

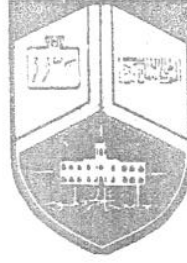
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الخرطوم - السودان - ص . ب ٣٢١

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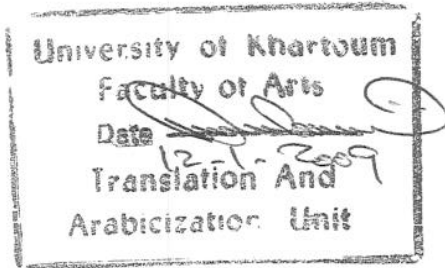
Translation in conformity with the original in Arabic

STATUTE
OF
DARFUR DEVELOPMENT AND RECOVERY AGENCY
(DRA)

University of Khartoum
Faculty of Arts
Date 12-1-2009
Translation And
Arabization Unit

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SECTION ONE

PROVISIONAL RULES

A. Title & Commencement:

This statute shall be cited as “the Statute of Darfur Development and Recovery Agency”; and shall come into force as from the date of being approved by the General assembly and the consent of the General Commissioner.

B. Name of Organization:

There shall be established a voluntary organization to be named as Darfur Development and Recovery Agency which have a corporate body and a common seal; and shall have the right to sue and be sued; and referred to hereinafter as Darfur Development and Recovery Agency.

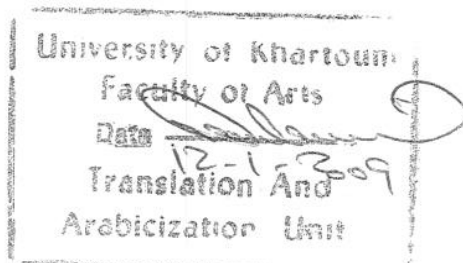
C. Main Office of the Organization

The Main Office of the Organization shall be situated in Khartoum; and that the Organization shall have the right to establish branches and offices in Sudan and abroad.

D. Interpretations:

In this Statute, unless the context otherwise requires, the words and expressions mentioned below, shall have the meanings set opposite them:

- **The Organization:** Means Darfur Development and Recovery Agency duly established in accordance with the provisions of Article (B) of the Chapter One of this statute.
- **The General Assembly:** Means the prompters and the members of the Organization.
- **The Board:** Means the Board of trustees, duly formed in accordance with the provisions of Article (--.1) in Chapter Five of this Statute.
- **Executive Manager:** Means the Executive Manager appointed in accordance with the provisions of article (---.3) in Chapter Five of this Statute; and that he is the head of the Executive Office.
- **The Member:** Means the member of the Organization, as per the terms & conditions provided for in Article (B) in Chapter Four of this Statute.
- **Chairman:** means the chairman of the Board of trustee of the Organization.



- **Deputy-chairman:** Means the deputy-chairman of the Board of trustee of the Organization.
- **The Commissioner:** Means Sudan Government the General Commissioner for Humanitarian Aid.
- **The law:** means the Humanitarian Aid Act, 2006.
- **The Regulation:** means Voluntary Organizations registration Regulations, 2006.

SECTION TWO

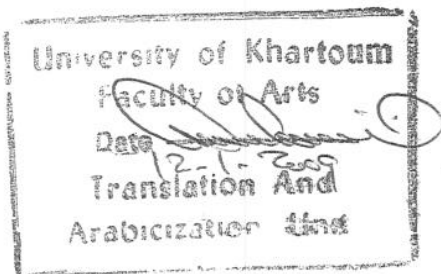
The Objectives of the Organization

A. The General Objective:

- 1- To operate in all Humanitarian and developmental fields.
- 2- To endeavour to create merciful and consolidated society within the humanitarian and developmental framework.

B. Sector objectives:

1. To secure the basic and necessary human needs such as food security, health, water, environmental health and education.
2. To enable poor families to get earning through possessing them the means of production or income; and raising competence and capacity building.
3. To promote co-existence between the different societies and respect diversity.
4. To develop and recover the societies affected by the natural disasters or man-made crisis.
5. To maintain the environment through awareness, creation and develop the suitable alternative.



SECTION THREE
Means of the Organization

A. Means of implementing the organization's objectives

- Setting scientific methods through conducting studies and preparing plans related to the development of societies.
- Attracting the humanitarian and charitable aid to provide the financial support for the realization of the objectives.
- Cooperation and coordination with the local and international organizations to create partnerships for the execution of joint projects.
- Coordinating with the local apparatuses and the bodies concerned with rural development.
- Establishing and building base organizations.
- Training and strengthening the technical skills of societies.
- Providing services and humanitarian aids.
- Any other means seem to be compatible with the Organization's objectives.

SECTION FOUR
Membership of the Organization

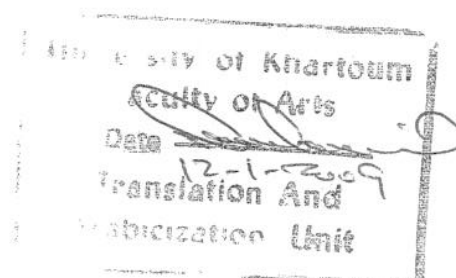
A. The membership: -

The membership of the organization shall be composed of the individuals concerned with the objectives of the Organization who are the founding members or joined the Organization after being established. The membership is open to whoever desires to join the Organization and belief in its objectives.

B. Requirements of membership:

The member shall be:

- a. Competent and capable to bear the responsibility.
- b. Attained the age of 18 years.
- c. Of sound mind
- d. To be recommended by three founding members or Council of Trustees members.
- e. Every member should comply with provisions of the Statute of the Organization and its Regulations; and work for the realization of the Organization's objectives.



- f. Adhere to the sound behaviour and good conduct.
- g. Participate in the activities of the organization
- h. Participate in setting the general policies of the Organization.
- i. Not to be convicted in any crime in relation to trust or honour.
- j. Honorary membership of any person may be accepted according to the regulations and basis to be set by the Council of Trustees in such a way that not incompatible with the provisions of item (B) above.

C. penalties: -

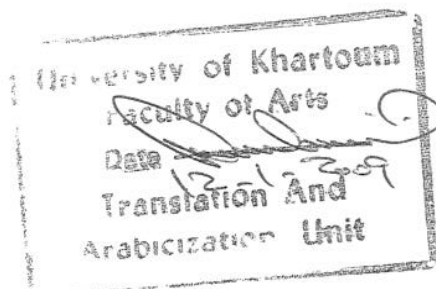
In case of breaching the objectives or the duties, following penalties shall be applied upon the member by the General Assembly or the Council of Trustees: -

- 1- Notice or censure
- 2- Warning
- 3- Freezing membership
- 4- Removal

D. Disqualification of member

A member of the Organization shall be disqualified if he: -

- 1- Breach any of the membership requirements provided for in Article (b) in Section Four.
- 2- Send his resignation; and that such resignation is accepted.
- 3- Removed by the General assembly by the majority of its members (50% + 1) in a general meeting for his bad conduct.
- 4- The death.



SECTION FIVE

Apparatuses of the Organization

A. The Apparatuses of the Organization is composed of the following: -

1. General Assembly
2. Council of Trustees
3. Office of Executive Management

B. The General assembly:

C. Formation of the general assembly:

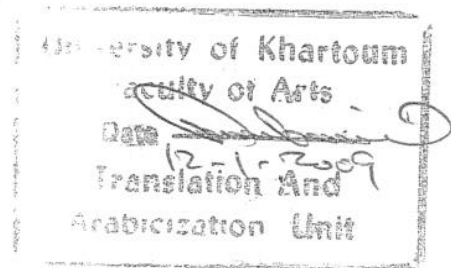
The general assembly is composed of the members provided for in Article (A) in Section Four; and that the GA represents the higher power of the Organization and it practices its power in the general meeting.

D. Powers & Authorities of the General Assembly: -

1. The General Assembly is the highest power in the Organization and shall practice its authorities according to the provisions of the Statute.
2. The General Assembly shall have the power to approve the statute for the Organization and amend the same according to the procedures of the Organizations.
3. Approval of the general policies, plans and action programmes.
4. Elect and take disciplinary actions and remove the board of trustees.
5. Approval of the letter of rotation and balance sheet.
6. Choose the Board of Trustees.

Meetings of General assembly: -

1. The meeting of the General assembly shall be held, at least, once every year upon a call made by chairman of the board of trustees or on the requisite of three-quarters of the members of General assembly to be presented to the chairman of the board of Trustees, then the chairman of the board shall chair the meeting.
2. The chairman of the board of trustees shall chair the meetings of the General Assembly.
3. The quorum shall be constituted by the presence of more than half members of the General assembly (50 +1), and that in case the quorum is not present the next meeting, after two weeks, the meeting shall be legal in the presence any number of members.
4. The chairman of the board may call the general assembly for meeting for any general matter or emergency subject to the provisions of the Statute.
5. The general assembly shall issue its decisions by the majority of votes of members present at the legal meeting.



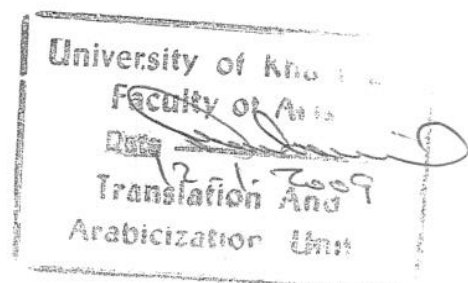
Board of trustees: -

Election of the Board

- 1- The members of the General Assembly shall elect the board of Trustees to manage the affairs of the Organization.
- 2- The members of the board of Trustees is (13) members; and that the Board is formed of the chairman and his deputy and (11) members of competence to be elected by the General Assembly in a general meeting; and that the period of this Board shall be two years as from the date of being elected.
- 3- The board of trustees may include within its membership observers not tom exceed the half number of the Board's members; and that the observer member as a replacement of the member who lost his membership in the Board.
- 4- The work in the Board is voluntary.

Powers & Authorities of the Board: -

- 1- The Board of Trustees is the higher power after the General Assembly; and that it is responsible before the general assembly.
- 2- To choose the executive manager of the Organization and his assistants, determine the period, terms of service and their removal.
- 3- To approve the organizational & administrative structure of the Organization.
- 4- To approve and determine the terms of service of the Organization's staff.
- 5- To lay down the organizational Regulations for the financial and administrative affairs.
- 6- The Board may submit any of the organization's members to disciplinary procedure if he fails to perform his duties provided for in the regulations, including depriving of membership.
- 7- The Board shall approve the budget of the organization and the general plans submitted by the executive management board.
- 8- 8. The Board shall issue the regulations that organize its works and those of the executive administrative board and elections. The Board shall, as well, have the right to cancel or modify such regulations by majority of its members.
- 9- Supervision and performance assessment of the executive administrative board and instructing them according to the approved plans through discussion of periodical and assessment reports.
- 10- The Board shall form a committee or committees from among its members or others to study the issues assigned to them and to submit recommendations thereon in addition to identifying the powers of the committees and methods adopted by such committees.
- 11- The Board shall have the right to nominate any of the public figures as a patron for the organization, and that person shall enjoy honorary membership.



3. Meetings of the Board:

1. The Board shall convene its first meeting within one week subsequent to its election.
2. The Board shall convene a periodical meeting for at least once a month upon an invitation from its chairman. It may hold an extra-ordinary meeting if chairman thinks appropriate or upon a written request of two-thirds of the members to be addressed to the chairman of the Board.
3. The quorum necessary for holding the Board's meetings shall be formed by the presence of the majority of members.
4. The meetings of the Board of Trustees or the delegated committee shall be chaired by the chairman of Board or whom he delegates to do so.
5. Decisions are unanimously taken by the members of the Board of Trustees, and if not possible, by the majority of votes.

4. Powers of the chairman of the Board of Trustees

1. He shall chair the meetings of the Board of Trustees and the delegated committee.
2. He shall have the casting vote.
3. He shall appoint a secretary for the Board to be responsible of:
4. Documenting and writing the minutes and deliberations of the Board and its resolutions.
5. Informing the Board members of the date and place of the meeting.
6. Sealing the documents to be issued by the Board
7. Setting out the agendas of the Board meeting, in consultation with the chairman.
8. Receiving and keeping letters and reports addressed to the Board.

5. Rotation of the Board and Office Vacancy

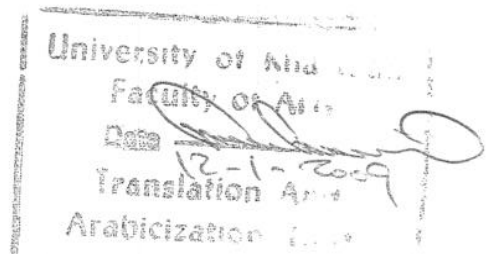
1. The Board shall end at:
 - a) The end of its rotation.
 - b) Resignation of its members submitted to the chairman of the Board or at loss of membership.
2. Subject to the provisions of paragraph (5) above, if Offices of (6) members or more become vacant due to resignation or loss of Board membership, the Board shall carry out supplementary elections to fill the vacant offices according to regulations.

Executive management body (executive office):

1. Establishing the executive management body:

An executive body shall be constituted to run the organization and shall be comprised of the executive manager and his/her assistants besides the managers of specialized departments.

The executive management board shall be responsible of running the executive work pursuant to the policies and guidelines set out by the



Board of Trustees; and it shall, on behalf of the organization, use all the powers seen necessary for realizing its purposes, provided that they shall not oppose the policies approved by the Board of Trustees or the General Assembly.

2. Authorities of the executive management body:

1. It shall be responsible of its work before the Board of Trustees
2. It shall lead the executive work and setting out necessary plans and programs for the good administration of the organization.
3. It shall prepare the organization's budget and general plans to be submitted to the Board of Trustees for approval, in addition to preparation of the work schedule.
4. It shall have the right to use the organization's budget according to the items passed by the Board of Trustees.
5. It shall have the right to represent the organization in the meetings and conferences.
6. It shall have the right of signing contracts and agreements on behalf of the organization in addition to assisting in the provision of resource.
7. It shall recommend to the assembly as regards the conditions of personnel in the organization and its affiliates.
8. It shall suggest the terms of personnel service.
9. It shall have any other authorities to be vested by the Board of Trustees.

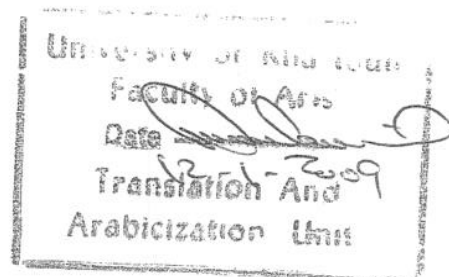
3. The executive manager:

The executive manager shall be appointed by a resolution of the Board of Trustees specifying the terms and period of service, provided that the executive manager as of his post shall be the chairman of the Board of Directors.

4. Authorities of the executive manager:

The executive manager shall have the following authorities:

1. Approving spending form the organization's finances according to the budget and financial regulations to be approved by the Board of Trustees.
2. Representing the organization before all bodies.
3. Signing the agreements and contracts on which the organization is a party.
4. Approving the appointment of Organization's staff according to the approved functional structure of the Organization other than the senior staff.
5. Any other authorities to be assigned to him by the Board of Trustees.
6. The executive manager may vest any of his financial and administrative authorities to any of his assistants whenever he thinks this is in the favour of public interest.



Section Six

The Budget & Resources of the Organization

A. Budget of the Organization

1. The budget of the organization shall be prepared according to the principles to be determined by Regulations.
2. The financial year of the organization shall commence as from the January first and ends on the last day of December of every year.

B. Utilization of the Organization's Resources:

The resources of the Organizations shall not be utilized unless on the performance of its liabilities and realization of its objectives provided for in this Statute.

C. Resources of Finance: -

The finance of the Organization is composed of the following: -

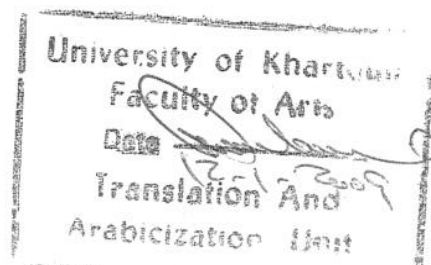
- 1- Subscriptions of members to be determined by the Board and that the Board may amend such subscriptions whenever its necessary.
- 2- Contributions of the founding members.
- 3- Support, donations and gifts accepted by the Board of directors.
- 4- Revenues of the organization's establishments, investments and services.
- 5- Benevolent support
- 6- Fixed and movable assets
- 7- The funds of the Organizations shall be deposited at the banks; and that the financial procedures shall be according to the regulations to be determined by the Board of trustees.

D. Accounts & Audit

1. Executive management body shall keep proper accounts books that comply with the proper accountancy basis and keeping funds at the banks.
2. Executive management body shall annually prepare the final accounts for the ended financial year together with surplus or defect account with the balance sheet and present the same before the general assembly for approval.
3. Executive management body shall make the final accounts of the year upon being approved available for the inspection of members.
4. The accounts of Organization shall be audited by a certified auditor to be chosen by the Board of trustees.

E. Financial & Administrative Regulations:

1. Executive management body shall issue the financial & administrative regulations which shall be approved by the Council of Trustees and shall not be amended unless upon the consent of Council of Trustees.



2. The financial & administrative regulations contain the method of preparing the budget, the limits of spending, the accounts regulations, preparation of reports, audit and the regulations for choosing the staff and their terms of service.

Section Seven

Amendment of the Statute & Dissolution of the Organization

A. Amendment: -

The amendment or repeal of the Statute shall not be made unless upon a decision to be passed by the three-thirds of General Assembly; and that such amendment shall not contradict with the Humanitarian Aid Commission Act.

B. Dissolution of the Organization

1. The decision of dissolution of the Organization shall be issued by the three-thirds of General Assembly in a meeting duly convened for this purpose and in the presence of Commission's representative.
2. in case of dissolution of the Organization for any reason; and in accordance with the Humanitarian Aid Commission Act, the property of the Organization shall be come the possession of HAC upon the payment of debts due from the Organization.

C. Ratification of the Organization's Statute:

The Statute of the Organization shall be passed by the three-thirds of General Assembly, and in the presence of Commission's representative

