

Statutes of the European Resource Centre on Education for Intercultural Understanding, Human Rights and Democratic Citizenship (the European Wergeland¹ Centre)

Statutes of the Foundation The European Wergeland² Centre, adopted on 12 June 2008 by the Government of the Kingdom of Norway

Article 1 Name and location

The name of Foundation is: "The European Wergeland Centre, the European Resource Centre on Education for Intercultural Understanding, Human Rights and Democratic Citizenship" (hereinafter: "The Centre").

The Centre shall be located in Oslo.

Article 2 Purpose

The Centre shall be a resource centre on education for intercultural understanding, human rights and democratic citizenship for the member states of the Council of Europe.

The Centre shall carry out research on education for intercultural understanding, human rights and democratic citizenship.

The Centre shall provide in-service training and support for the professional development of teachers and teacher training professionals in education for intercultural understanding, human rights and democratic citizenship.

The Centre shall disseminate information and serve as a network and meeting place for researchers, teachers, teacher training professionals, policy-makers and other relevant actors.

The Centre shall be operated in co-operation with the Council of Europe on the basis of the Council of Europe's and Norway's shared values as regards education for intercultural understanding, human rights and democratic citizenship.

Article 3 Relationship between the Centre, Norwegian authorities and the Council of Europe

The Centre is an independent legal and economic entity under Norwegian foundation law [stiftelseslov]. Financial liability deriving from the Centre's activities may only be imposed on the Centre. The relationship between Norwegian Authorities, the Council of Europe and the Centre is further specified in the Agreement between The Government of the Kingdom of Norway and the Council of Europe of 16 September 2008 as set out in Proposition No. 86 (2007-2008) approved by the Storting on October 23 2008.

Article 4 Co-operation with other institutions

¹ Henrik Arnold Thaulow Wergeland (born 17 June 1808 in Kristiansand, died July 12, 1845 in Christiania) was a Norwegian writer, most celebrated for his poetry but also known as a linguist and historian as well as an advocate without reserve for social justice.

The Centre shall seek to co-operate with other national and international institutions and organisations in so far as such co-operation promotes the fulfilment of the Centre's purpose.

Article 5 Basic capital and funding

The Centre's basic capital totals NOK 100 000. The Centre's costs are to be covered by public and private grants and other contributions.

The Centre may receive contributions from other member states, from international governmental and non-governmental institutions and organisations as well as other donors which may wish to co-operate with the Centre and contribute to its work.

Article 6 Appointment and term of office of the Board

The Centre shall be governed by a Board composed of seven members. Four deputy members shall be appointed to punctually replace the members of the board in case of absence. The Council of Europe nominates three members and two deputy members. All Board members and deputy members are appointed by the Ministry of Education and Research, who shall also decide the order of priority of the four deputy members. If a member or a deputy member resigns before the end of his/her term, a new member or deputy member shall be appointed to complete his/her predecessor's term.

The Board shall in so far as possible be constituted in such a way that the competencies of its members facilitate the fulfilment of the purposes of the Centre. The permanent members of the Board shall include at least three persons of each gender.

The members of the Board and the deputy members are appointed for a term of four years, renewable once. In order to ensure partial replacement of the Board every two years, the first term of three members of the Board (two of those proposed by the Norwegian authorities and one of those proposed by the Council of Europe) and of two deputy members (one of those proposed by Norwegian authorities and one of those proposed by the Council of Europe) shall be limited to two years.

The Chair and the Vice-Chair of the Board are appointed by the Ministry of Education and Research.

Article 7 Authority and responsibility of the Board

The Board is the highest governing body of the Centre.

The Board shall supervise the management of the Centre, the implementation of its activities, and shall ensure that the Centre is suitably organised with a view to the fulfilment of its purposes. The Board's responsibilities include establishing guidelines and instructions for the Centre's activities, organisation and management.

The Board shall consider and approve the Centre's programme of activities, including the administrative and financial aspects of such activities, as well as the overall plans and budgets for the Centre.

The Board shall monitor the Centre's financial situation and ensure that its activities, accounts and asset management are subject to proper control.

The Board shall undertake any investigations it deems necessary for the performance of its tasks. The Board shall undertake such investigations if so requested by one or more of its members.

The Board shall approve periodic reports on the Centre's activities. The reports shall be submitted to the Ministry of Education and Research and the Council of Europe as requested.

The Board appoints the Executive Director of the Centre according to an international recruitment procedure, and determines his or her salary. The Executive Director shall be appointed for a fixed term of five years with the possibility for a new term according to the Norwegian Working Environment Act of 23 February 2007 No 10, section 14-10 (1).

The Board may appoint advisory bodies and committees as necessary for the fulfilment of the purpose of the Centre.

Article 8 The Board's proceedings

The Board is to meet at least twice a year in Oslo or in Strasbourg, and otherwise as frequently as necessary or if requested by three of its members. The meetings of the Board are convened with at least 30 days' notice unless special circumstances prevent this.

The Chair of the Board shall ensure that relevant matters within the area of responsibility of the Board are dealt with. The issues to be discussed by the Board shall be notified in a suitable manner and with the necessary period of notice. The members of the Board and the Executive Director may demand that other issues be added to the agenda of the Board for discussion with the necessary period of notice.

The Board shall deal with matters in meetings unless the Chair finds that a matter may be submitted in writing or be dealt with in another satisfactory manner. Plans, budgets, annual accounts and annual reports shall be dealt with in meetings.

The Chair of the Board presides over the proceedings. Should neither the Chair nor the Vice-chair be present, the Board shall choose a person to preside over the proceedings.

The Board has a quorum when at least five of its members are present. The Board shall strive to take its decisions by consensus. Decisions are taken by a simple majority of the votes cast by present members. In the event of a tied vote, the person presiding over the proceedings has the casting vote.

The Executive Director of the Centre shall be responsible for drafting the minutes of the Board's proceedings. The minutes must as a minimum specify the date and place, the names of the participants, the procedure followed and the Board's decisions. If a member of the Board or the Executive Director does not agree with a decision taken by the Board, he or she may request that his/her views are noted in the minutes. The minutes shall be approved by all the members of the Board who have participated in the proceedings.

The liaison officers, who are appointed in accordance with article 9 of the Agreement between the Government of the Kingdom of Norway and the Council of Europe, have the right to attend the meetings of the Board as observers.

The Board may adopt further guidelines for its proceedings. The Council of Europe and the Ministry of Education and Research may each appoint a liaison officer with the right to attend the Board meetings.

Article 9 The Executive Director

The Executive Director is responsible for the day-to-day management of the Centre's activities and shall comply with the guidelines and instructions issued by the Board. The Executive Director shall be responsible for recruiting the Staff of the Centre in accordance with the available resources.

The day-to-day management does not include issues which, according to the Centre's circumstances, are of an unusual nature or are very important. On such issues, the Executive Director may however be entitled to decide on the basis of a specific authorisation by the Board, or if waiting for a Board decision or authorisation may cause considerable inconvenience to the Centre's activities. In such cases, the decision shall be taken in consultation with the Chair of the Board, and the Board shall be informed of the matter as soon as possible.

The Executive Director shall ensure that the Centre's accounts comply with the applicable Norwegian laws and regulations and that the asset management has been satisfactorily arranged.

The Executive Director shall report to the Board, in writing and / or at meetings, on the Centre's financial situation, activities and performance as required by the Board.

The Board may at any given time demand the Executive Director to give the Board a more detailed explanation of specific matters. Individual members of the Board may also request such information.

The Executive Director shall prepare the issues for the Board's discussions in consultation with the Chair of the Board. All issues shall be prepared and presented in such a way that the Board has a satisfactory basis for its discussions.

The Executive Director has the right and obligation to participate in the Board's proceedings and to express his or her views on the matters under discussion, unless otherwise decided by the Board in each individual case. The Executive Director shall act as secretary of the Board meetings.

Article 10 Staffing – working language

The staff of the Centre shall be composed of the Executive Director and a balance of Norwegian and international staff.

The Centre's staff manages, coordinates and facilitates activities and projects. For the necessary outside expertise the Centre may commission individual experts on a project or ad-hoc basis.

Further staff can be employed on the basis of supplementary resources or through secondments of staff by third parties on a short, medium or long-term basis. A number of residential traineeships will be made available in co-operation with the Council of Europe.

The working language of the Centre shall be English

Article 11 Public access to research

All research carried out by the Centre shall be accessible to the public. Information concerning the Centre's activities shall be publicly available.

Article 12 Representation

The Board represents the Centre in its external affairs.

The Board may authorise two members of the Board together to sign on behalf of the Centre; one of the two shall be the Chair or the Vice-Chair.

The Executive Director represents the Centre in matters concerning day-to-day management. The Board may authorise the Executive Director to represent and sign on behalf of the Centre in other matters as well.

Article 13 Annual reports, accounts and auditing

The Board is responsible for keeping accounts according to requirements laid down in Norwegian law and generally accepted accounting practices. The financial year shall follow the calendar year. The audited annual report and accounts shall consist of a profit and loss statement, a balance sheet and an annual report, and shall be submitted to the Norwegian Authorities and the Council of Europe, together with a report describing the activities of the Centre.

The Ministry of Education and Research shall appoint the Centre's auditor.

Article 14 Amendments of the statutes and conversion

The Board may propose amendments to the statutes. Any amendments concerning the purpose, dissolution or division of the Foundation or merger with other entities, or other amendments of major importance shall be submitted to the Ministry of Education and Research and the Council of Europe before they are submitted to The Norwegian Gaming and Foundation Authority for approval.

In the case of dissolution, the Centre's remaining assets are to be placed at disposal of the Council of Europe for its work in the field of education for intercultural understanding, human rights and democratic citizenship.

Article 15 The supervisory authority of the Ministry and the Office of the Auditor General

The Ministry of Education and Research and the Office of the Auditor General are entitled to institute control measures to verify that the Foundation's funds are used in accordance with its purpose.