

## **Constitution**

### **Art. 1 Name and Seat**

Under the name Incomindios (International Committee for the Indigenous Peoples of the Americas) an association exists in accordance with art. 60 ff. of the Swiss Civil Code.

Seat of the association Incomindios is Zurich.

On 14 June 2014 the General Assembly of Incomindios unanimously decided to change the name of the organization from Incomindios Swizerland (International Committee for the Indians of the Americas) to Incomindios (International Committee for the Indigenous Peoples of the Americas).

### **Art. 2 Aim**

Incomindios works towards the goal of supporting indigenous people, organisations and groups of both the Americas in their fight for political, economic and cultural self-determination in compliance with the policy statement. In addition, Incomindios works together with the indigenous people as a partner on the one hand and on the other hand informs the Swiss public regarding the situation of the indigenous people of both Americas, passes on information regarding culture and performs lobbying activities in Switzerland.

### **Art. 3 Membership**

Members of Incomindios are natural and juristic persons.

Membership starts based on a written declaration with acceptance by the management and ends with a written notice of withdrawal to the management.

In certain cases a member can be excluded from the corporate meeting if so desired by the central administration. The member has the opportunity of justifying him/herself in spoken or written form before being excluded. Those who repeatedly do not settle the annual subscription fee are no longer considered members.

With the lawful withdrawal from membership all rights and duties of the member towards the association cease with the exception of settling all due payments.

### **Art. 4 Organization**

The body of Incomindios consists of:

1. the general assembly as highest organ
2. the committee
3. the management

4. the portfolios
5. the auditors

### **Art. 5 The General Assembly**

The ordinary meeting of the General Assembly takes place every year in the first half of the calendar year and is announced in written form at least 4 weeks before the meeting takes place by the committee who at the same time submits the agenda paper. Requests by members are to be submitted in writing by a previously known date to the committee. Requests received at a later date will not be taken into account.

The General Assembly is in charge of:

1. accepting the annual report, the account and the auditors' report
2. acceptance of the budget
3. presentation to the members of the committee and the auditors
4. appointment of members of the committee
5. appointment of two auditors
6. settling of the yearly membership fees
7. the revision of the constitution and of the declaration of policy
8. stipulation of guidelines of the association's activities
9. treatment of subjects, which are submitted by the committee

The agenda is to be explained and sufficient grounds for a decision are to be supplied. For valid decisions the majority of the attending members is necessary. For approval of the revision of the constitution of the declaration of policy a qualified majority of 2/3 of the attending members is needed. The minutes regarding the resolutions of the General Assembly are to be kept.

1/5 of the members or the committee may call an extraordinary meeting of the general assembly at any time whereupon the committee convenes within the month. A request for an extraordinary meeting has to be submitted to the committee, while at the same time supplying an agenda.

### **Art. 6 The Committee**

The committee consists of at least 4 members. The management is represented as consultant in the committee.

The members of the committee are appointed for 2 years. Several reappointments are possible.

The committee appoints the management and takes care of all business concerning the association which is not taken care of by other organs as stipulated in the constitution or by resolution of the committee. The committee may approve surpluses of the budget if this competence is not delegated to other organs. Details are regulated by the committee in a business plan.

The committee constitutes itself and renders an account of its activities to the general assembly.

Two members of the committee or the management may sign on behalf of the association Incomindios.

#### **Art. 7 The management**

The head of the committee secretariat makes up the management.

The tasks and competences of the management are stipulated in the business regulations.

#### **Art. 8 The portfolios**

The portfolios are managed by 1 or 2 members of the committee. The thematic dossiers inside the portfolios are managed by the responsables fo the respective dossier.

The tasks and competences of the portfolios are stipulated in the business regulations.

#### **Art. 10 The Auditors**

There are 2 auditors. They are not part of the committee. They are appointed for two years. Several reappointments are possible.

The auditors review the accounts and the finances if this task has not been delegated to an trust agency, and annually report to the general assembly with a petition to ratify the annual accounts. The auditors may inspect the bookkeeping records at any time.

#### **Art. 11 The Association's Publication**

For information to the members Incomindios has at its disposal a publication which comes out at least two times a year.

#### **Art. 13 Finances**

The financial means of the association consist of the yearly membership fees, the donations or other aid by third parties, financial aid ratified by the committee or other organs as well as possible proceeds gleaned from the association's activities and interest payments.

The head of the secretariat keeps the books of the association. He/she acts in accordance with the company and expense account rules and regulations.

For the liabilities of the association, the association's assets exclusively shall be used. Personal liability of the members is excluded.

#### **Art. 14 Dissolution**

Dissolution of the association can be voted upon by the general meeting with a qualified majority of  $\frac{3}{4}$  of the attending members.

The association's assets are to be handed over to one or more indigenous institutions as determined by the general meeting.

Berne, September 7, 1974	
Olten, June 25, 1977	(Alteration of Articles of Incorporation)
Zurich, May 19, 1979	(Ditto)
Lucerne, June 18, 1983	(Ditto)
Nidau, June 22, 1985	(Ditto)
Zurich, May 12, 1990	(Ditto)
Zurich, May 24, 1997	(Ditto)
Berne, March 20, 1999	(Complete Reviewal)
Basle, April 28, 2001	(Alteration of Articles of Incorporation)
Zurich, May 17, 2003	(Ditto)
Vordemwald, April 16, 2005	(Ditto)
Zurich, June 14, 2014	(Ditto)