

STATUTE

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PREAMBLE

WE, MANAGERS OF AGENCIES, ESTABLISHMENTS, ENTERPRISES OR UTILITIES INVOLVED IN THE AREA OF WATER SUPPLY, SANITATION AND THE ENVIRONMENTAL SECTOR IN AFRICA, formerly gathered in the UNION OF AFRICAN WATER SUPPLIERS (UAWS), an Association governed by the 1980 statute and subsequent ones,

1. Convinced of the importance of our role in the areas of health, hygiene and the conservation of the environment ;
2. Guided by a common will to promote under the most favorable economic conditions the Water, the Sanitation and the Environmental sector for the benefit of the African populations ;
3. Convinced that various African countries experience similar problems in the area of water supply and sanitation ;
4. Convinced that together we can defend the point of view of experts and achieve progress ;
5. In absolute agreement with the Principles of Rio and Dublin on sustainable development ;

HAVE AGREED TO THE FOLLOWING

TITLE 1: THE ASSOCIATION

ARTICLE 1: NAME

It is hereby established among the agencies, establishment, enterprises or utilities involved in the water supply, sanitation and the environmental sector in Africa, a Professional ASSOCIATION called “**ASSOCIATION AFRICAINE DE L’EAU**” in French and “**AFRICAN WATER ASSOCIATION**” in English.

Its acronym is AAE in French **and** AWA in English and its ensign is a blue map of Africa with a white background. The acronym has the shape of a drop of water.

It shall be an international Corporate body with financial autonomy. It shall be a non-profit organization.

ARTICLE 2: OBJECT

The object of the ASSOCIATION shall be:

- To coordinate the search for knowledge and up-date technical, judicial, administrative, and economic data gathered in the area of Water Supply, Sanitation and the Environment;
- To foster permanent exchange of information in all areas related to water supply and sanitation, particularly on research and implemented techniques;
- To initiate, encourage and promote any actions of cooperation and exchange in professional training;
- To promote contacts, exchanges and cordial relationship among professionals of the sector in Africa and throughout the world.

ARTICLE 3: MODE OF ACTION

To achieve its objectives, the ASSOCIATION shall plan to:

1. Furnish its members, when possible, with results of studies it has conducted, of research and enquiries conducted in all branches of activity in the water supply, sanitation and environmental sector;
2. Stimulate and carry on any action of general interest aimed at improving the means of the profession;
3. Maintain close ties with all regional, continental and international agencies devoted to subjects related to the object of the ASSOCIATION;
4. Organize meetings and events such as colloquia and seminars;
5. Organize the Congress, which is one the main activities, the organization conditions of which are described in the Bye-laws;
6. Publish the proceedings of congresses as well as any other document related to its object;

7. Conduct any operations necessary to carry out the activities mentioned above;
8. It shall institute prizes to serve as incentive for members to perform better.

ARTICLE 4: HEAD OFFICE

The headquarters of the ASSOCIATION shall be set in ABIDJAN, COTE D'IVOIRE. It may be transferred anywhere else at any other venue upon a decision of the Extraordinary General Assembly.

The meetings of the various organs may be held on any other venue agreed upon by Members of such organs operating in conjunction with the Administrative General Secretariat.

A headquarters agreement between Public Authorities of the host country and the ASSOCIATION shall determine the conditions for the establishment of the head office.

A technical assistance convention shall be established between the ASSOCIATION and a Member from the country housing the headquarters.

ARTICLE 5: LIFE TIME

The life time of the ASSOCIATION shall be unlimited.

TITLE II: THE MEMBERSHIP

ARTICLE 6: MEMBERSHIP OF THE ASSOCIATION

The ASSOCIATION shall be made of four (4) categories of Members:

- Regular Members
- Affiliated Members
- Individual Members
- Honorary Members

6-1- Regular Members

May become Regular Members agencies, establishments, enterprises or utilities working in the water supply, sanitation and environmental sector in Africa and involved in at least one of the following activities: production, supply and heritage management.

6-2- Affiliated Members

May become Affiliated Members, national, African or international agencies undertaking an industrial activity in research, training, study and works related to the water, sanitation and environmental sector, except for agencies targeted in Article 1 above.

6-3- Individual Members

May become Individual Members, individuals, namely professionals, members of the Faculty and scientists whose works are related to the water and sanitation sector.

6-4- Honorary Members

The ASSOCIATION may grant the status of Honorary Member to individuals or corporate bodies who have rendered distinguished services to it and who, through their action, have contributed to the efficient achievement of its objectives. Former Presidents of the ASSOCIATION are de jure Honorary Members of the ASSOCIATION.

6-5- The National Committee

Several agencies involved in the water and sanitation sector and carrying out at least one of the following activities in a country may gather in a National Committee: production, distribution, heritage management.

A Memorandum of Understanding shall define the relations between AfWA and the National Committee to provide it with an official status and collect the name of that country's representative within the ASSOCIATION'S organs. The form and content of this MoU shall be set by the Executive Board.

ARTICLE 7: ADHESION AND WITHDRAWAL OF MEMBERS

Any membership in the ASSOCIATION shall indicate acceptance without any reserve of the present Statute and Bye-laws.

The Bye-laws shall determine the membership and withdrawal conditions for each category of Member.

ARTICLE 8: RESIGNATION – EXPULSION OF MEMBERS

A Member wishing to withdraw from the ASSOCIATION shall communicate his decision in writing to the President of the ASSOCIATION at least three (3) months prior to the entry into force. Nonetheless, his contribution for the entire period shall remain payable. Any Member who fails to honor his financial obligations towards the ASSOCIATION for two (2) years shall be suspended by the Executive Board, who shall have the decision ratified by the subsequent General Assembly to which the suspended member shall be invited and given a hearing.

All other cases of suspension shall fall within the exclusive purview of the General Assembly. A Member who ceases to belong to the Union shall not be entitled to claim any quota of the ASSOCIATION’s registered assets.

ARTICLE 9: MEMBERS' RIGHTS AND RESPONSIBILITIES

Every Member of the ASSOCIATION shall have access to the benefits and services provided by the ASSOCIATION.

Each member of the ASSOCIATION shall make the commitment to comply with all General Assembly and Executive Board decisions.

The remaining rights and obligations of Members shall be defined in the Bye-Laws appended to this Statute.

ARTICLE 10: THE RESOURCES OF THE ASSOCIATION

The financial resources of the ASSOCIATION shall be made of:

- Yearly contributions
- Subsidies, gifts and devise
- Products deriving from service provisions to third parties and events
- Any other resources authorized by the law of the country housing the headquarters.

The ASSOCIATION may own movable and fixed assets that it would have acquired with its own funds or any other resources listed in the present article.

ARTICLE 11: THE CONTRIBUTIONS

Contributions shall be yearly and payable when the invoice is received 15 days before the General Assembly. Nonetheless, the admission of a new Member during the year shall imply the payment in the subsequent month by the said member of his contribution in respect of the current year.

The rules governing the setting up of the contributions shall be described in the Bye-laws.

TITLE III: THE ORGANS

ARTICLE 12: THE ORGANS OF THE ASSOCIATION

To attain its goals, the ASSOCIATION shall mainly have the following organs:

1. The General Assembly (GA)
2. The Executive Board (EB)
3. The Scientific and Technical Council. (STC)
4. The General Secretariat (GS)

In the present Statute, an organ is a permanent functional body of the ASSOCIATION whose composition, prerogatives and operation are established in the present Statute and Bye-laws and whose mission contributes to the achievement and pursuit of the objectives of the ASSOCIATION.

ARTICLE 13: THE GENERAL ASSEMBLY

The General Assembly shall be the supreme organ of the Union. It shall comprise all the Regular, Affiliated, Individual and Honorary Members.

The General Assembly shall hold ORDINARY sessions or EXTRAORDINARY sessions when circumstances call for them.

13-1: The Ordinary General Assembly

The General Assembly may discuss any issues and formulate recommendations on any topic falling within the purview of the ASSOCIATION. Its prerogatives shall be the following:

- To formulate the general policy and define the main orientations of the ASSOCIATION's activities;
- To elect, upon proposal of the Executive Board, the Auditor
- To choose the head office of the ASSOCIATION;
- To make decisions on the admission into or expulsion of members from the ASSOCIATION, in accordance with the provisions of Article 7 and 8;
- To elect members of the Executive Board;
- To approve the annual accounts and give, if applicable, the Executive Board its quietus;
- To examine and vote the receipt and expense budget;
- To choose the venue and time for the next General Assembly;
- To solve any problems related to the following:
 - The organization and management of the ASSOCIATION's activities
 - The management of all the funds and other assets
 - The operation of the General Secretariat as well as all the organs of the ASSOCIATION;
- To approve, upon proposal of the Scientific and Technical Council and upon agreement of the Executive Board, the program of activities of the Specialized Committees;

- To give opinions and make recommendations, particularly to decision-makers, on issues of the water, sanitation and environmental sector in Africa;
- To draft and recommend international agreements on any issue falling within the purview of the ASSOCIATION;
- To make decisions as resolutions, in accordance with the objectives of the ASSOCIATION ;
- To delegate to the Executive Board the power to make decisions falling within its purview ;
- To set, upon recommendation of the Executive Board, the scale of the contributions, the categories and the levels;
- To adopt the Bye-laws of the ASSOCIATION and the amendments proposed by Executive Board;
- To adopt, upon recommendation of the Executive Board, the organizational chart of the General Secretariat.

13-2: The Extraordinary General Assembly

Upon proposal of the Executive Board, the President of the ASSOCIATION may convene an Extraordinary General Assembly anytime it considers fit. Similarly, the Extraordinary General Assembly may be convened following a motion signed by half of the Regular Members who have paid their contributions in full.

The role of the Extraordinary General Assembly shall be:

- To adopt the statute of the ASSOCIATION and the amendments proposed by the Executive Board
- To modify the Statute of the ASSOCIATION ;
- To dissolve the ASSOCIATION ;
- To propose to change the location of the ASSOCIATION's headquarters.

13-3: Notice and Holding of General Assemblies

The notice and holding of General Assemblies shall be done in coherence with the provisions of the Bye-laws.

ARTICLE 14: THE EXECUTIVE BOARD

14-1: Composition of the Executive Board

The Executive Board shall be the executive organ of the ASSOCIATION.

It shall comprise a minimum of five (5) and a maximum of fourteen (14) Members under the authority of the President of the ASSOCIATION.

In addition to the President, the Executive Board shall be made up of:

- a suitable number of Vice-Presidents
- the President of the Scientific and Technical Council,
- The General Comptroller,
- Two Members including a representative of Affiliated Members.

No country shall be represented by more than one person on the Executive Board.

In order to ensure a fair and harmonious representation of the Continent, all the regions shall, as much as possible, be represented on the Executive Board.

The Executive Board shall be presided over by the President of the ASSOCIATION.

The rules governing the election of the Executive Board Members shall be set by the Bye-laws

14-2: Role of the Executive Board

The role of the Executive Board shall be:

- To elect the General Secretary of the ASSOCIATION;
- To represent the ASSOCIATION in all instances of civil life;
- To review the programs and activities reports of the Scientific and Technical Council;
- To elect its President who shall also be the President of the ASSOCIATION and appoint the Vice–Presidents and the Comptroller General among the Members;
- To prepare the activities report, the operating and investment budgets and submit them to the General Assembly;
- To manage and supervise the business interests of the ASSOCIATION ;
- To propose to the General Assembly of an Auditor
- To propose the Extraordinary General Assembly the amendments of the statute
- To give account of its activities and management to the General Assembly;
- To propose an auditor to the General Assembly;
- To make decisions on the organizational chart of the General Secretariat, as well as on the creation and cancellation of higher employment positions;
- To hire and fire any top executive employed and paid by the ASSOCIATION upon proposal of the Candidature or Discipline Commission as provided in the personnel Bye-laws;
- To determine the remuneration and approve of the Statute and Bye-laws of the personnel of the General Secretariat ;
- To examine membership applications for all the categories of Members, propose penalties and submit them for the approval of the Ordinary General Assembly ;
- To approve or refuse gifts and devises.

The Executive Board shall generally have far-reaching powers to act on behalf of the ASSOCIATION. It shall defend the interests of the latter both as plaintiff and as defendant.

It may delegate its prerogatives. It shall represent the ASSOCIATION in the courts of justice.

ARTICLE 15: THE SCIENTIFIC AND TECHNICAL COUNCIL

15-1: Organization of the Scientific and Technical Council

The Scientific and Technical Council shall be an organ comprising Members of the ASSOCIATION. Its mission shall be to study scientific and technical problems related to the sector that Members may encounter. To this end, it shall organize study sessions in order to propose appropriate solutions to the various problems of the sector, seminars, workshops for the dissemination of its works, and training sessions.

The Scientific and Technical Council shall initiate and take part in any local, regional or international actions aimed at promoting the water supply, sanitation, and environmental sector.

It may create specialized committees and call upon external competencies when it considers fit.

15-2: Operation of the Scientific and Technical Council

The Executive Board Member shall elect one of its Members as President of the Scientific and Technical Council.

The Scientific and Technical Council shall meet at least twice a year upon invitation of its President.

It shall prepare the Congress at the scientific and technical levels, set up the program and the schedule for the sessions to be proposed to the Executive Board.

It shall attend to the preparation of the Congress documents, based on the theme chosen by the General Assembly;

It shall review, set up and propose to the Executive Board, the program of the meetings and events of the Specialized Committees ;

The Scientific and Technical Council may meet anywhere it chooses after securing the approval of the Executive Board;

It shall report on the progress of its works to the Executive Board for support or for various suggestions.

It shall draft the call for Congress papers, select the synopses and collect all the papers from their authors.

The minutes of the Scientific and Technical Council's meetings shall be forwarded to the General Secretariat to be disseminated to all the Members of the ASSOCIATION.

ARTICLE 16: THE GENERAL SECRETARIAT

The General Secretariat shall be the permanent executive organ of the ASSOCIATION. It shall be managed by a General Secretary. The General Secretariat shall have a personnel hired in accordance with the regulation of the personnel management.

The General Secretary shall accomplish tasks assigned to him by the Executive Board as well as the prerogatives set by the Bye-laws.

TITLE IV: THE CONGRESS

ARTICLE 17: THE CONGRESS

The Congress shall be a scientific and technical forum during which the ASSOCIATION takes stock of the developments in the water, sanitation and environmental sector in Africa based on the presentations of papers at the technical sessions and the International Exhibition for products and equipment of the industry of the sector.

The Congress shall be held every other year. The details on the organizations shall be stated in the Bye-laws.

TITLE V: THE ACCOUNTING PERIOD

ARTICLE 18: THE ACCOUNTING PERIOD

The accounting period of the ASSOCIATION shall begin on January 1st and end on December 31st. The General Secretary of the ASSOCIATION shall forward to the Executive Board the accounts of the previous accounting period duly checked by the Comptroller General and the Auditor no later than 15 days before the session of the Ordinary General Assembly. The accounts shall be presented for the approval of the Members of the ASSOCIATION at the Ordinary General Assembly.

ARTICLE 19: THE COMPTROLLER GENERAL

The Comptroller General shall be responsible for monitoring the expenses incurred by the ASSOCIATION's organs. He shall ensure the regularity of these expenses and that they are in coherence with the objectives set.

He shall submit yearly reports on his mission to the Executive Board based on a report on the activities, the performance of the budget and the balance of the accounts.

He shall propose remedial measures where appropriate.

ARTICLE 20: THE AUDITOR

Upon proposal of the Executive Board, the General Assembly shall appoint an Auditor whose role shall be:

- To audit the ASSOCIATION's accounts,
- To investigate the regularity and genuineness of the accounting operations,
- To make a report to the Ordinary General Assembly,

The term of office of the Auditor shall be in coherence with the regulations in force in the country housing the Headquarters. It shall be renewable.

TITLE VI: THE DISSOLUTION

ARTICLE 21: DISSOLUTION OF THE ASSOCIATION

The dissolution of the ASSOCIATION shall be declared only at an Extraordinary General Assembly as provided by the Bye-laws. That Extraordinary General Assembly shall set up a liquidation board and determine the fate of the assets and property of the ASSOCIATION.

TITLE VI: VARIOUS PROVISIONS

ARTICLE 22: COURT COMPETENCE

The courts of the country housing the ASSOCIATION's headquarters shall be competent to settle any dispute which may concern the ASSOCIATION directly or indirectly.

ARTICLE 23: THE BYE-LAWS

The object of the Bye-Laws shall be to lay down the provisions which the present Statute explicitly refers to and to state precisely the details not mentioned in the Statute and the rules governing the composition, prerogatives and functioning of the ASSOCIATION's various organs.

These Bye-laws shall aim at completing the Statute but not at modifying it. They shall be written by the Executive Board and enter into force after being adopted by the Ordinary General Assembly.

ARTICLE 24: LANGUAGES

The working languages of the ASSOCIATION shall be French and English.

ARTICLE 25: AMENDMENTS TO THE STATUTE

Any amendment to or revision of the Statute shall be proposed by the Executive Board to an Extraordinary General Assembly; it shall only be adopted by a majority of three-quarters (3/4) of the votes cast by Members participating in the voting.

ARTICLE 26: ENTRY IN FORCE

The present Statute shall enter into force as soon as it is approved and shall replace all previous Statutes.

Adopted on February 17th 2007 Tangiers (MOROCCO)

For the Extraordinary General Assembly

THE PRESIDENT

DIA Mamadou