

UNCAC Coalition Constitutive Document

1. Background

The UNCAC Coalition is a network of national and international civil society organisations (CSOs), as well as of individuals, established in 2006 on the understanding that:

- Corruption is a global scourge which undermines stability and security, threatens the institutions and values of democracy, human rights and justice, and jeopardises sustainable development and the rule of law. The most vulnerable members of society are harmed most by corruption.
- The UN Convention against Corruption (UNCAC), as the key binding global framework for collective and effective action against corruption involving countries from all regions, is a critical instrument for anti-corruption efforts at national, regional and global levels.
- Civil society organisations have a critical role to play in promoting ratification and accession to the UNCAC, and implementation thereof, and working with and monitoring States' compliance with their obligations under UNCAC and other applicable regional and national instruments.

The Coalition has since 2006 worked to advance the ratification, implementation, enforcement and monitoring of UNCAC and to ensure that transparency and civil society participation are integral in these processes, in accordance with UNCAC requirements.

This Constitutive Document is the foundational document for the UNCAC Coalition, setting out the ground rules which guide the development and growth of the Coalition, its planning and organisational processes, and the spirit of its work.

2. Mission Statement

Vision:

A world in which corruption is effectively countered through transparent, participatory and collaborative action in compliance with an agreed international legal framework, particularly UNCAC.

Mission:

The UNCAC Coalition will foster collaboration between civil society organisations globally to mobilise broad civil society action at national, regional and international levels to achieve the ratification, implementation, enforcement and monitoring of the UN Convention against Corruption.

Core Values:

The UNCAC Coalition and its Members are committed to the following core values:

- Full and effective global implementation of UNCAC.
- Transparency and accountability for government, civil society and the business sector.
- A spirit of collaboration, inclusiveness, integrity, professionalism, and non-partisanship in the work of the Coalition, with respect for the autonomy of members.
- The open exchange of information and ideas, based on respect and equality for other members.
- Respect for human rights and democracy, human dignity and gender equity.

3. Activities

The UNCAC Coalition's activities include:

- Promoting the ratification, implementation, enforcement and monitoring of UNCAC by all States.
- Advancing transparency and increasing civil society participation in UNCAC-related processes, including the review process, on an international and domestic level.
- Strengthening the capacity of civil society organisations to conduct research, analysis, monitoring and advocacy, and to provide technical expertise and support in relation to UNCAC.
- Strengthening the effectiveness and impact of civil society activities by fostering coordinated and collaborative CSO approaches.
- Promoting coordination and cooperation between Members.
- Raising awareness about UNCAC and its potential for addressing corruption.
- Providing a forum for Members to exchange information, experiences and lessons-learned, and provide support and assistance in anti-corruption activities.
- Coordinating UNCAC Coalition participation in other civil society campaigns to combat corruption.
- Providing support to Coalition Members, including joint action when any Member is under attack because of anti-corruption work.

4. Structure of the Coalition

The structure of the Coalition shall consist of the Membership, the Coordination Committee and the Secretariat. In addition, the Coalition may establish working groups on specific topics.

5. Membership

The UNCAC Coalition is a network primarily of civil society organisations, as well as of individuals, working on anti-corruption issues and subscribing to the Coalition's Mission Statement.

The term civil society organisation shall be defined in the Coalition's rules of procedure and shall be broadly construed, including for example trade unions, academic and research institutions. For-profit companies and their associations shall not be included.

a. Types of Membership

The Coalition Membership consists of all those duly registered with the Coalition and in good standing as:

- 1) An International Member Organisation, defined as a civil society organisation working in three or more countries or with affiliates in three or more countries. Each International Member Organisation can put up a candidate in elections for the two international seats and can vote in elections and in Coalition decision-making processes. Individuals affiliated with a member international organisation may participate in Coalition discussions.
- 2) A Member Organisation, defined as a civil society organisation other than international, with any national affiliates of an International Member considered separate from that member. Each Member Organisation can put up a candidate in elections for regional seats and can vote in elections and in Coalition decision-making processes. Individuals affiliated with a member organisation may participate in Coalition discussions.
- 3) An Individual Affiliate Member, defined as a natural person with no affiliation to a member organisation. Individual Affiliate Members may run for election for the individual member seat, can vote in elections for the candidate for the individual member seat and may participate in Coalition discussions.

b. Attaining Membership

- 1) Organisations or individuals wishing to join the Coalition shall fill out an application form. Organisations shall be required to provide information about their organisation, its status, its membership and its activities, while individuals shall be required to provide information about their work. Existing members may be required to provide additional information if their application forms are incomplete.
- 2) The Secretariat shall screen applications to determine whether they meet the conditions for membership, including work in a field related to anti-corruption and commitment to the Vision, Mission and Core Values of the Coalition.
- 3) Applications which pass the initial screening shall be sent to the Coordination Committee for a two-week period for comments. Where, within the two-week period, two or more members of the Coordination Committee object to the applicant, the matter shall go to a discussion in the Coordination Committee.
- 4) Members may be suspended or expelled by a two-thirds vote of the Coordination Committee for failing to respect the Coalition's Mission Statement after a proper process in which the Member is informed of the proposal to suspend or expel and given an opportunity to make representations to the Coordination Committee as to why removal is not warranted. The Coordination Committee may decide for temporary suspension pending the hearing on a Member's case.

c. Roles and Responsibilities of the Membership

- 1) Members are required to sign the Coalition's Mission Statement, and to uphold the principles therein in undertaking any Coalition-related activities.
- 2) Members are also required to report annually on their anti-corruption activities, following a basic template.
- 3) Members are entitled to vote in elections for the Coalition Coordination Committee. They are also entitled to be consulted on major policy decisions of the Coalition and to be provided with information about the work of the Coordination Committee and the Secretariat. Decisions of the Membership shall normally be by consensus except at the request of five or more Members for a vote on an issue.
- 4) Member organisations of the Coalition have voting rights on the basis of one Member one vote. Individual Affiliate Members can vote in elections for the candidate for the individual member seat
- 5) Members are encouraged to contribute to the development and implementation of Coalition strategies, activities and campaigns.

d. Membership Meetings

- 1) Membership Meetings shall be convened in person or virtually.
- 2) A Membership Meeting shall be convened at least once every two years, at which time the Coordination Committee and Secretariat shall report to the Membership in appropriate detail and Members may raise issues of common concern. The first Membership Meeting shall take place in Morocco in 2011, alongside the 4th Conference of States Parties (CoSP) and subsequent meetings shall take place, as far as possible, alongside subsequent CoSPs.
- 3) Procedures for Membership Meetings shall be developed by the Secretariat in consultation with the Coordination Committee, and shall be approved by the Membership.

6. Coordination Committee

The UNCAC Coalition is coordinated by a Coordination Committee composed of Members of the Coalition.

a. Composition of the Coordination Committee

- 1) The Coordination Committee shall consist of twelve members.
- 2) Six of the seats on the Coordination Committee shall be allocated to member organisations on a regional basis with one seat each for (a) sub-Saharan Africa; (b) Middle East and North Africa; (c) East Asia, Central Asia and Pacific; (d) South Asia; (e) Europe; and (f) the Americas.
- 3) Two additional seats shall be allocated to member organisations on a regional basis, to the two regions with the largest number of members in the Coalition, as determined a sufficient time ahead of the election.

- 4) If there are no candidates from a given region for a seat, then member organisations from other regions may contest the seat for that region.
- 5) Two seats on the Coordination Committee shall be allocated to international member organisations.
- 6) One seat on the Coordination Committee shall be allocated to an individual associate member.
- 7) The Coalition Secretariat shall have a single permanent seat on the Coordination Committee.
- 8) No more than three representatives with a full, formal affiliation with any one organisation (i.e. from among the main organisation and its local affiliates) may serve on the Coordination Committee at any one time.

b. Coordination Committee Elections

- 1) Coordination Committee members shall be elected for two-year terms, provided that five of the members elected in the first vote shall have one-year terms. Members may only be elected to the Coordination Committee for two consecutive terms, after which they must wait at least one year before becoming a candidate again.
- 2) Elections shall be held annually by a process of remote balloting. At each election approximately one-half of the Coordination Committee members shall be up for election.
- 3) Election procedures shall be developed by the Secretariat and approved by the Membership. Elections shall be organised by the Secretariat.
- 4) The Chair of the Coordination Committee shall be elected by the Coordination Committee members from among themselves and the number of consecutive terms served by a given Chair may not exceed two.

c. Responsibilities of the Coordination Committee

The responsibilities of the Coordination Committee include the following:

- 1) Providing policy coordination and oversight of the work of the Secretariat.
- 2) Overseeing the development and implementation of the Coalition's strategy.
- 3) Promoting the activities and projects of the Coalition, and helping to identify funding opportunities.
- 4) Communicating positions of the Coalition to wider public audiences.
- 5) Agreeing on the location and content of membership meetings.
- 6) Approving new members.
- 7) Ensuring the prompt and effective issuance of Coalition statements.
- 8) Assisting the organisation of support for Coalition members, including assistance to members under attack due to their anti-corruption work.

Decisions of the Coordination Committee shall wherever possible be by consensus, provided that a member of the Committee may call for a vote on any issue.

d. Meetings of the Coordination Committee

The Coordination Committee shall meet at least three times annually, with at least one of those meetings being in person, subject to availability of funding. Procedures for Coordination Committee meetings shall be prepared by the Secretariat, approved by the Coordination Committee, and communicated to the membership.

7. Secretariat

The Coalition Secretariat will be hosted by Transparency International and is accountable to the Coordination Committee and the Membership through reporting to them at their respective meetings.

The tasks of the Secretariat include:

- 1) Coordinating the day-to-day activities of the Coalition and ensuring compliance with accountability and legal requirements.
- 2) Liaising with partners and stakeholders, including the UN Office on Drugs and Crime, on behalf of the Coalition.
- 3) Developing and disseminating both internal and external communication materials for the Coalition (such as the website, newsletter, brochures and statements).
- 4) Providing support to the Coordination Committee and Membership, including through the development of draft positions, statements and other documents.
- 5) Identifying and pursuing funding opportunities for the Coalition, in coordination with the Coordination Committee.
- 6) Organising the elections for the Coordination Committee.
- 7) Preparing rules of procedure, including rules of quora, for the Coordination Committee, Membership meetings and elections, for adoption by the Membership.
- 8) Such other task to realise the Coalition's mission as may be agreed by the Coordination Committee and/or the Membership, subject to available funding.

8. Statements

Use of the name, logo and materials developed by the UNCAC Coalition shall be subject to agreed procedures. The following procedures apply with respect to Coalition Statements.

a. Statements in the Name of the Coalition

- 1) Statements bearing the name and logo of the Coalition shall be made only on occasions when it is important for the Coalition to speak collectively.
- 2) The Coordination Committee will develop guidelines on when it is important for the Coalition to speak collectively, for approval by the Membership.
- 3) Coalition statements may be proposed by the Secretariat or by a Member.

- 4) The Coordination Committee shall adopt a process for finalising non-urgent statements, which shall include at least a one-week period for review and comment by the whole Membership.
- 5) Urgent statements shall be circulated to all Members but shall go out in a timely fashion, following the positive approval of at least four members of the Coordination Committee except where there has been an objection by at least two members of the Coordination Committee.
- 6) Once approved, statements shall be promptly circulated to the Membership by the Secretariat. Where appropriate, Members should help ensure wide circulation of Coalition statements at country level. In doing so the Member Organisations may use their own logo parallel with that of the Coalition.

b. Other Statements

- 1) Any Member may circulate a statement on the Coalition list for voluntary endorsement by Members, provided that only statements which relate to the work of the Coalition may be circulated for this purpose.
- 2) The Member circulating such a statement shall set the terms and conditions for endorsement.
- 3) These statements shall not bear the name or logo of the Coalition.

9. Amendments to the Constitutive Document

Proposals for amendments to this Constitutive Document must be endorsed by at least 10 Member Organisations, including two Members of the Coordination Committee. In such case, the Chair of the Coordination Committee will launch a debate on the proposal, including an effort to reach consensus. If necessary, a vote will be held and an amendment will be adopted if supported by a majority of the Membership.

10. Working Language

The working language of the Coalition shall be English. Where possible, and subject to funding, documents will be translated.

14 December 2010