

CHARTER OF TRANSPARENCY ETHIOPIA

INTRODUCTION

There is no evidence of as to when corruption has begun. However, it is apparently agreed that it has taken root during the emergence of modern bureaucracy. According to Transparency International (TI), which is a coalition against corruption, corruption is simply defined as the “abuse of entrusted power to private gain”.

Corrupt practices have various forms, scales and manifestations that might be committed either by individuals or institutions/organizations. Meanwhile, it is known that the action is for own benefit. This is in fact a benefit for one side, but also affects the public and the country on the other.

Corruption hurts individuals and the community, it reduces government dignity, it contaminates the moral of the society, deteriorates mental integrity, deteriorates commitment, retards development and many more. In general, corruption impacts a nation’s pride, integrity and development. Nowadays, therefore, the whole universe, democratic movements, commissioned institutions in favour of societal benefit, and all the world states have determined to prevent and eradicate the evil.

It is a fact that corruption in Ethiopia is becoming worse and worse. Parallel with the international efforts to combat this crime the government of Ethiopia is showing some efforts. In line with this, the enactment of the proclamation to establish the Office of Ombudsman and Human Rights Commission is a proactive step from the government side.

Due to the nature of corruption as manifested in various forms and also being borderless, there is an ongoing endeavour to fight with international cooperation. As TI is founded as a non-for profit civil society organization, non-partisan membership based organization. It is working as a catalyst for the formation of National anti-corruption chapters and coordinating international efforts to the movement.

By the principles and values of this giant international organization headquartered in Berlin, the formation of each national chapter in a country should work in coalition with all stakeholders (the government, CSO/NGO, and the private sector).

Hence, as quoted above, there is an ongoing effort by the government to prevent and tackle the worsening of corruption in Ethiopia. However, there is a need of involvement of CSO that strengthens the already started struggle against the evil. This calls for the formation of TI- affiliate organisation in Ethiopia that is thought to be working in line with TI’S values and principles. The organization will work to bring about accountability and transparency in the public administration and change in the attitude of the society towards corruption.

Therefore, due to the reasons mentioned and discussed above, a civil society organization (CSO) named “TRANSPARENCY ETHIOPIA” is founded as a non-for profit and non-partisan anti-corruption organization as of Oct. 29/2003. It is registered by Ministry of Justice Legal notice number 404 and the associations’ registration regulations, Legal notice number 321/1995, registration number 929 to accomplish the following objectives. As per the ministry of Justice’s improved institutional directives article, “TRANSPARENCY ETHIOPIA” has presented its charter below.

Article One Establishment

The association is established by the Civil Code of Ethiopia of 1960 by legal notice number 404 and associations' registration regulations, Legal Notice No. 321 of 1966 on January 14, 2003 for unlimited time.

Article Two Naming

The organization established by this charter 'Transparency Ethiopia' herein after shall be called "association".

Article Three Stamp and Logo

The association will have its own stamp and logo that shall be protected by law. The stamp will be the name “ትራንስፓረንሲ ኢትዮጵያ” in Amharic and “Transparency Ethiopia” in English. The logo shall only be used for the purpose of the association.

Article Four Nature of the association

The association is a non-for profit, non-partisan organization.

Article Five Address

The Headquarter of the association is located in Addis Ababa city Administration Kirkos Sub-city, Kebele 15, House No. 15. If need be, the association might also open branch offices in other regions. Contact address of the association is telephone +251-11-5510738 or +251-11-6555508, P. O. Box 27847/1000, E-mail:- tirat.ti@ethionet.et

Article Six

6.1 Aims

1. To be able citizens aware and exercise about their rights and obligations granted by the constitution
2. To enable society create a corruption free culture
3. To fully apply effort to sensitize a transparent and accountable culture among government officials and non-governmental/civil society leaders.
4. To enable preventive laws of corruption offence, easily identified and rooted in the society.
5. Prepare brochures that could be used as a tool to bring about attitudinal, behavioural and moral changes, before corruption harms the society through disclosing and disseminating information to the public and educating them.

6. Develop techniques that can enable citizens especially children and youths to grow in discipline, ethical standards and transparency; which could help in creating corruption intolerant culture beforehand.
7. Organize seminars and symposiums that are used to improve legal know-how of the public with consultation and cooperation of concerned governmental offices and other stakeholders.
8. Provision of moral and material support for self-employees, government employees and social service workers so as to enable them energize and clean from corrupt practices.
9. Build coalition and cooperation with local and international stakeholders
10. Undertaking research on the causes of corruption and developing strategies for awareness creation and implementation
11. To fully apply effort to sensitize a transparent and accountable culture among government officials and civil society leaders.
12. Take part in educating voters, candidates and polling station officials about national election. Participate in election monitoring, observation and dissemination of the report to stakeholders and the public

Article Seven Membership

1. The association will have regular, associate and Honorary members
 - a) Regular Member
An individual having with certain profession and experience that thought to be decisive and helpful to serve the association in any of his/her professional competence and ethical manner and invited by the board of directors and have got the approval of the General Assembly; then he/she shall be called regular member of TRANSPARENCY ETHIOPIA. He/she should be committed and promised to abide the memorandum of the association, free from conflict of interest (that might retard the fight of corruption) and paid the membership fee.
 - b) Associate Member
Every individual who accepted the vision of the association and support the anti-corruption straggle through moral, technical and financial matter and he/she who is free from conflict of interest (that might retard the fight against corruption) shall be associate member
 - c) Honorary Member
With the nomination of the board and approval of the General Assembly a person could be honorary member of TRANSPARENCY ETHIOPIA for his/her outstanding professional manner and ethical and/or exemplary. Every individual who is respected, honoured and famous in the face of the community and free from conflict of interest could be honorary member.

Article Eight Members Right

1. Interested individuals for membership should fill the membership form.
2. All member shall have equal rights

3. ``Membership right is personal and non- transferable right.
4. All regular members of the association:-
 - a. Shall have the right to give vote and to be elected and has a right to ask any information about the office
 - b. Shall have the right to participate in the General assembly, give suggestions about the association and cast its vote for nominees
 - c. Shall have the right to support through moral, profession, material and financial to enable the association build its capacity and achieve its goals.
 - d. Shall participate in an effort to lobby individuals and other donor agencies for funding the vision of the association.
 - e. Associate and Honorary members shall have all rights and obligations except for voting and being elected.

Article Nine Members Obligation

1. All members must pay membership fee on time.
2. A member must pay any fee upon its termination, if he/she has been delegated to any of the association's assets
3. All members must respect the aims of the association and obliged to provide the expected services
4. If a member neither pay fees nor provide expected services, then he/she can't exercise the rights given.
5. Membership fee
 - Regular member:- registration fee 50.00 birr and annual fee 50.00 birr
 - Associate member: - fee shall be decided by the board.
 - Honorary member: - Registration fee 500.00 birr and annually fee 100.00 birr.

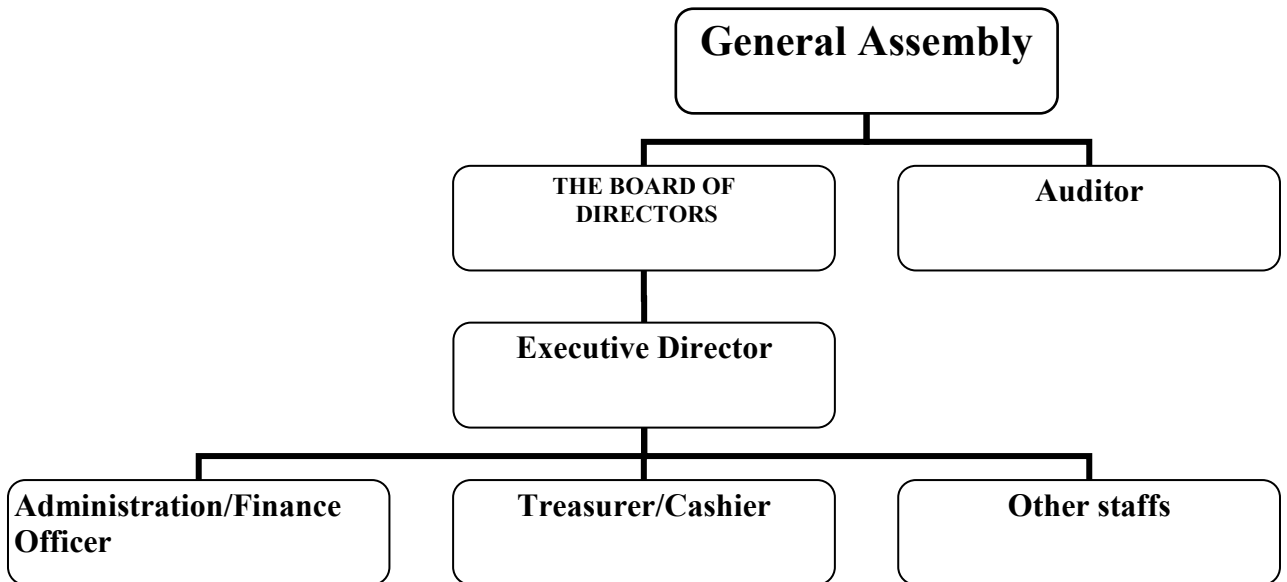
Article Ten Termination of Membership

When a member

1. deceased or
2. Forced to be terminated by authorized court, or by the charter of the association with the support of the general assembly
3. Voluntary withdrawal through a written notification
4. when a member is terminated, already paid payments will not be reimbursed

Article Eleven Organizational Structure

Transparency Ethiopia has the following type of organizational structure (governance).



Article Twelve Duties and responsibilities of the General Assembly

The general assembly comprises of members mentioned in Article 7 of this charter, with the following authority and responsibilities:-

1. The General Assembly shall be the utmost high of the association
2. Shall elect and reject board members, auditor, General Assembly chairperson, vice-chairperson and its secretary.
3. Give decision upon the policy direction of the association.
4. Examine and approve annual work performance, plan and budget.
5. Examine and approve annual action plan and audit report.
6. Give decision upon request for membership.
7. Examine and decide upon termination of any members of the association not abide by the charter.
8. Listen to the board's performance report and ensure the compatibility of planned activities against the founding principles and objectives of the association.
9. Shall amend the charter when deemed necessary.
10. Shall decide upon the relocation of the association's headquarter and opening of new branch offices.
11. Order the account of the association to be audited by external auditor.
12. Decide upon the dissolution of the association.
13. Decide upon any issues not given solution by the managerial board

14. The General Assembly shall include founding members, board members and other proxies.

Article Thirteen

Duties and responsibilities of the management of General Assembly

The general assembly shall have chairperson and secretary, with the following duties and responsibilities:-

1. Chairperson of the General Assembly
 - a) Shall chair the general assembly
 - b) Follow up and monitor the implementation of the directives and the decisions passed by the general assembly,
 - c) Disseminates performance and audit report upon their approval by the general assembly to concerned government and donor organisations,
 - d) Prioritize issues for discussion by the general assembly and shall give the secretary for its inclusion as an agenda.
2. Secretary
 - a) Prepare discussion agenda to the general assembly together with the chairperson.
 - b) Shall be minute- taker of the meeting.
 - c) Keeps the general assembly records.
 - d) Disseminates the decisions made by the general assembly to concerned bodies.

Article Fourteen

General Assembly, Election and Decision Making System

1. The general assembly have a meeting once a year but shall hold extraordinary meeting when urgent need arises.
2. Upon the request of more than 10% of the members, general assembly shall be called for a meeting.
3. Prior to the election of board of directors, the meeting shall form three election committee members.
4. The election committee should get the approval of the general assembly about the election criteria before the election.
5. A quorum consists of 51% of the members. If the quorum is failed and a second general assembly meeting is called, the meeting shall be held only with the specified agendas.
6. If a need arises, it is possible to summon the general assembly by proxies due to its large size. The system of proxies shall be decided through internal policy.
7. Decisions will pass when the majority of members participating in the meeting cast votes, but if equal votes are given, then the decision supported by the chairperson will be considered.

Article Fifteen
Duties and responsibilities of the Board of Directors

Bing accountable to the general assembly, the board of directors shall be responsible for the following duties:-

1. Appointing and removing the manger of the association.
2. Supervise and monitor the manager for the implementation of any work plan and decisions passed by the general assembly.
3. Propose the recommendations of the secretariat with or without supplementing its suggestions to be approved by the general assembly.
4. Ensure the potential sources of financial or material support for the execution of the programme of the office or devise fundraising techniques.
5. Proposes recommendations and seek approval of the general assembly to open branch offices in appropriate regions.
6. Examine and note to the general assembly about the performance report of the secretariat.
7. Formulate a policy of staff recruitment and codes of conduct,
8. Presents short, medium and long term plan and budget of the association to the general assembly for approval.
9. Formulate codes of conduct for board of directors and issue other internal directives
10. Decide to call for extraordinary meeting of the general assembly when the need arises.

Article Sixteen
Members of the Board of Directors

1. The board of directors has nine members
2. The board shall elect its chairperson and vice-chairperson
3. The manger of the association shall function as board's secretary with no right for voting.
4. The Chairperson:-
 - a) Shall chair the board
 - b) Presents decisions passed by the board to the general assembly
 - c) Presents and seek approval of the association's policies, strategies and guidelines to the general assembly
 - d) As per the authority of chair, he/she shall be accountable to the general assembly and the board.
 - e) Orders the manger of the association to implement decisions passed by the general assembly and the board.
 - f) Monitors closely the performance of the association's management
 - g) Orders the manager to disseminate performance and audit report that is approved by of the general assembly to the concerned bodies.
 - h) Presents annual reports (except the audit report) to the general assembly at the regular meeting.
5. Vice-Chairperson
 - a) Work as acting chairperson during the absence of the chairperson
 - b) Accomplishes additional job as assigned by the chairperson.

6. Secretary
 - a) Shall be accountable to the board
 - b) Prepare agenda together with the chairperson for the board meeting.
 - c) Serves as minute-taker of the board
 - d) Keeps board office's document and records.

Article Seventeen

Meetings of the Board of Directors, Voting system and Service Year of the Board Members

1. The board's regular meeting shall be 12 times a year. However, if it is necessary the board can hold extraordinary meeting.
2. The chairperson of the board or the manager of the association shall call extraordinary meeting.
3. With the presence of more than half of the members, it shall be considered as a quorum. If the meeting fails to be quorum, the meeting shall be called again. If the meeting still fails to be a quorum, the meeting shall be held irrespective of how many members attend.
4. Decisions shall only be considered valid with majority vote. However, if cast votes are equal, the decision supported by the chairperson shall be taken.
5. Members of the board shall be elected for a three-year term. Of the total board members only five members could be re-elected in the third-year and only four members could be re-elected in the sixth-year. A board member must not be re-elected more than two consecutive years.
6. Board members shall serve without salary.

Article Eighteen

Duties and responsibilities of the Manager of the Association

Under the supervisory of the board, the manger of the association shall have the following duties and responsibilities:

1. Shall represent the association, executes the secretariat's activities, delegates other persons, communicate on behalf of the association, deal agreements.
2. Shall be signatory together with the finance officer on bank account, cheques and bank transfer.
3. Executes any decisions passed by the board and the general assembly.
4. Prepare and presents quarterly and yearly financial and performance reports (in every three months and every year) to the board.
5. Formulate policies, prepare budget and work plan and present to the board.
6. Shall devise fundraising techniques in accordance with the charter, and formulate and execute strategies that help to achieve the goals.
7. As per the administrative rules and regulations approved by the board, he/she shall recruit and terminate employees and decide salary and per diem.
8. Except the position of the finance officer and treasurer, he/she shall present job description of other staffs to the board.

9. Lead, coordinate, monitor and supervise the day to day activities of the association performed by the staff (including the finance officer and treasure) under her/his authority.
10. Decides on any activity concerning the managerial aspect of the association
11. If the manager is as well the member of the association, he/she shall not have the right to cast vote for approval of his/her performance during the meeting of the general assembly
12. Performs any assigned activities of the board, that are not in conflict with the association's charter and decisions of the general assembly

Article Nineteen

Duties and responsibilities of the Finance Officer of the Association

The finance officer shall be accountable to the manager of the association and have the following duties and responsibilities:-

1. Controls the income and expenditure of the association and shall ensure its recording
2. Ensure the appropriateness of the accounting system of the association
3. Shall be signatory with the manger on bank account, cheques, and bank transfers.
4. Ensure the record keeping of any financial documents and other related files

Article Twenty

Duties and responsibilities of the Treasurer of the Association

The treasurer is accountable to the manager and has the following duties and responsibilities:-

1. Collects income of the association with legal receipt.
2. Install the collected money in the bank, keeps the bank's slip (receipt) carefully.
3. Keeps money amounted not exceeding 5000, 00 (five thousand birr) for operating cost and petty cash.
4. Crosschecks income and expenditure account with the finance officer monthly.
5. Holds the association's cheque.
6. Collects money by the order and signature of the finance officer and manger

Article Twenty One

Duties and responsibilities of the Auditor

The auditor is accountable to the general assembly and has the following duties and responsibilities:-

1. Supervise the confidentiality of the administration of the association's financial and material resources.
2. Assure whether or not the performance of the association is in accordance with this charter.
3. Presents annual audit report to the general assembly.

Article Twenty Two
Income Source of the Association

Income source of the association

1. Membership fee
2. Donations in kind or in cash by donors/funding agencies

Article Twenty Three
Budget Year

The budget year of the association is from January, 1 -----up to December, 31-----.

Article Twenty Four
Revision of the Charter of the Association

This charter could be amended by three-fourth (3/4) vote of the General assembly.

Article Twenty Five
Dissolution of the Association

1. If three-fourth ($\frac{3}{4}$) of the members of the association cast their vote for dissolution.
2. If the association finished or fails to accomplish the sought/ intended mission, it could be dissolved.
3. When the association is dissolved its assets shall be transferred to like-minded CSO or the government.

Article Twenty Six
Validity of the Association

This charter shall be effective from the day of its issuance by the authoritative government. The charter is ratified by the General Assembly on March 10, 2007 in Horn of Africa Press Institute.

ends.