

Registered by
The Ministry of Justice
of the Republic of Moldova
158
April 2, 1993

Adopted by
the Constituent Assembly
of the "BIOTICA"
Ecological Society
Protocol # 1
January 15, 1993

Registration renewed by
The Ministry of Justice
of the Republic of Moldova
0565
June 03, 1998

Adopted by
the General Assembly
of the "BIOTICA"
Ecological Society
Protocol # 5
December 23, 1997

THE CHARTER
of the citizens' organisation
"BIOTICA
ECOLOGICAL SOCIETY"



Kishinev - 1997

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1. GENERAL PROVISIONS

- 1.1. BIOTICA Ecological Society of the Republic of Moldova (further BIOTICA) is created on the basis of the decision of the Constituent Assembly (Protocol # 1 from January 15, 1993) and acts in accordance with the law “On Citizens’ Associations” (adopted May 17, 1996) and present Charter.
- 1.2. BIOTICA is a national ecological organisation of citizens united as an organisation with the activity on the whole country’s territory. This activity aims to attain the harmony between the society and nature, preservation and restoration of natural environment, against actions and trends devastating the environment. BIOTICA serves as a non-profit organisation, acts for the benefit of the society of the Republic of Moldova as a whole, and does not support any political parties, electoral blocks and/or particular candidates running for political power. The distribution of profit to the benefit of founders and/or members of the association is forbidden.
- 1.3. The association is created for an unlimited period of time, acts in accordance with this Charter and holds the right to take independent decisions as far as they do not contradict this Charter and the current legislation.
- 1.4. The association’s logo is the globe with a stork flying to the north-east on the foreground. From below the globe is framed by two crossing tree branches; the title “BIOTICA” is located on the top.

2. PURPOSES AND OBJECTIVES

- 2.1. The main goals of BIOTICA are: organisational constitution of the environmental movement, development of the “third sector”, unification of the environmental experts’ efforts and involvement of the citizens of the Republic of Moldova into the process of social ecological problems’ resolving.
- 2.2. The objectives of BIOTICA are:
 - creation of the environmental vision of the world, distribution of the environmental information, increasing public awareness in the field of environment;
 - assisting citizens associations and state bodies in the activities with purpose of conservation and natural resource restoration and preservation of the environment;
 - organising the public ecological monitoring of the environmental situation, conformity of any environment-related actions to the existing legislation, organising independent ecological expertise and assessments of the impact on environment;
 - improvement of the legislative basis in NGO field and facilitating the development of the “third sector” in Moldova;
 - contribution to the ecological legislation, improving and bringing it to the European standards;
 - preservation of biodiversity;
 - popularisation of the “sustainable development” concept and assisting in its implementation in Moldova;
 - organisation and material supporting of environmental projects of public importance;
 - creating a financial and material basis necessary for pursuing the objectives stated above.

- 2.3. Pursuing those objectives, BIOTICA performs its activities, which may be concentrated in, but not limited by, the following spheres: social activity, production of goods, performing of service, scientific research, building construction, maintenance, trade, advertising, publishing, education, brokerage, marketing, economic activity on the international level and other activity connected with its goals, objectives and not forbidden by the legislation. All the income is directed to pursuing the goals stated in this Charter. The directions, forms and ways of BIOTICA's activity are defined in the internal documentation.

3. MEMBERS, THEIR RIGHTS AND RESPONSIBILITIES

- 3.1. BIOTICA consists of its members. The membership is open for citizens of the Republic of Moldova as well as for other persons, who admit the Charter and participate in environmental, ecological or conservation activity. The membership is open for the public associations and their unions, other non-profit organisations admitting this Charter and performing the activity appropriate to BIOTICA's goals and objectives.
- 3.2. The decision on admission of new members is executed under the application by the Board of BIOTICA, by the majority in 2/3 of the Board members presented; the appropriate document is issued.
- 3.3. The members hold the right to withdraw freely from BIOTICA under an application submitted to the Board.
- 3.4. If a member of BIOTICA discredits the association by his/her activity and/or does not comply with his/her responsibilities toward the association, his/her membership may be revoked by the decision of the simple majority (50%+1 vote) of the General Assembly.
- 3.5. A BIOTICA member has the right:
- to participate in activities of BIOTICA and management of its activities;
 - to perform public ecological monitoring of the environmental situation, conformity of any environment-related actions to the existing legislation;
 - to produce proposals on improvement of BIOTICA's activities and elimination of the faults in work of its bodies;
 - to receive BIOTICA's publications in the order of priority;
 - to use a logo and other symbols of BIOTICA during actions and events appropriate to BIOTICA's goals and objectives as well as in printed or other materials produced with the respect to the goals and objectives stated in this Charter.

A member holds the right to introduce candidatures, to elect and to be elected in elective bodies of BIOTICA.

- 3.6. A BIOTICA member has the obligation:
- to comply with this Charter and all other internal normative documents of BIOTICA, and the current legislation;
 - to perform his/her obligations towards BIOTICA, connected with his/her participation in its activity;
 - to participate actively in activities appropriate to the goals and objectives of BIOTICA.

The contribution of a fee constitutes an honour right but not an obligation of a member and is not limited by any frequency and/or amount limitations.

4. ORGANISATIONAL CONCEPTS AND MANAGING BODIES OF BIOTICA

- 4.1. BIOTICA builds its activity on the basis of self-organisation, public self-management and self-financing.
- 4.2. BIOTICA is independent in dealing with its internal matters, including determining its structure and supreme bodies, directions, forms and methods of its activity.
- 4.3. The supreme body of BIOTICA is the General Assembly of its members.
- 4.4. The General Assembly is convoked by the Board with respect to the decision of the previous General Assembly or by a demand of 1/3 of BIOTICA members, but not less than once a year.
- 4.5. General Assembly:
 - hears and approves the reports of the Board and the Auditing Commission and evaluates their work;
 - elects and dismisses the Chairman of the Board;
 - elects and dismisses members of the Board and the Auditing Commission;
 - creates special work groups dedicated to particular directions of activities;
 - discusses and approves program documents;
 - excludes members in accordance with this Charter;
 - approves or cancels decisions of the Board took during periods between General Assemblies;
 - amends and/or adds the present Charter upon proposals from the participants;
 - sets time and place where and when next General Assembly will be held;
 - considers any matters related to the BIOTICA's competency.

General Assembly's decisions are adopted by simple majority (50%+1 vote) of votes of the presented members. Decisions on work group creation, on organising environmental actions are of recommendatory nature for the BIOTICA members.

The General Assembly is competent if 2/3 of BIOTICA members are presented.
- 4.6. An elected body of BIOTICA is the Board. The Board is elected for a period of two years at the General Assembly.
- 4.7. The Board is convoked by the Chairman of the Board for resolving current problems or by demand of 1/3 of Board members, but not less than three times a year.
- 4.8. The Board:
 - acts on behalf of BIOTICA in a period between General Assemblies on mutual relations with other organisations;
 - organises and implements environmental actions and events in accordance with the current legislation;
 - establishes other public associations, participates in creating institutions, organisations and enterprises, which are needed for the support of BIOTICA's activities and achieving program goals;
 - organises special work groups dedicated to particular directions of activities;
 - forms other bodies of BIOTICA;
 - secures the preparation to General Assemblies;
 - organises international contacts on behalf of BIOTICA;

- approves the salaries of the staff;
- takes necessary actions aimed to keep a creative atmosphere within the association.

The decisions of the Board are adopted collectively and are in effect if approved by the simple majority of the elected Board members.

The decisions of a Board on the matters concerning relations of BIOTICA with other organisations, enterprises, institutions and/or individuals, on the organisation of environmental actions are of recommendatory nature for BIOTICA members.

The Board determines by its decision the expenditures of financial resources, received by BIOTICA to its account, approves and dismisses the chief accountant (according to a proposal from the Chairman of the Board). All Board members have equal rights and take responsibility for their actions towards Board members and the General Assembly.

- 4.9. The Chairman of the Board manages BIOTICA's resources. The Chairman of the Board is elected for a period of two years at the General Assembly.
- 4.10. The Chairman of the Board is accountable toward General Assembly only. He represents BIOTICA in the state authorities, signs contracts and agreements on behalf of the association, performs civil and legal transactions in the order set by the appropriate law, signs BIOTICA's financial documents and, along with the chief accountant, carries out common material and financial responsibility towards BIOTICA for proper execution of financial operations.
- 4.11. During his/her interactions and relations with BIOTICA's members, staff, and other individuals, the Chairman of the Board is obliged to create an atmosphere of respect, friendliness, benevolence and love, to improve the positive image of the Organisation.
- 4.12. A supervising body is the Auditing Commission. The Auditing Commission is elected for the period of two years at the General Assembly.
- 4.13. The Auditing Commission:
- is accountable towards the General Assembly only;
 - controls the fulfilment of the General Assembly's decisions;
 - audits financial transactions and money flow on BIOTICA's accounts;
 - verifies the compliance of the elected bodies to the present Charter and the conformity of performed economic and other activities to BIOTICA's goals and purposes;
 - reports the results of its audits and derived suggestions at the General Assemblies.
- The members of the Auditing Commission can not hold places in other BIOTICA's elected bodies.

5. BIOTICA'S LOCAL CHAPTERS

- 5.1. A BIOTICA's local chapter can be founded by any three or more BIOTICA's members who reside at the same location (village, township, city or any other administrative unit of the Republic of Moldova). According to their willing, the founders can register the chapter in public authorities as a local organisation with a status of juridical person and ensuing rights and obligations.
- 5.2. In the questions of internal self-organisation, the BIOTICA's local chapters respect the provisions of the present Charter.
- 5.3. BIOTICA's central bodies assist local chapters' activity and represent them in central bodies, if necessary.

5.4. The members of the local chapters are members of BIOTICA, enjoy the same rights and take the same responsibilities.

6. BIOTICA'S LEGAL STATUS AND PROPRIETY

6.1. BIOTICA is a juridical person; it has an independent balance, accounts in financial institutions, a round seal, stamps and letterheads, its own logo. The enterprises, organisations and institutions created by BIOTICA can be, in their turn, juridical persons, have an independent balance, accounts in financial institutions, a round seal, stamps and letterheads, which samples should be approved by the Board.

6.2. BIOTICA, represented by its elected body, in compliance with the current legislation and legal order, has the right:

- to be a plaintiff in court and arbitration court on cases about protection of rights and interests of organisations and individuals, if those rights were broken or violated as a result of an environmental legislation's violation;
- to be a plaintiff in court and arbitration court on cases about protection of natural objects and public interests in the field of nature conservation, about the restoration of their damage;
- to organise and perform public environmental monitoring, analysis and/or expertise of the projects, schemes, technologies and/or innovations, created by other organisations;
- to lobby legislative decisions on matters of environment and natural monuments protection and to participate - in legal order - in discussions and hearings at the government and authorities;
- to receive environmental information from executive power bodies, to accomplish information support, consultation, advertising, education, distribution of the scientific and technological developments related to the protection of the environment, to form environmental thinking among the individuals, to perform ecological education of the youth;
- to accomplish any financial, economic and material activity which is not forbidden by the current legislation, including: purchase, selling, exchange, gift making, delivery, loans, rent, building, construction, production, publication and distribution of any printed and other information materials, organisation of contests and competitions, directing of symposia, workshops, assemblies, conferences, exhibitions, organisation of auctions in the frame of goals stated by this Charter and in compliance with the present legislation;
- to establish enterprises, institutions and organisations necessary to ensure the achievement of BIOTICA's goals and objectives. These organisations can include public environmental inspections, public associations and non-profit foundations, information centres, scientific research and publishing institutions, radio- and TV studios, to be a cofounders of banks;
- to accomplish scientific research- and scientific-technological activity, including software development;
- to perform social, environmental, sociological, managerial, design, publishing projects, programs, technologies and inventions, as well as interdisciplinary projects of complex use of a territory with respect to natural conservation and restoration of its ecological functions;
- to implement results of these projects, programs, technologies and inventions;

- to perform scientific research and developing projects of constructive landscape design and land management, including models of district planning, technical economical substantiation of territorial development, landscape-recreation systems, territories under special protection, melioration, agroforest melioration, recultivation of damaged land, increasing soils fertility, restoration of water ecosystems, managing complex hunting sectors, traditional and auxiliary activities, land using;
 - to evaluate natural and economical damage the environment suffers as a result of anthropogenic activity;
 - to perform field studies, work and searching: soil, hydrological, hydrochemical, hydrobiological, forest management, geobotanical, floristic, landscape, geodesic, leveling;
 - to introduce land management projects;
 - to accomplish hydrochemical, ichthyological, ichthyopathological, hydrobiological service, and to issue recommendations to increase productivity of land surface waters, as well as other consultations to juridical and physical persons;
 - to accomplish agrochemical service and to issue recommendations to increase soils fertility, as well as other consultations to organisations, enterprises, institutions and individuals;
 - to organise laboratory and practical training, field studies, management and education games;
 - to assist groups and individuals conducting environmental and nature conservation activity of public interest;
 - to develop ecological tourism;
 - to organise international exchanges, education and training of the leaders of environmental NGOs;
 - to perform other kinds of work and service not contradicting to the Charter's norms and not forbidden by the legislation;
 - to conduct external economic activities in the frame of the current legislation.

6.3. BIOTICA does not take responsibility of the obligations of its members and its substructures having independent balance and being juridical persons themselves.

BIOTICA's members and its substructures having independent balance and being juridical persons themselves do not take responsibility of BIOTICA's obligations.

6.4. BIOTICA's recourses are formed by:

- financial resources, material values and intellectual property received from other juridical and physical persons, international organisations, free of charge in a form of sponsorship, grants, gift and will;
- income from events held for the benefit of BIOTICA;
- income received from activities of BIOTICA, its enterprises, bodies and institutions;
- interests on bank accounts;
- other kinds of income received in a compliance with the current legislation.

6.5. The resources of BIOTICA, its bodies and other structures are spent exclusively to pursuing objectives stated in this Charter, administrative, managerial, economic, material, social needs of BIOTICA, and salaries of the employees.

6.6. BIOTICA's financial report is elaborating after the end of year and consist of:

- short description of BIOTICA's activity during reported period;
- rest of finances at the beginning of reported period;
- total income from each financial resource, mentioned in p. 6.4 of present Charter;

- expenses for each realised direction of activity, including personnel costs, deductions, taxes and other administration costs;
- rest of finances to the end of reported period.

BIOTICA's financial report is letting know for all BIOTICA's members.

BIOTICA's financial reports for previous years are storing in BIOTICA, are accessible and due to possibilities are publishing in press.

- 6.7. BIOTICA's employees and members of temporary work groups are protected by the state social security in the order stated for public associations by the current legislation. They are covered by the provisions of the labour legislation.

7. AMENDING AND ADDING THIS CHARTER

- 7.1. This Charter should be adopted by BIOTICA's General Assembly.
- 7.2. The proposals on amending and adding this Charter should be submitted to the Board. Board considers them on its meeting and submits such proposals to General Assembly for approval. A decision on amending and/or adding this Charter is in effect if adopted by BIOTICA's General Assembly by 2/3 plus 1 of votes of members presented.

8. ORDER OF THE TERMINATION OF BIOTICA'S ACTIVITY

- 8.1. The termination of activity or reorganisation of BIOTICA is carried out by the decision of General Assembly adopted by 2/3 of votes.
- 8.2. If the activity of BIOTICA is terminated according to the decision of General Assembly, all BIOTICA's property, after accounts settlement with the budget and covering the claims is directed to the objectives stated in this Charter.

9. BIOTICA'S LOCATION

- 9.1. The juridical address of BIOTICA (its governing, executive, and auditing bodies) is: MD 2005, Republic of Moldova, Kishinev, 6 Cosmonautilor Str., suite # 403
- 9.2. The mailing address of BIOTICA is: MD 2043, Republic of Moldova, Kishinev, P.O.Box 570.

10. FINAL PROVISIONS

- 10.1. The present Charter is adopted by BIOTICA's General Assembly on December 23, 1997.
- 10.2. The BIOTICA's Charter is executed in Moldavian, Russian and English variants, each of 8 copies, having the same legal power. If the interpretations of the text contradict to each other, the state language variant takes a priority.