the YIHR KS and its dissolution, by absolute majority of two thirds;

- e) Approves decision on distribution of remaining assets of YIHR KS, by absolute majority of two thirds.

4. The Assembly of Members can delegate any of its responsibilities to the Board and Executive Director, with the decision of majority of its members, with the exception of responsibilities not delegated under Article 31.5 of Law no.06/L- 043 on Freedom of Association in Non-Governmental Organizations in the Republic of Kosovo and paragraph 2 of Article 5 of the Statute.

5. The Board shall elect the secretary of the organisation pursuant to a proposal put forth by the Board Chair. The secretary shall be appointed for a two-year term. The secretary shall have these duties:

- a) to keep minutes during Assembly meetings,
- b) to prepare documentation for the Assembly and Board meetings,
- c) takes care for the technical organization of the meetings of Assembly and Board,
- d) ensures about maintaining the "List of Members";

6. If the Secretary for whatever reasons resigns, it automatically ends his/her mandate as a Secretary. In this case the Board, with the proposal of the Chairman, is obliged to replace the Secretary within 30 days.

Article 6

Meetings of the Assembly of Members

1. The Assembly of Members shall meet at least annually at an Annual General Meeting (AGM) where it shall review and approve the report on funds, liabilities, income, expenditures and programs of the organization for the previous year as well as the plan for anticipated funds and liabilities, income, expenditures and programs for the upcoming year.

2. The Assembly of Members can also meet at Extraordinary General Meetings (EGMs) whenever required by 1/3 of the members. Such request must be addressed to the Secretary of the Assembly who will issue the notice of the meeting to all members, according to the procedure described in the following paragraph.

3. Written notice of AGMs and/or EGMs, stating the date and place of the meeting, together with an agenda of the meeting, shall be distributed to all members at least seven days before the day on which the meeting is to be held.

4. In order for the meeting to take place, the participation of more than half of the members is required. If this quorum is not obtained at the first attempt, the meeting shall be postponed to a specified later date and a new notice shall be sent to all members.

5. Each member of the organization has one vote in the Assembly of Members.

6. Decisions in the Assembly of Members shall be taken by majority of the members present.

7. No member of the Assembly of Members is allowed to take part in the discussion or undertaking decision on any matter in which he has a direct or indirect economic interest. A member of the Assembly of Members is considered to have economic interest, if he/she or any member of his family has a direct or indirect economic interest.

8. Meetings are chaired by the Chair of the Assembly who is elected at the beginning of each meeting by a proposal from the Chair of the Board.

9. Individuals designated as "Friends of YIHR KS", who are not members may be invited to observe meetings. They are not counted in the quorum and they have no voting rights.

Article 7 **Intermediate Governing Body (the Board)**

1. Based on the responsibilities given by this statute, the Intermediate Governing Body shall always act in accordance with the purpose of the organization.

2. The Board shall have the following responsibilities:

- a) Propose amendments and modifications to the Statute and other general acts of the organisation for the approval to the Assembly,
- b) Elect the Board Chair from its ranks,
- c) Propose the Executive Director to the Assembly,
- d) Approve a procedure for election of the Executive Director,
- e) Supervise the Executive Director's performance,
- f) Approve rules of procedures and other organizational policies,
- g) Approve new policies proposed by Executive Director,
- h) Review the annual work report and financial report prepared by the Executive Director and propose it to the Assembly for approval,
- i) Elect and relive of duty the secretary of the organisation
- j) Pursuant to a proposal put forth by any member of the Board, may award special certificates of merit to individuals who have greatly contributed to YIHR KS's work and development

3. The Board shall be proposed and elected by the Assembly. They will be elected individually by the majority of votes of the members present.

4. The Board shall consist of at least 3 (three) Members: one of them shall be elected the Chair of the Board.

5. The Board shall meet at least once a year.

6. Board meetings shall be convened and chaired by the Chair of the Board.

7. Governing Board sessions shall be attended by the Executive Director.

8. Members of the Board can be elected for consecutive terms. They shall have a two-year term in office.

9. Members of the Board can be dismissed before the end of their term by the majority vote of the
the
Assembly of Members.

10. The term of the member of the Board shall cease in case of:

- a) Death,
- b) Resignation, or
- c) Dismissal by the Assembly of Members.

11. In the event of early termination of the mandate of a member of the Board, the Assembly of the Association shall elect a successor to serve the remaining time no later than 90 days as of the date of the membership termination.

12. Should membership of the Board be terminated for no less than three Board members simultaneously or within a short time span, the Assembly is required to elect new members within 15 days.

13. Resignation from membership shall be submitted to the Chair of the Board in writing.

14. Decisions of the Board shall be taken by the majority of the members present.

15. The Board can decide to refer any matter to the Assembly of Members for decision.

16. No remuneration or compensation shall be paid to the members of the Board without the approval of the Assembly of Members and only where the remuneration or compensation is reasonable and for work performed for the organization.

17. No member of the Board is allowed to take part in discussions or taking decision on any matter in which he has a direct or indirect economic interest. A member of the Board is considered to have economic interest if he / she or any member of his/her family has a direct or indirect economic interest.

Article 8

Executive Director

1. Executive Director shall be elected by the Assembly of YIHR KS with the proposal of the Board with 2/3 (two-thirds) of the members present, with a four-year term. Executive Director can be elected for consecutive terms.

2. Executive Director should have the following responsibilities:

- a) Fully manage YIHR KS's operation and activities,
- b) Ensure that Board decisions are put into effect,
- c) Take decisions necessary for YIHR KS's regular operation,

- d) Represent and act on behalf of YIHR KS,
- e) Manage YIHR KS's assets in accordance with the law, the Statute, financial plan and Board decisions,
- f) Recruit staff and associates;
- g) Propose the organization's strategic plan to the Board,
- h) Propose amendments and modifications of rules of procedures and other organizational policies to the Board,
- i) Propose new policies,
- j) Submit to the Board the annual plan,
- k) Hold meetings with donors and engage in fundraising activities for the organization,
- l) Cooperate with other organizations and institutions,
- m) Prepare rules of procedures and other organizational policies and ensure full compliance with Rules of procedures and policies,
- n) Perform all other assignments necessary for smooth operation of YIHR KS.

3. Executive Director and other officers shall be employed under the Law on Labor in the Republic of Kosovo, all income and other benefits to be paid to the Executive Director and other officers, and the obligations and job description and responsibilities of the Executive Director and other officers. All payments must be reasonable and must be paid only for work performed for the organization.

Article 9 Dissolution of the organization

1. The organization can be dissolved by the decision of the majority of the members of the Assembly of Members in cases of:
 - a) Bankruptcy,
 - b) Deviation from the mission and objectives of the organization,
 - c) Fulfillment of the mission of the mission and objectives of the organization so that there no need for the organization to exist.

2. When deciding on the dissolution of the organization, the Assembly of Members shall indicate the name of any association or foundation in Kosovo that shall receive the assets remaining after discharge of any liabilities held by the organization. The association(s) or foundation(s) chosen shall have the same or similar purposes as the organization.

Article 10 Amendments to the statute

1. The present statute can be amended or modified by the decision of 2/3 (two-thirds) of the members present of the Assembly of Members.

Article 11 Reporting Periods and Financial Year

1. The Board and appointed Officers shall provide annual reports to the Assembly of Members during the AGMs or whenever requested an EGM.

2. The financial year of the organization shall coincide with the calendar year.

Article 12
Entry into force

1. This is a modification of the statute of YIHR KS based on article 37 of the statute dated 05.04.2001.
2. This Statute enters into force on the date of approval by Members of the Assembly and signature by the Authorized Representative of YIHR KS and abrogates the old Statute dated 05.04.2011.

This statute is agreed in ***Pristina***,

On **26.12.2019**

By the Assembly of Members.

Marigona Shabiu

Authorized Representative