

Constitution

*Declared on 26th of April 1996 in Paris
under the French law of 1901*



Euromontana

*European association for mountain areas
Association Européenne pour les zones de montagne*

46, rue Philippe le Bon, B-1000 Bruxelles Belgium

Preamble

Euromontana declares the wish to maintain privileged links with the European Federation of Agriculture (EFA) whose decision taken in 1974 to create "a European conference for the economic and social problems of mountainous regions" foreshadowed the creation of the present association. The EFA is associated member of Euromontana.

1. Name, Registered Office and Objects

Article 1

The legal entities at public and private law in signing the Act of Constitution declare themselves founder members of an association with an international vocation neutral in terms of religion and politics with non-profit-making and scientific objectives named EUROMONTANA is hereby constituted.

Article 2

The association shall be registered under the law of France of 1 July 1901. The registered office of the association shall be established at: 11, rue de la Baume 75 008 Paris.

Article 3

The association shall have the object of ameliorating the living conditions of the mountain populations of Europe, in particular by:

- a) expression, promotion and defence of the cultural, economic, political and scientific interests of the mountain populations to the European Union, vis-à-vis the European Union, the governments of the European States, the organisations responsible for regional development, the organisations in charge of cultural, social and economic policies and vis-à-vis all organisations involved in the mountain areas;
- b) valorisation of research carried on in the mountainous zones at the levels: local, regional, national and sectoral. Agriculture, forestry and the environment shall be the subject of particular attention;
- c) informing public opinion on problems of mountainous zones and their publication;
- d) encouragement of training and research in mountainous zones as well as the study of economic, social and ecological problems of Europe and the mountainous zones from the perspective of mountain populations;
- e) development of international cooperation to reduce inequalities between the mountain regions of Europe.

To achieve these ends Euromontana has determined that it shall collaborate with other European institutions.

2. Members and resources

Article 4

The association comprises :

- a) international organisations concerned by mountain areas,
- b) legal entities of private law legally constituted according to the law and usages of their countries of origin notably:
national and regional organisations of the mountainous zones,
economic, professional and cultural organisations with substantial part of their membership or their activity in mountainous zones
- c) legal entities of public law: regions, Länder, cantons, communes and other specialised institutional structures or structures intervening in mountainous regions.

The board of directors of Euromontana shall decide by majority of the votes of the members present the admission of a member.

Membership shall be lost by resignation or expulsion.

Resignation shall be submitted in writing to the board of directors. It shall take effect only at the end of a year and after the expiry of at least 6 months notice.

The board of directors may, after having heard the defence of those interested, expel a member of the association who contravenes the interests of the association or who, despite two written warnings, does not pay its annual subscription.

Article 5

Euromontana's finances shall be secured by:

- a) members' subscriptions
- b) gifts and legacies of third parties and donors
- c) grants and payments for services provided
- d) capital revenue
- e) other revenues.

The general assembly shall fix the amount of the members' subscription. The annual subscription shall be collected by the secretariat. A member who leaves the association shall retain no right to its funds.

3. Organs

Article 6

The organs of Euromontana shall be:

- a) the general assembly of delegates
- b) the board of directors, the bureau
- c) the financial control committee
- d) the secretariat

4. The General Assembly of Delegates

Article 7

The general assembly of delegates shall be the principal organ of Euromontana. It shall be sovereign over all the affairs which it does not delegate. It shall have, in particular, the following powers:

- a) deliberations upon and adoption of positions on the fundamental mountain problems and definition of the orientation of the work of the association
- b) elections of the board of directors and of the financial control committee
- c) approval of activity reports
- d) approval of the accounts and the budget
- e) setting the annual subscription level
- f) modification of the constitution

- g) approval of participation in profit-making organisations
- h) dissolution of the association

Article 8

The general assembly shall be convened once a year by the president. Notice shall be sent to each member at least 30 days before the assembly and shall contain the agenda.

The board of directors may convene an extraordinary meeting of the general assembly when it must pronounce on important matters without any delay. Otherwise an extraordinary meeting of the general assembly may be convened at the request of a fifth of the members.

Article 9

General assembly delegates shall be designated by the members themselves according to the following rules:

- a) international organisations:
 - 5 to 10 delegates,
- b) private legal entities according to the law of the country of origin:
 - national organisations of mountain zones, maximum of 10 delegates,
 - regional organisations of mountain zones, maximum of 5 delegates,
 - professional organisations of national importance with Article 4, letter a), line 2, maximum of 3 to 10 delegates according to the proportion of members for mountainous areas.
- c) public legal entities:
 - local authorities, regions, Länder, cantons, communes and other institutional exercising a responsibility or a speciality in mountainous zones, maximum of 5 delegates.

Article 10

Each delegate present at the general assembly shall have only one vote. He may not carry more than two proxies.

Article 11

Save in exceptional cases provided for in this constitution, resolutions shall be taken by a simple majority of votes and shall be brought to the attention of all members.

It shall not be possible to decide upon an item which is not on the agenda or decided by a majority of votes.

Article 12

The general assembly shall have the power to create or to join foundations. Equally it may participate in profit-making organisations in view of the financing of specific tasks.

Article 13

The general assembly shall elect a financial control committee comprising 3 persons from different member organisations which will verify the accounts and present a report to the general assembly. It shall be nominated for 4 years at a time.

5. Modification of Constitution - Dissolution

Article 14

The total or partial revision of the constitution may be achieved with the consent of two-thirds of the delegates present or represented at an extraordinary meeting of the general assembly.

The dissolution of Euromontana may only be decided by a majority of three-quarters of the delegates present or represented.

In the case of dissolution Euromontana and after having named liquidators, the assets remaining after payment of debts shall be used for public purposes in the mountain zones.

6. Administration

Article 15

The association shall be administered by a board of directors which shall comprise a maximum of 30 members selected to achieve a balanced representation.

The members of the council shall be nominated by the general assembly according to the following conditions.

- The members designated for the board of directors shall be elected for a 4-years duration. The renewal of their mandate shall be possible. Throughout the duration of the mandate retiring members may be replaced for the rest of the mandate until the next general assembly.

- The candidates for the board of directors may be proposed by the board of directors or by the delegates and deposited with the Euromontana secretariat 20 days before the general assembly.

- The members of the board of directors may be dismissed by a resolution of the general assembly of more than two-thirds of the effective members present or represented.

Article 16

The board of directors shall elect, from within their number, a bureau composed of a president, five vice presidents and a treasurer consistent with balanced representation. They shall be elected for a term of 4 years.

Article 17

The board of directors shall meet as often as the president judges necessary but at least two times a year or when 5 members so request.

If unable to attend, members of the board of directors may be represented by a person of their choice. The board of directors can validly deliberate only if half or more of their members are present or represented.

Article 18

The board of directors shall have the task of managing, administering and executing the decisions of the general assembly.

The board of directors shall be competent to decide on necessary partnerships. The board of directors may allocate specific tasks to the president or the vice president. It may nominate honorary members who have helped Euromontana work to promote mountain regions.

The board of directors shall prepare the agenda for the general assembly. The following tasks are conferred upon the board of directors besides:

- a) advice, evaluation and presentation of propositions concerning of the issues for which a decision is required of the general assembly
- b) decisions concerning the work programme
- c) nomination of directors and partners
- d) admission and resignation of members
- e) convening the general assembly
- f) nomination of working groups
- g) regulation of the financial competences
- h) determination of indemnities
- i) conclusion of contracts.

Article 19

Resolutions of the board of directors shall be taken by a majority of members present or represented. In the case of a tied vote the president shall have a casting vote.

Article 20

The Director shall be responsible for the administrative secretariat.

Article 21

Legal actions whether as plaintiff or defendant shall be conducted by the board of directors represented by the president or a member designated for that purpose by him.

Article 22

If necessary the board of directors may set up working groups. Persons not members of Euromontana may be co-opted to participate in a working group.

7. Budget and accounts

Article 23

The financial year shall close on 31 December each year, except on a proposal accepted by the board of directors.

The board of directors shall be required to submit for the approval of the general assembly of the income and expenditure accounts in respect of exercises undertaken.

8. General Dispositions

Article 24

All that which is not covered by this constitution shall be decided in conformity with the dispositions of the law and internal regulations of the association.

Article 25

The founding members will ensure the management and administration of the association, for a maximum duration of 2 years, by the establishment of an executive bureau.
