

Statutes

Forensis e.V.

(Version dated December 27th, 2021)

§ 1 Name, Seat, Entry, Financial year

The association bears the name Forensis e.V. The association's headquarters are in Berlin, Federal Republic of Germany. The association entered the register of associations at the Berlin-Charlottenburg district court on 2 February 2021. The financial year is the calendar year.

§ 2 Purpose of the association / Charitable Status

(1) The Association shall exclusively and directly pursue charitable purposes within the meaning of the section "Tax-privileged purposes" of the German Tax Code (§§ 51ff).

(2) The purpose of the Association is:

The *promotion of science and research* (§ 52 para. 2 no. 1 AO).

This statutory purpose is realised in particular through the interdisciplinary development of new technologies and methods at the intersection of architecture, art, science, software, filmmaking and law for the investigation and documentation of violations of human rights, environmental rights, civil rights and political rights. The developed know-how, techniques and software will be made available to educational and cultural institutions, human rights organisations and the general public. The evaluation and reflection of the developed technologies will also take place through participation in or the establishment of forums.

The *education about human rights and international law* (education, § 52 para. 2 no. 7 AO).

This statutory purpose shall be realised in particular through the presentation of information on human rights and evidence of human rights violations, among other things, in human rights forums, exhibitions, media and events. In collaboration with educational institutions, cultural institutions, associations and schools, projects shall be developed and carried out to inform about human rights, their endangerment and violation.

The promotion of international law and human rights, in particular aid for those persecuted on political, racial and religious grounds, for refugees and displaced persons, war victims, war survivors, war-disabled persons and prisoners of war as well as aid for victims of criminal offences, and the promotion of the memory of persecuted persons and war victims. (§ 52 section 2 no. 10 AO)

This purpose of the statutes is realised in particular by supporting persons and groups of persons who are affected by human rights violations. The support is provided in particular by making available evidence of the human rights violations.

(3) In addition, the Association may provide non-material and financial support to other tax-privileged corporations and/or associations, legal entities under public law and also foreign corporations that pursue purposes according to paragraph 2.

(4) The Association shall act selflessly; it shall not primarily pursue its own economic purposes. The Association's funds may only be used for purposes in accordance with the Statutes. The members of the association shall not receive any benefits from the association's funds. The association may not favour any person by expenses that are alien to the purpose of the association or by disproportionately high remuneration.

§ 3 Membership and Contributions

(1) The association has the following members:

- young members (up to the age of 18)
- ordinary members
- Supporting members
- honorary members

Only ordinary members have the right to vote and can be elected to association offices. Young members become full members when they turn 18.

(2) Ordinary members of the association can be all natural or legal persons who support the association in reaching its aims.

(3) An application for membership must be sent in writing to the Council, which will submit it to the general assembly for a decision.

(4) The members pay contributions according to a resolution of the general assembly meeting. To determine the amount and due date of the contribution, a simple majority of the members of the association who are entitled to vote is required to be present at the general meeting. The general assembly can adopt a membership fee regulation that regulates the type, scope and due date of the membership fees, whereby the minimum fee is 50€ per year and is to be paid by January 30th of each year at the latest.

(5) Membership ends upon resignation, exclusion, dissolution of the legal person or the death of the natural person.

(6) The resignation of a member is possible by December 31 of the current calendar year. It takes place by means of a written declaration to the chairperson with a period of 1 year.

(7) If a member has grossly violated the goals and interests of the association or remains in arrears with the contribution for 3 months despite a reminder, it can be excluded by the Council with immediate effect. The member must be given the opportunity to comment before the resolution is passed. The decision to exclude can be appealed against within a period of 14 days after notification of the exclusion, on which the next general meeting will decide.

(8) The Council is entitled to appoint an honorary president and honorary members in agreement with the Advisory Board. These are not obliged to pay contributions.

§ 4 Organs of the Association

Organs of the association are:

- a) the General Assembly
- b) the Council
- c) the Advisory Board
- d) the Secretary General

§ 5 General Assembly

(1) The ordinary general assembly is to be convened once a year by the chairperson, or by their deputy if he/she is unable to do so, and should take place within the first three months of the financial year.

(2) An extraordinary general meeting can be called by the Council at any time. If the majority of the Advisory Board or 1/3 of the members - stating sufficient reasons to the General Secretary and the Council - requests an extraordinary general meeting, the Council must convene this.

(3) The general meeting is called in writing by the Council with an invitation period of at least 14 days and the agenda is announced at the same time. The period begins on the day following the sending of the invitation letter. The letter of invitation is deemed to have been received by the member if it was sent to the last address given in writing by the member of the association. The convocation can also be made by email, provided that the respective member has given their consent in writing by providing an email address.

(4) Each member can be represented by another member on the basis of a written power of attorney.

(5) Resolutions can also be made in writing. For this purpose, the draft resolution is submitted to all members by post or email with a period of 2 weeks for voting. Votes that are not received by the association on time are considered abstentions.

(6) As far as the law to mitigate the consequences of the COVID-19 pandemic in civil, insolvency and criminal procedure law (Corona mitigation law) equates the online general meeting with the face-to-face meeting, this also applies here.

(7) The general assembly as the highest decision-making body of the association, it is fundamentally responsible for all tasks, unless special tasks according to these statutes have been transferred to another organ of the association. The annual accounts and the annual report are to be submitted in writing for the resolution on the approval and discharge of the Council.

In addition, the general assembly has the following tasks:

- a. Amendment of the statutes
- b. Elections to the Advisory Board
- c. Council elections
- d. Elections of the auditors
- e. Dissolution of the association

(8) A majority of the votes of the members is required for the resolution to change the statutes of the association. If the voting results in a majority of the votes cast, the Council is authorised to bring about a new resolution in a second General Assembly meeting. A majority of the votes cast is then sufficient for a proper resolution on the amendment of the articles of association. The invitation to the second general assembly must contain the information that the proposal to amend the statutes can now be passed with a majority of the votes cast. In addition, the general assembly takes its decisions by simple majority, unless the statutes stipulate otherwise.

(9) Every General Assembly meeting called in accordance with the statutes has a quorum - regardless of the number of members present.

(10) Minutes on the resolutions taken at the General Assembly meeting are to be taken and signed by the chairperson and secretary.

§6 The Council

(1) The Council within the meaning of § 26 BGB consists of three to five members, including the chairperson, a chair deputy and the treasurer. Two Council members are authorised to act jointly (in and out of court), whereby one of the signing Council members must be the chairperson or the deputy.

(2) The Council is elected by the general assembly for a period of 3 years. The elections will take place at the first General Assembly meeting of the new financial year.

(3) A re-election of the Council members is possible.

(4) The Council remains in office until a new Council is elected.

(5) The Council meets at least once a year, and otherwise as often as is necessary to pass resolutions on matters presented by the general assembly or the general secretary or submitted by written application by at least three members of the association.

(6) Changes to the articles of association that are required by supervisory, judicial or financial supervisory authorities for formal reasons can be made by the Council. All members must be informed immediately in writing of these amendments to the statutes.

(7) If an elected member leaves the Council during the three years of term, the Council is supplemented by a member to be determined by the Advisory Board. This member must be confirmed at the next General Assembly meeting. In addition, the Council has a quorum if two members are present.

(8) The Council can also determine its own rules of procedure, whereby the chairperson of the Council regularly convenes Council meetings.

(9) The Council should seek advice from the Advisory Board on important issues.

(10) The resolutions passed by the Council must be recorded in writing, signed by the Council and sent to the General Secretary for forwarding to the individual members.

(11) The Council works free of charge (Section 27 (3) sentence 2 BGB).

§ 7 General Secretary

(1) The General Secretary manages the association and its office set-up at the headquarters of the association as managing director. He / she is elected by the General Assembly. The general secretary represents the association for the day-to-day administration as a special representative within the meaning of § 30 BGB. The General Secretary is responsible for the proper fulfilment of the rights and obligations arising from the law, the articles of association and the service contract. The general secretary attends and participates in the meetings of all organs in an advisory capacity.

(2) The General Secretary reports once a year to the Council and the General Assembly. The General Secretary must provide an overview of the activities of the association and any changes to the strategic planning.

(3) Regarding the dismissal of the General Secretary, the General Assembly decides on this in response to a written proposal to be sent to all members. The decision of dismissal will be taken at the General Assembly where at least three quarters of the members present and with a majority of two thirds of the votes of those who are present. The Council is then entitled to immediately appoint a new General Secretary who is confirmed by a majority of two thirds of the voting members present at a General Assembly meeting, which is to be called immediately and in which at least three quarters of all members are represented.

§ 8 The Advisory Board

(1) The Advisory Board is elected by the General Assembly on the proposal of the Council. It consists of a maximum of twenty members and is elected for a period of three years.

(2) The Advisory Board is given the task of advising and supporting the Council and the General Secretary in carrying out their respective tasks. The Advisory Board must be convened at least once a year. The powers of the Council according to § 26 BGB remain unaffected.

(3) The Advisory Board has the right to honorary members as advisory members, and the duty to include the Council and the General Secretary (without voting rights) in its deliberations.

§ 9 Dissolution of the Association

The resolution on the dissolution of the association can only be made at the request of the Council in a General Assembly meeting specially called for this purpose, in which at least three quarters of all members are represented, and only with a majority of two thirds of the voting members present. This must be specifically pointed out in the invitation to the members' meeting. If the general meeting does not have a quorum, a second general meeting must take place within six weeks, which has a quorum regardless of the number of members represented; This must be expressly stated in the invitation to this general meeting. In this meeting, too, a three-quarters majority of the members entitled to vote is required for the effective dissolution of the association. If the association is dissolved or if tax-privileged purposes cease to exist, its assets go to the European Center for Constitutional and Human Rights e.V. (ECCHR), which has to use them directly and exclusively for charitable, charitable or church purposes.