

WORLD FORUM OF FISH HARVESTERS AND FISH WORKERS



DRAFT

CONSTITUTION



WORLD FORUM OF FISH HARVESTERS AND FISH WORKERS

DRAFT CONSTITUTION

(WFF Coordination Committee discussed the draft. Some are agreed and others are not agreed. These have to be further discussed in the Working Groups who must reach consensus on them, and finally have to be adopted at the Plenary Session of the WFF CA)

PREAMBLE (Agreed)

Whereas the fishing grounds and the coastal zone around the world are facing crisis, there is a desire on the part of the world's fishing communities to unite, in order to uphold the human rights, fundamental rights, social justice, and culture of fish harvesters and fish workers, affirming the sea as source of all life and committing themselves to sustain fisheries and aquatic resources for the present and future generations, to protect their livelihood.

ESTABLISHMENT AND OBJECTIVES

Article 1: Forum Established (Agreed)

A permanent international organization is hereby established, to be called the "World Forum of Fish Harvesters and Fish Workers" (WFF), whose goal shall be the attainment of the objectives set out in this constitution.

Article 2: Objectives (Agreed)

The objectives of the World Forum of Fish Harvesters and Fish Workers (WFF) shall be:

- a) To protect, defend and strengthen the communities that depend on the fishery for their livelihood.
- b) To assist member organizations to secure and improve upon the economic viability and quality of life of fish harvesters, fish workers and their communities.
- c) To recognize, protect, and enhance the role of women in the fishing economy and in the sustenance of the community. *as the rep. of the community*
- d) To create an understanding of the resource as a common heritage of humanity and, through sustainable fishing practices, conservation, and regeneration of the marine and inland resources and ecosystems, to ensure that it is passed on to future generations. *hydrobiological*
- e) To protect fishing communities, fish resources and fish habitats, such as coastal zones, watersheds and mangroves, from both land-based and sea-based threats. These include displacement by tourism, pollution (including the use of sea as a dumping ground for toxic waste), destructive industrial aquaculture, over fishing, and destructive fishing practices. *ground, air, marine*
- f) To establish and assert the rights of fishing communities to their customary territories in the coastal zone, under their national jurisdiction for fishing and habitation.
- g) To promote a legal regime that will ensure the traditional and customary rights of fishing communities to the fishery under the national jurisdiction.

- ↑
 protect
- h) To promote the primary role of fish harvester and fish worker organizations in managing fisheries and oceans nationally and internationally.
 - i) To promote food security, both locally and worldwide, by sustaining fish stocks for the future, and by reserving fish for human consumption.
 - j) To promote equitable representation of fish harvester and fish worker organizations in all relevant regional and international fora and to advocate their recognition.
 - k) To play a monitoring role to ensure that states and transnational corporations comply with relevant international agreements and to oppose any trade agreements that threaten the livelihood of fishers.
 - l) To prevent the export of resource collapse crises and of technologies and practices that lead to these crises.
 - m) To provide support for national and international struggles that are consistent with the objectives of the World Forum.
 - n) To encourage, assist, and support fish harvesters and fish workers to organize where they have not already done so.
 - o) To promote the right of fish harvesters and fish workers to social security, safe working conditions, fair income and safety at sea, as well as their recognition as seafarers.
 - p) To improve the communication between fish harvesters and the scientific community through the exchange of knowledge and science.
 - q) To acknowledge and enhance the unique culture of fishing communities.

as professional people

technology

laborer

homok edu, know of fish and their communities

to restore access to its & resources granted under WFO charter?

MEMBERSHIP

Article 3: Active Members (Agreed)

Organisations which comply with the objectives set out in Article 2 of this constitution may be members of the World Forum of Fish Harvesters and Fish Workers (WFF). Only one national organisation per country may be a member. Such organisations must be democratically constituted and may include, but not be limited to, trade unions, associations, federations of cooperatives and aboriginal nations dependent on the fishery for their livelihood. They must represent one of the groups set out below:

1. Fish Harvesters, i.e. any person directly engaged in fishing, known in different countries as:
 - i. Subsistence fishers;
 - ii. Artisanal fishers;
 - iii. Aboriginal or indigenous peoples who are fish harvesters;
 - iv. Traditional coastal fishers;
 - v. Independent owner- operators;
 - vi. Crew members in this sector. *(industrial sector?)*
2. Crewmembers of fishing units other than those mentioned above and those who are presently listed under subsection a).
3. Broadly based (mass-based) organisations of fishing community women engaged in work in support of the fishery. *popular?*
4. Fish workers who are engaged in activities related to the processing, sale (excluding merchants) or transport of fish. *direct & transportation*

Additional proposal [previously in the interim Charter (Not agreed)]

5. LARGE CORPORATIONS AND ALLIED AFFILIATES OWNING FISHING VESSELS OR ENGAGED IN HARVESTING, PROCESSING AND DISTRIBUTION OF FISH AND THOSE CARRYING OUT DESTRUCTIVE INDUSTRIAL AQUACULTURE CANNOT BE MEMBERS OF THE FORUM. *FNCS*

Article 4: Admission of Members (Agreed)

Only the Coordination Committee may admit active members. In exceptional cases, the Coordination Committee may while respecting the objectives set out in Article 2 of this constitution, admit as an active member more than one national group per country if the organisation represents a significant proportion of the groups or one of the groups listed in subsection a) to d) of Article 3 of this constitution.

Article 5: Commitment (Agreed)

Every active member of the World Forum of Fish Harvesters and Fish Workers (WFF) must formally accept the obligations and content of this constitution.

and abide by this bond.

Article 6: Withdrawal of Members (Agreed)

Any member may withdraw from the World Forum of Fish Harvesters and Fish Workers (WFF) by giving three (3) months notice to the Coordination Committee

Article 7: Fees (Agreed)

The fee schedule as well as the method of payment shall be fixed by the Coordination Committee.

Exemption clause

Article 8: Suspension of Membership (Agreed)

- a) The Coordination Committee may, by two-thirds vote, suspend a member for non-payment of fees. Such suspension will be removed upon payment of the outstanding fees. *1-accepted class*
- b) The Coordination Committee may, by two-thirds vote, suspend a member for actions detrimental to the objectives of the WFF, provided that the Coordination Committee allows the member reasonable opportunity for a hearing before any decision concerning a suspension is made.
- c) No suspended member may take part in the work of WFF nor vote at the General Assembly

Article 9: Expulsion (Agreed)

The Coordination Committee may by two-thirds vote expel a member for cause provided that:

- a) Expulsion has been recommended by a two-thirds majority of the according regional council, if a regional council exists for that region.
- b) The Coordination Committee has given the member the member reasonable opportunity for a hearing into the actions giving rise to a consideration of expulsion.

STRUCTURE

Article 10: Forum Composition (Agreed)

The World Forum of Fish Harvesters and Fish Workers (WFF) shall consist of:

- a) A General Assembly
- b) Regional Councils
- c) A Coordination Committee
- d) An Executive Committee

GENERAL ASSEMBLY

Article 11: General Assembly (Agreed)

The General Assembly shall be composed of all the delegates representing members who attend the meeting. The Coordination Committee may permit organizations that are not members to send observers to the General Assembly.

The General Assembly constitutes the highest authority of the World Forum of Fish Harvesters and Fish Workers (WFF).

Article 12: Functions of the General Assembly (Agreed)

The functions of the General Assembly are:

- a) To officially interpret and to amend the constitution of the WFF.
- b) To discuss issues of common interest and adopt resolutions on subjects on the agenda, and to do so in a spirit of cooperation and exchange of ideas.
- c) To decide on the action required to implement decisions and fulfil the objectives of the World Forum of Fish Harvesters and Fish Workers (WFF).
- d) To assign tasks or duties to the Coordination Committee.

Article 13: Member Representation at the General Assembly (Agreed)

- a) Each country with at least one active member ^{must} shall be entitled to representation at the General Assembly by two delegates, one of whom shall be male and the other female.
- b) Large countries as designated by the Coordination Committee shall be entitled to a third delegate. ^{in special circumstances, as additional members.}
- c) Each active member shall be entitled to nominate auditors and/or alternate delegates to participate at the General Assembly with the right to speak.
- d) The nomination of auditors and alternative delegates ^{observers} must be approved by the Coordination Committee.

Article 14: Designation of Delegates (Agreed)

- a) Active members shall name their delegates, in writing, to the Coordination Committee no less than 90 days before the General Assembly takes place.
- b) In the case of a country with more than one active member, the active members in the respective country shall try to agree on the delegates' representation. In the event that the active members in the respective country are unable to agree on the delegates' representation, they may refer the matter to the Coordination Committee for a binding decision.

Article 15: Right to Vote (Agreed)

Each delegate has the right to vote on any item put before the General Assembly.

Article 16. Majority (Agreed)

- a) Votes involving constitutional approval and amendments, suspension or expulsion of a member, and the dissolution of the WFF, shall require two-

thirds majority vote of delegates voting and shall also require the support of a simple majority (50% +1) of the countries which are represented by delegates at the General Assembly. In the event that the delegates from a country are equally divided on the question subject to the vote, that country will be deemed to abstain from voting for the purpose of obtaining the simple majority expected.

- b) All other decisions of the General Assembly shall be made by simple majority (50%+1) of the number of votes validly cast. However, we should first try to reach a consensus in our decision-making.

Article 17: Location of the General Assembly (Agreed)

Subject to any decision taken at a previous General Assembly, the General Assembly shall take place at a location to be fixed by the Coordination Committee.

Article 18: Frequency of the General Assembly (Agreed)

The General Assembly shall take place at least once every three years as decided by the Coordination Committee.

COORDINATION COMMITTEE

ARTICLE 19: COMPOSITION OF THE COORDINATION COMMITTEE (NOT AGREED)

THE COMMITTEE SHALL BE COMPOSED OF A MINIMUM OF TWELVE (12) AND A MAXIMUM OF TWENTY-FOUR (24) REGIONAL REPRESENTATIVES, DESIGNATED IN THE MANNER PRESCRIBED IN ARTICLE 20 BELOW.

(THE COMPOSITION OF THE COORDINATION COMMITTEE WILL DEPEND ON THE FINAL FORMULATION OF ARTICLE 20 BELOW)

ARTICLE 20: DESIGNATION OF REGIONAL REPRESENTATIVES (NOT AGREED)

THE REPRESENTATIVES OF THE COORDINATION COMMITTEE SHALL BE DESIGNATED IN THE FOLLOWING MANNER. (FOLLOWING THE PRINCIPLE OF PROPORTIONATE REPRESENTATION, BUT WITH A FIXED MINIMUM AND MAXIMUM NUMBER):

4 A MINIMUM OF TWO (2) AND A MAXIMUM OF (4) [OR TEN (10)] REPRESENTATIVES DESIGNATED BY THE ACTIVE MEMBERS REPRESENTING ASIAN COUNTRIES.

A MINIMUM OF TWO (2) AND A MAXIMUM OF (4) [OR TEN (10)] REPRESENTATIVES DESIGNATED BY THE ACTIVE MEMBERS REPRESENTING AFRICAN COUNTRIES.

A MINIMUM OF TWO (2) AND A MAXIMUM OF (4) REPRESENTATIVES DESIGNATED BY THE ACTIVE MEMBERS REPRESENTING EUROPEAN COUNTRIES.

A MINIMUM OF TWO (2) AND A MAXIMUM OF (4) REPRESENTATIVES DESIGNATED BY THE ACTIVE MEMBERS REPRESENTING NORTH AMERICAN COUNTRIES.

A MINIMUM OF TWO (2) AND A MAXIMUM OF (4) [OR TEN (10)] REPRESENTATIVES DESIGNATED BY THE ACTIVE MEMBERS REPRESENTING SOUTH AMERICAN COUNTRIES.

A MINIMUM OF TWO (2) AND A MAXIMUM OF (4) [OR TEN (10)] REPRESENTATIVES DESIGNATED BY THE ACTIVE MEMBERS REPRESENTING OCEANIA & THE SOUTH PACIFIC.

ARTICLE 20 A: RESERVATION IN THE COORDINATION COMMITTEE (NOT AGREED)

ANY ORGANISATION HAVING 50,000 OR MORE MEMBERS SHALL HAVE A RESERVATION FOR ONE MEMBER IN THE COORDINATION COMMITTEE.

ARTICLE 20 B: GENDER PARITY IN THE ORGANISATION (NOT AGREED)

MEMBERS COMMIT TO MAINTAINING GENDER PARITY IN SELECTING REPRESENTATIVES FOR THE COORDINATION COMMITTEE. THE REPRESENTATIVE DESIGNATED BY THE MEMBERS SHOULD BE REPRESENTATIVE OF ONE THE GROUPS LISTED IN SUBSECTIONS A) TO D) OF ARTICLE 3 OF THIS CONSTITUTION.

OR:

(AT EVERY LEVEL OF ORGANISATION THERE SHOULD BE AT LEAST 50% WOMEN'S PARTICIPATION)

ARTICLE 21: OFFICERS OF THE COORDINATION COMMITTEE (NOT AGREED)

THE MEMBERS OF THE COORDINATION COMMITTEE SHALL ELECT FROM AMONG THEMSELVES ONE (1) GENERAL COORDINATOR, ONE (1) ASST. COORDINATOR AND ANY OTHER OFFICER DEEMED NECESSARY IN ORDER TO CARRY OUT THEIR DUTIES.

OR:

(THE OFFICERS OF THE COORDINATION COMMITTEE ARE: (1) THE GENERAL COORDINATOR (2) THE ASSISTANT COORDINATOR, AND (3) THE TREASURER : THESE THREE OFFICIALS ARE ELECTED BY THE GENERAL ASSEMBLY)

OR:

*N and S
gender parity
M/F 2 representatives*

THERE SHALL BE TWO COORDINATORS AND ONE TREASURER.

OR:

THERE SHALL BE ONE GENERAL COORDINATOR , TWO GENERAL SECRETARIES AND ONE TREASURER.

Article 22: Function of the Coordination Committee (Agreed)

The Coordination Committee acts under the authority of the General Assembly and represents the World Forum of Fish Harvesters and Fish Workers (WFF).

Other than the duties that may be delegated by the General Assembly, the functions of the Coordination Committee are as follows:

- a) Promote the creation of regional councils
- b) Plan and manage the activities of the World Forum of Fish Harvesters and Fish Workers (WFF)
- c) Organise the General Assembly
- d) Propose recommendations to be put to the General Assembly.
- e) Implement measures decided upon by the General Assembly.
- f) Represent the World Forum of Fish Harvesters and Fish Workers (WFF) in dealing with other organisations.
- g) Admit members in accordance with the provisions of this constitution.
- h) Report on its activities to the General Assembly.
- i) Maintain close links among members of the World Forum of Fish Harvesters and Fish Workers (WFF) during periods when the General Assembly is not in session.
- j) Generally, take any measures deemed necessary to accomplish the objectives set out in this constitution.

Article 23: Term of Office of Coordination Committee Members (Agreed)

The mandate of Coordination Committee members shall be for the period until the next General Assembly. Normally the mandate will be for the term of three (3) years.

Article 24: Vacancies of Coordination Committee Members (Agreed)

- a) If an active member files a written complaint that a member of the Coordination Committee is no longer acting in accordance with the objectives of the World Forum, this matter shall be referred to the appropriate regional council. If, upon hearing the representations of the complainant, and of the member of the Coordination Committee complained about, the Regional Council determines that the member of the Coordination Committee is no longer acting in accordance with the objectives of the World Forum, the Regional Council shall have the authority to remove that person from the

exclude

Coordination Committee. This decision may be appealed to the Coordination Committee.

If no Regional Council exists in the region where the complaint originates, the matter shall be referred to the Coordination Committee for a decision.

- b) If an active member notifies the Coordination Committee that a member of the Coordination Committee no longer holds the position that provided the political base for his or her election to the Coordination Committee, this matter will be referred to the appropriate regional council. If the Regional Council determines that this notification is valid, the Regional Council shall be authorized to declare this position vacant.

If no Regional Council exists in the region in which the notification originates, the matter shall be referred to the Coordination Committee for a decision.

Article 25: Vote (Agreed)

Each member of the Coordination Committee has the right to one (1) vote. Decisions shall be taken by simple majority.

ARTICLE 26: PROCEDURES (NOT AGREED)

THE COORDINATION COMMITTEE SHALL ESTABLISH ITS OWN RULES, DECIDE ON ITS OWN PROCEDURES AND DETERMINE HOW OFTEN TO MEET. A SPECIAL MEETING SHALL BE HELD ANY TIME THAT EIGHT (8) MEMBERS OF THE COORDINATION COMMITTEE SO REQUEST IT IN WRITING.

OR:

(THE COORDINATION COMMITTEE SHALL ESTABLISH ITS OWN RULES, DECIDE ON ITS OWN PROCEDURES, AND DETERMINE HOW OFTEN TO MEET. THE GENERAL COORDINATOR SHOULD CONVENE A SPECIAL MEETING ANYTIME WHEN A TWO THIRDS OF THE COORDINATION COMMITTEE SO REQUEST IN WRITING.)

ARTICLE 26A: FUNCTIONS OF THE GENERAL COORDINATOR (NOT AGREED)

- a. TO PRESIDE OVER THE GENERAL ASSEMBLY, THE COORDINATION COMMITTEE AND THE EXECUTIVE COMMITTEE;
- b. TO CONVENE THE COORDINATION COMMITTEE AND THE EXECUTIVE COMMITTEE;
- c. TO MAINTAIN AN OFFICE OF COMMUNICATION, ANIMATION, AND DOCUMENTATION;
- d. TO COORDINATE WFF ACTIVITIES ACCORDING TO THE DECISIONS OF THE OBJECTIVES OF THE WFF AND THE DECISIONS OF THE

GENERAL ASSEMBLY, THE COORDINATION COMMITTEE, AND THE EXECUTIVE COMMITTEE;

- e. TO FACILITATE NEW MEMBERSHIP TO THE WFF;
- f. TO REPRESENT THE WFF AT INTERNATIONAL FORA AND TO DELEGATE OTHERS TO DO SO;
- g. GENERALLY, TO TAKE ANY MEASURES DEEMED NECESSARY TO ACCOMPLISH THE OBJECTIVES SET OUT IN THIS CONSTITUTION, TO BE REPORTED TO AND TO BE RATIFIED BY THE COORDINATION COMMITTEE.

ARTICLE 26B: TERM OF OFFICE OF THE GENERAL COORDINATOR (NOT AGREED)

THE GENERAL COORDINATOR IS ELECTED FOR A PERIOD OF THREE (3) YEARS.

*removed only once
Need a Mayor*

ARTICLE 26C: FUNCTIONS OF THE ASSISTANT COORDINATOR (NOT AGREED)

- a. TO WORK IN CLOSE COLLABORATION WITH THE GENERAL COORDINATOR;
- b. TO ASSUME THE FUNCTIONS OF THE GENERAL COORDINATOR IN HIS OR HER ABSENCE.

ARTICLE 26D: TERM OF OFFICE OF THE ASSISTANT COORDINATOR (NOT AGREED)

THE ASSISTANT COORDINATOR IS ELECTED FOR A PERIOD OF THREE (3) YEARS.

ARTICLE 26E: FUNCTIONS OF THE TREASURER (NOT AGREED)

- a. TO HANDLE ALL FINANCIAL MATTERS OF THE WFF;
- b. TO ACT ACCORDING TO THE DECISION OF THE COORDINATION COMMITTEE AND THE EXECUTIVE COMMITTEE;
- c. TO SPEND MONEY AS PER WRITTEN INSTRUCTIONS FROM THE GENERAL COORDINATOR AND ASSISTANT COORDINATOR COLLECTIVELY.
- d. TO HAVE THE ACCOUNTS OF THE WFF AUDITED EVERY YEAR.

ARTICLE 26 F: TERM OF OFFICE OF TREASURER(NOT AGREED)

THE TREASURER IS ELECTED FOR A PERIOD OF THREE (3) YEARS.

EXECUTIVE COMMITTEE

ARTICLE 27: COMPOSITION OF THE EXECUTIVE COMMITTEE (NOT AGREED)

THE EXECUTIVE COMMITTEE SHALL BE COMPOSED FIVE (5) REPRESENTATIVES ELECTED FROM AMONG THE MEMBERS OF THE COORDINATION COMMITTEE.

OR:

(THE EXECUTIVE COMMITTEE SHALL BE COMPOSED OF THE GENERAL COORDINATOR, THE ASSISTANT COORDINATOR AND THE TREASURER, FOR THE DAY TO DAY RUNNING OF THE WFF).

ARTICLE 28: OFFICERS OF THE EXECUTIVE COMMITTEE (NOT AGREED)

THERE SHALL BE ONE (1) PRESIDENT, TWO (2) VICE PRESIDENTS, ONE (1) SECRETARY AND ONE (1) TREASURER.

OR:

(IF THE SECOND ALTERNATIVE IS CHOSEN FOR ARTICLE 27, THIS ARTICLE MAY BE OMITTED)

ARTICLE 29: FUNCTIONS OF THE EXECUTIVE COMMITTEE (NOT AGREED)

THE EXECUTIVE COMMITTEE ACTS UNDER THE AUTHORITY OF THE COORDINATION COMMITTEE AND IS RESPONSIBLE TO THE LATTER.

THE EXECUTIVE COMMITTEE HANDLES ALL ADMINISTRATIVE AND FINANCIAL MATTERS. THIS INCLUDES:

- a. HANDLING THE DAY-TO-DAY ADMINISTRATION OF AFFAIRS AND DEALING WITH ALL FINANCIAL AND PURELY ADMINISTRATIVE ASPECTS OF THE WORLD FORUM OF FISH HARVESTERS AND FISH WORKERS (WFF)
- b. PREPARING AND MANAGING AN OPERATING BUDGET.
- c. PREPARING ALL REPORTS AND FINANCIAL STATEMENTS THAT MAY BE REQUIRED BY THE COORDINATION COMMITTEE.
- d. ASSISTING THE COORDINATION COMMITTEE WITH ALL ADMINISTRATIVE AND FINANCIAL MATTERS AND CARRYING OUT ANY RELATED DUTIES WHICH MAY BE DELEGATED TO IT BY THE COORDINATION COMMITTEE.

ARTICLE 30: TERM OF OFFICE OF THE EXECUTIVE COMMITTEE MEMBERS (NOT AGREED)

THE MANDATE OF THE EXECUTIVE COMMITTEE MEMBERS SHALL BE FOR A (MAXIMUM) TERM OF THREE (3) YEARS.

ARTICLE 31: VACANCIES OF EXECUTIVE COMMITTEE MEMBERS (NOT AGREED)

ANY VACANCY ARISING WITHIN THE EXECUTIVE COMMITTEE FOR ANY REASON SHALL BE FILLED BY THE COORDINATION COMMITTEE

ARTICLE 32: MEETINGS (NOT AGREED)

MEETINGS OF THE EXECUTIVE COMMITTEE MAY BE CALLED BY THE PRESIDENT OR SECRETARY, AND MAY BE HELD WITHOUT NOTICE AT A TIME OR PLACE TO BE DETERMINED BY THE AFOREMENTIONED.

OR:

(MEETINGS OF THE EXECUTIVE COMMITTEE MAY BE CALLED BY THE GENERAL COORDINATOR, BY THE ASSISTANT COORDINATOR OR BY THE TREASURER.)

ARTICLE 33: QUORUM (NOT AGREED)

A QUORUM FOR MEETINGS OF THE EXECUTIVE COMMITTEE SHALL BE THREE (3) MEMBERS.

OR:

[(IF THE SECOND ALTERNATIVE FOR THE ARTICLE 27 IS CHOSEN) THE QUORUM FOR THE MEETING OF THE EXECUTIVE COMMITTEE WILL BE ALL THE THREE MEMBERS.]

ARTICLE 34: PROCEDURES (NOT AGREED)

PROCEDURES FOR MEETINGS OF THE EXECUTIVE COMMITTEE SHALL BE DETERMINED BY REGULATION OF THE COORDINATION COMMITTEE.

REGIONAL COUNCILS

ARTICLE 35: ESTABLISHMENT OF REGIONAL COUNCILS (NOT AGREED)

THE WORLD FORUM OF FISH HARVESTERS AND FISH WORKERS (WFF) SHALL RECOGNISE ANY REGIONAL COUNCIL OF THE WORLD FORUM WHICH COMPLIES WITH THE OBJECTIVES DESCRIBED IN ARTICLE 2 AND WHICH IS FORMED BY THE REGIONS AND CONTINENTS LISTED IN THE ARTICLE 20 OF THIS CONSTITUTION.

ARTICLE 36: GOALS OF REGIONAL COUNCILS (NOT AGREED)

THE GOALS OF THE REGIONAL COUNCILS SHALL BE TO ENSURE THE COORDINATION AND THE CONSULTATION OF THE REGIONAL MEMBERS FROM COUNTRIES REPRESENTATING THE REGIONS AND CONTINENTS LISTED IN ARTICLE 20 OF THIS CONSTITUTION.

GENERAL PROVISIONS

Article 37: Financing (Agreed)

Revenues for the WFF shall derive from the following:

- membership fees
- donations or grants deemed acceptable by the Coordination Committee
- any other source deemed acceptable by the Coordination Committee.

Article 38: Modifications and Amendments

This Constitution shall be modified or amended by a vote. The voting procedure is as follows:

Votes involving constitutional approval and amendments, suspension or expulsion of a member, and the dissolution of the WFF, shall require two-thirds majority vote of delegates voting and shall also require the support of a simple majority (50% +1) of the countries which are represented by delegates at the General Assembly. In the event that the delegates from a country are equally divided on the question subject to the vote, that country will be deemed to abstain from voting for the purpose of obtaining the simple majority expected.

All other decisions of the General Assembly shall be made by simple majority (50%+1) of the number of votes validly cast. However, we should first try to reach a consensus in our decision-making.

Article 39: Dissolution

The World Forum of Fish Harvesters and Fish Workers (WFF) may be dissolved by a vote. The voting procedure is as follows:

Votes involving constitutional approval and amendments, suspension or expulsion of a member, and the dissolution of the WFF, shall require two-thirds majority vote of delegates voting and shall also require the support of a simple majority (50% +1) of the countries which are represented by delegates at the General Assembly. In the event that the delegates from a country are equally divided on the question subject to the vote, that country will be deemed to abstain from voting for the purpose of obtaining the simple majority expected.

All other decisions of the General Assembly shall be made by simple majority (50%+1) of the number of votes validly cast. However, we should first try to reach a consensus in our decision-making.

Article 40: Offices (Agreed)

The Offices of the World Forum of Fish Harvesters and Fish Workers (WFF) shall be located as determined from time to time by the Coordination Committee.

Article 41: Official Language (Agreed)

The official languages of the World Forum of Fish Harvesters and Fish Workers (WFF) shall be English, French and Spanish.

Article 42: Interpretation (Agreed)

When the General Assembly is not in session, only the Coordination Committee has the authority in matters concerning the interpretation of this Constitution.

Article 43: Status (Agreed)

The World Forum of Fish Harvesters and Fish Workers (WFF) is an independent organization.

By authority of the General Assembly, the Coordination Committee may undertake any measures deemed necessary to confer on the World Forum of Fish Harvesters and Fish Workers (WFF) a judicial personality in accordance with the applicable laws of a country in which the World Forum carries out activities.

Article 44: Coming into Force (Agreed)

The Constitution shall come into force following its approval at a General Assembly in accordance with the provisions contained herein. Upon such approval, this Constitution shall replace the WFF Interim Charter of 1997.

CONSTITUTION
of the
WORLD FORUM OF
FISH-HARVESTERS AND FISHWORKERS
(WFF)

PREAMBLE

Whereas the fishing grounds and the coastal zones around the world are facing crisis, there is a desire on the part of the world's fishing communities to unite under the banner of the World Forum of Fish Harvesters and Fish Workers (WFF), in order to uphold the human rights, fundamental rights, social justice and culture of fish harvesters and fishworkers, affirming water as the source of all life and committing ourselves to sustain fisheries and aquatic resources for the present and future generations.

Article 2: Objectives

The objectives of the World Forum of Fish Harvesters and Fish Workers (WFF) are:

- a) To protect, defend and strengthen the communities that depend on the fishery for their livelihood.
- b) To assist member organizations to secure and improve upon the economic viability and quality of life of fish harvesters, fishworkers, and their communities.
- c) **To recognize, support and enhance the role of women in the social, economic, political and cultural life of the fishing community.**
- d) To create an understanding of the resource as a common heritage of humanity and, through sustainable fishing practices, conservation, and regeneration of the marine and inland resources and ecosystems, to ensure that it is passed on to future generations.

- e) To protect fishing communities, fish resources and fish habitats, such as coastal zones, watersheds and mangroves, from both land-based, sea-based **and air-based** threats. These include displacement by tourism, pollution (including the use of the sea as a dumping ground for toxic waste), destructive industrial aquaculture, over fishing and destructive fishing practices.
- f) To establish and assert the rights of fishing communities to their customary territories in the coastal zone under their national jurisdiction for fishing and habitation.
- g) To promote a legal regime that will ensure the traditional and customary rights of fishing communities to the fishery under their national jurisdiction.
- h) To promote the primary role of fish harvester and fishworker organizations in managing fisheries and oceans, nationally and internationally.
- i) **To protect** food security, both locally and worldwide, by sustaining fish stocks for the future, and by reserving fish for human consumption.
- j) To promote equitable representation of fish harvester and fishworker organizations in all relevant regional and international fora and advocate their recognition.
- k) To play **an active role** to ensure that states and transnational corporations comply with relevant international agreements and to oppose any trade agreements that threaten the livelihood of fishers.
- l) To prevent the export of resource collapse crises and of technologies and practices that lead to these crises.
- m) To provide support for national and international struggles that are consistent with the objectives of the World Forum.
- n) To encourage, assist and support fish harvesters and fishworkers to organize where they have not already done so.
- o) To promote the right of fish harvesters and fishworkers to social security, safe working conditions, fair income and safety at sea, as well as their recognition as seafarers.
- p) To improve the communication between fish harvesters and the scientific community through the exchange of knowledge and science.
- q) To acknowledge and enhance the unique culture of fishing communities.

- r) **To restore our access to the rights and powers originally granted to us in the charter of the United Nations.**

MEMBERSHIP

Article 3: Active Members

- a) Organizations which comply with the objectives set out in Article 2 of this constitution may be members of the *World Forum of Fish Harvesters and Fishworkers (WFF)*. **Subject to article 4**, only one national organization per country may be a member. Such organizations must be democratically constituted and may include, but not be limited to, trade unions, associations, federations of cooperatives and aboriginal nations dependent on the fishery for their livelihood. They must represent one of the groups set out below:
- 1) *Fish harvesters*, i.e. any person directly engaged in fishing, known in different countries as:
 - I. Subsistence fishers;
 - II. Artisanal fishers;
 - III. Aboriginal or indigenous peoples who are fish harvesters;
 - IV. Traditional coastal **and inland** fishers;
 - V. Independent owner-operators;
 - VI. Crew members in this sector.
 - a) Crew members of fishing units other than those mentioned above and who are presently members of organizations listed under subsection a above.
 - b) Broadly based (mass-based) organizations of fishing community women engaged in work in support of the fishery.
 - c) Fish workers who are engaged in activities related to the processing, **direct** sale (excluding merchants) or transport of fish.
- B) Corporations transnational companies and allied affiliates owning fishing vessels and engaged in harvesting, processing and distribution of fish and those carrying out destructive fishing or industrial aquaculture cannot be members of the WFF**

Article 4: Admission of Members

Only the Coordination Committee may admit active members. In exceptional cases, the Coordination Committee may, while respecting the objectives set out in Article 2 of this constitution, admit as an active member more than one national group per country if the organization represents a significant proportion of the groups or one of the groups listed in subsections **1) to 4)** of Article 3 of this constitution.

Article 5: Commitment

Every active member of the *World Forum of Fish Harvesters and Fish Workers (WFF)* must formally **accept and abide by** this constitution.

Article 6: Withdrawal of Members

Any member may withdraw from the *World Forum of Fish-harvesters and Fishworkers (WFF)* by giving three (3) months notice to the Coordination Committee.

Article 7: Fees

The fee schedule as well as the method of payment shall be fixed by the Coordination Committee. **In very exceptional circumstances, the Coordination Committee may waive the payment of fees by a particular member for a period of time.**

Article 8: Suspension of Membership

- a) The Coordination Committee may, **after two reminders**, by two-thirds vote suspend a member for non-payment of fees. Such suspension will be removed upon payment of the outstanding fees.
- b) The Coordination Committee may by two-thirds vote suspend a member for actions detrimental to the objectives of the WFF, provided that the Coordination Committee allows the member reasonable opportunity for a hearing before any decision concerning a suspension is made.
- c) No suspended member may take part in the work of the WFF nor vote at the General Assembly.
- d) **Any suspension may be appealed to the General Assembly**

Article 9: Expulsion

The **General Assembly** may by two-thirds vote expel a member organization for cause provided that:

- a) Expulsion has been recommended by a two-thirds majority of the **appropriate** continental council.
- b) The Co-ordination Committee has given the member reasonable opportunity for a hearing into the actions giving rise to a consideration of expulsion.

STRUCTURE

Article 10: Forum Composition

The *World Forum of Fish Harvesters and Fish Workers (WFF)* shall consist of:

- a) A General Assembly
- b) **Continental** Councils
- c) A Coordination Committee
- d) **Deleted**

GENERAL ASSEMBLY

Article 11: General Assembly

The General Assembly constitutes the highest authority of the *World Forum of Fish Harvesters and Fish Workers (WFF)*.

The General Assembly shall be composed of all of the delegates representing members who attend that meeting. The Coordination Committee may permit organizations that are not members to send observers to the General Assembly.

Article 12: Functions of the General Assembly

The functions of the General Assembly are:

- a) to officially interpret and to amend the constitution of the WFF.
- b) to discuss issues of common interest and adopt resolutions on subjects on the agenda, and to do so in a spirit of cooperation and exchange of ideas.
- c) to decide on the action required to implement decisions and fulfill the objectives of the *World Forum of Fish Harvesters and Fish Workers (WFF)*.
- d) to assign tasks or duties to the Coordination Committee.
- e) **To conduct elections as per the provisions of this Constitution**

- f) **To ratify, annul or sanate actions and decisions made by the Coordination Committee and the Continental Councils.**

Article 13: Member Representation at the General Assembly

- a) Each country with at least one active member shall be entitled to representation at the General Assembly by two delegates, one of whom shall be male and the other female.
- b) **Countries with fisher peoples population of more than one million shall be entitled to have one additional delegate for every additional million or part thereof.** (Two worksops have recommended this; one workshop wants to set a maximum limit)
- c) Each active member shall be entitled to nominate auditors, and/or alternate delegates to participate at the General Assembly with the right to speak.
- d) The nomination of auditors and alternative delegates must be approved by the Coordination Committee.
- e) **The out-going members of the CO-ordination Committee shall be ex-officio delegates to the General Assembly in which the new officials take charge as well as in any special meeting of the General Assembly that may be convened during the three years.** (One Workshop has recommended this)

Article 14: Designation of Delegates

- a) Active members shall name their delegates in writing to the Coordination Committee no less than 90 days before the General Assembly takes place.
- b) In the case of a country with more than one active member, the active members in the respective country shall try to agree on the delegates' representation. In the event that the active members in the respective country are unable to agree on the delegates' representation, they may refer the matter to the Coordination Committee for a binding decision.

Article 15: Right to Vote

Each delegate has the right to vote on any item put before the General Assembly.

Article 16: Majority

- a) **The WFF shall seek to resolve all decisions through consensus. Where consensus cannot be achieved the following provision shall apply.**
- b) Votes involving constitutional approval and amendments, **expulsion of a member** and the dissolution of the WFF, shall require two-thirds majority vote of delegates voting and shall also require the support of a simple majority (50% + 1) of the countries which are represented by delegates at the General Assembly. In the event that the delegates from a country are equally divided on the question subject to the vote, that country will be deemed to abstain from voting for the purpose of obtaining the simple majority expected.
- c) All other decisions at the General Assembly shall be made by simple majority (50% + 1) of the number of votes validly cast **(One sentence has been removed)**

Article 17: Location of the General Assembly

Subject to any decision taken at a previous General Assembly, the General Assembly shall take place at a location to be fixed by the Coordination Committee.

Article 18: Frequency of the General Assembly

The General Assembly shall take place at least once every 3 years as decided by the Coordination Committee.

COORDINATION COMMITTEE

Article 19: Composition of the Coordination Committee

The Coordination Committee shall be composed of two Coordinators, one of whom shall be a woman and the other a man, the general secretary, the treasurer and continental representatives as per the provisions of Article 20.

Article 20: Designation of Continental representatives

The continental representatives of the coordination committee shall be designated in the following manner:

Two representatives (one female and one male) from each of the following Continents: Africa, America, Asia, Europe and South Pacific.

Article 22: Functions of the Coordination Committee

The Coordination Committee acts under the authority of the General Assembly and represents the *World Forum of Fish Harvesters and Fish Workers (WFF)*.

Other than the duties that may be delegated by the General Assembly, the functions of the Coordination Committee are as follows:

- a) **Facilitate** the creation of regional councils.
- b) Plan and manage the activities of the *World Forum of Fish Harvesters and Fish Workers (WFF)*.
- c) Organize the General Assembly.
- d) Propose recommendations to be put to the General Assembly.
- e) Implement measures decided upon by the General Assembly.
- f) Represent the *World Forum of Fish Harvesters and Fish Workers (WFF)* in dealings with other organizations.
- g) Admit members in accordance with the provisions of this constitution.
- h) Report on its activities to the General Assembly.
- i) Maintain close links among members of the *World Forum of Fish Harvesters and Fish Workers (WFF)* during periods when the General Assembly is not in session.
- j) Generally, take any measures deemed necessary to accomplish the objectives set out in this constitution.
- k) **Take care of preparing a budget and managing finances of the WFF in accordance with Article 37.**

Article 23: Term of Office of Coordination Committee Members

The mandate of Coordination Committee members shall be for the period until the next General Assembly. Normally the mandate will be for a term of three (3) years.

Article 24: Vacancies of Coordination Committee Members

- a) If an active member files a written complaint that a member of the Coordination Committee is no longer acting in accordance with the objectives of the World

Forum, this matter will be referred to the appropriate continental council. If, upon hearing the representations of the complainant and of the member of the Coordination Committee about whom the complaint is made, the Continental Council determines that the member of the Coordination Committee is no longer acting in accordance with the objectives of the World Forum, the Continental Council shall have the authority to remove that person from the Coordination Committee. This decision may be appealed to the Coordination Committee.

- b) If an active member notifies the Coordination Committee that a member of the Coordination Committee no longer holds the position that provided the political base for his or her election to the Coordination Committee; this matter will be referred to the appropriate continental council. If the Continental Council determines that this notification is valid, the Continental Council shall be authorized to declare this position vacant.
- c) If the circumstances described in a) or b) above involve a coordinator, general secretary or treasurer, the coordination committee is authorized to take appropriate action.
- d) The coordination committee is authorized to fill a vacancy in the position of coordinator, general secretary or treasurer.
- e) In the event of a vacancy in the position of continental representative in the coordination committee, the appropriate continental council is authorized to fill the vacancy.

Article 25: Vote

Each member of the Coordination Committee has the right to one (1) vote. Decisions shall be taken by simple majority.

Article 26: Procedures

The coordination committee shall establish its own rules, decide on its own procedures and determine how often to meet. The Coordinators shall convene a special meeting any time when a two thirds of the coordination committee so request in writing.

Article 26a: Functions of the Coordinators

- a) To preside over the general assembly, the coordination committee.
- b) To convene the coordination committee.

- c) To coordinate the WFF activities according to the WFF Constitution and the decisions of the general assembly and the coordination committee.
- d) To facilitate new membership to the WFF.
- e) To represent the WFF at international fora and to delegate others to do so;
- f) Generally, to take any measures deemed necessary to accomplish the objectives set out in this Constitution, to be reported to and to be ratified by the coordination committee.

Article 26 e: Functions of the treasurer

- a) To handle all financial matters of the WFF
- b) To act according to the decision of the coordination committee.
- c) To spend money as per decisions of the Coordination Committee or written instructions from the coordinators collectively;
- d) To have the accounts of the WFF independently audited every year.

Article 26 g: Duties of the General Secretary

- a) To work under the direction of the Coordinators
- b) To maintain an office of communication, animation and documentation
- c) To keep official records of the WFF
- d) To carry out tasks assigned by the Coordination Committee

Article 26 h: The term of office

The term of office for the Coordinators, Treasurer and general secretary shall be normally for a period of three years unless the timing of the next General Assembly dictates otherwise. No individual may be elected for more than two consecutive terms to any of these offices.

CONTINENTAL FORA

Article 35: Establishment of Continental Fora

- a) The WFF recognizes five Continental Fora of the World Forum in accordance with the provisions of Article 20 of this Constitution.
- b) Active members of the WFF in each of these continents form the Continental Forum of the WFF.
- c) Each Continental Forum shall have a Continental Council as its governing body with a Continental Coordinator and other officials deemed necessary.
- d) Each Continental Forum shall decide upon its own structures and mode of operation respecting the Objectives of the WFF contained in Article 1 and in accordance with other directives and spirit of the WFF. Such statutes are subject to the approval of the WFF Coordination Committee.
- e) The functions of the Continental Councils shall be to ensure the coordination and the consultation of members in their respective continents, and the implementation of the WFF programme.
- f) The Continental Fora designate their representatives to the Coordination Committee.

GENERAL PROVISIONS

Article 37: Financing

Revenues for the World Forum of Fish-harvesters and Fishworkers (WFF) shall derive from:

- members fees;
- donations or grants deemed acceptable by the Coordination Committee;
- any other source deemed acceptable by the Coordination Committee.

The Coordination shall not accept funds from large corporations or any other body acting in a manner which is contrary to the objective of the WFF.

Article 38: Quorum

The quorum for the purpose of the WFF meetings shall be as follows:

- a) **General Assembly – Two thirds of the delegates**
- b) **Coordination Committee – 50% plus one**

Article 39: Dissolution

The *World Forum of Fish Harvesters and Fish Workers* may be dissolved by a vote. The voting procedure is as follows:

- a) **The dissolution of the WFF shall require two-thirds majority vote of delegates voting and shall also require the support of a simple majority (50% +1) of the countries which are represented by delegates at the General Assembly. In the event that the delegates from a country are equally divided on the question of dissolution, that country will be deemed to abstain for the purpose of obtaining the simple majority required.**

Article 40: Offices

The offices of the *World Forum of Fish Harvesters and Fish Workers (WFF)* shall be located as determined from time to time by the Coordination Committee.

Article 41: Official Languages

The official languages of the *World Forum of Fish Harvesters and Fish Workers (WFF)* shall be English, French and Spanish.

Article 42: Interpretation

Between General Assemblies the Coordination Committee has authority in matters concerning the interpretation of this Constitution.

Article 43: Status

The *World Forum of Fish Harvesters and Fish Workers (WFF)* is an independent organization.

By authority of the General Assembly, the Coordination Committee may undertake any measures deemed necessary to confer on the *World Forum of Fish Harvesters and Fish Workers (WFF)* a judicial personality in accordance with the applicable laws of a country in which the *World Forum* carries out its activities.

First report of Constitution Committee

Article 1

Accepted as per CC draft.

Article 3

Insert in first paragraph : "subject to article 4" before "Only one..."

Para. 1. iv) Coastal and inland fishers

Para 4. Change "sale" to "direct sale"

Para 5. Large corporations, Trans National Companies and allied affiliates owning fishing vessels or engaged in harvesting, processing and distribution of fish and those carrying out destructive industrial fishing or industrial aquaculture cannot be members of the forum. Otherwise, no change from CC draft.

Article 4

Change "a) to d)" in last line to read "1 to 4".

Article 5

Every active member of the WFF must accept and abide by the obligations and content of this Constitution.

Article 6

Accepted as per CC draft.

Article 7

Add : In very exceptional circumstances, the CC may waive the payment of fees by a particular member for a period of time.

Article 8

(a) The CC may, after two reminders, by two-thirds vote... (Balance of article 8 as per CC draft).

(d) Any suspension maybe appeal to the General Assembly.

Article 9

The General Assembly may by two-thirds vote expel a member for actions detrimental to the objectives of the WFF provided that :

(a) Change "according" to "appropriate".

(b) As per CC draft.

Article 10

Article 11

Reverse order of the two paragraphs. Otherwise, as per CC draft.

Article 12

Add :

(e) To conduct elections as per the provisions of this Constitution.

(f) To ratify, annul or senate decisions made by CC and the Regional Council.

Article 13

Reserve.

Article 14

As per CC draft.

Article 15

As per CC draft.

Article 16

(a) The WFF shall seek to resolve all decisions through consensus. Where consensus cannot be achieved, the following provisions shall apply.

(b) Votes involving constitutional approval and amendments, expulsion of members or the dissolution of the WFF shall require two-thirds majority vote of delegates voting... (same as (a) in CC draft).

(c) All other decisions of the General Assembly shall be made by simple majority (50% + 1) of the number of votes validly cast.

Article 17

As per CC draft.

Article 18

As per CC draft.

Article 22

Add : (a) change “promote” to “facilitate”

(t) Takes care of preparing a budget and managing finances of WFF in accordance with article 37.

Article 24

Add : [(c) The CC will fill vacancies that may arise on the CC, respecting decisions of the Regional Councils where appropriate.]

Otherwise as per CC draft.

Article 25

As per CC draft with the following working added to the beginning : “subject to any amendments that may be adopted by the General Assembly.

Article 26

As per CC draft (second option).

Article 26a

(d) To co-ordinate WFF activities according to the WFF constitution, the objectives of the WFF and the decisions of the General Assembly, the CC and the [Executive Committee].

Article 26b

The term of office for [Co-ordinator, Assistant Co-ordinator, Treasurer [and General Secretary] shall be for the period until the next General Assembly (normally three years). No individual may be elected to more than two consecutive terms for any of these positions.

Article 26 C

Add : (b) To preside over meetings of the General Assembly and the Coordinating Committee in the absence of the Coordinator

(c) To perform all functions delegated by the General Co-ordination.

(d) To assume a position of Co-ordination in the event of a vacancy.

Article 26 D

Delete.

Article 26 E

(c) To spend money as per a decision of the CC or written instructions from the General Co-ordination and assistant Co-ordinator collectively.

(d) To have the accounts of the WFF independently audited every year.

Otherwise, as per CC draft.

Article 26 F

Delete.

Article 26 G (new)

Duties of General Secretary :

(a) Work under the direction of the Co-ordinator.

(b) Keep official records of the WFF.

(c) Maintain communication with WFF members.

(d) Carry out tasks assigned by CC or Co-ordinator.

Article 26(H) (new)

[The Coordinator, Assistant Co-ordinator, Treasurer and General Secretary] shall be elected by the General Assembly.

Article 37

Add : CC shall not accept funds from large corporations or any other body acting in a manner contrary to the objectives of WFF.

Article 38

Delete (redundant).

New article 38 Quorum

Quorum for the purpose 1 WFF meeting shall be as follow

(a) General Assembly – two-thirds of delegates

(b) CC – 50% + 1

Article 39

The dissolution of WFF shall require two-thirds majority vote of delegates voting and shall also require a simple majority (50% +1) of the countries which are represented by delegates at the General Assembly. In the event that the delegates from a country are equally divided on the question subject to vote, that country will be deemed to abstain from voting for the purpose of obtaining the simple majority expected.

Delete 2nd paragraph

Article 40

As per CC draft

Article 41

As per CC draft

Article 42

Between General Assemblies, the CC has the authority in matters concerning the interpretation of this Constitution.

Article 43

As per CC draft