

NGO CHARTER

Organization of Human Welfare (OHW)



Organization of Human Welfare (O.H.W.)

THE CHARTER

CHAPTER I

General Provisions

Introduction:

Article 1:

This Charter has been adopted in the light of NGOs law to regulate the affairs, identification of duties and responsibilities of the leading parties and establishment of accountability and transparency in the organization.

Article 2:

The name of the organization is "Organization of Human Welfare" or shortly "OHW". It is a Non-Governmental, non-political, non-commercial and impartial organization having no inclination towards a particular region or race.

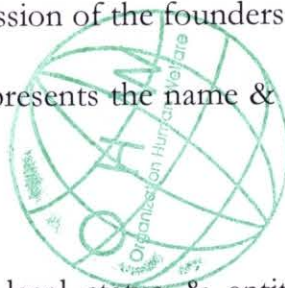
Article 3:

Hereafter in this charter the 'Organization of Human Welfare' is referred to as the 'Organization', and founded by the first session of the founders in 2007.

The Organization has its own logo, which represents the name & entity of the Organization.

Article 4:

The organization has its own independent legal status & entity, and it is registered under the license number (1014) with the Ministry of Economy of the Islamic Republic State of Afghanistan.



The organization will comply with the rules and regulations set in this charter and will respect and work according to the provisions of NGOs law and other promulgated laws of Afghanistan.

Article 5:

The Head Office of the Organization will be based in Kabul and will extend its branches to all over the country in order to enable the organization to operate and contribute field offices, based on projects, donors, authorities and community needs and requirements.

Article 6:

Anyone who accepts the provisions set forth in this charter and wishes to serve the people of Afghanistan humanitarily and voluntarily, with having no political, tribal, regional, racial relations, become a member of this organization.

CHAPTER II

Goal, Aims and Objectives and Operational Area

Goal:

Article 7:

The goal of the organization is to improve the well being and reduce poverty of the poor, vulnerable and marginalized people.

Aims and Objectives:

Article 8:

- ❖ The primary objective of the organization is to improve the well being of the poor and vulnerable people by creating, providing, promoting and assisting them through free opportunities for livelihoods, basic services, fundamental rights legal services, irrespective of race, ethnicity, gender, religion.
- ❖ To participate in the rehabilitation work, in coordination with civil society and international or intergovernmental agencies, among communities requiring humanitarian aid



- ❖ To support access to and quality of basic services like health, education, safe water and sanitation.
- ❖ Providing Free Legal Representation in both Criminal and Civil cases as well as providing Free Legal Advises with observation and respect of the 31st article of the constitution and other relevant laws and by-laws.
- ❖ Empowering and increasing professional capacities of formal and informal justice mechanisms as well as the public legal awareness activities throughout the publications of Posters, booklets, pamphlets, workshops, trainings and Conferences with the coordination of relevant actors.
- ❖ To provide humanitarian aid including infrastructure development, shelter provision, emergency responses, disaster risk reduction
- ❖ To provide support to communities in achieving sustainable livelihoods and to lead and own their development processes
- ❖ To build the capacity of civil society, government, NGOs, communities and other stakeholders in skills development, new technologies, local crafts, governance, gender issues
- ❖ To bring the voices of the poor and marginalized to decision makers and support justice and equality in cultural, social, economic & political spheres

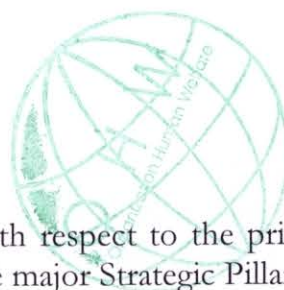
Operational Area

Article 9:

The organization will operate with respect to the principles of gender, youth and disability in the following five major Strategic Pillars (SP):

SP 1: Humanitarian Aid:

- Emergency response.
- WASH
- Food Security and Agriculture, DRR and CFW.



SP 2: Development Aid:

- Combating violence against women, women's education, income generation activities, confidence and leadership development.
- Livelihood.

SP 3: Peace Building and Conflict Resolution:

- Community Peace Building.
- Implementation of conflict resolution programme.

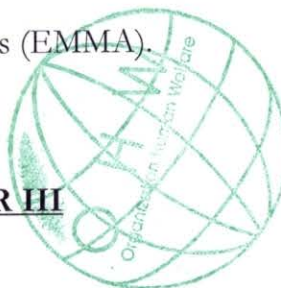
SP 4: Advocacy and Governance:

- Legal Services and Consultancy.
- Conducting advocacy research on certain topics.
- Media and advocacy relations.
- Networking, knowledge sharing, and engagement in political processes.

SP 5: Research and Capacity Development:

- Gender Mainstreaming in Humanitarian Projects.
- Market Value Chain Analysis.
- Food Security Assessment.
- Cash Transfer Programme.
- Emergency Market Mapping Analysis (EMMA).

CHAPTER III



Organizational Approach and Strategy

Article 6:

- ❖ OHW would adopt the standard project cycle management processes and stakeholder participated approaches in designing, implementing,

evaluating its projects, maintaining transparency, accountability and impartiality.

- ❖ OHW is particularly committed to gender equity and mainstreaming gender in all its processes, outputs, outcomes and impacts.
- ❖ OHW is committed to sharing knowledge and empowering communities to choose they have reason to value.
- ❖ Monitoring, evaluation and generating knowledge is integrated into every stage of the project cycle and verifiable indicators will be provided and regularly reported as required.
- ❖ Beneficiary participation and regular feedback will be a vital component OHW implementation and evaluation process.
- ❖ OHW's program will be managed and supported by professionals and experts with head office based in Kabul and will be directly implemented by field teams.

CHAPTER IV

Organizational Set-up



Article 11:

The Organization consists of the following entities:

1. The Board of Directors
2. The Executive Committee

Article 12:

The Board of Directors is the senior decision making body of the Organization, comprising of:

- a. Director
- b. Deputy Director
- c. Secretary
- d. Treasurer

The number of members may increase as per need and requirement. These are the founder members and will appoint the Executive Committee, on the basis of competence and experience.

Article 13:

Each member of the board of directors possesses the right of an independent vote, and will use it in decision makings of the organization.

The organization shall be managed by the Managing Director elected by the board directors, and will have the right of advising vote in decision makings of the organization.

The Board of Directors will lay down bylaws for managing the organization, approved by (and with the agreement of) Executive Committee. There will be quarterly meetings and review among members of the Executive Committee Organization. Extra-ordinary Meetings will be held when two thirds of the Board of Directors votes in its favor.

Article 14:

The roles and responsibilities of the Board of Directors are as follows:

1. To ensure that the goals and mandate of the organization is followed and implemented.
2. To make amendments in the Charter of the Organization.
3. To identify the regions/locations for starting activities therein.
4. Approval of the Annual Programme, Work Plan, Budget and related Projects.
5. To consider, assess and examine the reports of the Executive Committee.
6. To monitor the functions and activities of the different departments of the NGO and make related recommendations.
7. To sign off on all policy documents and external communications.

Article 15:

The Executive Committee will be lead by a Managing Director who will be appointed by the Board of Directors from among them or outside the organization.



Meetings of the Executive Committee shall be held under the chairmanship of the Managing Director and in his or her absence, by the Deputy Managing Director, the Managing Director and other Heads of Departments will present their reports on a monthly basis to this meeting.

The committee comprises of the Heads of the Departments whose job description would be specified and approved by the Director/Deputy Director of the Organization. It is expected that the following departments will be included:

- a. Livelihood
- b. Basic services (Health, Education and Watsan)
- c. Natural Resource Management
- d. Social Welfare and Justice
- e. Legal Services
- f. Gender
- g. Governance
- h. Admin/Finance
- i. Logistic /IT
- j. Human resources

Each of these departments will have specialized trainers and experts for capacity building activities.

Article 16:

The Duties and authorities of the Managing Director will comprise the following:

A. Duties:

1. To manage the Organization.
2. To raise funds.
3. To be the legal representative.
4. To make decisions on funds and projects.
5. To manage human resources, including staff appointments and related issues.
6. To especially monitor project quality and impact.
7. To prepare and present the annual activities' achievements report of the organization to the board directors.



B. Authorities:

1. To participate in national and international meetings, seminars and conferences, and in governmental and non-governmental coordination meetings.
2. To prepare the TOR of the organization.
3. Appointment, approval and dismissal of the staff of the organization according to the provision of this charter;
4. To monitor the preparing of the monthly, midyear and annual reports;
5. To supervise the quality and quantity of activities of heads of the departments according to the approved plan.
6. To find reasonable solutions to the organizational problems and respond to applications and complaints titling the organization.
7. To issue instructions for betterment of implementation and advancement of affairs and activity of the organization;
8. To sign the contracts and protocols with the donors and other actors supporting the organizations;
9. To supervise and monitor the projects, administrative and financial affairs.

Article 17:

All office bearers, in compliance with the Charter of the NGO, could not be re-appointed in the following circumstances:

1. Passing away.
2. Inconsistent behavior.
3. Prolonged illness.
4. Retirement.
5. Corruption and /or criminal charges.
6. Prolong absence without reason and notice.
7. Violation of the rules and regulations of the Organization.
8. Discrimination on basis of race, ethnic, religion, geography, etc.



CHAPTER V

Recruitment and Remuneration

Article 18:

People, sharing the mandate, goals and articles of the organization can become members or be recruited in the Organization. Their appointment must follow the policies and procedures of the organization.

Article 19:

People will be appointed on the basis of educational qualification, sharing organizational mandate, profession and/or other special talents/capabilities. The approval of the Board of Directors is mandatory for all appointments.

Article 20:

Salary and other remuneration packages for staff of OHW will be in accordance with the laws of the State and other national/international organizations, with respect to the principles of priority to eligible Afghans and disabled persons.

Article 21:

All other privileges of the employees are according to standards adopted by other NGOs working in the state.

Article 22:

The contracts of the permanent members of OHW are subject to termination only under following circumstances:

1. NGO is non-operational for a long period (i.e., more than six months).
2. NGO is dissolved.
3. Member goes on a leave for more than 20 days without prior notice or consent of the Organization.
4. Member is found involved in activities against the interests and mandate of the NGO or any other wrongdoing and/or misconduct.
5. Refusing to comply with the bylaws of the Charter.

CHAPTER VI

Financial and Reporting Affairs of the Organization

Article 23:

Financial and accounting affairs of the organization adopts according to the national and international norms and standards. The copies of annual financial report of the organization verified by the financial and accounting standards will be submitted to the archive of the organization, donor and ministry of economy.

All the documents of purchases and expenses, and inventories and equipments donated to the organization will be executed after accurate financial verification.

Fiscal year of the organization will be one year and the organization is obliged to present its financial report to the ministry of economy accordingly.

Article 24:

In accordance to NGO's Law, The Organization is obliged to provide six months Financial Report to the Ministry of Economy, on the basis of Project activities and objectives achieved.

The Organization shall share 'any kind of document related to activities of the project communicated with donors' with the Ministry of Economy.

CHAPTER VII

Use of asset of the organization

Article 25:

All the moveable and immovable assets of the organization are related to the organization and will be logged and registered under its title, individuals does not have the right to use or claim these assets as personal, neither the individuals can purchase any inventory under personal title.

Article 25:



The organization is obliged to spend the budget according to the Terms of Contract and specified project Activities, and shall provide the annual financial report to the Ministry of Economy and other relevant entities.

Article 27:

In case of liquidation, amalgamation, divestment and conclusion of organizational operation, The assets of the organization will be provided to the organization with similar formalities or to the Government of Islamic Republic State of Afghanistan, base on the decision of authorities of the organization.

Article 28:

The organization shall auction the old and utilized inventories and equipments of the organization in consideration of NGO's law. The income from the auction shall be spent for non-profit purposes.

Article 29:

The organization can get rented the unnecessary/un useable inventory and equipments of the project, and utilize the income of the equipments for non-profit purposes/activities.

Article 30:

The organization cannot sell the movable and non moveable property/ equipments and share the income among the share holders of the organization.

- A. All the inventories and equipments purchased shall consist of proper invoices and documents.
- B. All the inventories and equipments of store(s) should be monitored on time, through appointed responsible person.

CHAPTER VIII

Miscellaneous Provisions

Article 31:

All the employees are obliged to obey this charter and all the Laws including NGO's Law of Afghanistan and comply with the internal rules and regulations of the Organization.

Article 32:

The discharged and penalized member of the organization can index his/her complaint to the Board of Directors.

Article 33:

Divestment of membership takes place in circumstances such as "passing away, resignation, dismiss, prolong absence "more than 20 days" without reason and notice, project completion and liquidation of the organization.

Article 34:

Core employees of the organization including the managing director and deputy managing director are obligated to provide the state of non-responsibility before the organization, in circumstances such as resignation and dismiss.

Article 35:

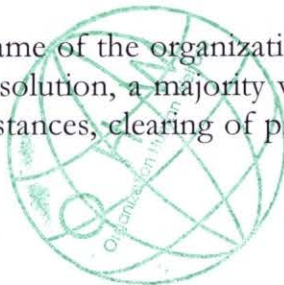
Whenever required, the Organization can enter into contract with other NGOs, Organizations or become member of a network, alliance, consortia or association of relevant organizations

Article 36:

In case of change in legal status or name of the organization, its amalgamation with any other organization or its dissolution, a majority vote of the members would be mandatory. In such circumstances, clearing of previous accounts is a pre-requisite.

Article 37:

The Board of Directors of the OHW approves this charter, which contains eight chapters and 37 articles. It must be respected and adhered to by all members, permanent and otherwise and all employees. It constitutes the basic guidelines to the mandatory policies and procedures for the organization.



End