



## **RULES OF PROCEDURE**

*(Adopted by the International Council of FIACAT in December 2004, entered into force in March 2005 and amended by the International Council on 12 April 2018)*

### **Preamble:**

The International Federation of ACATs (FIACAT) has its registered office in the Ile de France (France). It campaigns, using all forms of appropriate action, against the use of torture, cruel, inhuman or degrading punishment or treatment, the death penalty, forced disappearances and extrajudicial, summary or arbitrary executions. It acts as a link and supports affiliated ACATs.

Pursuant to Article 7.c. of the Statutes, these rules of procedure shall complement FIACAT's Statutes, detailing the day-to-day running of the Federation. These procedures neither amend nor contradict the Statutes.

The procedures take account of FIACAT's other official texts set out in Article 7 of the Statutes; The FIACAT Charter and the Charter of Good Governance. They shall be applicable both to FIACAT's members (the ACATs) and its executive bodies (International Council, International Bureau and International Secretariat) in the same way as the Statutes. They shall enter into force as soon as FIACAT's International Bureau announces them to the ACATs or as soon as the International Council approves them, if this is requested under Article 8.2 of the Statutes.

### **Article 1 - Affiliations to FIACAT**

#### **a) Conditions of affiliation**

Any ACAT wishing to apply for affiliation with FIACAT must have been recognised as an "ACAT in the process of affiliation" in a decision by the International Bureau, in line with Article 6.a of the Statutes. The 3-year affiliation time period for an ACAT, set out in the statutes, commences on the date of the International Bureau's decision. ACATs that are in the process of affiliation at the time of adoption of the new Rules of Procedures, have a 3 year period from the date of adoption to become affiliated.

In addition to the Conditions of admission set out in Article 5.1 of the Statutes, the ACAT must:

- have legal status in its own country; however, an association that is unable to obtain or loses its status nationally can apply to the International Bureau for this condition to be waived;
- hold a General Assembly on a regular basis in accordance with its Statutes;
- engage in action that is linked to the ACAT's own objectives and that is impartial and independent.

#### **b) Procedure**

Any association wishing to become affiliated with FIACAT shall send the following documents to the International Secretariat:

- a letter requesting affiliation;

- its Statutes;
- a list of members of its executive body (eg, Board or Executive Committee), stating each member's occupation, gender, faith and role within the association and their contact details;
- the minutes of the previous two General Assemblies;
- total membership numbers;
- a report detailing past and planned activities;
- a report listing funding sources and budgets.

The International Bureau shall consider the request for affiliation and issue an opinion.

Should the International Bureau give a favourable opinion, the International Council shall vote on the matter in accordance with the provisions of Article 5.1 of the Statutes.

## **Article 2 - Leaving FIACAT**

Termination of membership is set out in 5.2 of the Statutes: it can entail voluntary termination of the Association, suspension by the International Bureau or exclusion following a decision by the International Council.

### **a) Conditions for exclusion or suspension**

Article 5.2 of the Statutes set out the grounds on which an ACAT can be suspended or excluded from FIACAT. They may include reasons such as failure to hold a regular General Assembly or to explain the absence of a report on the association's activities.

### **b) The procedure in cases of suspension or exclusion**

The International Bureau will issue a statement on the matter, if possible at the next meeting following disclosure of the facts resulting in the possibility of suspension or exclusion and will issue a reasoned opinion. If the grounds are serious, the International Bureau may decide to suspend the ACAT. Suspension may be linked to failure on the association's part to comply with the conditions set out in FIACAT's official texts and may be lifted, if the Bureau confirms that the conditions have now been complied with, or lead to, the exclusion of the Association by the International Council.

The President shall inform the association and ask it to state its case. He shall explain whether the Bureau requests that the conditions set out in FIACAT's official texts be complied with and may set a date by which this must be observed or whether the Association is to be excluded with immediate effect by the International Council.

In accordance with Article 5.2.b of the Statutes, the International Bureau shall submit the exclusion of an ACAT at the next meeting of the International Council which shall issue its opinion on how to proceed.

Should the International Bureau request the exclusion of an ACAT, the International Council shall consider the International Bureau's opinion and the response from the Association and shall take a vote in accordance with Article 5.2 of the Statutes.

## **Article 3 - The International Council**

### **a) Organisation**

The International Council shall convene once a year and more often if in Extraordinary Session. A meeting requires the physical presence of members, or participation by post, electronic communication or other means. When the International Council meets via long distance means, arrangements for participation in this way are set out under paragraph e) below.

Notice of the International Council meeting shall be given at least four months in advance. The meeting is convened and run by the International Bureau. The President of the Federation shall

chair the meeting or, if he cannot attend, he shall designate an International Bureau member to chair the meeting in his place.

#### **b) Quorum and scrutineers**

At the beginning of the International Council meeting the President of FIACAT shall establish that there is a quorum pursuant to Article 11.5 of the Statutes.

Having established that a quorum is present, two scrutineers, whose names have been put forward on proposals from the International Bureau among delegates of affiliated associations with voting powers, shall be elected by the International Council to oversee the proper conduct of voting procedures.

If one of the scrutineers is unable to fulfil their role during voting periods, a substitute shall be nominated by the International Bureau to stand in until the elected scrutineers can return to their role.

#### **c) Deliberations**

The International Bureau shall draw up the agenda in advance and shall submit it at the beginning of the International Council for approval by the representatives of the affiliated associations. Once the agenda has been adopted, any proposed amendments shall first be put to a vote by the International Council.

In order to put forward a draft resolution to the International Council, an affiliated ACAT must have the backing of at least two other affiliated associations and submit the proposal to the International Bureau no later than two months prior to the International Council meeting.

In order to put a draft resolution to the International Council during the session itself, an affiliated organisation must have the backing of at least one quarter of the affiliated associations present or represented at the meeting. The International Council shall then elect, on a proposal from the International Bureau, a group of people responsible for finalising the text of the resolution which shall be submitted to the Council before the end of the session.

#### **d) Voting**

The majorities needed for the International Council to adopt its resolutions are set out in Article 11.6 of the Statutes. Prior to the vote, the Chair or their representative shall announce the minimum number of votes required for the resolution to be adopted.

The Chair or their representative shall declare the result after each vote.

#### **e) Special arrangements for an International Council meeting held via long distance means**

If the International Council members are not all physically present at the meeting, arrangements shall be as follows:

- the International Secretariat shall send the ACATs a schedule outlining how the International Council session will proceed;
- the quorum shall be considered present if at least half of the member associations have nominated a delegate in advance of the meeting;
- at that point the International Secretariat shall send the documents that are submitted to the International Council to the ACAT and the session shall be considered open.

Voting shall take place during several periods in order to:

- elect the scrutineers,
- approve or amend the agenda, then
- vote on resolutions and,
- once every four years, elect a President and the International Bureau members.

Each ballot paper sets out the minimum number of votes required for the resolution to be adopted. Each voting period can include votes on several resolutions and can extend over several days in order to allow delegates time to submit their ballot papers or for working groups, in line with paragraph c) above, time to finalise the text of a resolution that has been put forward during the session.

The votes are sent to a closed list of recipients comprising the scrutineers once elected, the Chair and the Executive Director. Following the ballot, the scrutineers shall send the outcome of the vote to the President and the Executive Director. The Chair shall announce the results at the end of each voting period.

## **Article 4 - The International Bureau**

### **a) Composition**

In addition to the conditions set out in Article 12.3 of the Statutes, the composition of the International Bureau shall reflect the diverse origins of the members of FIACAT and seek to achieve balanced representation in terms of gender, confession (Catholic, Protestant, Orthodox and other Christian denominations), and geographical origins.

### **b) Candidates**

To ensure that the International Bureau can function properly, candidates must satisfy a number of criteria, including:

- having the appropriate expertise, experience and knowledge to enable them to take on specific responsibilities (post of treasurer, responsibility for matters pertaining to specific geographical regions, representing FIACAT in relations with international organisations and NGO coalitions, etc);
- understanding the two working languages (French and English) and being able to express themselves in one or other of these languages;
- being available to carry out the relevant work.

To be eligible to stand, a candidate must be nominated by an affiliated association. The same person can be nominated to stand as a member of the International Bureau and for President of FIACAT.

No later than four months before an International Council meeting when the election will take place, the International Bureau shall send all affiliated associations a call for nominations, setting out the necessary conditions and suggesting a maximum number of Bureau members.

No later than two months before the International Council meeting, any affiliated associations wishing to nominate a candidate must notify the International Secretariat by sending:

- a one-page curriculum vitae of the nominee and
- a letter setting out their reasons for standing.

No later than one month before the International Council meeting, the International Secretariat shall send all affiliated associations a list of the candidates standing for election to the International Bureau, together with each candidate's curriculum vitae and a letter setting out their reasons for standing.

### **c) Electoral procedure**

There shall be two separate election procedures: one for the President of the Federation and one for the other members of the International Bureau. Voting shall be by secret ballot. On a proposal from the International Bureau, the International Council shall set the maximum number of candidates to be elected to the Bureau.

In the case of the election of members of the International Bureau during a physical International Council meeting, the Chair of the meeting or their representative shall invite the candidates to introduce themselves and explain their reasons for wishing to be elected. When the vote is taken, ballot papers indicating the number of members to be elected followed by a list of all the candidates in alphabetical order shall be distributed. Any candidate standing to become a member of the International Bureau as well as to become President of the Federation shall have their name retained on the ballot paper if they are not elected President as they will still be standing for the Bureau. Voters shall ring the names of their chosen candidates within the required maximum number of candidates to be elected.

To be elected, a candidate must gain an absolute majority of the votes cast. In the event of a tie, a second ballot shall be held after which, should there be a further tie, the President of the Federation shall have the casting vote.

Given that the International Bureau is voted once every four years, the International Council prefers to hold the election during a physical meeting of members. If this is not possible, the elections shall be held via long distance means and in the first instance delegates shall receive a ballot paper to elect the President containing a list of the name(s) of the candidate(s). Only one name must be ringed for the ballot to be valid.

Subsequently delegates shall receive a second ballot paper to elect the International Bureau members. The maximum number of members to be elected shall be indicated at the top of the ballot paper. This maximum figure must be complied with for the ballot to be valid.

#### **d) Elected candidates**

Once elected, members of the International Bureau shall not represent the affiliated associations which nominated them, nor any particular geographical region nor any particular denomination.

International Bureau members are each given responsibility for one (or more) geographical region(s) or one (or more) thematic area(s) that form the Federation's main goals. If a Bureau member is given responsibility over their own geographical area of origin, they shall not act as representative of the region but represent the Bureau within the ACATs or other organisations of that region.

Pursuant to Article 12.1 of the Statutes, the Bureau may nominate a Vice-President from among its members if it sees fit and in which case it will define the Vice-President's mandate and responsibilities. Moreover, the Bureau, together with the President, shall outline the remit and responsibilities of the Vice-President.

Pursuant to Article 12.2 of the Statutes, the International Bureau appoints a Treasurer from among its members. If the post of treasurer falls vacant during the period when the Bureau still has a mandate to hold one or more annual meetings of the International Council, the Bureau shall choose from among its members a new treasurer who will prepare and present the annual accounts and provisional budgets for FIACAT.

### **Article 5 - The President**

#### **a) Candidacy**

Candidates for President must have served a full term or part of a term as a member of the International Bureau or, failing that, have hold an elected office in an ACAT or have worked closely with FIACAT's International Bureau.

If a candidate is put forward by an ACAT to stand for President and as a member of the International Bureau and is not elected President, the candidate remains standing for membership of the International Bureau; if, on the other hand, the candidate is elected to the post of President of FIACAT, they automatically become a member of the International Bureau and thus are no longer a candidate to be elected a member.

Nomination for candidates to become President must adhere to the rules set out in Article 4.b of these Rules of Procedure.

#### **b) Election**

The President of FIACAT shall be elected separately from other members of the International Bureau and in accordance with the procedure set out in Article 4.c of these Rules of Procedure.

When the election for President of FIACAT is held in the physical presence of the International Council, the outgoing President or their representative shall invite the candidate(s) for the post to introduce themselves and explain why they have decided to stand. During the vote, ballot papers bearing the names of the candidates listed in alphabetical order shall be distributed or sent out electronically when the International Council is being held by long distance means. Voters shall ring the name of their chosen candidate. For the ballot paper to be valid voters may ring one name only.

### **Article 6 - Meetings and Working Groups of the International Bureau**

#### **a) Meetings of the International Bureau**

The President of FIACAT convenes and chairs the meetings of the International Bureau; they decide upon and communicate the agenda at least two weeks prior to the meeting.

Meetings of the International Bureau are held in accordance with Articles 12.4 to 12.6 of the Statutes. If they are temporarily unable to attend, the President shall be replaced by the Vice-President who will chair all or part of the meeting or, should a Vice-President not have been nominated, the President may nominate another Bureau member to stand in their place.

The Bureau may allow the participation of members with consultative status in its meetings as well as that of the Executive Director, and participation, whether regular or occasional, of other members of the International Secretariat, and of specialist assistants in accordance with Article 14.4 of the Statutes. Other experts may also occasionally be invited to attend.

#### **b) Working groups of the International Bureau**

To assist FIACAT in its decision making and actions, the International Bureau may set up permanent or ad hoc working groups.

These groups may, for example, focus on geographical areas, specific issues or the work of international organisations, organise training sessions or provide technical support.

Members of the working groups shall be chosen on the basis of their particular expertise from among members of the International Bureau or from among members of the International Secretariat, specialist assistants, other ACAT members or experts.

### **Article 7 - Membership contributions**

The calculation of each affiliated association's annual contribution shall be set by the International Council on a proposal from the International Bureau.

Contributions shall be payable annually before the end of April. If an International Council takes place before this date, FIACAT will inform the ACATs four months in advance and this contribution must be paid before calculating whether a quorum has been reached when an International Council is being held. Should this contribution not be paid, the ACAT does not have the right to vote in International Council meetings. If the International Council meets in extraordinary session, the International Secretariat, when announcing the date of the council, must remind members of the corresponding time period for paying the contribution.

However, as set out in Article 5.2.b of the Statutes and on the request of an association that has justified its position by exceptional circumstances, the International Bureau may waive or authorise

late payment of the ACAT's annual contribution for that year. The International Bureau informs the International Council of this exceptional decision.

These rules of procedure come into force from the date of their adoption on 12 April 2018.