



**EST. 20<sup>TH</sup> FEB 2017**

# **THE CONSTITUTION OF THE DEMOCRACY WATCH GAMBIA (DWG)**

## **ARTICLES**

1. Preamble
2. Effect of 'the Constitution'
3. Name, Nature, Motto and Logo of Organisation
4. Mission Statement
5. Vision Statement
6. Aims and Objectives
7. Organisation Structure
8. Membership
9. Meetings
10. Membership Contributions
11. Financial matters
12. Obligations
13. Non - Compliance
14. Amendments & Enactments
15. Dissolution
16. Miscellaneous information

### **1. Preamble**

This document shall be referred to as 'the Constitution'; any reference to 'Document' in this shall be construed to be 'the Constitution'. It contains within it, sets of principles, rules and instructions within which those subjected to it shall operate.

### **2. Effect of 'the Constitution'**

'The Constitution' shall be supreme and shall always take precedence over any other provisions akin to but not an embodiment of it. This 'Document' is binding on all members.

### **3. Name, Nature, Logo and motto of Organisation**

#### **3.1 Name**

The Organisation shall be called 'Democracy Watch Gambia' or in short 'DWG'. Any reference to 'the Organisation' in this document shall be construed to be the DWG.

### **3.2 Nature**

The DWG is a civil society organisation which is secular and non-partisan in nature but intrinsically political.

### **3.3 Logo**

The logo of the DWG shall be the letters 'DWG' vertically stacked over each other with the words 'Democracy Watch Gambia' to the right stacked accordingly next to the aforementioned letters ('DWG') in the colours red, blue and green over a white background as represented above.

### **3.4 Motto**

The DWG motto shall be:

## **4. Mission Statement**

"To inspire informed political participation, good governance, rule of law and democracy in the Gambia."

## **5. Vision Statement**

"We envision a Gambia with a fully politically informed citizenry and one which is totally free of executive excesses and despotic tendencies."

## **6. Aims and Objectives**

The DWG exists to promote, preserve and strengthen the rule of Law democracy and democratic virtues in The Gambia.

## **7. Organisation Structure**

The Organisation shall consist two main permanent focus groups which shall be referred to as 'the Political Affairs' and 'Constitutional Affairs' respectively and essential support portfolios namely: 'Finance' and 'Liaison / Public relations.' There shall also be a 'General Membership'.

### **7.1 Political Affairs Focus Group**

This shall consist of members whose responsibilities shall be:

- a. To address, deal with and come up with ideas and proposals relating to governance issues with respect to the Gambia government which are political in nature but not deemed to be of a legal and /or Constitutional nature.
- b. To initiate, propose and formulate ideas, schemes and programmes for civic education and enlightenment purposes.

### **7.2 Constitutional Affairs Focus Group**

This shall consist of members whose responsibilities shall be:

- a. To address, deal with and come up with ideas and proposals relating to governance issues with respect to the Gambia government which are deemed to be of a legal and /or Constitutional nature.
- b. To initiate, propose and formulate ideas for legal and Constitutional reform.

### **7.3 Advocacy Focus Group**

This group shall be headed by the Liaison / Public Relations Officer and their primary role shall be to engage in and sustain campaigns geared towards giving effect to the mission and vision of the DWG in all matters pertaining to the achievement of such.

## **7.4 Finance**

Finance shall consist of 'Internal Finance Controller' and 'External Finance Controller'.

- a. Finance shall be charged with the responsibility of initiating and proposing innovative ideas, schemes and programmes for revenue generation purposes.
- b. Internal Finance Controller shall be responsible for the management of all finances internally generated by 'the Organisation'.
- c. External Finance Controller shall be responsible for the management of all finances externally generated by 'the Organisation'.

## **7.5 Liaison / Public relations (PR)**

- a. Liaison / Public relations shall be the press officer of 'the Organisation' and shall be responsible for handling all 'PR' matters on general issues [but not specific issues already delegated under another portfolio under this Constitution].
- b. He / she shall be the default recipient of operational [but not incidental] correspondences; and all outgoing operational [but not incidental] correspondences shall be disseminated through him / her.

## **7.6 The General Membership**

The General Membership shall consist of all other members who do not fall or are not assigned under any other category or portfolio already stated.

# **8. Membership**

## **8.1 Executive Membership**

Executive Membership shall be construed to encompass those in Articles 7.1 to 7.4.

- a. Any existing member can apply for executive membership if the following criteria are fulfilled:
  - i. They must be up to date with membership contributions.
  - ii. They must be persons of good character.
  - iii. Application for Executive membership shall be subject to the approval of the existing Executive members.
- b. Unless there is a plausible reason not to, Meetings shall be compulsory for all Executive members.
- c. Executive Members shall have security of tenure; subject to compliance with this Constitution, Executive membership status shall not lapse unless one voluntarily excuses or relieves themselves from such with prior written notice.

## **8.2 General Membership**

- A. General Membership shall be construed to be all other non-Executive members.
- B. General Membership shall be open to all persons of capacity and of Gambian nationality or presumed entitlement to Gambian citizenship by birth, decent or otherwise.
- C. General Members shall attend Annual General Meeting (AGM) and Emergency meetings (EM); all others shall be optional.

## **9. Meetings**

### **9.1 Routine Meetings (RM)**

- a. Shall be held on a monthly basis minimum.
- b. Attendance shall be compulsory for all Executive members.

### **9.2 Annual General Meetings (AGM)**

- a. Shall be held annually (within twelve (12) months of the DWG coming into existence and within every twelve (12) months thereafter) at a date and under a format and mode fixed by the Executive.
- b. All members shall compulsorily attend AGMs.

### **9.3 Emergency Meetings (EM)**

- a. An EM can be convened at any time and within short notice subject to the dictates of circumstances.
- b. Discretion must be allowed with respect to Article 10.2(c).

## **10. Membership Contributions**

Membership contribution which is set at \$10 (to be strictly paid in US Dollars) is compulsory, non-refundable and payable in advance and monthly thereafter.

## **11. Financial Matters**

### **11.1 General Funds**

General funds shall be construed to be all internally generated funds of which monthly membership contributions are a part. These shall be managed by the Internal Finance Controller. Disbursements of general funds shall be strictly subject to Executive approval.

### **11.2 Other Funds**

Other funds shall be construed to be all externally generated funds of which donations are a part. Donations shall be accounted for separately; donations received for a particular purpose shall strictly not be used for no other reasons whatsoever other than those for which they were acquired. These funds shall be managed by the External Finance Controller. All disbursements of funds shall be strictly subject to Executive approval.

### **11.3 Use of funds**

- a. DWG funds shall only be used in pursuit of the Organisation's aims and objectives; Mission and Vision as per this Constitution subject to Executive approval. DWG funds shall not be used in any manner whatsoever to enable, facilitate, propagate or as part of any process or engagement (whether wholly or in part) which falls outside the strict letter and spirit of this Constitution. The use of DWG funds shall strictly be subject to Executive approval.
- b. No provision in Article 11 shall apply in retrospect without prior Executive approval.

### **11.4 Auditing**

All financial transactions and records in their entirety shall be made available for annual auditing prior to an AGM.

## **12.Obligations**

### **12.1 By-Laws**

The By-Laws are the rules and regulations of 'the Organisation' which shall be construed as such. They are binding on all members and all members subjected to it shall abide by them as prescribed as follows:

- A. Membership contributions are compulsory, non-refundable and shall be payable monthly and in advance. There shall be no entitlement to any benefit whether in cash, kind or otherwise by virtue of membership or payment of the aforementioned contributions.
- B. Members shall conduct themselves in a manner which does not bring the DWG into disrepute.
- C. Members shall be free to support, canvass for and align themselves with any political organisation whether party political or otherwise and make personal political views whether partisan or otherwise, however they shall not do or attempt to do so on behalf of or in their capacity as DWG members.
- D. Restrictions under Article 12.1(c) shall not apply to members officially making authorised representations on behalf of the DWG.

## **13.Non Compliance**

A breach of any Provision in this Constitution shall be addressed by the Executive accordingly as follows:

**13.1 Membership contribution:** Breaches with respect to the payment of membership contributions shall attract a 10% penalty of the owed sum. In the event such owed sum exceed three (3) months' worth of contributions, such shall at the discretion of the Executive lead to a conditional revocation of membership pending the settlement of arrears which will continue to accumulate even after conditional revocation. Membership will automatically lapse after twelve (12) months from the date of conditional revocation.

**13.2 Other Breaches:** All other breaches shall, at the discretion of the Executive attract a caution, conditional revocation of membership pending the fulfilment of a specified action, suspension or indefinite revocation of membership or expulsion. The obligation to pay membership contributions shall only be affected by a revocation of membership or expulsion.

## **14.Amendments & Enactments**

All amendment proposals shall be made by existing Members (grass-root or 12 months uninterrupted Membership) with untainted membership only and on condition that such does not confer a benefit to them at the expense of the DWG; amendment proposals shall be in writing and explicitly detailing the merit of or the mischief such is aimed at combating.

### **14.1 Entrenched Provisions**

- a. Entrenched provisions shall consist all provisions but for those under Article 12.
- b. Amendment proposals for any entrenched provision shall be voted on a one on one basis and shall not pass unless endorsed by a minimum of 80% of the voting members in attendance on condition that such consist of over 60% of the total membership.

#### **14.2 Other Amendments**

- a. Amendment proposals for any other provision under this provision shall be voted on a one on one basis and shall pass when endorsed by the simple majority of the voting members in attendance on condition that such consist of over 50% of the total membership.

#### **14.3 Enactment proposals**

- a. Enactments shall be construed as introduction of new Provisions whether By-Laws or otherwise.
- b. Enactment proposals shall be subject to the restrictions in Article 14 and the thresholds in Article 14.1(b).

### **15. Dissolution**

Following a motion for a dissolution which must be proposed and / or endorsed by over 50% of the general membership and over 50% of the Executive a vote shall be held. A motion for dissolution must be supported by no less than 90% of the total Membership. Following a binding dissolution vote, the proceeds, funds etc of the DWG shall be distributed among other Gambian civil society organisations whose objectives are akin to those of the DWG on condition that no conflict of interest with respect to any DWG members exists or will likely arise in the short to medium term by virtue of such donation. All members must declare any special interests with respect to the above prior to a dissolution process taking place.

### **16. Miscellaneous Information**

Constitution adopted this 6<sup>th</sup> day of the month of May in the year 2017.

#### **AMENDMENT REGISTER**

Amendment number:

Amendment proposed by:

Amendment Date:

Amendment adopted by (votes):

Amendment summary: