

Pursuant to Articles 12 and 49 of the Law on Non - Governmental Organizations (Official Gazette of Montenegro no. 39/11), Assembly of the NGO Association Spectra held on 18.3.2019. has adopted

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

## **General provisions**

### **Article 1**

The Association Spectra is a non-governmental association.

### **Article 2**

The full name of the Association is the Association Spectra.

The abbreviated name in Montenegrin is: Spektra.

Full name in English is: Association Spectra.

The abbreviated name in English is: Spectra.

### **Article 3**

The seat of the Association Spectra is in Podgorica.

### **Article 4**

The work of the S Association Spectra is public.

The publicity of the work is realized through press releases, publishing the annual financial report and other data of importance for the work of the Association on the website of the non-governmental organization.

In order to make the work public, the Association may publish its newsletter in accordance with the regulations on public information.

The public may be excluded from the sessions of the bodies of the Association by the decision of that body in order to keep business secrets or personal data of the members of the Association or third parties.

### **Article 5**

The association is established for an indefinite period of time.

## **AIMS AND ACTIVITIES**

### **Article 6**

The goals of the Association are:

- Achieving full gender equality, which includes equal opportunities and respect for the human rights of all citizens, regardless of gender identity, gender expression and / or physical / sex characteristics
- A Montenegrin movement of trans, intersex, gender-variant and queer (TIGVQ) persons has been established, which will actively and permanently fight for the protection of their human rights;
- Full visibility of TIGVQ persons in Montenegro, and their presence in public action;

- Full participation of TIGVQ persons in decision-making processes and policy making concerning human rights of TIGVQ persons;
- Achieving full legal and social equality of TIGVQ persons in Montenegro;
- Adequate, accessible and free health care, as well as improving the physical and mental health of TIGVQ people
- Economic empowerment of TIGVQ persons;
- Full acceptance of TIGVQ persons by the general population in Montenegro and combating discrimination on the basis of gender and gender identities, sex and physical characteristics and gender expression, sexuality, skin color, ethnic, religious or national affiliation, class, mental / physical abilities, work or educational status and other characteristics;
- Sensitization of the public on TIGVQ topics, trans-feminism, gender, gender expression, sex characteristics;
- Developed community of trans, intersex, gender variant and queer people in Montenegro;
- Contribution to the development of the TIGVQ regional and international community as well as LGBQ people;
- Developed solidarity within TIGVQ, as well as the LGBTIQ community and the women's / feminist movement;
- Developed solidarity between human rights associations;
- Continuous development of art and culture aimed at questioning gender, sex and gender norms;

**The Spectrum Association achieves its program goals through its overall activities in public life.**

**The activities of the Association are:**

- Public advocacy and protection of the human rights of TIGVQ persons at local, national, European and international levels;
- Organizing, supporting and participating in the organization of public gatherings of TIGVQ persons, with a view to increasing the visibility of TIGVQ persons and advocating for the protection of human rights of TIGVQ persons;
- Sensitizing the public to promote interests and improve the position and quality of life of TIGVQ persons;
- Promoting feminist principles;
- Cooperation and provision of expertise, organization of seminars, trainings and consultations with the media and journalists;
- Collaboration with the public and the media
- Encouraging the self-organization of young TIGVQ persons to exercise their rights;

- Activities aimed at promoting, improving and protecting the rights of young people;
- Activities aimed at advancing the rule of law and human rights;
- Activities aimed at preventing and solving the problem of hate crimes and speech;
- Activities aimed at promoting and achieving gender equality;
- Activities aimed at preventing and solving the problem of domestic violence;
- Activities aimed at preventing and solving the problem of sexual violence;
- Activities aimed at preventing and resolving the problem of violence in relationships, ie partnerships;
- Providing free legal aid, psychosocial support and peer counseling to TIGVQ people;
- Activities aimed at improving the health services and mental / physical health of TIGVQ persons;
- Promoting healthy lifestyles;
- Activities aimed at preventing and solving the problem of the use of tobacco products;
- Promoting and protecting the human rights of people living with HIV / AIDS;
- Prevention of HIV / AIDS and other sexually transmitted infections;
- Activities aimed at reducing harm to TIGVQ drug users;
- Organizing workshops, courses, lectures, seminars, forums, congresses and other activities that are in line with the goals of the Association;
- Collaboration with educational institutions;
- Informal education;
- Activities aimed at preventing and solving the problem of peer violence;
- Activities aimed at the economic empowerment of TIGVQ persons;
- Activities aimed at social entrepreneurship and encouraging social entrepreneurship;
- Activities aimed at promoting and advancing workers' rights, equality in the workplace and combating discrimination against TIGVQ persons in the workplace;
- Activities aimed at encouraging trade union associations as a way of fighting for the realization of workers' rights and activities aimed at cooperation with trade unions and organizations in order to improve the rights of workers;
- Activities aimed at preventing and solving the problem of mobbing;
- Activities aimed at cooperation with employers and employers' associations with the aim of promoting and ensuring equality in the workplace;
- Activities aimed at preventing and solving the problem of homelessness;

- Organizing and conducting research into the views of TIGVQ persons, the general public and / or certain social groups, with respect to human rights issues of TIGVQ persons, and other topics;
- Organizing cultural and artistic events;
- Developing and encouraging volunteerism;
- Encouraging critical public debate on gender and gender diversity and related topics, and shaping affirmative views on the TIGV population;
- Promotion of ecology, ecological culture, maintenance of a healthy environment, waste recycling and responsible treatment of the environment;
- Collaboration with national and international organizations, associations, networks, individuals and individuals dealing with the same and similar issues in order to strengthen the national, regional and international TIGV movement;
- Monitoring and proposing legal and medical practices and solutions based on human rights principles, concerning transgender, intersex, gender variant and queer persons;
- Carrying out education and publishing activities on gender and gender diversity and related topics, and on the protection and promotion of human rights of transgender, inter-sex and gender-variant persons;
- Creation and maintenance of the Association's websites;
- Creation and maintenance of the TIGVQ internet portal on topics and politics, culture and other content.

In achieving its goals, the Association will not engage in election campaigning, raise funds for candidates or fund political parties, nor will it advocate for any political party through its activities.

The Association can work on sensitizing the membership and leadership of political parties in relation to the human rights issues of TIGV persons.

### **Article 7**

The Association Spectra has its own stamp and seal, which are made in Latin script.

The Association Spectra seal is round and contains the name in Montenegrin and English.

The Association Spectra stamp is rectangular in shape and contains the name in Montenegrin language, the effective number and the date.

The Association Spectra has its own sign, which is determined by a special decision of the Board of Directors.

The use of the Association Spectra sign is determined by the Chairman of the Board.

## **INTERNAL ORGANIZATION**

## **Article 8**

The bodies of the Association are the Assembly, the Steering committee and the person authorized to represent.

## **ASSEMBLY**

### **Article 9**

The Assembly is the highest governing body of the Association.

### **Article 10**

The Assembly consists of all members of the organization.

### **Article 11**

The powers of the Assembly are as follows:

- sets program goals;
- elects and dismisses the President of the Association;
- elects and dismisses the Steering committee on the proposal of the President of the Association;
- elects and dismisses the person authorized to represent;
- adopts the annual report on the work of the Steering committee;
- decide on the seat and address of the Association;
- decides on amendments to the Statute and the adoption of a new Statute;
- adopts rules of procedure for its work;
- decides on termination of the Association;
- decides on other issues for which the statute does not determine the competence of other bodies of the Association.

## **CONVENING OF THE ASSEMBLY**

### **Article 12**

The Assembly can be regular or extraordinary.

The Assembly is convened regularly once a year.

An extraordinary session of the Assembly may be scheduled at the initiative of at least one third membership no later than 30 days from the date of application for its convening.

The assembly session is convened by written notice of the place and time of the meeting assembly and the proposed agenda. The session shall be chaired by the person who shall be public by vote, elected at the beginning of the session.

## **QUORUM FOR WORK AND DECISION MAKING**

### **Article 13**

The Assembly may sit and decide if 50 percent plus one (more than half) is present (majority) of the members of the Association.

The Assembly may sit and decide if members of the Association who are present attend it are authorized representatives of over 50 percent of the total number of members.

### **Article 14**

If the Assembly could not be held due to lack of quorum, it is reconvened within the deadline of seven days, with the same agenda.

### **Article 15**

The Assembly decides on the adoption of the Statute and its amendments by a two-thirds majority of the members or members of the Association present or authorized.

The initiative to initiate the process of amending the Statute can be initiated by anyone member of the Assembly as well as the person authorized to represent.

### **Article 16**

The Assembly shall decide on other matters within its scope by a majority vote of those present members of the Association.

## **DECISION MAKING**

### **Article 17**

The Assembly decides by public vote. Public voting is by show of hands or by declaring by roll call of members.

### **Article 18**

The Assembly decides by secret ballot on certain issues, when it requires the least 50 percent plus one member of the Association.

Secret ballot is conducted through ballots.

### **Article 19**

An absent member may also vote in writing.

The letter by which the absent member votes on the issues on the agenda is valid and shall be considered if it reaches the Assembly until its holding.

The chairperson is obliged to inform the members who are present how absent member has voted.

## **EXCLUSION OF VOTING RIGHTS**

## **Article 20**

A member of the Assembly may not vote when deciding on issues:

- relief from certain obligations and responsibilities of that member;
- on determining the requirements he / she has in relation to that member;
- the initiation and withdrawal of a dispute against that member;
- in other cases where the member has an interest against the interests of the Association

When the interest of the member referred to in paragraph 4 of this Article is contrary to the interest of the Association, the Assembly shall appreciate in each particular case.

The exclusion of the voting rights of the members relates only to the issue which led to the exclusion.

## **RECORD ON THE WORK OF THE ASSEMBLY**

### **Article 21**

Records of the work of the Assembly are kept at each session of the Assembly.

The record shall include basic data on the work of the Assembly, and in particular:

- place, day and time of the event;
- daily agenda;
- the names of the members present;
- personal name of the chairman;
- personal name of the scorer;
- the course of work, and in particular the issues under discussion, the names of the persons who participated in the discussion and the summary of their content;
- the result of voting on particular items on the agenda;
- statement of the chairman on decision making;
- dissenting opinion of members;
- end time.

### **Article 22**

Each decision of the Assembly shall be recorded in the records.

Evidence of convening the Assembly shall be attached to the records.

### **Article 23**

The records shall be signed by the Chairman of the Assembly and the scorer.

If the records consist of more than one page, the chairman and the scorer shall put a shortened signature on each page of the records.

#### **Article 24**

Members of the Assembly have the right to review the records after they have been drawn up and signed by the Chairman and the scorer.

The records of the Assembly's work are kept in the archives of the Association as a document of lasting value.

### **MANAGEMENT BOARD**

#### **Article 25**

The Steering committee is one of the governing bodies of the Association.

The Steering committee is responsible for its work to the Assembly of the Association.

The Steering committee may, if necessary, form committees and other working bodies whose members may not be its members.

#### **Article 26**

The meetings of the Steering committee are chaired by the President of the Association.

The composition and number of members of the Management Board are determined by the Assembly.

The Steering committee adopts the Rules of Procedure.

#### **Article 27**

Steering committee:

- implements program goals;
- adopts and implements annual work programs and plans;
- forms special bodies in order to support the planned programs;
- decides on publishing and other economic activities;
- adopts the annual financial plan;
- manages assets;
- decides on conducting accounting activities;
- decides on the engagement of external audit;
- determines the systematization of jobs;
- submits an annual report on its work to the Assembly;
- decides on the amount of the annual membership fee;
- adopts general legal acts;

- adopts its Rules of Procedure;
- decides on the termination of membership of a member of the Association
- decides on other issues for which it is competent under the Statute of the Association.

The Board of Directors has from 5 (five) to 9 (nine) members, including the President of the Steering committee.

The mandate of the members of the Management Board lasts 4 (four) years with the right to renew the mandate.

The Steering committee is convened as needed.

The Chairman of the Management Board convenes and chairs the meeting of the Management Board.

## **EXECUTIVE DIRECTOR OF THE ASSOCIATION**

### **PERSON AUTHORIZED TO REPRESENT**

#### **Article 28**

The person authorized for representation is elected by a decision of the Assembly of the Association for a term of 4 (four) years.

The person authorized to represent is the executive director of the Association.

The decision on appointment determines the date of assuming the position of director of the Association.

## **AUTHORIZATIONS OF THE PERSON AUTHORIZED**

#### **Article 29**

Person authorized to represent:

- concludes contracts and undertakes other legal actions on behalf of the Association;
- is responsible for the legality of the work;
- manages the affairs of the Association in accordance with the decisions of the Assembly;
- submit to the Assembly the proposal of the annual financial report;
- performs other tasks in accordance with the law, statute and other acts of the Association.

## **RESPONSIBILITY OF THE PERSON AUTHORIZED TO REPRESENT**

#### **Article 30**

The person authorized to represent is responsible for his/her work to the Assembly and periodically submits reports on its work.

For each session of the Assembly of the Association, the person authorized to represent is obliged to submit a report on his/her work for the period between the two sessions.

## **DISSOLUTION OF A REPRESENTATIVE**

### **Article 31**

An authorized representative may be removed from office in the following cases:

1. If there are losses in the operations of the Association;
2. If by his/her negligent or unprofessional work or exceeding of his/her authority he/she causes damage to the Association, or if as a result of which damage could have occurred;
3. Due to his/her inability to organize and manage the tasks entrusted to him/her.

### **Article 32**

The Assembly of the Association decides on the dismissal of the person authorized to represent.

The decision of the Assembly of the Association on the dismissal of the person authorized to represent is final.

## **MANAGEMENT**

### **Executive Director of the Association**

### **Article 33**

The Executive Director of the Association is responsible for managing the management of the Association.

The term of office of the Director of the Association is 4 (four) years, with the right to renew the term of office;

The Director of the Association performs the following tasks:

- represents the Association before the competent state institutions;
- performs payment operations;
- takes care of the orderly administrative and technical functioning of the Association for the protection and promotion of trans, intersex and gender variant persons - Spectra and performs all necessary tasks;
- oversees the achievement of programmatic, financial and administrative goals;
- develops and applies the organization's policies and procedures;
- writes and implements projects;
- monitoring the fulfillment of contractual obligations;
- selection of management, planning and implementation of personnel policy;
- managing management and other staff;
- signing contracts with donors and partners;
- job vacancies and recruitment;

- assessing the needs of employees for additional training, planning and organization of training;
- improving the system and procedures for evaluating and motivating employees;
- collection and analysis of data related to personnel issues and drafting appropriate proposals;
- identifying work problems that adversely affect the work atmosphere and employee productivity;
- Communication with program managers / bodies in order to find effective solutions to existing problems in the field of interpersonal relationships;
- organizing the adjustment of new members;
- keeping records of the admission of new members, promotions, transfers, performance reviews and dismissals;
- implementing a stimulation system.

The Director of the Association is responsible for managing the individual programs of the Association Spectra.

### **Financial manager**

#### **Article 35**

The financial manager performs the following tasks:

- developing an accurate and precise financial management system;
- developing an accurate and precise archiving system for financial affairs;
- developing financial policies and procedures;
- developing all forms of payment, contracts and other documents for the organization;
- developing a precise, accurate and understandable accounting system;
- project planning and budgeting;
- organizing and writing financial reports;
- maintaining regular financial transactions in the organization according to the approved financial system in accordance with the relevant documents;
- organizing and maintaining written correspondence related to financial matters in the organization;
- filling out all required forms and making payments to the organization;
- developing and maintaining electronic and printed documentation and a database of all financial transactions;
- providing technical assistance in the field of finance to executive staff when needed and upon request;

- keeping records of all financial transactions and donations received by the organization in accordance with the procedures, regulations and documentation requested by the donor;
- providing information on quotas for equipment and furniture and various office supplies through precise cost accounting;
- Providing budgets and cash advance requests within specified timeframes.

## **EMPLOYEES (STAFF)**

### **Article 36**

Employees will be employed in accordance with the Law, according to the Act on job systematization issued by the Assembly of the Association.

## **LINKAGE**

### **Article 37**

The Association can join alliances or other relevant associations in the country and abroad.

## **FINANCING**

### **Article 38**

The Association acquires property from membership fees, voluntary contributions, gifts, donations, bequests, interest on deposits, dividends, rents, income from economic activities and in other ways that are not contrary to the law.

## **PERFORMANCE OF ECONOMIC ACTIVITIES**

### **Article 39**

The Association Spectra performs the following economic activities as needed:

- 22110 publishing of books, brochures, music books and other publications;
- 22120 newspaper publishing;
- 22130 publication of journals and similar periodicals;
- 22140 sound recordings;
- 22150 other publishing;
- 74130 market research and public opinion polls;
- 74140 consulting and management jobs;
- 74402 other advertising and propaganda services.

The predominant economic activity is: 22110 publishing of books, brochures, music books and other publications.

## **MEMBERSHIP IN THE ORGANIZATION**

### **Article 40**

All legal and natural persons can be members of the Association, if they accept the goals and activities defined by the Statute of the Association, based on the recommendation of the member.

Membership in the Association is voluntary and under equal conditions.

Any person over 18 years of age can become a member of the Association.

He / she becomes a member of the Association by decision of the Steering Committee and entry in the Membership Register.

Membership can be active or supportive.

Active membership consists of natural persons who regularly participate in the work of the Association, are enrolled in the Register of Members of the Association, regularly attend the Assembly and other regular meetings of the Association to which membership is invited and in other ways contribute to the achievement of Association's goals.

Supporting membership consists of natural persons who support the work of the Association and are registered in the Register of Supporting Members of the Association.

The status of an active member is lost if he or she is absent twice from the regular session of the Assembly of the Association, after which that person becomes a supportive member.

The Register of the Association is kept by the Steering Committee. The application for membership may be rejected by the Steering Committee.

## **TERMINATION OF MEMBERSHIP**

### **Article 41**

Membership in the association is terminated by a written statement of resignation, death or expulsion, provided that the reasons for expulsion must be based on the Statute and evaluation of the work of the member who is expelled.

The decision on exclusion is made by the Steering Committee.

The member has the right to appeal against the decision on expulsion to the Assembly within 15 days.

The final decision on exclusion is taken by the Assembly.

## **RIGHTS AND OBLIGATIONS OF MEMBERS**

### **Article 42**

The member has the right to:

1) participates on an equal footing with other members in achieving the goals of the Association;

2) directly participates in decision-making at the Assembly, as well as through the bodies of the Association;

3) elects and is elected to the bodies of the Association;

4) be timely and fully informed about the work and activities of the Association.

The member is obliged to:

1) actively contribute to the achievement of the goals of the Association;

2) participate, in accordance with the interest, in the activities of the Association;

3) perform other tasks entrusted to him/her by the Assembly of the Association.

## **TRANSITIONAL AND FINAL PROVISIONS**

### **Article 43**

One third of the members of the Assembly may initiate the procedure for terminating the work of the Association.

The Assembly shall decide on the termination of the Association by a two-thirds majority.

### **Article 44**

In the event of termination of the Association, the decision on the disposal of property shall be made by the Assembly by a two-thirds majority of all members.

### **Article 45**

The provisions of the Law on Non-Governmental Organizations will be directly applied to all issues that are not regulated by this statute.

In Podgorica,

Date, March 18, 2019

President of the Assembly

Marija Jovanović