

Red Cross of Montenegro

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The Assembly

**S T A T U T E S**  
**of the Red Cross of Montenegro**

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**Podgorica, April 2014**

According to the article 7 of the Law on the status and public powers of the Red Cross of Montenegro ("Official Gazette of the Republic of Montenegro", no

28/06) and Article 46 of the Statutes of the Red Cross of Montenegro, the Assembly of the Red Cross of Montenegro adopts the:

## **S T A T U T E S**

### **of the Red Cross of Montenegro**

**(Statutes of the Red Cross of Montenegro is adopted on June 12 2006, and in order to align with amendments and suggestions from the Joint of IFCR/ICRC Commission for National Societies Statute, amendments and suggestions were adopted on the Red Cross of Montenegro Assembly meetings from April 27 and April 30 2014)**

### **I General Provisions**

#### **Article 1**

The Red Cross of Montenegro is an independent, nonprofit, voluntary, humanitarian organization, which performs activities in the public interest and which enjoys special protection and assistance by the state of Montenegro.

#### **Article 2**

Red Cross of Montenegro is the only Red Cross National Society, that functions on the territory of Montenegro, as the unique organization, and which is recognized by the state, according to the Geneva conventions and its Additional protocols.

#### **Article 3**

The Red Cross of Montenegro executes public services set under the Law on the Red Cross of Montenegro.

In executing services defined in this article, Red Cross withheld autonomy of functioning in relation to the governmental bodies, according to the Fundamental principles of the Movement, in ordinary and extraordinary situations, while governmental bodies fully respect Red Cross orientation towards the Fundamental Principles.

Red Cross has the position of an organization being auxiliary to state bodies in the humanitarian sphere, in executing services from the paragraph 1 in this Article and performing activities.

#### **Article 4**

**The Red Cross of Montenegro was founded on 29 November 1875, when it became a member of the International Red Cross/Red Crescent Movement. On September 21 2006, the International Committee of the Red Cross recognized its independent statutes again, and on November 20 2007, the International Federation of the Red Cross/Red Crescent National Societies recognized its membership in the International Red Cross/Red Crescent Movement.**

## **The Day of the Red Cross of Montenegro is celebrated on 29 November.**

### Article 5

The Red Cross of Montenegro is a legal entity with rights, obligations and responsibilities set under the Law and the present Statutes.

**The headquarters of the Red Cross of Montenegro are located in Podgorica, in Jovana Tomasevica St, no 6.**

### Article 6

The Red Cross of Montenegro consists of local Red Cross branches, the city Red Cross organization of Podgorica and the Red Cross of the royal capital of Cetinje.

The organizations referred to under paragraph 1 of this article are legal entities and are accountable for their obligations with their own means.

The organization, scope and manner of work of the local Red Cross branches and the city Red Cross organization of Podgorica and the Red Cross of the royal capital of Cetinje are set under their own Statutes, in keeping with the present Statutes.

The executive board of the Red Cross of Montenegro shall approve the Statutes referred to under paragraph 3 of this article.

The Statutes of the Red Cross of Montenegro shall provide for other forms of organization.

### Article 7

The emblem of the Red Cross of Montenegro is red colored consisting of five identical squares on a white background.

The emblem of the National Society is used in accordance with the Law on the use of the Red Cross emblem, Geneva conventions and Additional protocols.

### Article 8

The flag of the Red Cross of Montenegro is white colored and has the emblem of the Red Cross of Montenegro positioned at the crossing point of the flag's diagonals, in the dimensions' ratio of 1 to 2.

### Article 9

The emblem of the Red Cross of Montenegro consists of the Red Cross logo followed by a text written in Latin and Cyrillic alphabets and in English, disposed in three lines that reads "Red Cross of Montenegro" and superposed by a symbol representing the chapel in Lovcen.

The year of the foundation -1875 is indicated in the center underneath the emblem.

The abbreviated form of the name of the Red Cross of Montenegro reads "CKCG" and in English "RCM".

### Article 10

The seal of the Red Cross of Montenegro is round in shape and consists of the Red Cross logo placed in the center and of an inscription along the edge written in Latin and Cyrillic alphabet that reads the Red Cross of Montenegro – Podgorica.

The seal of the local Red Cross branch is the seal of the Red Cross of Montenegro with the following inscription –Red Cross of Montenegro, the name and Headquarters of the respective local Red Cross branch.

#### Article 11

All the inscriptions placed on the logo, emblem, the flag and the seal of the Red Cross of Montenegro are written in relevant alphabet in keeping with the constitution of the state of Montenegro.

The use of the name, the flag, the emblem and the seal are laid down in special regulations of the Red Cross of Montenegro.

#### Article 12

**All the expressions used in this Statute for references to the masculine forms, cover at the same feminine forms.**

### II Mission and Principles

#### Article 13

The Red Cross of Montenegro acts in accordance with the Fundamental Principles of the International Red Cross/Red Crescent Movement and its mission is to prevent and alleviate human suffering, to encourage voluntary service and constant readiness of the members to provide help to the vulnerable at times of armed conflict, natural disasters, ecological disasters and other emergencies striving to save vulnerable lives and health, to ensure respect for international humanitarian law, social welfare and care, to work on the prevention in the health and social welfare sector, in education and to promote human values of the society.

**As a member of the Movement, Red Cross of Montenegro will fulfill preconditions set out in the Article 4 of the Movement's Statutes, and its relations with other components of the Movement will be in relation to the Article 3 of the Movement's Constitution.**

**Red Cross of Montenegro will act in accordance to the responsibilities from the Article 8 from the IFRC's Constitution.**

In its work, Red Cross of Montenegro functions according to the Principles of the International Movement and rules of the International Humanitarian Law, ratified international agreements and rules of the International Law, and especially Geneva conventions on war victims protections from August 12<sup>th</sup> 1949, and Additional protocols, Statutes of the International Movement and other documents and rules adopted by the International Movement.

In its work, while implementing its mission, the Red Cross of Montenegro is guided by the Fundamental principles of the International Movement, which are:

#### Humanity

The International Red Cross and Red Crescent Movement, born out of a desire to bring assistance without discrimination to the wounded on the battlefield, endeavors, in its international and national capacity, to prevent and alleviate human suffering wherever it may be found. Its purpose is to protect the life and health and to ensure respect for the human being. It promotes mutual understanding, friendship, co-operation and lasting peace amongst all peoples.

### **Impartiality**

It makes no discrimination as to nationality, race, religious beliefs, class or political opinions. It endeavors to relieve the suffering of individuals, being guided solely by their needs, and to give priority to the most urgent cases of distress.

### **Neutrality**

In order to continue to enjoy the confidence of all, the Movement may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature.

### **Independence**

The Movement is independent. The National Societies, while auxiliaries in the humanitarian services of their governments and subject to the laws of their respective countries, must always maintain their autonomy so that they may be able at all times to act in accordance with the principles of the Movement.

### **Voluntary service**

It is a voluntary relief movement not prompted in any manner by desire for gain.

### **Unity**

There can be only one Red Cross or one Red Crescent Society in any one country. It must be open to all. It must carry on its humanitarian work throughout its territory.

### **Universality**

The International Red Cross and Red Crescent Movement, in which all Societies have equal status and share equal responsibilities and duties in helping each other, is world-wide.

## **III Objectives and tasks**

### **Article 14**

The basic objectives and tasks of the Red Cross of Montenegro set under the Law as public services are:

- to advocate and implement the principles and the mission of the International Red Cross and Red Crescent Movement and the International Humanitarian Law, to monitor their application in armed conflicts and to urge protection of all victims and respect of human rights within the scope of its mandate;
- **to inform the citizens about Geneva conventions on Protection of war victims from August 12 1949, its Additional protocols I and II from June 1977 and Additional Protocol III from December 2005;**
- to execute other services provided for by the provisions of the Geneva Conventions, international treaties and obligations it has assumed in the field of humanitarian assistance
- to organize a Tracing service in order to gather and register information on evacuees, refugees, displaced and missing persons, victims of armed conflicts, natural disasters and dangers prevailing in peacetime or in wartime, and to trace the missing

- to participate in the reception of evacuees, refugees and displaced persons and in the provision of accommodation to them, to offer assistance and undertake other measures to provide for and protect them
- to collect and distribute humanitarian aid provided by international organizations, other donors and national Red Cross and Red Crescent Societies for humanitarian and social needs in the territory of Montenegro, in both peacetime as well as wartime
- to initiate, organize, carry out or participate in regular and emergency solidarity actions in Montenegro, to assist the vulnerable population and victims of natural, ecological and other disasters causing a great loss of life, epidemics and armed conflicts at home and elsewhere in the world, to ensure the keeping of certain quantities of material goods for that
- to cooperate with the governmental structures and local authorities in the area of respecting the International Humanitarian Law and Red Cross emblem protection and other emblem and signs protected by 1949 Geneva conventions and Additional protocols;
- to co-operate and participate in actions of international assistance and solidarity
- to organize and conduct professional training of trainers in first aid for driving school candidates in collaboration with relevant health institutions, to keep the record of persons who have been trained, to issue relevant certificates confirming professional readiness of the trainers
- to organize and conduct first aid training to driving school candidates, police officers and fire brigade officers in collaboration with relevant health institutions, to organize first aid tests, to keep the record of persons who have been trained and to issue certificates confirming that a person has passed a first aid test
- to conduct first aid training at work in collaboration with relevant health institutions in keeping with regulations applicable to safety at work
- to set up and train teams for emergencies in the sphere of social welfare, hygiene and epidemic control, care of the injured and the ill, water and mountain rescue operations, psychosocial support to the population and, in co-operation with state authorities, implement a disaster preparedness program
- to have a lead role in the field of voluntary blood donation activities focusing on the motivation and education which are part of a system set up to ensure sufficient quantities of blood, to popularize blood donation, to organize voluntary blood donation actions in collaboration with blood transfusion centers of different health institutions, to keep a record of them, to set awards criteria for blood donors and to award them
- to set up a service for water rescue (swimming pools and beaches) and mountain rescue (ski slopes), to train rescuers for water and mountain rescue, to keep a record of the level of their training and to issue relevant certificates, to organize refreshment courses and to test the rescuers' physical fitness every year
- to permanently raise the population's awareness of the danger that mines and other explosives devices pose.

In addition to the public powers referred to under Article 13 of the present Statutes, the Red Cross of Montenegro implement particular programs which derive from the objectives, tasks and the mission of the International Movement, as follows:

- it develops solidarity amongst people and organizes various forms of mutual assistance
- it represents, disseminates and implements ideas, Fundamental Principles and other humanitarian values of the International Red Cross Red Crescent Movement
- it implements the disaster preparedness and response programs in natural disasters and emergencies in collaboration and in co-ordination with relevant state authorities
- it participates in the provision of assistance to vulnerable people in natural disasters and emergencies in collaboration and in co-ordination with relevant state authorities
- it collects humanitarian aid and participates in the distribution of aid and in other forms of humanitarian assistance to vulnerable people in natural disasters and emergencies
- it implements home care programs in collaboration with donors and relevant state authorities
- it organizes and implements activities and trainings amongst the population aiming at the improvement and protection of the environment
- it encourages voluntary service for the sake of vulnerable people, it recruits and trains volunteers for the work in the Red Cross
- it develops international co-operation with relevant Red Cross and Red Crescent Societies worldwide
- it fulfills other tasks set under the law, other regulations and its Statutes

## Article 16

The Red Cross of Montenegro, in keeping with the constitution, the law and its Statutes, and in case of immediate war threat, shall have special tasks provided for by the Geneva Conventions.

## Article 17

The Red Cross of Montenegro shall be accountable to the International Movement for the respect and implementation of the Fundamental principles and the mission of the International Movement.

## Article 18

The Red Cross of Montenegro can organize the provision of meals to vulnerable people in normal circumstances or emergencies.

The Red Cross of Montenegro can offer temporary accommodation and meals in their facilities to persons who need this sort of assistance for health and social reasons, as well as to its members.

The provision of accommodation and meals referred to under paragraphs 1 and 2 of this article shall not be considered catering business.

The Red Cross Montenegro can offer other services to legal entities and natural persons under the conditions laid down in the law of the Red Cross of Montenegro, provided it does not prevent it of exercising its public powers set under the law. The services shall relate to the following fields: education and prevention of contagious and addiction diseases, first aid training, setting up of water rescue and mountain rescue services, home care, etc.

In order to fulfill its tasks and exercise its public powers, the Red Cross of Montenegro can organize business and service activities and set up institutions, organizations and communities.

## Article 19

In exercising its public powers, implementing programs, providing services and fulfilling its objectives and tasks the Red Cross of Montenegro collaborates with relevant state authorities local authorities, institution bodies and organizations in the field of health protection, social welfare, science and education, protection and rescue of the population and material and other goods, as well as with companies, entrepreneurs, non governmental organizations, associations and citizens.

The Red Cross of Montenegro maintains international, regional and bilateral co-operation with relevant Red Cross and Red Crescent Societies as well as with other humanitarian organizations in the country and abroad.



## IV Membership

### Article 20

Membership of the Red Cross of Montenegro is open to everyone without any discrimination based on origin, language, race, nationality, age, sex, religious beliefs or political opinions.

Membership of the Red Cross is based on voluntary service.

Those persons who accept the present Statutes and the Fundamental Principles of the Red Cross, and those who pay the subscription shall become member of the Red Cross

### Article 21

Membership of the Red Cross of Montenegro Society shall include:

- **Active members**
- **Subscribing members**
- **Honorary members**

### Article 22

**Active members** are those persons who accept the present Statutes and the Fundamental Principles of the Red Cross, who are registered in the Red Cross, pay the membership fee on a regular base, take active part in the implementation of Red Cross tasks, and have agreed to give service to the Red Cross free of charge. Voluntary blood donors are active members without the obligation of paying the membership fee.

**Subscribing members** are those persons and organizations who, by paying the membership fee ensure financial and material support to the activities of the organization.

**Honorary members** are legal entities or natural persons who, with their work and effort, have substantially contributed to the implementation of Red Cross objectives and tasks. A member is proclaimed honorary upon a special decision brought by the Red Cross of Montenegro Assembly.

**Besides Red Cross members set out in Article 20, Red Cross can involve volunteers and donors in the implementation of its tasks. They can be legal entities or natural persons who are providing their professional contribution to the work and development of the organization.**

### Article 23

Children, youth and adults can become members of the Red Cross.

Members under the age of 15 are considered as junior youth and those between the age of 15 and 27 as senior youth of the Red Cross.

The work of junior and senior youth is set under special regulations.

## Article 24

A member of the Red Cross has the following rights:

- to participate in the work of its organization, and vote during the meetings of the governing bodies whose member he/she is, at the local level, and if elected, in the work of the higher level bodies
- to participate in the setting up of the work program and tasks of the Red Cross either directly or through his representatives
- to elect and be elected to the governing bodies of the Red Cross in keeping with the Statutes
- to be informed of all issues related to the work and decisions of the organization and its bodies, to present proposals and suggestions aiming at improving and promoting the work
- to have all rights in the Red Cross organization laid down in the Statutes and laws

## Article 25

A member of the Red Cross has the following duties:

- to accept and disseminate the Fundamental Principles
- to promote the work of the organization
- to participate actively in the work of the organization

## Article 26

A member shall sign a declaration of acceptance of the membership Ethic Code of the Red Cross of Montenegro when joining the membership.

The Ethic Code referred to under paragraph 1 of this article shall be adopted by the Assembly of the Red Cross of Montenegro

## Article 27

Membership in the Red Cross shall terminate with the resignation of the member or his expulsion.

A member may on his own give notice of resignation.

A member may be expelled for:

- disrespecting the Statutes and the Fundamental Principles
- damaging the reputation of the Red Cross organization with his work and acts
- violating the provisions of the membership Ethic Code
- avoiding to pay the membership fee longer than 12 months

The procedure of expulsion shall be initiated upon the request of any person or a body of the organization and shall be implemented first, by the ethical board of the organization the member belongs to.

According to the decision of expulsion of the Ethical board, within the 8 days, a member has a right file a complaint to the Governing Board of that organization, which adopts the final decision after the appeal.

## **V Red Cross organization**

## Article 28

The Red Cross of Montenegro organization is composed of local Red Cross branches, the Red Cross organization of the capital and Red Cross of the Royal capital Cetinje.

Cities may set up city Red Cross organization if the territorial organization of the local authorities permits so.

#### **Article 29**

**Relations between the Red Cross of Montenegro, as a National Society, and its constituent parts, are based on the principle of unity, mutual cooperation, vertical connection and responsibility for implementing defined programmes and universal work. With the aim of preserving unique work, Red Cross of Montenegro monitors the work of its constituent parts.**

#### **Article 30**

**In implementing the unique work, Red Cross of Montenegro, at the national level, has the task to specifically take care after the protection of the Red Cross emblem, status of the National Society in general, international relations, legislation, cooperation with the relevant stakeholders at the national level and developmental policy of the Red Cross of Montenegro in accordance with the documents of the International RC/RC Movement and humanitarian requests of the citizens of Montenegro.**

#### **Article 31**

In the name of the organization referred to under Article 27 of the present Statutes besides the text "The Red Cross of Montenegro" "the local Red Cross branch of" is added, and the final part of the text shall refer to the name of the municipality or the city where the organization has its headquarters.

#### **Article 32**

The logo, the flag, the emblem and the seal of the local Red Cross branch as well as of the Red Cross organization of the capital and Red Cross of the Royal capital Cetinje, shall be used in keeping with the regulations laid down in the present Statutes.

The emblem and the seal shall have the full name of the organization referred to under the previous Article of the present Statutes.

### Article 33

**The local Red Cross branch, at the local and the city level shall set up basic organizations and establish rules of procedure.**

The basic organization is the basic way of organizing the Red Cross membership.

The basic organization shall not be a legal entity.

The basic Red Cross organization shall be set up in places such as a living space, a work space or a school in order to carry out the same scope of activities of the municipal or city organizations.

The basic Red Cross organization shall not count less than 20 members.

### Article 34

When referring to a living space, the basic organization shall be set up in a community or a built up area.

When referring to a work space, the basic organization shall be set up in a company or an institution.

When referring to schools, the basic organization shall be set up in an elementary school as a junior youth organization, or in a secondary school, college or faculty as a senior youth Red Cross organization.

### Article 35

The work of the basic organization coordinates the President of the basic organization, who is chosen by the Governing board of the local branch whose part it is.

### Article 36

The basic organization shall be set up to increase the efficiency of the work and it is allowed to set up special organizational units such as clubs or sub associations.

### Article 37

**The local Red Cross branch, Red Cross organization of the Capital and Red Cross of the Royal Capital Cetinje with their own Statutes, and in keeping with the present Statutes, shall manage their own organizations and bodies, the basic organizations and bodies, as well as the rights and duties of these organizations.**

### Article 38

Should a local Red Cross branch cease to operate, the Red Cross of Montenegro shall then set up an operational unit which is to operate until the conditions for the setting up of a municipal organization have been fulfilled.

## VI Responsibilities

### Article 39

The organizations of the Red Cross of Montenegro, as independent humanitarian organization, at all levels, have to implement its humanitarian mission at any times according to the Fundamental Principles and Mission of the International Movement, the provisions of the Red Cross of Montenegro Law and of the present Statutes, ratified international agreements and commonly accepted rules within the area of International Humanitarian Law, Statutes and other documents adopted by the International Movement, as well as to fulfill the tasks set under the present Statutes, plans of actions and programs of Red Cross of Montenegro in the unique way, at the territory where the National Society functions.

Should the reputation of the Red Cross be damaged or the duties referred to under paragraph 1 of this article disrespected, the Assembly of the Red Cross of Montenegro has the right and obligation to determine the responsibility and undertake measures to eliminate irregularities and gaps.

#### Article 40

Once the Assembly of the Red Cross of Montenegro has determined the irregularities and gaps referred to under article 36 of the present Statutes, it shall:

- determine individual responsibility and undertake measures to eliminate gaps
- bound the Assembly of the local Red Cross branch to implement measures that have been determined

Should the Assembly of the local Red Cross branch fail to implement the measures, the Assembly of the Red Cross of Montenegro may adopt the decision of dissolving the Assembly of the local Red Cross branch together with its governance and management, and call for extraordinary elections. It shall appoint an initiative board as an interim body which has the responsibility of calling for, preparing and holding extraordinary elections.

#### .Article 41

In the event of extraordinary elections (referred to under the previous Article) the governing board of the Red Cross of Montenegro shall co-ordinate the activities of the organization which is affected up to the election of new bodies.

In the event of extraordinary elections not taking place within a period of three months, the Red Cross of Montenegro shall set up its operational team which shall run the affected local Red Cross branch as long as conditions for the foundation of the local Red Cross branch are not met.

#### Article 42

Local Red Cross branches have the responsibility of implementing in a universal manner the defined scope of work and activities, and setting up permanent bodies and teams who shall implement the programs laid down in the present Statutes

#### Article 43

Local Red Cross branches have the responsibility of implementing in a universal manner the defined scope of work and activities, and setting up permanent bodies and teams who shall implement the programs laid down in the present Statutes.

### **VII Bodies of the Red Cross**

#### Article 43

The governing bodies of the Red Cross of Montenegro and its constituent parts are:

- the Assembly
- the Governing board
- the Finance board

#### Article 44

Members of the Red Cross bodies shall be elected every four years and can be elected for two consecutive terms.

The body which elected them may relieve them of their duty before the expiry of the term in office in keeping with procedures provided for by the present Statutes.

In case of a conflict of interest, members of the bodies have the responsibility to act solely in the interest of the Red Cross.

#### Article 45

During his term of office, the member of the Red Cross body can be replaced for illness, for occupying a post incompatible with the Red Cross mandate, upon his personal request or for acting in a way which is damaging to the reputation of the Red Cross.

The initiative in replacing the member referred to under paragraph 1 of this article shall be taken at least by one-third of the Assembly members of the organization a member being replaced belongs to.

#### Article 46

The bodies of the Red Cross are fully operational and take all their decisions in sessions with a quorum of more than one-half of their members.

Only members of the bodies have the right to take the decision.

**Every member of the body has a right to vote.**

Secretary General participates in the work of the bodies under the Article 40 of this Statute, with the function of providing advices and giving directions for the work, but has no right to take decision

The decisions are taken by a majority of those present and voting that is by a majority of two-third of their members unless otherwise provided for in these Statutes.

A majority of two-third of the present members take the decisions on the adoption of the Statutes, the Assembly rules of procedure, the development strategy, the Financial plan, the annual balance sheet, on calling for elections, laying the individual's responsibility and dissolving the bodies of the local Red Cross branches.

#### **Article 47**

**Elections in the local Red Cross branches are organized on the basis of decision adopted by the Assembly before the beginning of the elections for that term, and elective procedure is defined by the Rules of procedure of the Assembly. Voting can be public or by secret ballot, and the Assembly makes the final decision about it.**

#### **The Assembly**

#### **Article 48**

**The Assembly represents the highest governing body of the Red Cross organization.**

**The Assembly of the Red Cross of Montenegro is composed of the representatives of the local Red Cross branches, Red Cross organization of the Capital and Red Cross of the Royal capital Cetinje, and the number of representatives is determined by the decision adopted by the Assembly to call for elections, with every organization having at least one representative.**

#### **Article 49**

The Assembly has a President and a Vice-President.

The President shall chair the session of the Assembly and in case of his absence it shall be the Vice-President.

The members of the Assembly bodies, honorary members, volunteers and donors who are not members of the Assembly can attend the session of the Assembly without participating in the decision making process.

#### **Article 50**

The Assembly of the Red Cross of Montenegro is vested with the following powers:

- it sets the Mission and the working policy of Red Cross
- it sets the Statutes of the Red Cross of Montenegro
- it adopts the plan and program of work
- it adopts the Development Strategy
- it adopts the decision on the work of Red Cross of Montenegro during the armed conflict and other emergency situations
- it adopts the Financial plan and the annual balance sheet
- it sets the rules of procedure

- it sets the decision on calling for elections and it determines the election procedure
- it considers and adopts the report on the work of the bodies
- it elects and dismisses the President, the Vice-President, the Governing board and the Finance board
- it appoints the secretary of the Assembly
- it elects representatives of the boards
- it appoints representatives for members of other organizations and institutions
- it sets rules and by-laws
- it sets decisions on property
- it decides on other matters of importance for the work of the Red Cross of Montenegro

All the documents, decisions, conclusions set and adopted by the Assembly are bounding for all levels of the organization.

#### Article 51

The Assembly meets in ordinary sessions at least once a year.

The President of the organization shall convene the session of the Assembly and in the event of his absence it shall be the Vice-President.

**Rules of procedure are defining the work of the Assembly.**

#### Article 52

An extraordinary session of the Assembly shall be convened in case of special circumstances.

It shall be convened by the Governing board at the request of one third of the local Red Cross branches, one third of the members of the Assembly, as well as at the request of the Finance board or the President of the Assembly

### Governing board

#### Article 53

The Governing board represents the governing body of the Red Cross organization between two Assembly sessions.

The Governing board is composed of 15 members.

**Members of the board are elected for the 4 years period and can be elected for two consecutive terms.**

#### Article 54

**In order to organize a Governing Board meeting, it is necessary to have more than half of the total number of members present. Every member of the Governing Board has a right to vote.**

**The Governing Board adopts a decision by majority of the present members, except in cases when this Statute defines the necessity for a two-third majority. In case of equal voting, the vote of the President of the Governing Board shall make the final decision.**



## Article 55

The Governing board is vested with the following powers:

- it sets the draft Statutes
- it sets proposals for the Strategy, Plan and program of action and annual balance sheet
- it adopts enactments
- it provides for the setting up and dissolution of institutions and organizations set up by the Red Cross
- **it approves the appointment of the Secretaries of the local Red Cross branches, Red Cross organization of the capital and Red Cross of the Royal Capital Cetinje;**
- **it adopts the decision on the foundation of the Headquarters and legal documents which are defining its work, in accordance to the Law;**
- it provides working guidelines to commissions and working bodies and discuss their reports
- **it monitors, analyzes and encourages the work of the local Red Cross branches, Red Cross organization of the capital and Red Cross of the Royal Capital of Cetinje;**
- It provides for the setting up of measures to be taken against Red Cross organizations in case of the misuse of the Statutes, the Fundamental Principles and other documents **and when they do not fulfill programme goals and tasks**
- it adopts decisions related to financial and material issues
- it prepares the working material for the Assembly session
- it provides for the training and composition of the working bodies
- it awards recognitions
- **It adopts the document on establishment and concept of the Red Cross of Montenegro publication, nominates the Publishing commission and the editor.**
- it establishes measures for the implementation of decisions and conclusions adopted by the Assembly
- **it adopts the decision on the function and work of the House of Solidarity;**
- **It approves the appointment of the manager of the House of Solidarity;**
- **It adopts the decision of the membership fee for the members of the Red Cross of Montenegro;**
- **It acts upon the complaints on the decisions of the Ethical Board;**
- it carries out other activities in keeping with the Statutes and competences of the Assembly

The President of the Red Cross shall convene the session of the Governing board and in the event of his absence it shall be the Vice-President.

The Governing board meets at least once every two months.

The Governing board shall meet in extraordinary sessions **at the request of at least three** local Red Cross branches, the President and the Secretary of the Red Cross.

**The Rules of Procedure set the work of the Governing Board.**

## **Finance board**

### Article 57

The Finance board is the body of the Assembly of the Red Cross of Montenegro.

The Finance board shall control the material and financial transactions and other business operations of the Red Cross organization.

### Article 58

The Finance board shall be composed of five members, four appointed by the Assembly from among its members and one financial expert external to the Red Cross bodies.

**The Finance board members shall have a four year term and can be elected for two consecutive terms.** The President of the board shall be appointed by the board from among its members.

For its performance, the board shall be accountable to the Assembly.

### Article 59

The Finance board shall:

- consider Financial plan and monitor its implementation;
- follow preparation of the report on financial - material transaction, provides direction and expert advice on every financial issue of interest for Red Cross of Montenegro
- follow up the legality and implementation of decisions related to the material and financial transactions
- prepare a report on its work and submit it for consideration and adoption to the Assembly

The Finance board shall conduct a financial control and shall control the work of the bodies of the Red Cross of Montenegro and of its constituents in particular control the means and the property which is under the responsibility of the Red Cross of Montenegro.

### Article 60

The proceedings and decisions of the Finance board shall be valid when more than one half of its members are present and the decisions shall be taken by a majority vote of all the members

### Article 61

Annual control of financial management could be done by authorized audit institution, on demand of the Governing board of Red Cross of Montenegro **and obligatory external management audit is conducted every four years.**

## **VIII Commissions and working bodies of the Red Cross**

### Article 62

The Governing board of all the levels of the organization, in order to improve the efficiency of the work, shall decide on the setting up of permanent or temporary commissions and other working bodies to co-ordinate and implement basic activities or special programs in the field of: health, youth, social activities, organizational development, finance, disaster management, tracing service, information and promotion, awarding.

In accordance to needs the Governing board shall set up other commissions and working bodies.

### Article 63

Permanent commissions shall have an advisory and co-ordination role and shall be elected for a four years term, and can be elected for two consecutive terms.

The type, the scope of activities, the working modalities and the structure of the commissions and the working bodies shall be defined by the Governing board of the Assembly.

## **IX President of the Red Cross of Montenegro**

### Article 64

The President represents the Red Cross organization, **both nationally and internationally.**

The President shall convoke and preside over the sessions of the Assembly and the Governing board, report on the situation within the National Society, coordinate the work of the bodies and working bodies, sign documents and decisions adopted by the two governing bodies and carry out any other function entrusted by the Assembly and the Governing board.

### **Article 65**

**The President shall be elected from among the members of the Assembly for a four year term and can be elected for two consecutive terms.**

#### **Article 66**

**The Vice-president shall be elected from among the members of the Assembly for a four year term and can be elected for two consecutive terms.**

Should the President be absent, the vice-president shall fulfill the function of the President.

#### **Article 67**

The term in office of the President and of the Vice-president of the Red Cross shall terminate if it has expired, if the President / vice-president has resigned or has been relieved of his post.

The Assembly shall relieve the President / vice-president of his post on the recommendation of the Governing board if he has been chosen for an office which is incompatible with the Red Cross mandate or has jeopardized the image of the Red Cross organization and has done damage to it through his action.

### **IX Secretary General of the Red Cross of Montenegro**

#### **Article 68**

Secretary General of the Red Cross of Montenegro shall be responsible for and manage the affairs of the Red Cross of Montenegro in keeping with the mission, Fundamental Principles and the present Statutes.

**Secretary General shall be appointed by the Assembly for a four year term with the possibility of being re-appointed, on the basis of his/her qualifications and on the terms of reference of that position.**

Secretary General of the Red Cross of Montenegro shall carry out his function as a professional.

#### **Article 69**

In exceptional cases the function of the Secretary of the constituent parts of the Red Cross of Montenegro may be carried out on a voluntary basis when conditions are not set for the carrying out of the function on a professional basis.

#### **Article 70**

Secretary General, as the managing body of the Red Cross of Montenegro, has the following tasks:

- to be responsible for the implementation of the decisions and conclusions adopted by the Assembly and the Governing board
- to report on the activities carried out between sessions of the bodies
- to propose the financial plan and report on its implementation
- to issue orders related to the implementation of the financial plan and to be accountable for the legal material and financial transactions of the Red Cross

- to look after financial and material means
- to issue orders related to the management of means up to the amount set under the decision of the Governing board
- to propose the drafting of the working plan, decisions and other documents in keeping with the law, as well as documents which regulate the internal affairs and functioning of the organization
- to provide for some documents related to employment
- to participate in the work of the Red Cross bodies, commissions and other advisory bodies
- to represent the Red Cross in relation to third parties for legal and financial transactions
- to co-operate with relevant authorities in the execution of public powers
- to organize and manage the work of the Secretariat of the Red Cross, with the right to hire and dismiss employees, according to the Law.
- to carry out other tasks which derive from the work of the Red Cross

**The Secretary shall be accountable to the Governing Board and the Assembly for the work he carries out.**

#### Article 71

The term in office of the Secretary General shall terminate if it has expired, if he has resigned or has been relieved of his post.

Secretary General shall be relieved of his post on the recommendation of the Governing board before the expiry of his term

- if it has been determined that the function of the Secretary is not carried out in keeping with the law, the Statutes, the Mission and the Fundamental Principles, or else
- if he has been appointed or chosen for an office which is incompatible with the Red Cross mandate or has jeopardized the image of the Red cross organization and has done damage to it through his action.

The Secretary of the local Red Cross branch shall be relieved of his post on the recommendation of the Governing board of the Red Cross of Montenegro, which has approved his appointment to the post, under every circumstance laid down in the present article.

#### Article 72

The Secretary may request to cease carrying out his function which shall be subject to the decision of the Governing board.

### **X General election / appointment principles**

#### Article 73

The member of the Red Cross of Montenegro shall not be eligible to stand for elections for the same post at different levels of the organization in the same term of office.

#### Article 74

Members holding high-ranking positions in the government or a political party or being involved in businesses incompatible with the Mission and the Fundamental principles of the Red Cross organization, **as a rule**, shall not be elected nor appointed to functions in the Red Cross bodies.

**All members of the governing and management bodies shall solely act in the interest of the Red Cross. Members of the governing and management bodies holding high – ranking positions in the government or a political part shall immediately withdraw from the position in the Red Cross. Otherwise, the member will provide that his position does not lead to the conflict of interest, and in case of conflict of interest, he will refrain from taking the part in the decision making process.**

#### Article 75

Members carrying high-ranking professional or volunteer functions in non governmental organizations, institutions and companies, whose professional activity is comparable to the basic Red Cross activities, shall not be eligible to stand for elections or be appointed to the Red Cross bodies owing to the conflict of interest.

#### Article 76

Members carrying out professional activities and tasks shall not be eligible to stand for elections or be appointed to the Red Cross bodies at this level of organization.

#### Article 77

Persons having exceptional abilities for management and team work and strong organizational skills, being distinguished personalities with high moral qualities, accepting the Mission and the Fundamental Principles of the Red Cross and being experienced in the Red Cross issues shall be eligible to stand for elections to high-ranking functions and bodies in the Red Cross.

#### Article 78

**The Assembly of the Montenegro Red Cross, the Assembly of local Red Cross branches, Red Cross organization of the capital and Red Cross of the Royal Capital Cetinje** shall adopt a decision that provides procedures and conditions applicable to the election of Red Cross members to the Governing bodies, in the year that proceeds the election year.

### **XI Financing of the Red Cross of Montenegro**

#### Article 79

To attain its goals and fulfill its tasks, the Red Cross of Montenegro shall obtain funds from:

- membership fee

- the budget of the State and local authorities for activities and tasks set under the law
- lottery proceeds
- commercial and other activities in keeping with the law
- contracted programs and projects implemented in partnership with local and foreign partners
- donations, sponsorship and contributions
- gifts and legacies
- income from movable and immovable property
- income from property lease
- income provided for by the law on public powers
- other income
- National Society cannot accept donations **and sign Agreements** that derive from the activities which are not in accordance, or which are opposite to the Fundamental Principles. **Agreements on Cooperation shall be in written forms.**

#### Article 80

The Secretary of the organization shall be responsible for the management of funds. Income and expenditure are set under the financial plan.

## XII Property

#### Article 81

The capital assets of the Red Cross consist of movable and immovable property and are registered as the property of the Red Cross.

#### Article 82

**The property and funds shall be used and managed by the Red Cross of Montenegro, the local Red Cross branches, the Red Cross organization of the capital and Red Cross organization of the Royal capital of Cetinje** only for the implementation of objectives and tasks provided for by the organization.

The Assembly shall entrust the Governing board with the management of immovable property of the Red Cross organization.

#### Article 83

**The local Red Cross branches, the Red Cross organization of the capital and Red Cross of the Royal Capital of Cetinje shall manage immovable property with the approval of the Governing board of the Red Cross of Montenegro.**

Local Red Cross branches, without having a secured financial framework, may invest at their level only with the approval of the Governing board of the Montenegro Red Cross.

#### Article 84

Local Red Cross branches shall keep a record of movable and immovable property and funds, whereas on the level of the Red Cross of Montenegro a central register is established for that purpose.

Local Red Cross branches shall file and keep all the documents pertaining to property and funds in keeping with the law.

The property of the Red Cross shall be registered with the relevant authority on the name of the Red Cross of Montenegro with the name of the local Red Cross branch on which territory the property is located.

#### Article 85

Should the local Red Cross branch stop working, its property and funds shall be taken over by the Red Cross of Montenegro.

### **XIII Red Cross funds**

#### Article 86

The Governing board of the Red Cross of Montenegro shall set up the

- solidarity fund
- investment and development fund

The Governing board shall secure financial means for the functioning of funds referred to under paragraph 1 of this article when preparing the financial plan.

The financing source, amount, purpose, use and management of funds referred to under paragraph 1 of this article shall be laid down in special regulations set by the Governing board of the Red Cross of Montenegro.

#### Article 87

The Red Cross of Montenegro apart from funds referred to under the article 81 may establish other funds or take over the management of other funds provided the use of the funds is in keeping with the objectives and tasks of the Red Cross.

### **XIV Red Cross Awards**

#### Article 88

Individuals and organizations shall receive awards for the results they have achieved, for their contribution to the development of the Red Cross, for the implementation of the Mission, the Fundamental Principles and objectives of the organization.

#### Article 89

The type of award and selection criteria shall be laid down in special regulations set by the Assembly of the Red Cross of Montenegro.

Special and honorary awards shall be provided for by the same regulations.



## **XV Headquarters**

### Article 90

**The Governing Board shall set up the Headquarters which shall conduct professional, administrative, technical and other tasks for the needs of the working and other bodies.**

Secretary General shall manage the work of the Headquarters on behalf of the management structure.

### Article 91

Tasks and duties, the number of employees and the terms of employment shall be laid down in the rules of procedure and the systematic reorganization of tasks and duties adopted by the Governing board of the Red Cross of Montenegro.

The rights and obligations of the Headquarters shall be set under separate documents in keeping with the law.

### Article 92

The Headquarters of the Red Cross of Montenegro apart from regular activities shall offer professional assistance to the local Red Cross branches in accordance to their needs.

### Article 93

The rights and duties of an employee shall be set under a decision adopted by the Governing board of the local Red Cross branch, in the Red Cross branches where conditions were not fulfilled for the setting up of professional services.

## **XVI Transparency**

### Article 94

The work of the Red Cross of Montenegro is fully transparent.

The Red Cross of Montenegro shall inform regularly the public of the work it carries out, its development, objectives, activities, actions and other issues of importance to the functioning of the Red Cross of Montenegro.

**Red Cross of Montenegro publishes the publication.**

The public shall not be informed only in the event of a decision adopted by the Governing board or in situations set under some regulations of the International Red Cross Red Crescent Movement.

### Article 95

Members of the Red Cross organization and bodies shall reinforce the Red Cross work and Mission with their work carried out in full transparency.

## **XVII Procedures for the adoption of the Statutes**

### Article 96

The Governing board of the Red Cross of Montenegro and one third of the local governing boards shall propose the initiative for the adoption of the Statutes. The Assembly of the Red Cross of Montenegro shall decide on the implementation of this initiative.

### Article 97

The Governing board of the Red Cross of Montenegro shall appoint the Statutory Commission which shall prepare the preliminary draft Statutes. The Governing board shall confirm the draft Statutes and forward it to the local Red Cross branches for a public debate. The public debate on the draft Statutes shall not last less than 30 days.

### Article 98

Upon the expiry of the deadline the Statutory Commission shall prepare the Statutes proposal, on the basis of recommendations made during the public debate, and shall submit them to the Governing board.

### Article 99

The Governing board shall submit the Statutes proposal to the Assembly of the Red Cross of Montenegro which shall consider the Statutes and decide on their adoption. A report on the public debate shall be attached in annex to the Statutes proposal. The Assembly of the Red Cross of Montenegro shall adopt the Statutes with the majority vote of two third of its members.

### **Article 100**

Red Cross of Montenegro is obliged to submit the draft of the Statutes of Montenegro Red Cross to the Joint Statutory Commission of the International Committee of the Red Cross and International Federation of Red Cross/Red Crescent Societies, and to consolidate the recommendations into the text of the Statute. **Obligations set under the paragraph 1 of this Article refer also to the Draft amendments of the Statutes.**

### **Article 101**

The Assembly of the Red Cross of Montenegro shall approach the **Ministry of Labor and Social welfare of Montenegro** for approval of one part of the Statutes related to the execution of public powers, in keeping with the law.

### Article 102

Amendments to the Statutes shall be made in accordance to the procedure established for its adoption.

## **XVIII Dissolution of the National Society**

### **Article 103**

**Red Cross of Montenegro shall cease its work in case of some reasons set by the Law. Decision on the dissolution of the National Society is adopted by the Assembly of the Red Cross of Montenegro, with a quorum of two thirds of its members.**

**In case of the situation described under the paragraph 1, the property of the National Society belongs to the new National Society that continues to work on the basis of the Law on the Red Cross of Montenegro, in accordance to the Geneva conventions.**

## **XIX Transitional and concluding provisions**

### **Article 104**

The constituent members of the Red Cross of Montenegro as legal entities shall adopt their own Statutes within a period of three months from the day of the adoption of the Red Cross of Montenegro Statutes. The Statutes of the constituent members shall be in accordance to the Red Cross of Montenegro Statutes.

### **Article 105**

The city Red Cross organization shall adopt its statutory decision in keeping with the Statutes of the Red Cross of the capital.

### **Article 106**

The decision referred to under article 99 of the present Statutes shall enable the city Red Cross organization to set for a more efficient way of work, decision making process, funding and implementation of other issues of importance to the functioning of the organization.

### **Article 107**

The interpretation of the present Statutes shall be provided by the Assembly of the Red Cross of Montenegro.

Article 108

The Statutes shall take effect on the day of its adoption.

Article 109

The Statutes of the Red Cross of Montenegro of 24 April 2001 shall be repealed through the coming into effect of the present Statutes.

**Broj: 01-551/2**

**Podgorica, 30 April 2014**

**President,**  
**Vojislav Mijušković**

A red circular stamp of the Red Cross of Montenegro, Podgorica. The stamp contains the text "CRVENI KRST MONTENEGRO" at the top, "PODGORICA" in the middle, and "ЦРВЕНИ КРСТ ЦРНЕ ГОРЕ" at the bottom. A blue signature is written over the stamp.

