

Libera. Associations, names and numbers against mafia

**ARTICLES OF ASSOCIATION - Approved by Libera's National Assembly**

**Ciampino, 16 November 2019**

with the amendments approved by the National Assembly of 16 November 2019

**CHAPTER I - NAME - REGISTERED OFFICE - PURPOSE**

**ART. 1 — NAME, REGISTERED OFFICE, AND DURATION** Pursuant to the Civil Code and the Third Sector Code (leg. decree 3 July 2017 No.117), an association for social promotion is established with the name 'Libera. Associazioni, nomi e numeri contro le mafie APS,' shortened to 'Libera APS' (hereinafter 'Libera'), with registered office in Rome, at the address communicated by the Presidency Office to the relevant bodies, and with unlimited duration.

No transfer of the registered office within the Municipality requires the amendment of these Articles of Association.

**ART. 2 PURPOSE** 'Libera' is a non-political, non-religious and not-for-profit Association and pursues civic, solidarity, and socially useful purposes.

The management surpluses and reserves shall under no circumstances be distributed to the members, even indirectly:

Libera commits to reinvesting any management surplus in favour of association activities provided for in these Articles.

**ART. 3 MISSION** - 'Libera' is established to carry out activities of general interest for the non-profit pursuit of civic, solidarity and socially useful purposes, in favour of its members, their families or third parties.

Libera relies predominantly on the voluntary activity of its members or the associated organisations' members.

Libera carries out its activities within the provisions of Art. 5, paragraph 1, of the Third Sector Code (Legislative Decree 117/2017) with reference to the activities referred to in items v); w); z); d); g); I); i); k); n); e); f) and as follows:

1. v - promote a culture of legality, peace among peoples, non-violence and unarmed defence;
2. w - promote and protect human, civil, social and political rights;
3. z - reclassify unused public property or property confiscated from organised crime;
4. d – offer learning, education and vocational training, pursuant to Law no. 53 of 28 March 2003 and subsequent amendments, as well as cultural activities of social interest for educational purposes;
5. g – provide university and post-university training;

6. I – offer extra-school training, aimed at the prevention of early school leaving and school and training success, prevention of bullying and the fight against educational poverty;
7. i – organise and manage cultural, artistic or recreational activities of social interest, also including activities for the publishing sector to promote and disseminate the culture and practice of volunteering and activities of general interest
8. k - organise and manage tourist activities of social, cultural or religious interest;
9. n – provide high development cooperation, pursuant to Law No.125 of 11 August 2014, and subsequent amendments;
10. e – offer activities and services aimed at safeguarding and improving environmental conditions and sound and rational use of natural resources, excluding the customary activity of collection and recycling of urban, special and hazardous waste;
11. f - act to protect and enhance cultural heritage and landscape.

The activities referred to in items 10.e and those related to the protection and enhancement of the landscape referred to in items 11.f are carried out involving the environmental associations belonging to Libera.

Specifically, Libera pursues the following purposes:

- a) Provide support and services to enhance associations, institutions, Schools, University and other collective subjects engaged in the fight against mafia and corruption and occult powers. Offer prevention activities, research actions of solidarity, assistance, especially to the victims of Mafias, and education to legality, active and responsible citizenship, and respect and protection of the environment.
- b) Promote the enforcement of Law 109/1996 as amended and supplemented, which provides for subjects identified by current legislation to reuse property seized and confiscated from mafias and corruption for public and social purposes.
- c) Encourage the creation of stable networking among all associations, bodies, universities and other groups committed for legality and against mafias in different civic and social sectors (of culture, economy, research, education, care, sports, environmental protection and sustainability in general).
- d) Promote dialogue and collaboration, also in the form of services, among Libera members and institutions.
- e) To achieve social justice, promote any useful action to guarantee the full dignity of the person, as well as the protection of fundamental rights attributable to individuals. This is in accordance with the principles enshrined in the Republican Constitution, born from the values of the Resistance, and in the International Conventions on Human Rights.
- f) Promote every action for the affirmation of civil coexistence culture, for the full enhancement of equal opportunities, and to welcome and value ethnic, religious, gender and cultural differences.

- g) Promote actions to combat social and economic discrimination and all forms of exploitation, from trafficking in human beings to corporal punishment and any other manifestation of discrimination that mortifies human dignity.
- h) Promote every action to guarantee to every person, especially the most vulnerable, equal human social and cultural dignity, fighting against all forms of social, human and educational poverty.
- i) Promote the development of non-violent strategies to fight against mafias' control over the territory and for the resistance to mafia-like permeation; promote a culture of liability against those who abuse their powers and breach the duties of their public office; develop non-violent strategies to fight and resist corruption.
- l) Promote the establishment of an international network of associations and bodies committed to preventing criminality and illegality and promoting rights and social justice, for high-level development cooperation and international solidarity.
- m) Promote reflections on activities useful for guaranteeing the right to remembrance of the mafia's innocent victims; deepen their individual histories and, from the testimony of the victims' relatives, build a collective memory as a solid identity heritage against mafias.
- n) Organise meetings and discussions among the relatives of mafia's innocent victims, to create a network of families that represents the shared capacity of resilience and commitment in the fight against the mafias.

To achieve its aims, 'Libera' may also join civil actions in criminal proceedings pursuant to art. 416 bis of the Italian Criminal Code, for crimes committed by using the conditions under the same Italian Criminal Code article 416 bis to facilitate the activities of mafia-type organisations.

It may also set up civil actions against the offences referred to in Art. 416 ter of the Italian Criminal Code.

To achieve its aims, Libera can also launch a civil action toward criminal proceedings for crimes against the public administration, corruption, and all crimes committed to directly and/or indirectly facilitate corruption. It will also file civil claims for damages.

To achieve its social goals, Libera may also become a civil party in criminal proceedings for environmental crimes, in partnership with its member environmental associations. Moreover, Libera may become a civil party in criminal proceedings for all crimes related to human rights violations.

**ART. 4 — ACTIVITIES** — 'Libera' pursues its purposes through service activities; for example:

- a) Organise cultural activities for analysis, research and information on the mafia phenomenon and the related strategies to combat it.
- b) Publish materials relating to the activities referred to in paragraph a) and produce and disseminate any other text or audio-visual document pertaining to Libera's aims.
- c) Develop a general educational plan within which to organize training courses addressing teachers, students, public servants, local administrators, social workers and anyone who intends to work for the growth of the culture of legality, the ethics of responsibility, solidarity, non-violence and protection of the environment.
- d) Collect, organize and disseminate updated documentation on mafias seeking possible strategies to combat them.
- e) Coordinate extensive monitoring on the evolution of mafias to fight them in different contexts.
- f) Prepare periodically, based on the results of the activity referred to in point e) and of any other materials available, reports on the mafia's evolution and the consequent social and institutional combating strategies.
- g) Implement an interactive information network among the members.
- h) Promote civil, administrative and criminal judicial action in case of violation of the standards and principles established to protect the person, the values and the matters that constitute the association's purposes.
- i) Campaign on issues relevant to the pursuit of the Association's aims.
- j) Promote exchanges and twinning among the Association's members.
- k) Organize cultural and sporting events and promote shows with the aim of self-financing.
- l) Organize social and responsible tourism activities to promote the culture of legality;
- m) Carry out promotional activities, as ancillary and instrumental activities to the pursuit of the institutional goals, both  
with reference to the publishing sector and to those assets of significant value in the pursuit of social goals.
- n) Carry out organized and continuous fundraising activities, also through actions towards the public, asking third parties for donations, bequests and contributions of a non-remunerative nature, to finance its own activities of general interest and in compliance with the principles of truth, transparency and correctness in relations with supporters and the public.

Libera, in accordance with the provisions of Art. 6 of Legislative Decree No. 117/2017 and subsequent amendments and additions, may also carry out activities other than those listed above, which are secondary and instrumental to the activities of general interest exercised and that can promote growth and improve the effectiveness of its members and their cultural and social rooting, according to the criteria established by the Ministerial Decree identified in the aforementioned article.

The Presidency Office shall be responsible for identifying these different activities to be carried out within the limits referred to in the above paragraph.

Libera will also join activities and participate in other E.T.S. or other non-profit organisations and associations that pursue the same objectives; it may perform any other action aimed at the achievement of its goals.

#### **ART. 5: VOLUNTEERS**

Libera relies predominantly on the activities provided voluntarily, freely and free of charge by its members, or by the associated entities' members, for the pursuit of its association purposes.

The volunteers are people who by their free choice carry out, through the association, actions in favour of the community and the common good, making their time and abilities available.

The beneficiary may not remunerate the volunteer's activity in any way. Libera may reimburse volunteers for the expenses actually incurred and documented for the activity provided, within any maximum limits and under the conditions of previously established special regulations and/or by resolution of the Members' Assembly.

In any case, flat-rate reimbursements are prohibited.

The volunteer role is incompatible with any form of paid employment or self-employment relationship with the entity of which the volunteer is a member or partner and through which he/she carries out his/her voluntary activity.

The Association insures its volunteers against accidents and diseases related to the performance of voluntary activity, as well as for civil liability towards third parties.

#### **TITLE II -LIBERA MEMBERSHIP**

##### **ART. 6 - NUMBER AND TYPE OF MEMBERS**

'Libera' members can be collective organisations in the form of an Association for Social Promotion, operating at local or national level, established in Italy and in other countries and who pursue similar non-profit objectives compatible with those of 'Libera'. Libera's Presidency Office may also admit other types of collective actors as Members, based on specific particularly deserving situations regarding Libera's aims, in compliance with Art. 35, par. 3 of Legislative Decree 3 July 2017, No. 117.

Individuals, wherever they reside, may be Members.

The number of Members is unlimited and, in any case, may not be less than the minimum established by the Law. Provisional participation in association life is prohibited.

Membership by associations on a national level does not include regional, provincial, local and grassroots groups that can join with a specific act, under Article 7 of these Articles of Association.

No Libera member or territorial body can use the name of 'Libera', which is reserved to the association as such.

The Members' Assembly may regulate membership modes that facilitate the process, also using IT tools.

**ART. 7 — MEMBERSHIP OF COLLECTIVE MEMBERS** - Membership Application by collective organisations must be submitted to the Presidency Office, which will evaluate the request, after acquiring the opinions referred to in Articles 14 (Regional Assemblies) and 15 (Provincial Assemblies).

The association Statutes, approved by the National Assembly, indicate the procedures for the membership of collective members.

The Membership Application must include a declaration of full recognition and acceptance of these Articles of Association and any statutes and regulations and compliance with the resolutions legally adopted by the association bodies. The annual membership fee is valid for one year and is established annually by the Presidency Office.

The Presidency Office shall decide on applications for membership, on a non-discriminatory basis, in compliance with the Articles of Association and the Statutes, and consistent with Libera's values and principles, within 60 days of their submission. The Membership Application will be deemed accepted if it has not been rejected during this period with a supported decision by the Presidency Office. Once the application has been accepted, following the payment of the membership fee, the new Member is recorded in the Members' Register.

If the Application is rejected by written notice, the person may appeal within 30 days to the Board of Trustees, which will decide within the terms indicated in the last paragraph of art. 24, communicating in writing and providing a reason.

#### **ART. 8— MEMBERSHIP OF INDIVIDUALS**

Membership Application by individuals must be submitted to the relevant Local Coordinator at regional, provincial or local group level. The membership takes place at the same time as the Application, with the issuance of a numbered card and after payment of the membership fee approved annually by the Presidency Office. The Presidency Office records admitted Member in the Members' Register. It receives the relevant information on the new individual members from the Local Coordinator monthly.

If the Application is rejected with a written notice by the Coordinator of the local group that received the application,

after a binding opinion of the Presidency Office, the applicant may appeal within 30 days to the Board of Trustees, which will decide in writing and providing a reason within the terms indicated in the last paragraph of art. 24.

#### **ART. 9 - MEMBERS' RIGHTS AND DUTIES**

All members have equal rights:

- a) Be informed about all Libera activities and events.
- b) Enjoy active and passive voting rights according to the procedures in the Articles of Association and Statutes approved by the National Assembly.
- c) Review the Association's books at the association headquarters as established by these Articles of Association in Art. 27 and possibly by the Statutes approved by the National Members' Assembly.

The members' duties shall be:

- a) Comply with the Articles of Association, Statutes and resolutions of the Association bodies;
- b) Conduct behaviours and relationships consistent with Libera's values and principles;
- c) Pay the annual membership fee approved by the Presidency Office.

#### **ART. 10— LOSS OF MEMBERSHIP STATUS**

The Presidency Office may resolve on the expulsion of a Member after having obtained the opinion of the Regional Coordinator referred to in art. 14, also on the proposal of a Member or initiative of a local coordination group, in the following cases:

- a) non-compliance with the obligations towards the Association under the Articles of Association and Statutes approved by the National Assembly;
- b) behaviours that are incompatible and/or inconsistent with the purposes and values of Libera.

The excluded Member may appeal within 30 days to the Board of Trustees, which will decide in writing and providing a reason within the terms indicated in the last paragraph of art. 24.

Membership fees are non-refundable, non-adjustable and non-transferable.

Members that have ceased to belong to 'Libera' do not have any rights to its assets.

Following an expulsion resolution, the Member's name is deleted by the Presidency Office from the Members' Register.

Membership is automatically forfeited in the event of failure to pay the membership fee by 31/3 of each calendar year, without prejudice to the possibility of submitting a new Membership Application after this deadline.

## **ART. 11 - SUPPORTING FRIENDS**

Supporting Friends are collective organisations of any nature, on the condition that they are third sector or non-profit entities, which, based on their sensitivity, background and mission, decide to share Libera's principles and values, to contribute to the achievement of its purposes and to promote its activities and mission, although they do not meet the requirements to become members.

Supporting Friends contribute, in their field of specialisation, to Libera's activities allowing enhancement at the local, national and international level.

Applicants to become Supporting Friends must submit a specific application to the Presidency Office and pay the annual membership fee for the amount it establishes annually. The operating procedures for applying are set out in the Statutes, approved by the General Assembly.

The Presidency Office shall decide on the Application of the aspiring Supporting Friend, in compliance with these Articles of Association and the Statutes, within 60 days of its submission. The Application will be deemed accepted if it has not been rejected during this period with the Presidency Office's reasoned decision.

Supporting Friends participate as guests in Libera's national and local meetings, with the possibility of contributing to the debate and discussion, also providing advisory opinions on the specific agenda items.

The Presidency Office resolves to exclude a Supporting Friend in the case of behaviours/ decisions/ relationships that are incompatible and/or inconsistent with Libera's purposes and values.

## **CHAPTER III BODIES**

### **ART. 12— BODIES**

Libera's association bodies shall be the following:

- a) National Assembly.
- b) Regional Assemblies, Regional Coordination Groups, Regional Coordinators, Regional Remembrance Coordinators and the Regional Secretariat.
- c) Provincial Assemblies, Provincial Coordination Groups, Provincial Coordinators and, when elected, Provincial Remembrance Coordinators.
- d) Local Groups, Local Group Coordinators.
- e) Presidency Office.
- f) President.
- g) Consultative Regional Coordinators' Committee.
- h) Board of Auditors, with functions for auditing and verification of the regular keeping of the Association's books and accounts.
- i) Board of Trustees.
- I) Honorary President(s), if appointed.

Only Libera Members may hold any of the positions within the bodies indicated above, except for the Board of Auditors and the Board of Trustees, whose members may also be chosen from among non-members.



To further protect the association values referred to in Article 2 of the Articles of Association, all offices are incompatible with simultaneous holding of positions in any party or political representation. No institutional representative can be elected to any Libera's association office.

#### **ART. 13— THE NATIONAL ASSEMBLY**

According to the procedures established in the Statutes, participation in the National Assembly with voting rights is limited to the representatives, or their delegates, of the collective organisations referred to in Art. 6. They must have been appointed to the bodies referred to in Art. 12 of these Articles of Association. This pertains to the delegates of the individual Members appointed according to the procedures indicated in the Statutes, excluding the members of the Board of Auditors, the Board of Trustees and the Presidency Office. Those who have been recorded in the Members' Register for at least 3 months prior to the meeting call date may vote in the Assembly.

Each Member is entitled to one vote.

Each member may be represented at the Members' Assembly by another Member by proxy and each Member can represent a maximum of five members.

Supporting Friends are invited to the assembly and participate without voting rights.

During the Assembly, if this possibility is provided for upon call, telecommunications may be used for participation. In such cases, all participants must be identified and everyone must be allowed to take the floor in real time, to follow the discussion, exchange and view documents and acts relating to the topics discussed.

The meeting is open to the public.

The National Assembly meets at least twice a year, at the President's invitation, to:

- a) evaluate the programme carried out;
- b) define new work programmes;
- c) examine and approve the budget and financial statements.

The Assembly may also be convened:

- a) on the President's initiative whenever he/she deems it necessary;
- b) at the request of at least one tenth of its members with voting rights.

The Assembly can be ordinary or extraordinary.

The ordinary general meeting is valid on first call when more than half of the persons entitled to vote are present or represented by proxy and, on second call, regardless of the number of participants. Decisions are taken by absolute majority of those present.

The extraordinary assembly is valid on first call when 2/3 of the persons entitled to vote are present or represented by proxy. On second call, it is valid when at least one-tenth of the persons entitled to vote are present or represented by proxy. The extraordinary assembly's decisions stand if approved by 2/3 of voting right holders present at the meeting, for amendments to the Articles of Association and 3/4 of the total members for dissolution, transformation, merger or division.

The call containing the agenda must be sent to Members at least eight days before the meeting date. The call may be sent by email or fax.

The ordinary Assembly shall:

- a) Define guidelines of Libera's activity and identify the thematic campaigns.
- b) Appoint and revoke the national bodies: President, Presidency Office, Honorary President(s), the Board of Auditors, the Board of Trustees.
- c) Approve Libera's budget and financial statements as presented annually by the Treasurer.
- d) Approve amendment of the Members' Assembly Rules of Procedure, in addition to any further regulations for the association's operation
- e) Decide on the responsibility of the association bodies' members and promote disciplinary actions towards them.
- f) Decide on the other matters attributed to its competence by law, act of incorporation or articles of association.

The extraordinary Assembly shall:

- a) Approve amendments to the Articles of Association.
- b) Decide on the association's dissolution, transformation, merger and division.

#### **ART. 14 - REGIONAL ASSEMBLIES**

All Members and Supporting Friends with registered office or residence in the Region participate in the Regional Assembly.

Voting rights in the Regional Assembly are granted to the collective Members indicated in Art. 6 operating at local or regional level, the Local Group Coordinators, Regional Coordinator, Regional Remembrance Coordinator, Regional Secretariat, Provincial Coordinators and, when elected, Provincial Remembrance Coordinators, and delegates of the individual Members elected according to the provisions of the Statute. Those who have been duly recorded in the Members' Register for at least 3 months prior to the Assembly call date have the right to vote in the Assemblies.

Supporting Friends operating in the regional territory are invited to the assembly and participate without voting rights.

The Regional Assembly meets at least once a year and, in any case, whenever it is necessary for the pursuit of the association's goals.

It is convened and chaired by the Regional Coordinator or his/her delegate. The meeting is also convened at the request of one tenth of its members with voting rights. The call containing the agenda must be sent to the members at least eight days before the meeting date. The call may be submitted by post, email or fax.

The Regional Assembly shall:

- a) Decide actions to be taken at the regional level or to propose to the national bodies;
- b) Coordinate and supervise the national campaigns' progress in the regions;
- c) Elect the Regional Coordinator, who as appointed for a three-year term with the possibility of re-election, for a maximum of three terms from the approval of the previous Articles of Association (2015), without prejudice to the Regional Assembly's right to remove him/her before the mandate expires;
- d) Elect, at the suggestion of family members registered with Libera in their region, the Regional Remembrance Coordinator, who is appointed for a three-year term with the possibility of re-election, for more than three terms from the approval of the previous Articles of Association (2015), without prejudice to the Regional Assembly's right to remove him/her and without prejudice to the right of family members duly registered with Libera in their region - to propose his/her removal to the Regional Assembly before the expiry of his/her term;
- e) Elect the Regional Secretariat proposed by the Regional Coordinator, which is appointed for a three-year term with the possibility of re-election, subject to the Regional Assembly's right to revoke it before the term expires.

Each regional member may apply for election by submitting his/her application to the Presidency Office by post, email or fax. The Presidency Office must issue an opinion in accordance with the procedures defined in the relevant regulations.

The Regional Coordinator's responsibilities include:

- a) Convene and chair the meetings of the Regional Assemblies and Regional Coordination Group;
- b) Represent Libera in relations with organizations, local institutions and the media;
- c) Coordinate regional activities carried out by the association, also through provincial coordinators, in the implementation of decisions taken by national bodies;
- d) In the Provincial Coordinator's absence, coordinate training and knowledge building events for the creation of new Local Groups;
- e) Check, in the Provincial Coordinator's absence, the pacts of the Local Groups;
- f) Inform the Presidency Office on the creation of a Provincial Coordination Group within one month of its establishment, indicating the territory of reference to the Coordinator's contact details; giving prompt notice of any change or situation of special significance;
- g) Notify the Presidency Office of the creation of the Local Group within 15 days of its establishment, indicating the name, reference area, list of Members and Supporting Friends, and the Coordinator's contact details, giving prompt notice of any changes of special significance;
- h) Propose to the Regional Assembly the members of the Regional Secretariat;
- i) Express an opinion on the applications for Provincial or Local Group Coordinator, obtaining the Presidency Office's binding opinion;

- j) Suspend the Provincial Coordinator after hearing the Presidency Office, if the general regional and Presidency Office guidelines have not been implemented;
- k) Suspend the Local Group Coordinator, in coordination with the Provincial Coordinator, if the general provincial, regional and Presidency Office's guidelines have not been implemented;
- l) Lift the Provincial Coordinator's suspension if the grounds for suspension are cured or resolved;
- m) Reconvene the Local Group whose Coordinator has been revoked for the new election, if the grounds indicated in Article 14 are cured or resolved;
- n) Establish the closing of the Local Group, which will be ratified by the Presidency Office;
- o) Deliver an opinion on membership requests by new groups or associations at regional level;
- p) Express, at the Presidency Office's request, appraisals on any donations, legacies, free service offers, and financial activities in support of the performance received by Libera from economic actors in the region.
- q) At the Presidency Office's request, express an opinion on the intention to expel a Member.

The Regional Secretariat is composed of the Regional Coordinator, the Regional Remembrance Coordinator and the Provincial Coordinators, who are members by right, and of one to five individual Members proposed by the Regional Coordinator. These Members are elected by the Regional Assembly, respecting gender equality. The Regional Secretariat appoints an internal secretary on the Regional Coordinator's proposal.

The Regional Secretary is tasked with assisting the Regional Coordinator in carrying out his/her functions, especially regarding the activities entrusted to the regional secretariat. The Regional Secretariat proposes to the Regional Assembly priorities, activities and campaigns to be carried out in the territory, in line with the National Assembly guidelines.

The Regional Secretariat carries out the guidelines and actions taken by the Regional Assembly by coordinating, organizing and linking activities in the individual provinces.

The Regional Assembly is validly constituted, on first call, with the presence of half of eligible voters plus one. It resolves by majority of those present with voting rights. In the second call, resolutions are passed by majority vote of those present who are entitled to vote.

#### **ART. 15 - PROVINCIAL ASSEMBLIES**

The Regional Coordinator and all Members and Supporting Friends with registered office or residence in the Province may attend the Provincial Assembly.

Voting rights in the Provincial Assembly are granted to the collective members indicated in Art.5, active at local or provincial level, the Provincial Coordinator, the Provincial Remembrance Coordinator, when elected, and the Local Group Coordinators and the delegates of the individual members elected according to the regulations. Voting

rights in the Assembly are granted to those who have been duly registered in the Members' Register for at least 3 months prior to the Assembly call date.

Supporting Friends operating in the provincial territory are invited to the assembly and participate without voting rights.

The Provincial Assembly meets at least once a year and, in any case, whenever necessary for pursuit of the association's goals.

They are convened and chaired by the Provincial Coordinator or his/her delegate. The meeting is also convened at the request of one tenth of its members with voting rights. The invitation with the proposed agenda must be sent to Members at least eight days before the meeting date to allow anyone to propose any changes. The call may be submitted by post, email or fax.

The Provincial Assembly shall:

- a) decide on the initiatives to be carried out at the provincial level or to propose to the regional bodies;
- b) coordinate and supervise the progress of regional and national campaigns in the province;
- c) elect the Provincial Coordinator for a three-year term with the possibility of re-election, for a maximum of three terms from the approval of the previous Articles of Association (2015), without prejudice to the Provincial Assembly's right to remove him/her before the mandate expires.
- d) at the suggestion of family members registered with Libera in their province, elect the Provincial Remembrance Coordinator, who is appointed for a three-year term with the possibility of re-election, for a maximum of three terms from the approval of the previous Articles of Association (2015), without prejudice to the Provincial Assembly's right to remove him/her and to the right of family members duly registered with Libera in their province to propose to the Provincial Assembly his/her removal before the expiry of his/her term;

Each provincial member may apply for election by submitting his/her application by mail, email or fax, to the Presidency Office and to the Regional Coordinator. The Regional Coordinator must issue an opinion in accordance with the procedures defined in the relevant regulations.

The Regional Coordinator must express its opinion on the application and receive the Presidency Office's binding opinion and send it to the regional secretariat.

The responsibilities of the Provincial Coordinator, member by right to the Regional Secretariat, include:

- a) preside over meetings of the Provincial Assembly and the Provincial Committee;
- b) represent Libera in the relations with organizations and local institutions and in the relations with the media;
- c) coordinate the activities carried out by the association at the provincial level and the implementation of decisions taken by national bodies;
- d) coordinate training and knowledge building events for the creation of new Local Groups;
- e) check the Local Groups' pacts;
- f) notify the Regional Secretariat of the Local Group's creation within 15 days of its establishment, indicating the name, reference area, list of members and the Coordinator's contact details; they must give prompt notice of any change to a situation of special significance;

- g) express an opinion to the Regional Coordinator regarding applications for Local Group Coordinator, receiving the Presidency Office's binding opinion;
- h) express an opinion to the Regional Coordinator on the revocation of the Local Group Coordinator, and the appointment of the person performing the functions indicated in Art. 17, if the general provincial, regional and Presidency Office's guidelines have not been implemented;
- i) express an opinion to the Regional Coordinator on the possibility of reconvening the Local Group to proceed with the Coordinator's election following the acting coordinator's activity, if the grounds indicated in Article 17 are cured or resolved;
- j) express an opinion to the Regional Coordinator on the closing of the Local Group, which will be ratified by the Presidency Office;
- k) express an opinion to the Regional Coordinator on membership requests by new groups of local associations at provincial level;

The Provincial Assembly is validly constituted, on first call, with the presence of half of eligible voters plus one, and resolves by majority of those present with voting rights. In the second call, resolutions are passed by majority vote of those present who are entitled to vote.

#### **16 - DECENTRALISED REPRESENTATIONS**

With the Presidency Office's approval, Regional and Provincial Assemblies have the authority to establish themselves as independent associations and legal entities, bodies with direct attribution of rights and obligations, as decentralised representations of 'Libera'. The evaluation, authorization and management criteria used for this purpose by the Presidency Office are governed by specific Regulations approved by the National Assembly. These refer to the needs of development in the territory and the rules of coordination with Libera. Therefore, they relate to the following: the number of Members and Supporting Friends, activities carried out, the ability to involve local actors, the opportunities to raise funds for the development of Libera's local activities, and capacity and skills to manage administrative autonomy (this will be demonstrated through a budget and balance sheet and periodic reports as defined in the appropriate regulations).

In no case is Libera liable for the obligations assumed by its decentralised representations, unless explicitly decided otherwise by the Presidency Office.

The Presidency Office may revoke the authorization at any time in the case of serious violations of the statutory principles, current regulations, resolutions adopted by the National Assembly, the Presidency Office, and/or conduct detrimental to Libera's integrity and good name, following a formal challenge and recall of unsuccessful results.

The Presidency Office, no later than its first meeting following the resolution to withdraw the authorization of the decentralised representation, appoints a Coordinator with full powers, including that of legal representation of local autonomy to proceed with everything necessary for the dissolution/liquidation of such local autonomy. The Local Assemblies may appeal against the Presidency Office's decision, within 30 days, to the Board of Trustees, who will decide, in writing and giving reasons, within the terms established by the last paragraph of Art. 24.

#### **ART. 17 - LOCAL GROUPS**

Local Groups are the closest presence of Libera to local communities.

The Local Groups pursue the aims and objectives of these Articles of Association as well as those specifically identified by the Presidency Office and the regional and provincial coordinators of reference.

Local Groups comprise Provincial, Regional and National Committees and Assemblies.

Local Groups can be structured on a local, municipal, inter-municipal base and can be created even in schools, universities and workplaces.

Local Groups are formed by Libera members.

A Local Group is created through a training path of at least four months coordinated by the Provincial Coordinator or, in his/her absence, by the Regional Coordinator.

The members of the Local Group to be established define their own path to comply with these Articles of Association and Statutes. The members of the Local Group to be established sign the "Local Group Pact." This document must be approved by the Provincial Coordinator or, in his/her absence, by the Regional Coordinator.

Signing of the Local Group Pact by the Local Group members and the Provincial Coordinator or, in his/her absence, by the Regional Coordinator, constitutes the Local Group's formal establishment date.

The Local Group Pact is verified by the Provincial Coordinator or, in his/her absence, by the Regional Coordinator, at least once a year.

The Local Group is named after people who have distinguished themselves in the fight against the Mafia and illegality for the achievement of social justice and equality and the innocent victims of mafia violence and other forms of violence, prioritizing:

- a) victims in Libera's list;
- b) their link with the territory;
- c) the path the Local Group will follow in its reference context.

The Local Group name is agreed with the Provincial Remembrance Coordinator or, in his/her absence, with the Regional Remembrance Coordinator or, in his/her absence, with the national Remembrance division.

Within 15 days of the establishment of a Local Group, the Regional Coordinator must give written notice of its creation to the Presidency Office, indicating the name, reference area, list of members, and the Coordinator's email and phone number.

The Regional Coordinator shall also promptly inform the Presidency Office of any changes or issues of special significance.

The Local Group members elect from among themselves the Local Group Coordinator, without prejudice to the possibility of revocation by the same Local Group members.

The Local Group Coordinator's responsibilities include:

- a) ensure development in the reference environment of the priorities assumed by Libera at national, regional and provincial levels;
- b) involve the bodies participating in Libera in the relevant territory in the Local Group's activities;
- c) coordinate the Local Group's works;
- d) represent the Local Group in public events;
- e) interface on an ongoing basis with the Provincial Coordinator or, in his/her absence, with the Regional Coordinator, to inform him/her in advance on the initiatives, activities, projects, changes and issues within the Local Group;
- 1) participate in the provincial, regional and national assemblies. The Local Group Coordinator enjoys right of vote.

The Local Group's members (either individuals or collective organisation representatives) wishing to apply as Local Group Coordinator must make themselves available, by post, email or fax, to the respective Provincial and Regional Coordinator, in accordance with the procedures provided for in the Regulations.

The Regional and the Provincial Coordinator must issue a reasoned opinion on the application and receive the binding opinion of Libera's Presidency Office.

The Local Group Coordinator is elected by a simple majority and remains in office for a maximum of three terms from the approval of the previous Articles of Association (2015), with the possibility of re-election. In the case of serious violations of the statutory principles, current regulations, or resolutions adopted by the National Assembly, the Presidency Office, or other elected bodies, and/or conduct detrimental to Libera's integrity and good name, following a formal challenge and recall of unsuccessful results, the Local Group representative is revoked by the Regional Coordinator. This takes place after consulting the Provincial Coordinator and the Presidency Office. The Regional Coordinator, following the Presidency Office's opinion, appoints an acting representative of the Local Group Coordinator, with the task of verifying the conditions for restarting the Local Group's activities and proceeding with the election of a new Coordinator as defined in these Articles of Association.

During the acting Local Group coordinator's mandate, the Local Group shall not pursue any public activity on behalf of Libera.

Within a reasonable time, defined by the Regional Coordinator, and after verifying that the situation has been remedied and the problems overcome, the Coordinator, with the acting Coordinator, and after obtaining the Presidency Office's opinion, convenes the Local Group for the appointment of the new Coordinator.



In the event that the reasons for the suspension of the Local Group persist, and the issues are not resolved, the Regional Coordinator, having heard the Provincial Coordinator, determines the closure of the Local Group, which must be ratified by the Presidency Office.

For particularly complex situations due to severe infringement of Libera's objectives and of these Articles of Association, as a last resort, the Presidency Office can decide directly on the matter.

#### **ART. 18 - REGIONAL AND PROVINCIAL COORDINATION GROUPS**

The regional coordination groups are composed of the representatives of all the Members registered in the region, all Supporting Friends, and the delegates of the individual members, the Regional Coordinator, Regional Secretariat, Regional Remembrance Coordinator and, when elected, the Provincial Remembrance Coordinators.

The Regional Coordination Groups may adopt internal regulations and are convened by the Regional Coordinator.

The Provincial Coordination Groups are composed of representatives of all the members registered in the province, and of all the Supporting Friends, as well as the delegates of the individual members, Provincial Coordinators, Provincial Remembrance Coordinators, when elected, and by the Local Groups' Coordinators. The Provincial Coordination Groups may adopt internal regulations and are convened and chaired by the Provincial Coordinator.

Any other specification is referred to in the Regulations.

The Coordination Groups (at both Regional and Provincial level) meet whenever the Coordinator deems it necessary to organise Libera's activities in the territory.

#### **ART. 19 - REGIONAL AND PROVINCIAL REMEMBRANCE COORDINATORS**

The role of Regional and Provincial Remembrance Coordinator is covered by a family member of a mafia's innocent victim, who is a member of Libera.

Regional Remembrance Coordinators are elected by the Regional Assembly on the proposal of the relatives, Libera members, in the region to which they belong, under the provisions set out in the Statute.

The Provincial Remembrance Coordinators are elected by the Provincial Assembly on the proposal of the relatives, Libera members, of the province to which they belong, in accordance with the provisions in the Statutes. The Regional or Provincial Remembrance Coordinator must be nominated in accordance with the procedures provided for in these Articles of Association for the nomination of Local Coordinators.

#### **ART. 20 - CONSULTATIVE REGIONAL COORDINATORS' COMMITTEE**

The Consultative Regional Coordinators' Committee is an advisory body that meets at least four times a year with the Presidency Office, at the invitation of the President, who defines the agenda. It is composed of the Regional

Coordinators and the Regional Remembrance Coordinators, elected pursuant to Article 14 of these Articles of Association.

The Consultative Regional Coordinators' Committee's roles include:

- a) connection between Local Coordination Groups and the Presidency Office;
- b) advisory role on Libera's national plans and strategic guidelines;
- c) sharing progress of ongoing national projects and campaigns;
- d) proposals regarding Libera's actions and objectives in their areas of concern;
- e) advisory role on the determination of membership fees for Members.

#### **ART. 21- PRESIDENCY OFFICE**

The Presidency Office is Libera's administrative body and consists of the President, the Honorary President(s) and a number of members between five and fifteen, elected by the Members' Assembly, on the President's proposal.

The Presidency Office is appointed for three years with the possibility of re-election.

Article 2382 of the Italian Civil Code applies to Presidency Office members regarding grounds for ineligibility or revocation.

The Presidency Office is convened by the President via email, communicating the place, date and agenda, and is constituted when the majority of the members are present.

Presidency Office decisions are taken by majority of those present. Decisions of the Presidency Office are promptly recorded in the Presidency Office book of meeting minutes.

In the President's absence, the Presidency Office meetings will be chaired by the most senior Vice-President.

Any other matter that does not exclusively pertain by Law or under the Articles of Association to the Members' Assembly or any other association body is mandated to the Presidency Office.

The Presidency Office enjoys general power of representation, without prejudice to the President's legal representation.

The Presidency Office may delegate, by means of a special resolution, specific powers of ordinary and/or extraordinary administration of Libera to individual members, publicising such provision as required by law. The Presidency Office functions include the following:

- a) execute the Assembly's resolutions;
- b) decide on Membership applications by aspiring Members;
- c) decide on the admission application from Supporting Friends;
- d) sign all acts and contracts related to the association's activities;
- e) decide, after hearing the Regional Coordinators, on applications for admission of new collective members and new supporters under the provisions of Art. 5;

- f) exercise a role of guarantee and settlement of disputes arising within of the association in the preliminary phase preceding the subsequent transfer of the dispute to the Board of Trustees;
- g) prepare the annual report and the social budget to submit to the National Assembly on Libera's activities;
- h) examine and evaluate the financial statements prepared by the Treasurer;
- i) determine the annual membership fee, after consulting the Regional Coordinators' Consultative Committee;
- j) determine the membership fee for Supporting Friends;
- k) grant and revoke permission to regional and provincial assemblies to establish themselves as autonomous associations and legal entities as decentralised representations;
- l) promote, coordinate and supervise the creation and performance of Local Groups in other countries;
- m) ratify any closure measures of Local Groups prepared by the Regional Coordinator;
- n) directly decide on the suspension and closure of Local Groups, in case of complex situations due to serious infringement of Libera's objectives and of these Articles of Association;
- o) suspend, upon proposal by the President, the Regional Coordinators and Regional Remembrance Coordinators, appointing an internal acting coordinator;
- p) express binding opinions on the applications of the Regional, Provincial and Local Group Coordinators.
- q) ratify the closure of Local Groups, decided by the Regional Coordinator;
- r) require the Regional Coordinators to evaluate any donations, legacies, offers of services free of charge and other financial activities in support of the performance received by Libera by economic actors in the concerned region;
- s) appoint the coordinators of national projects, national working groups and Permanent National Committees;
- t) define Libera's organisational structure in relation to the activities to be carried out, also identifying sectors/areas and defining tasks and organisational functions;
- u) in the absence of the regional coordinator, accompany the regional coordination process to new elections;
- v) expel Members;
- w) expel Supporting Friends.

#### **ART. 22 — THE PRESIDENT**

The President, elected by the National Assembly, is appointed for a three-year term, with the possibility of re-election, and is Libera's Legal Representative.

The President appoints up to three Vice-Presidents from among members of the Presidency Office. The President shall:

- a) convene the Presidency Office;
- b) convene and chair the National Assembly, and define its agenda;
- c) convene and chair the Consultative Regional Coordinators' Committee, and define its agenda;

- e) oversee and coordinate all of Libera's bodies and activities, promoting respect for the values of the Articles of Association and the recommendations put forward by the National Assembly;
- f) propose to the Presidency Office the suspension of Regional Coordinators and Regional Remembrance Coordinators;
- g) express a binding opinion on the proposal for the Provincial Coordinators' suspension and revocation by the Regional Coordinators;
- h) appoint the Treasurer from among persons of his/her trust;
- i) revoke and/or replace the Treasurer

The Treasurer manages the association's assets and economic activities and draws up the budget and the financial statements to be submitted annually to the National Assembly.

The Treasurer is permanently invited to meetings of the Presidency Office.

### **ART. 23 — BOARD OF AUDITORS**

The Board of Auditors is Libera's supervisory body and consists of three members and two alternates elected by the National Assembly, who will identify the Chairperson of the Board of Auditors. The members hold office for three years and are eligible for re-election. Article 2399 of the Italian Civil Code applies to Auditors.

At least one of the members and one of the alternates must be chosen from the categories referred to in art. 2397 of the Italian Civil Code.

The Board of Auditors shall:

- a) monitor compliance with the law and the Articles of Association;
- b) ensure compliance with the principles of sound administration;
- c) monitor the adequacy of the organisational, administrative and accounting structure in its concrete functioning;
- d) carry out the audit;
- e) supervise the observance of civil, solidarity and socially useful purposes;
- f) certify that the financial statements have been prepared in accordance with legal requirements. The financial statements acknowledge the results of the monitoring carried out by the Auditors.

The Auditors may at any time carry out, also individually, acts of inspection and control, and to this end, may ask the directors for information on the progress of social operations or on certain matters.

The Board of Auditors meets periodically on a quarterly basis. It is duly constituted with the presence of the majority of Auditors and decides by majority. Minutes must be drawn up for each meeting and subsequently transcribed in the minutes book of the supervisory body by its Chairman. The Board of Auditors is also responsible for preparing the report on the Association's final financial statements.

### **ART. 24— BOARD OF TRUSTEES**

The Board of Trustees is composed of at least five (or any higher odd number) members elected by the National Assembly from among those persons who offer guarantees of competence and independence. The Board of Trustees is appointed for three years.

The first time, it is called by Libera's President. On the first meeting, the Board of Trustees appoints the Chairman of the Board.

The Board of Trustees may adopt internal rules of procedure. It acts collectively:

- a) on appeals against Presidency Office decisions concerning the admission of new members and the suspension of a member, on the withdrawal of regional assemblies' permission to establish themselves as independent associations and legal persons;
- b) on the expulsion decisions by the Presidency Office;
- c) on any internal disputes.

The interested parties may appeal to the Board of Trustees, within 30 days of the event to which they want to object. The Board will decide within 60 days, from receipt of the appeal, in writing and with grounds. In complex investigations, the maximum term for the Trustees' decision can be up to 120 days. The grounds behind such term extension must be justified in the decision.

#### **ART. 25 — ASSOCIATION OFFICES**

Libera offices at national level are the following:

- a) National President
- b) Honorary President(s)
- c) Members of the Presidency Office
- d) Members of the Board of Auditors
- e) Members of the Board of Trustees.

Libera offices at local level are the following:

- a) Regional Coordinators
- b) Provincial Coordinators
- c) Local Group Coordinators
- d) Remembrance Coordinators

Only Libera members can hold association offices. Only the Trustees and Auditors be chosen from among non-members.

## **CHAPTER IV ASSETS - ACCOUNTING STANDARDS - DISSOLUTION**

### **ART. 26 - ASSETS AND INCOME**

Libera draws the economic resources for the operation and performance of its activities from:

- a) Members' membership fees;
- b) admission contributions from Supporting Friends;
- c) inheritance, donations and legacies of movable and/or immovable property;
- d) public and private contributions, including from international bodies, to support specific and documented programmes carried out for statutory purposes;
- e) donations, including those from self-financing campaigns;
- f) other revenues compatible with the social aims of social promotion associations;
- g) proceeds from the sale of goods and services to associates to third parties, including through economic activities of a commercial, handicraft or agricultural nature, carried out in an auxiliary and subsidiary manner and in any case aimed at achieving institutional objectives.
- h) contributions, reimbursements, and income from the sale of goods and services to members and third parties, in the performance of activities of general interest, ancillary and other activities that are in accordance with the Third Sector Code provisions and subsequent modifications and additions.

Libera's assets, consisting of movable and immovable property received by the association for any reason and the previous years' operating surpluses, are used for performance of statutory activities for the exclusive pursuit of civil, solidarity, and socially useful purposes. It is forbidden to distribute, even indirectly, profits and operating surpluses, funds and reserves allocated to founders, associates, workers and collaborators, directors and other members of the corporate bodies, even in the event of withdrawal or any other case of individual dissolution of the association relationship.

The profits or operating surpluses must be used to carry out association activities and those directly related to them.

### **ART. 27 — FINANCIAL YEAR**

The financial year opens on 1 January and ends on 31 December each year.

At the end of each financial year, the Treasurer prepares the financial statements and the budget, submitting the first to the Board of Auditors within thirty days from the date the financial statement is approved. The Board of Auditors shall express its opinion on the merit of the submitted financial statement by the final deadline of 15 days.

The financial statement must be approved by the National Assembly within four months from the end of the year or, in case of difficulty in convening the Assembly, within the longer period of six months.

The financial statement, after its approval, is made public.

## **ART. 28- ACCOUNTING RECORDS AND MANDATORY COMPANY BOOKS**

The Association must keep the following company books in addition to the accounting records that allow the Association to prepare the financial statements comprising the Balance Sheet, the Financial Statement with the Profit and Loss account and other documents deemed useful to illustrate the methods of pursuing the statutory purposes:

1. Members' register
2. Register of volunteers
3. Book of meetings and resolutions in which any minutes for publication must also be transcribed
4. Book of meetings and resolutions of the administrative body, the supervisory body and any other association bodies.

Members have the right to review the books at the association headquarters. The request must be addressed to the President of the Association, domiciled for this purpose at the registered office, sent by registered item or certified e-mail.

The applicant shall have the right to review the Association's Books at the registered office and upon signing a confidentiality agreement. The documentation consulted can only be used in the relations between the member and the association or between the member and the bodies of the association.

## **ART. 29 – DISSOLUTION – TERMINATION - EXTINCTION**

The Association's dissolution is approved by the favourable vote of at least three quarters of its Members. In the same meeting, the Assembly shall appoint one or more liquidators and will decide on the transfer of assets.

The association's assets, in case of dissolution, termination or cancellation, shall be donated, after obtaining the opinion of the competent bodies under the law, to other Third Sector entities with the purpose of social utility consistent with Libera's purposes.

## **Art. 30 — REFERRAL**

For any matter not expressly provided for in these Articles of Association, in any internal regulations and resolutions of the association bodies, the provisions of *Legislative Decree 3 June 2017, No. 117* (Third Sector Code) and, insofar as compatible, the Civil Code shall apply.