

# Constitution and Bylaws

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*Of the*

*Alliance for Rural Democracy*



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**December 1, 2010**

## **PREAMBLE**

WHEREAS, the 1986 Constitution of the Republic of Liberia mandates that "[t]he Republic shall, consistent with the principles of individual freedom and social justice enshrined in this Constitution, manage the national economy and the natural resources of Liberia in such manner as shall ensure the maximum feasible participation of Liberian citizens under conditions of equality as to advance the general welfare of the Liberian people and the economic development of Liberia"; and

WHEREAS, the 1986 constitution of the Republic of Liberia mandates that "The Republic shall direct its policy towards ensuring for all citizens, without discrimination, opportunities for employment and livelihood under just and humane conditions, and towards promoting safety, health and welfare facilities in employment";

WHEREAS, the 1986 Constitution of the Republic of Liberia mandates that "All persons, at all times, in an orderly and peaceable manner, shall have the right to assemble and consult upon the common good, to instruct their representatives, to petition the government or other functionaries for the redress of grievances and to associate fully with others or refuse to associate in political parties, trade unions and other organizations";

WHEREAS, the natural resources and economic sectors over the years has been characterized by absence of participation of civil society organization and local communities, particularly in rural areas as well as the lack of transparency, accountability in the equitable sharing of benefits generated by these resources;

AFFIRMING, that natural resources exploitation over the years has never benefited local communities and is one of the principal causes of the underdevelopment of our communities and a source of conflict between the local people, the concessionaires and government on one hand;

REMINDED, that on 18 February 2010, the members agreed to adopt a Bylaw and Constitution as way of further legalizing the activities of the Alliance; and

TAKING COGNIZANT, that the Constitution and bylaws once adopted by the Meetings of the heads of member organizations shall integrate the previous MOU, and be binding on all members:

- a. That rules, procedures, bylaws and minutes of meetings once adopted shall become an integral part of the MOU and binding on all members.

NOW, THEREFORE, having met in assembly first from August 11 to 12 2009 and then on February 18, 2010, we, the below listed institutions, local community organizations, leaders and individuals have resolved to commit ourselves to work on and promote Economic, Social and Cultural Rights.

### **Article I. Name**

The Name of the network organization shall be the Alliance for Rural Democracy And interchangeably the ARD

### **Article II: Motto, Colors and Logo**

The Colors of the ARD are: Gold and Green<sup>1</sup>

#### **Logo**

The Logo of the ARD shall be: A Rising sun behind the letters 'ARD'

#### **Moto:**

The motto of the ARD shall be: "Driving the change we need"

### **Article III: Aims and Objectives**

**The aims and objectives of the Network shall be to coordinate, collaborate and provide partnership on:**

1. Consolidating a constitutional political order in which democracy, respect for human and trade union rights, the rule of law, the separation of powers and effective, responsive public service are realized to ensure sustainable development and a peaceful and stable society;
2. Reducing violations of economic, social and cultural rights among rural and urban slum communities and pro-poor enterprising informal sector organizations in the 15 counties in Liberia through legal aid support, education, awareness and targeted capacity building;
3. Campaigning for greater public participation in the decisions that affect the management and control of Liberia's natural resources and its economy as mandated by Article 7 of the Liberian Constitution;
4. Campaigning and enforcing rights-based development from the ethical position that community members have economic, social and cultural rights which should be unconditionally respected and that the Government of Liberia and other stakeholders have a responsibility in ensuring that poor people and communities are not beneficiaries of fundamental rights but rights-holders;
5. Working to reverse the current trend in participation and ownership by placing people and communities at the center of development and decision making in manners and forms applicable to the attention and urgency paid civil and political issues such as torture, arbitrary killings or arbitrary detention;

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<sup>1</sup> The meeting of Heads of member organizations agreed that the colors of the ARD be interpreted as follows: "Gold" represents minerals and empowerment while "Green" represents hope, sustainability and prosperity



6. Including rights-based approach to development in rural Liberia by ensuring meaningful inclusion of all vulnerable groups denied economic, social and cultural rights;
7. Monitoring and assessing the compliance levels of Government and other stakeholders on established human rights standards and/or in relations to economic, social and cultural rights in Liberia;
8. Creating opportunities for solidarity actions among network members on programs and in instances of arrest, harassment and intimidation while exercising economic, social and cultural rights;
9. Taking active interest in closely following expenditures and disbursement of Government resources as a way of determining whether the Government of Liberia is devoting the maximum of available resources to meeting its obligations to all Liberians especially vulnerable communities in Liberia;
10. Networking, sharing and documenting work, activities or programs initiated by member organizations in their respective communities in relations to economic, social and cultural rights;
11. Sharing and documenting lessons learnt successes and substantive challenges on economic, social and cultural rights across Liberia;
12. Advancing recommendations and strategies to consolidate and advance the gains by member organizations on their respective programs and/or undertake advocacy campaigns in their respective communities as a way of ensuring economic, social and cultural rights;
13. Soliciting technical and financial support at the level of the network but also in partnership with a member organization, to advance the objectives of the network;
14. Ensuring that corporations act as good corporate citizens with regard to human rights, social responsibility and environmental sustainability;
15. Requesting the Government of Liberia to recognize the tenure right of local communities to their natural resources;
16. Requesting the Government of Liberia to institute a comprehensive reform of the natural resources policies and laws referencing lessons learned from the ongoing reform processes in the extractive industry including forestry, EITI, etc...
17. Requesting the Government of Liberia to institute a comprehensive review and reform of the country's land policy taking into consideration tenure security and right of local communities.

#### **Article VI** **Membership**

- a. All organizations that participated in the consultative meetings and signed the MOU are founding members of the Network; and
- b. That the Steering Committee with approval from the meetings of heads of member organizations shall adopt rules on membership criteria, including basis for suspension, expulsion and voluntary termination of membership by member organizations.

## **Article V. Leadership**

### **Institutional Arrangements**

#### ***Meetings of Heads of Member Organizations***

- a. The highest decision and policy making body of the network is the meetings of the heads of members organizations or those designated in writing to proxy for the institutional heads which may not meet less than two times a year on a rotational basis; and
- b. In cases of emergencies, a special meeting of Heads of Member Organizations shall be called by the Steering Committee or two-thirds of the entire membership of the ARD.

### **Coordinating Steering Committee**

- a. A Steering committee which shall meet quarterly, composed of 7 members, 4 representing communities reflecting the four geographic regions, one representing the unions, informal businesses organizations and one representing Green Advocates International, which may serve for two years to coordinate the activities of the network;
- b. The Steering Committee shall set up Ad-hoc committees; prepare draft rules, procedures and by-laws on membership, governance and management of the Network and present it to the Meeting of Heads of Member Organizations for approval;
- c. The Chairperson of the Coordinating Steering Committee shall preside at meetings of the Heads of Member Organizations;
- d. At the end of the first term or two years, the leadership of the succeeding seven-member Coordinating Steering Committee shall be elected by the Heads of Member Organizations of the ARD; and
- e. After every two years, the Coordinating Steering Committee shall present the Heads of Member Organizations, for approval, the Criteria on Constituency Composition and Election including minimum qualification.

### **Coordinating Secretariat**

- a. A Coordinating Secretariat headed by a Coordinator, selected by the Steering Committee and endorsed by the Meeting of Heads of Member Organizations shall manage the day-to-day activities of the Network.

### **Network Bylaws and Constitution**

- b. The Constitution and Bylaws, once adopted by the Meetings of the heads of member organizations, shall be integrated as an integral part of the MOU binding on all members;
- c. That rules, procedures, bylaws and minutes of meetings once adopted shall become an integral part of the Constitution and binding on all members.

### **Budget and Sources of Funding**

- a. The Network is authorized by this instrument to receive grants, loans, gifts, donations or endowments and make legitimate disbursements thereof
- b. The Coordinating Secretariat with the approval of the Steering Committee, shall prepare a draft budget and present it to the meeting of the Heads of Member Organizations for approval. In addition to dues collected by members, the following shall constitute, without limitations, the sources of funding for the Network:
  - i. Membership dues;
  - ii. Funds derived through Government Appropriations or from international bilateral or multilateral sources;
  - iii. Funds from concessions associated with the exploitation of natural resources;
  - iv. Percentages from Carbon credits associated with contrast in the allocation of energy contracts as well as agricultural, forestry and other natural resources concessions and licenses/permits directed to urban and rural communities;
  - v. Any loans, grants, or donations made to the Network by any natural person, body corporate, multilateral institution, or government of any country;
  - vi. Any other moneys such as interest, loan repayments, or fines that may accrue in the course of the Network operations and existence; and
  - vii. Special fund-raising activities

**Amendments**

- a. From time-to-time members of the Network can revise and amend the Constitution, bylaws and rules governing the network

**Effective Dates**

- a. This Constitution and Bylaws shall come into force and become effective upon adoption by at least two-third of the collaborating members.
- b. All other collaborating members have up to sixty days to sign on to the Memorandum of Understanding after it has been endorsed by two-third of the collaborating members thereafter they will be subject to the rules and procedures on membership to be adopted by the Meetings of Head of Member Organizations and their names deleted as founding/collaborating members of the Network.

Done this 1<sup>st</sup> day of December in the city of Zwedru, Grand Gedeh County, in the year of our Lord AD 2010. In witness whereof we affix our signatures:

<b>Institution</b>	<b>Representative</b>	<b>Contact#</b>
United Family for Reconstruction	Alex Yonly	06458271/077987641
Green Advocates International	Atty. Alfred L. Brownell	06444472
Gold and Diamond Workers Union of Liberia	Madam Helena Jackson Thornes	06857728

National Fisheries Union of Liberia	Paul L. George	0880514635
Sinoe County Human and Natural Resources Rights Movement	Lawrence K. Bloh	06140369
Fuamah Citizens Union	Rev. John N. Bondo	06486576
National Charcoal Union of Liberia	George Weaymie	077244035
Sackie Town Development Association	William K. Sando Sr.	077788415
Liberia Chainsaw and Timber Dealers Union	Osman Nyei	06071107
Action for Community and Human Development- Grand Kru County	Andrew Nyeswah	077866433
Whistle Blowers Union	Oscar Dolo	077305017
FAWUL	Edwin Cisco	06745344
Liberia Motorcycle Transport Union	Augustine Kannahk	06304214
Margibi Citizens Union	Joe Leital	06424945
Concerned Citizen Advocacy for the Protection of the Ancestral Land (CCAPAL)	Henry B. Bweh	077093157

The 1986 Constitution of the Republic of Liberia provides numerous mandates that function to ensure the general safety, freedom, justice, and rights (political, social, and economic) of the Liberian people. For instance, it requires that "[t]he Republic shall, [...], manage the national economy and the natural resources of Liberia in such manner as shall ensure the maximum feasible participation of Liberian citizens under conditions of equality as to advance the general welfare of the Liberian people and the economic development of Liberia"; and that "The Republic shall direct its policy towards ensuring for all citizens, without discrimination, opportunities for employment and livelihood under just and humane conditions, and towards promoting safety, health and welfare facilities in employment." Very importantly, the 1986 Constitution of the Republic of Liberia strives to ensure the rights to peaceful assembly through mandating that "All persons, at all times, in an orderly and peaceable manner, shall have the right to assemble and consult upon the common good, [...], to petition the government or other functionaries for the redress of grievances and to associate fully with others or refuse to associate in political parties, trade unions and other organizations."

Accordingly, these provisions affirm that natural resources exploitation over the years, in Liberia, has never benefited local communities and is one of the principal causes of the underdevelopment of our communities and a source of conflict between the local people, concessionaires and government. These provisions further reminded that on 18 February 2010, the member organizations of the ARD agreed to adopt a Bylaw and Constitution as way of further legalizing the activities of the Alliance; and taking cognizant that the Constitution and Bylaws once adopted by the Meetings of the heads of member organizations shall integrate the previous MOU, and be binding on all members: that rules, procedures, bylaws and minutes of meetings once adopted shall become an integral part of the MOU

and binding on all members. As a result, having met in assembly first from August 11 to 12 2009 and then on February 18, 2010, [the listed institutions](#) found in the Constitution and Bylaws of the Alliance for Rural Democracy—that is, local community organizations, leaders and individuals, have resolved to commit ourselves to work on and promote Economic, Social and Cultural Rights.