



CONSTITUTION

Constitution of the Namibian Association of Community-based Natural Resource Management (CBNRM) Support Organisations (NACSO)

The **Namibian Association of Community-based Natural Resource Management Support Organisations (NACSO)** consists of a partnership of institutions, both government and NGO (including parastatal, community, business and other sectors), that closely collaborate to practice, promote, and support community-based natural resources management (CBNRM) activities in Namibia. The responsibilities and functions of the Association, through its collaborative membership, embrace all aspects of support to CBNRM in Namibia that are necessary to ensure the efficient and effective implementation of the programme and its underlying philosophy and principles.

It is not intended that the Association will dictate the activities of any particular organization, but rather the association will operate in a facilitative, collaborative, supportive and synergistic capacity, and will respect the rights of individual member organizations, within the spirit of the Association, to pursue their own fundraising and programme initiatives.

1. The Namibian Association of Community-based Natural Resource Management Support Organisations (NACSO)

There is hereby established a voluntary association under the name of the Namibian Association of Community-based Natural Resource Management Support Organisations (NACSO), which shall pursue its objectives and conduct its affairs subject to the terms of this Constitution.

NACSO shall consist of support organisations, both government and NGO, which are actively involved in CBNRM planning, implementation, support, administration and related activities, as part of the respective organisations' core business.

Further, NACSO shall consist of such organisations that have a track record and/or demonstrated desire to work in constructive and mutually supportive partnerships towards the aims and objectives of the Association.

The Association shall continue for an indefinite period and may be dissolved by the members according to the procedure and in the manner set out below.

2. Aim, Objectives and Functions

2.1 The aim of NACSO is to promote, support and further the development of community-based approaches to the wise and sustainable management of natural resources, thereby striving to advance rural development and livelihoods, to promote biodiversity conservation and to empower communities through capacity building and good governance, to determine their own long-term destinies.

2.2 The main objectives of NACSO are:

- 2.2.1 to promote and coordinate community-based natural resource management as a national and locally-based empowerment, conservation, and economic development programme,
- 2.2.2 to promote and facilitate the development of appropriate CBNRM policy,
- 2.2.3 to develop, test and improve methodologies and techniques for effective and appropriate implementation of CBNRM under different conditions,
- 2.2.4 to ensure that relevant applied research and monitoring takes place, and that information is shared and disseminated,
- 2.2.5 to develop and oversee the Association's founding philosophy, guiding principles and prioritisation,
- 2.2.6 to strive to maintain programme integrity, efficiency and productivity,
- 2.2.7 to foster a spirit of partnership and cooperation between the members through networking and collaboration, as well as with other organisations relevant to CBNRM, including Traditional Authorities,
- 2.2.8 to serve as a national professional body of expertise for CBNRM and to advocate on behalf of CBNRM, conservancies, the Association and its members,
- 2.2.9 to promote appropriate institutional development and capacity building of its members,
- 2.2.10 to raise and administer funding for CBNRM, and to manage a grant-making service to its members,
- 2.2.11 to liaise and cooperate with the Government of Namibia, particularly with the Ministry of Environment and Tourism, but also with other Ministries that work or impact on related fields including Regional Government, in the interests of promoting and supporting CBNRM policy and initiatives,
- 2.2.12 to maintain links and foster exchange with other CBNRM initiatives in the region and beyond.

2.3 The following are illustrative of the functions that the Association may undertake:

- 2.3.1 to support the development and effective operation of communal area conservancies, which will work towards sustainably managing natural resources for the benefit of local communities;
- 2.3.2 to promote partnerships between communities, government, NGOs and the private sector around community-based natural resource management;
- 2.3.3 to create an enabling environment that permits community-level authority over the management and utilization of natural resources and fosters institutional capacity building and good governance;
- 2.3.4 to support service organizations that work to increase the capability of communities to manage natural resources and to optimise *community* benefits, inclusive of conservancies and other local CBNRM institutions;
- 2.3.5 to support the development of awareness and capacity in regard to CBNRM on the part of government ministries and institutions, regional authorities (government and traditional), free-hold and communal area conservancies, NGOs, community-based organisations, farmers unions, research institutions and similar organisations;

- 2.3.6 to promote appropriate, sustainable income-generating initiatives at community and individual levels;
- 2.3.7 to have oversight of the national CBNRM programme, with a view to monitoring and evaluating the programme; and
- 2.3.8 to raise funds to support the CBNRM sector and make recommendations as to how such funds will be used.

3. Organisation

3.1 NACSO is composed of support organisations to CBNRM that ascribe to the principles of the Association, and may consist of both government and non-government organisations, including not-for-profit organisations, private sector and community-based associations, institutions and individuals.

3.2 Criteria for membership are contained in points 1.2 and 1.3.

3.3 Two categories of membership are recognized, full voting Members and non-voting Associate Members.

3.3.1 Full voting Members must be Namibian organisations or associations. In the case of government, they may consist of ministries, departments and directorates.

3.3.2 Associate Members may include non-Namibian NGOs, donor agencies, individuals and institutions that interface with CBNRM but not necessarily as a core activity.

3.3.3 Individual conservancies are not eligible for membership, but conservancy associations are.

3.4 Each autonomous Member and Associate Member has the rights to its own rules, which should not contradict the rules and objectives of NACSO.

4. Membership

4.1 Membership of the Association shall be by application or invitation, save that the following founder members shall be (in alphabetical order):

Directorate of Environmental Affairs (DEA)
 Directorate of Forestry (DoF)
 Directorate of Resource Management (DRM)
 Directorate of Tourism (DoT)
 Integrated Rural Development & Nature
 Conservation (IRDNC)
 Legal Assistance Centre (LAC)
 Namibia Community-based Tourism Association
 (NACOBTA)

Namibia Development Trust (NDT)
 Namibia Nature Foundation (NNF)
 Namibia NGO Forum (NANGOF)
 Nyae Nyae Development Foundation of Namibia
 (NNDF)
 Rössing Foundation (RF)
 Rural Institute for Social Empowerment (RISE)
 Multi-disciplinary Research Centre at the
 University of Namibia (MRC/UNAM)

- 4.2 Applications and nominations for membership must be made in writing on the prescribed form (attached).
- 4.3 Application for membership shall be reviewed and considered by the members, using the criteria contained in points 1.2 and 1.3.
- 4.4 New members shall be accepted by a two-thirds vote in favour by the members present at a duly constituted meeting. Abstentions shall be taken as “yes” votes. Upon acceptance or rejection of such application, the applicant shall be furnished with a written notification.
- 4.5 Members are expected to actively practice, support and uphold the aim, objectives and philosophy of NACSO.
- 4.6 Membership may be terminated by a two-thirds vote of those members present at a duly constituted meeting, on the grounds of such members failing to conform to the letter and spirit of points 1.2, 1.3 and 4.5, and in any other way, to bring disrespect to the good name of NACSO, or to undermine the legitimate work of NACSO or any of its members.
- 4.7 Membership will be automatically terminated if a member misses three consecutive meetings without a valid apology.
- 4.8 Wherever possible, decisions will be taken by consensus, with discussion and view-points of members informing the debate. Members have the right to vote at any meeting.

5. Representation on NACSO

- 5.1 Members and Associate Members may nominate their representative(s) on NACSO. Such representatives should be selected with the following in mind:
- level of relevant expertise
 - continuity, and
 - level of seniority to be able to make commitments and take decisions on behalf of the member organisation.
- 5.2 Members may have more than one representative, save that from time to time limits may be agreed because of space, to facilitate focused discussions, or for other reasons.
- 5.3 Each Member organisation has one vote, irrespective of the number of representatives. Associate Members have no votes, but may participate fully in all discussions and activities of the Association.
- 5.4 The Members shall appoint a Chair and a Vice-Chair. An endeavour should be made to achieve a balance between government and non-government representatives for these two positions. The terms of office shall be for a period of one year. There is no limit on the number of terms that any representative can serve.

- 5.5 The NACSO Secretariat (see below) shall provide Secretarial services and the institution providing financial management for NACSO shall serve as Treasurer. Together with the Chair and Vice-chair, these four members shall be designated signatories for the Association. At least two of these persons must sign all of the Association's legal and contractual documents.
- 5.6 Only representatives of full Member organisations may serve as Chair and Vice-chair, and each must represent a different Member organisation.

6. Powers and Functions of the Association

The general powers and functions of the Association shall include the following:

- 6.1 to suggest policy guidelines for the national community-based resource programme;
- 6.2 to facilitate institutional networking amongst CBNRM practitioners in Namibia;
- 6.3 to implement the aims and objectives of the Association;
- 6.4 to evaluate projects funded through the national CBNRM programme and to take appropriate action in connection therewith;
- 6.5 to review grant applications and recommend to the appropriate grant institution whether such application should be approved or not;
- 6.6 to set the terms of reference for the Secretariat of the Association and to review its performance at regular intervals and to oversee its operations;
- 6.7 to employ staff and consultants and to enter into contractual agreements with partners, organisations (both government and private) and individuals;
- 6.8 to raise, administer and manage funds for the CBNRM programme and its Members;
- 6.9 to enter into contractual agreements with donors;
- 6.10 to implement the decisions taken by members in general meetings;
- 6.11 to promote the CBNRM programme nationally by advocacy, lobbying and information dissemination;
- 6.12 to provide guidance and assistance in the resolution of disputes and differences between its Members and, where appropriate, between Members and other organisations and , were relevant concerning natural resources more broadly in Namibia;
- 6.13 to institute or defend legal proceedings by or against the Association;

- 6.14 to generally manage and administer the Association for the benefit of members, having all the necessary powers and authority to do so;
- 6.15 to acquire, hold, use and dispose of movable and immovable property as considered appropriate by the Members of the Association;
- 6.16 to appoint a Management Committee and Working Groups to assist with the planning and implementation of specific tasks on behalf of the Association, and
- 6.17 to elect a Chairperson and Vice Chairperson.

7. Management Committee and Working Groups

- 7.1 The Members may appoint a Management Committee of not more than five Members to:
- support, assist and oversee the activities of the Secretariat between meetings of the Members;
 - make interim decisions on matters that cannot be delayed until the next Members' meeting, and report all such decisions to the next Members' meeting for ratification;
 - support other activities of a similar nature, or activities that have been referred to it during a meeting of the Members.
- 7.2 The Members shall appoint the Management Committee and a chairperson at its Annual General Meeting. The chairperson shall be responsible for convening meetings and reporting back to the Members' meetings on ongoing progress, tasks completed and any important interim decisions taken.
- 7.3 The Members may establish Working Groups, as either short-term or standing, to assist with the work of the Association. Such Working Groups shall:
- have a clear terms of reference
 - select a chairperson
 - report back to the Members on progress and tasks completed
 - include the Secretariat

8. Secretariat

- 8.1 The Members shall appoint and finance a Secretariat to support them, to assist them to uphold and further the aims and objectives of the Association, and to help administer its programmes.
- 8.2 The tasks of the Secretariat shall be set out in a clear Terms of Reference, and shall include:
- providing programmatic vision, direction and leadership to CBNRM, and promoting strategic planning at the national level;

- facilitating coordination, collaboration, synergy and partnerships between Members and with other organisations;
- supporting and, where appropriate, guiding Members in the strategic implementation of their CBNRM activities;
- providing administrative, managerial and secretarial support;
- collecting, commissioning, distributing and disseminating relevant information;
- assisting with grants review and administration;
- promoting training and capacity building at whatever levels necessary, and helping to identify applied research needs for the CBNRM programme;
- advocating on behalf of CBNRM, the Association and its Members;
- any other work of a related or appropriate nature as might be required by the Association.

9. Grant Management

9.1 The Members shall be responsible for soliciting, reviewing and recommending the approval of grant applications. Grants that are recommended for approval shall be forwarded to the Grant Approval Board for consideration.

9.2 Specific guidelines on the evaluation, approval, administration and oversight of grants shall be developed by the Association.

10. Meetings

10.1 The Members and Associate Members shall meet at least four times a year, and one of such meetings shall be the Annual General Meeting. The AGM may be held immediately before or after a regular meeting.

10.2 One half of the full Members present shall constitute a quorum for both ordinary and Annual General meetings.

10.3 In the event of there not being a quorum present at a meeting, that meeting shall stand adjourned for a period of 7 days. The members present at a re-convened meeting shall then constitute a quorum.

10.4 Voting shall be by a simple show of hands. Each full Member present shall be entitled to one vote only, save that in the event of an equality of votes the chairperson shall have a second or casting vote.

10.5 Members and Associate Members shall be given at least 30 days written notice of meetings. Agendas, reports, proposals and other relevant documentation should be distributed to reach the Members at least 14 days before meetings.

10.6 The business of the AGM shall be:

- to receive the chairperson's and the treasurer's annual reports
- to elect office bearers
- to generally assess the progress of the Association
- to amend the constitution, in accordance with point 14

- 10.7 The business of the Ordinary Members' meetings shall be to conduct the technical business of the Association in support of the CBNRM programme. The agenda will be prepared by the Secretariat in consultation with the Management Committee and Chairperson, based on the directives given from time to time by the Members.
- 10.8 A Special General Meeting may be called either by the Management Committee, or upon receipt of a written request signed by not less than five members.
- 10.9 Members shall be given 30 days notice of the meeting together with the agenda for the meeting. One half of the membership shall constitute a quorum.
- 10.10 Proper minutes shall be kept by the Secretariat of the proceedings of all meetings of the Association, and a record of Members and Associate Members present at each meeting. The minutes shall be signed by the chairperson or, when absent, by the Vice-chairperson, and shall be available at all times for inspection or copying by any Member.

11. Financial Matters

- 11.1 The financial records of the Association shall be audited annually at the end of each financial year by an independent auditor.
- 11.2 The supervision of all financial matters shall rest with the Members, except that they may delegate this responsibility to the Management Committee.
- 11.3 The annual budget of the Secretariat shall be tabled for review and approval by the Members
- 11.4 The Association shall review and adopt a comprehensive set of accounting, financial management and administrative policies, which will be reviewed by the Management Committee as may be necessary.

12. Dispute Resolution

- 12.1 In the event of any dispute or difference arising between the Members, relating to their work in CBNRM, or arising out of this Constitution, the parties will immediately meet to attempt to settle such dispute or difference. Failing such settlement, the parties may bring their dispute to the Management Committee for settlement. Failing such settlement, the parties may bring their dispute to the next Ordinary Members' meeting for settlement.

12.2 Failing such settlement, the dispute or difference will be submitted to Arbitration, to be held in Windhoek, in accordance with the provision of the Arbitration Act 42 of 1965.

13. Dissolution

13.1 The Association may be dissolved by a two-thirds majority of all members in general meeting of which three months written notice shall have been given to all members.

13.2 The members present at the general meeting convened in terms of sub-paragraph 10.8 above shall determine the manner of disposal of assets belonging to the Association at the time.

14. Amendments

This constitution may be amended by the vote of two-thirds of the members in the AGM, under the condition that the intention to amend the constitution is announced in writing to all members at least 30 days prior to the meeting.

Adopted aton thisday of.....month 2002

As Witnesses:

1. _____
2. _____

CHAIRPERSON

1. _____
2. _____

VICE-CHAIRPERSON

MEMBERS:

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Legal Assistance Centre
Date

.....
NACOBTA
Date

.....
IRDNC
Date

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NNDFN
Date

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NANGOF
Date

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Namibia Nature Foundation
Date

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RISE – Namibia
Date

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Rossing Foundation
Date

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MRCC – UNAM
Date

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Namibia Development Trust
Date

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DRFN
Date

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CRIAA SA-DC

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Date

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!Nara Training Centre

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Date

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Omba Arts Trust

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Date