



## **Statutes of the Association for Human Rights in Liechtenstein (VMR)**

(informal translation – deepL)

### Details of the document

approved by / on: General Assembly on 21 September 2020  
valid from: 21 September 2020  
valid for: VMR  
for information to: Auditors

## Preamble

The protection and promotion of human rights should be given high priority by all states and societies worldwide. In 1993, the General Assembly of the United Nations strongly demanded this in the so-called Paris Principles and called for the establishment of independent national human rights institutions (Resolution 48/134).

Similarly, the Committee of Ministers of the Council of Europe recommended independent national institutions for the promotion of human rights in 1997 (Recommendation R 97 14). The comprehensive system of human rights protection that has developed in the Council of Europe member states on the basis of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) should be safeguarded and expanded. National human rights institutions should make an important contribution to this.

Aware of its responsibility for a policy of protecting human rights, the Parliament of the Principality of Liechtenstein has passed the law establishing an independent human rights association.

The Human Rights Association is to be established as a national human rights institution in accordance with the Paris Principles and equipped with all the necessary competences. It is to mediate as an institution of civil society and to support and network the work of existing institutions.

## I. General Provisions

### Art. 1 Name, Seat, Fiscal Year

- 1) The Association shall bear the name "Association for Human Rights in Liechtenstein (VMR)".
- 2) It is registered in the Liechtenstein Commercial Register.
- 3) The seat of the Association is Vaduz.
- 4) The business year corresponds to the calendar year.

### Art. 2 Purpose, Tasks

- 1) The Association for Human Rights is established as an independent national human rights institution in the sense of the Paris Principles. It is a non-profit association in accordance with the provisions of the Law on Persons and Companies.
- 2) It performs the following tasks:
  - a. advises public authorities and private individuals on general and event-related human rights issues;
  - b. supports victims of human rights violations in its function as an ombudsman for human rights;
  - c. assumes the tasks of the independent ombudsman for children and adolescents pursuant to Art. 96 para. 2 of the Children and Adolescents Act as well as
  - d. performs other duties assigned by law;
  - e. informs the public about the human rights situation in the country;
  - f. conducts investigations and recommends appropriate measures to authorities and private persons;

- g. issues opinions on draft laws and ordinances and on the ratification of international conventions relevant to human rights;
  - h. promotes dialogue and cooperation with human rights-relevant bodies in Switzerland and abroad;
  - i. reviews legislative and other legal provisions for their human rights conformity (monitoring);
  - j. conducts lawsuits and complaints before state judicial and administrative authorities in cases of alleged violations of legally binding anti-discrimination provisions and human rights violations, provided that the person complained about consents.
- 3) The Association for Human Rights may itself carry out concrete projects to fulfill the above tasks, as well as provide organizational, substantive or financial support to civil society organizations or initiatives that contribute to the fulfillment of the above tasks in concrete projects or investigations.

### Art. 3 Independence and Plurality

The Association for Human Rights is politically independent and denominationally neutral. It acts on its own initiative, without being bound by guidelines and directives of the government and other authorities or interest groups.

In the spirit of plurality, the Association involves all forces of civil society involved in the promotion and protection of human rights.

### Art. 4 Financing

The Association for Human Rights is financed by state and municipal funds, membership fees, donations, the proceeds of its own services and other contributions.

Its own services include, in particular, the preparation of expert opinions and specialist literature, the organization of training courses and seminars, and consulting services.

### Art. 5 Liability

The Association's liabilities are covered exclusively by the Association's assets. A personal liability of the members is excluded.

## II Organization

### Art. 6 Organs

The organs of the Association are

- the General Meeting;
- the Board of Directors;
- the office;
- the Auditors.

## Art. 7 Membership

- 1) Ordinary members of the Association may be natural persons or legal entities who identify with the objectives of the Association and are willing to work for them.
- 2) They are obliged to pay a membership fee.
- 3) Natural or legal persons who support the Association through donations in cash or in kind or free services can be accepted as supporting members without a fixed membership fee.
- 4) The Board of Directors shall consider written applications for new membership, taking into account the objectives and tasks incumbent upon the Association.
- 5) The membership begins with the accepting decision of the Board.
- 6) The Board shall reject the application for membership or request the exclusion of existing members by the General Assembly if the membership is incompatible with the objectives of the Paris Principles, with a position or other function of the person or organization concerned. In case of rejection of the application for membership by the Executive Board, the person concerned may, within four weeks of notification, request in writing that the rejected application for membership be voted on by the General Assembly of Members on the occasion of the following ordinary General Assembly of Members.
- 7) It ends:
  - a. in case of death or with the dissolution of a legal entity;
  - b. by exclusion, if the reputation and interests of the association are impaired or for other important reasons, after prior hearing of the member by the board;
  - c. by written notice of resignation;
  - d. if a member does not pay the membership fee for more than 2 years.

## Art. 8 General Assembly

- 1) The general meeting has the following tasks:
  - a. Adoption of strategies and principles of the Association's work;
  - b. Review of the fulfillment of the legal and statutory mandate by the Executive Board and the administrative office
  - c. Adoption of resolutions on amendments to the Articles of Association within the framework of the Association's objectives and mandatory legal provisions;
  - d. Receipt and approval of the annual financial statements and the annual report;
  - e. Election of the Board of Directors
  - f. Discharge of the Board of Directors;
  - g. Dismissal of the Executive Board or individual Executive Board members for important reasons;
  - h. Election of the auditors
  - i. Discharge of the Auditors;
  - j. Dismissal of the auditors for important reasons;
  - k. Passing of resolutions on applications for membership or exclusion of membership in accordance with Art.7 No.6 of the Articles of Association;
  - l. Determination of membership fees;
  - m. Passing resolutions on motions of the members;
  - n. Resolution on the dissolution of the Association.
- 2) An ordinary General Meeting shall be convened by the Board of Directors at least once a year in the first half of the year. The members are to be invited in writing (letter or e-mail) with at least four weeks' notice, stating the date, time, place and the agenda (agenda items).

- 3) Upon request of at least 10 members, the Board shall convene an Extraordinary General Meeting with the requested agenda items. It may itself add further agenda items.
- 4) In extraordinary situations, a resolution of the General Assembly may be passed in writing by circular procedure. A resolution passed by circular must be unanimously approved by the Board of Directors and brought to the attention of the members with the reasons for the resolution. If at least four persons entitled to vote (corresponding to four individuals or two member organizations) request a physical meeting, the circular procedure shall be deemed to have failed and the Board shall decide to withdraw the request or to convene an (extra-) ordinary General Meeting. The decision of the circular procedure will be brought to the attention of the next General Assembly.
- 5) The following provisions shall apply to both the Ordinary and Extraordinary General Meetings.
  - a. The President of the Association, or in case of his/her inability to attend, the corresponding deputy, shall preside over the meeting.
  - b. Motions for the General Assembly must be submitted to the Board of Directors at least 2 weeks before the day of the meeting.
- 6) The following provisions regarding voting power and quorum shall apply to both the regular and the extraordinary General Assembly as well as to resolutions passed by circular letter.
  - a. Every natural person who is an ordinary member of the Association shall have one vote. Each legal entity, which is an ordinary member, has two votes. Resolutions shall be passed by a simple majority of the ordinary members present. In the event of a tie, the President shall have the casting vote.
  - b. Resolutions on amendments to the Articles of Association shall be passed by a three-fourths majority of the voting members present.

#### Art. 9 Executive Board

- 1) The Executive Board shall consist of 5-7 members.
- 2) When electing the Board, care shall be taken to ensure a pluralistic representation of civil society and as balanced as possible in terms of gender, age and skills of the individual Board members.
- 3) The following functions of a member are incompatible with the board activity:
  - c. Members of the Princely House, the Government and their deputies, and members of the Parliament and their deputies;
  - d. Municipal leaders and members of municipal councils;
  - e. Judges, judicial officers and public prosecutors;
  - f. Employees of the government or senior employees of the state administration;
  - g. Leading officials of a statutory or voluntary interest group or a political party;
  - h. Employees at the office of the Association.
- 4) The term of office of the Board is four years. The board elects a president and a deputy president from among its members. Re-election is permitted.
- 5) If a member of the Board resigns prematurely, the Board may propose a substitute member to be elected by the next General Assembly for a four-year term.
- 6) The board has the following tasks:
  - a. Representation of the Association to the outside world;

- b. Formulation of the strategies and principles of the Association;
- c. Adopting resolutions on and drafting internal regulations on management, compensation, meetings, procedures, etc.;
- d. Appointment and dismissal of the Executive Board;
- e. Support and supervision of the Executive Office;
- f. Approval of the annual report and the annual financial statements for the attention of the General Assembly of Members; and
- g. Determination of the budget
- h. Appointment and dismissal of the ombudsperson (Art. 97 par. 1 and 4 KJG);
- i. Adoption of resolutions on the admission and on the application for the exclusion of ordinary and supporting members.

7) The President shall convene meetings as needed. Minutes of each meeting shall be taken and submitted to the members present at the next meeting for approval.

8) The Board shall constitute a quorum when more than half of its members are present. Resolutions shall be passed by simple majority. In the event of a tie, the President shall have the casting vote. Resolutions of the Board may also be passed by circular letter (e-mail). In this case, the resolutions must be unanimous and will be recorded in the minutes of the following meeting.

9) The Board of Directors shall regulate the power of representation and the right of signature of its members and the office. The right to sign shall in any case be exercised collectively by two persons.

#### Art. 10 Office

1) The Executive Office, as the operational body, shall conduct the business of the Association in accordance with the instructions of the Board.

2) All permanent positions at the office shall be publicly advertised. The management of the office shall be appointed by the Board. When filling the other positions, the Executive Board shall consult with the Executive Office Management.

3) At least one member of the office shall attend the meetings of the Board in an advisory capacity.

#### Art. 11 Ombudsman's Office for Children and Adolescents

1) In accordance with Art. 96 Para. 1 KJG, a generally accessible ombudsman's office for children and adolescents has been set up at the Association, which is headed by an ombudsperson.

2) The ombudsperson is appointed by the board after public advertisement.

#### Art. 12 Auditors

1) The Auditors shall be elected annually by the General Assembly. Re-election is permitted.

2) The Auditors shall audit the annual financial statements. After the audit, they shall submit a written report (review) to the Board of Directors for the attention of the General Meeting.

#### Art. 13 Accounting

The Association shall keep proper and clear accounts in accordance with recognized commercial principles and shall prepare annual accounts for each fiscal year.

#### Art. 14 Advisory boards

If necessary, the Board of Directors may appoint project- or subject-related advisory boards.

#### Art. 15 Confidentiality

Organs, employees and members of the association as well as external third parties who are consulted are obliged to maintain confidentiality in the performance of their duties. Confidential information may only be disclosed in fulfillment of a legal obligation or on the basis of an authorization of the authorized persons.

#### Art. 16 Dissolution of the Association

- 1) The Association may be dissolved by the General Assembly with a three-quarters majority of the voting members present.
- 2) In the event of dissolution, the existing assets of the Association shall be donated to a non-profit organization pursuing the same or a similar purpose. A refund of membership fees to the members of the association is excluded.

### **III. final provisions**

#### Art. 17 Relationship to the law

The present statutes shall apply unless mandatory legal provisions take precedence.

#### Art. 18 Entry into force

The statutes adopted at the founding meeting of December 10, 2016 have been revised at the general meeting of 21.9.2020. The present version shall enter into force on 21.9.2020.

Vaduz, 21.9.2020

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Signed Walter Kranz, President

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Signed Claudia Fritsche, Vice President



**Überschrift 1**

**Überschrift 2**

**Überschrift 3**

Text

**Calibri Fett, 16**

**Calibri Fett, 14**

***Calibri Fett, kursiv, 12***

Calibri 12