



**Statutes of the  
International Rehabilitation  
Council for Torture Victims  
(IRCT)**

**Adopted by the IRCT Council  
on 22 February 2019 in Budapest**



## Preamble

1. The International Rehabilitation Council for Torture Victims ("IRCT") works to create a world without torture. The members of the IRCT issue the instant Statutes as the constitutional base for the organisation, created in 1985. The members subscribe to these Statutes in the belief that
  - a. **freedom from torture** and the **right to health** are fundamental rights of every person;
  - b. the voice of torture victims is paramount to the work of the organisation;
  - c. **torture rehabilitation, the fight against impunity, and torture prevention are inter-dependent and mutually reinforcing in eradicating torture;**
  - d. everyone must accept a **shared responsibility for torture rehabilitation and prevention;**
  - e. rehabilitation centres and programmes must contribute to the prevention of torture by **fostering, consolidating and applying a collective knowledge gained in the rehabilitation of the victims** of this unacceptable practice; and
  - f. the work of the organisation must be carried out with **independence from governmental, partisan or corporate organisations**, but **in close collaboration, partnership and strategic alliances** with these and any others, when the goals sought are in conformity with the values of the organisation.
  
2. The members commit themselves to the following values:
  - a. **universality, indivisibility and interdependence of human rights**, in accordance with international law, since they understand human rights to be the basic platform in the pursuit of equality and happiness of every person, **regardless of gender, race, ethnicity, religious or political affiliation, and sexual orientation or gender identity;**
  - b. the **internationally recognised ethical principles pertaining to the health professions;**
  - c. **cultural diversity and mutual respect**, since they believe that all cultures of the world have a contribution to make in the understanding of the human experience and that such sensitivity is the indispensable requirement for the **effective protection of the vulnerable, the disenfranchised, and the minorities;**
  - d. **democracy**, as the most desirable model for the governance of any collective human activity;
  - e. **rule of law**, conducting their decision making processes in coherence with the codified regulations and in accordance with established procedure, to avoid arbitrary treatment;
  - f. **transparency**, understood as the duty of every elected representative, manager, and staff of the organisation and its members to render all relevant information on the actions taken on behalf of the community;
  - g. **accountability**, as the ability of the community to scrutinize compliance with the mandate and establish responsibility; and
  - h. **due process**, since they believe that **impartial, effective and efficient justice** is essential for the eradication of impunity and the enforcement of accountability.



## **SECTION I: GENERAL PROVISIONS**

### **Article 1. Name and nature**

1. The name of the organisation is the International Rehabilitation Council for Torture Victims (IRCT).
2. The IRCT is a **health-based, private, non-partisan**, and not-for-profit membership organisation governed by **democratic structures**.
3. The IRCT must always be registered under the figure established under the laws of the State of domicile that best satisfies these traits, and the principles, values and goals of the organisation, as inscribed in these Statutes.
4. The IRCT shall at no time be liable with more than its corpus.
5. English is the working language of the IRCT. The IRCT will, however, commit its best efforts to provide due access to information and discussions to non-English speakers.

### **Article 2. Domicile**

1. The State of domicile of the IRCT shall be that in which its Secretariat has its domicile. The IRCT can also be registered as an organisation in as many countries as its operations so require.
2. The Executive Committee decides the domicile of the Secretariat and approves registration of the IRCT in other countries as required.
3. At the moment of adoption of these Statutes, the State of domicile is the Kingdom of Denmark.

### **Article 3. Objective and mandate**

1. The IRCT ensures that **torture victims are able to access appropriate health-based torture rehabilitation services**, ensures that torture victims are able to have **full access to justice**, and contributes towards the **prevention of torture worldwide**.

### **Article 4. Funding**

1. The IRCT is funded by grants, gifts, legacies and donations as well as other financial contributions from donors including foundations, organisations, institutions, governments, public authorities, and private persons.
2. The Executive Committee will establish the rules applicable to voluntary contributions of members to the IRCT.
3. The Executive Committee will ensure, through all necessary and relevant measures, that when accepting contributions or donations, the IRCT complies with the values established in these Statutes.



## Article 5. Membership

1. Members of the IRCT are centres and programmes that work to facilitate life after torture by providing rehabilitation to survivors independently from the interference of government and on a not-for-profit basis.
2. Members must comply with their obligations under the IRCT's Statutes, respect the organisation's values and observe the standards of conduct expected from a not-for-profit organisation devoted to the protection of human rights.
3. The Executive Committee will set, implement and monitor additional and/or specific criteria to obtain membership at a given point in time. The Executive Committee will set, implement and monitor mechanisms of review and compliance, and the respective appeal processes.
4. Membership is terminated upon written request by the centre or programme; when the centre or programme de facto ceases to exist; and/or when the centre or programme does not comply with the membership criteria.

## Article 6. Governance and organisational structure

The IRCT is governed by the following three bodies:

1. the General Assembly;
2. the Council; and
3. the Executive Committee.

## SECTION II: GENERAL ASSEMBLY

### Article 7. Mandate

1. The General Assembly is the sovereign body of the IRCT, comprising all members of the organisation. It establishes the principles, policies and strategies of the IRCT. In this manner, the General Assembly is the forum through which members facilitate and advance their joint global work in support of the rehabilitation of the victims of torture, and the prevention and ultimate eradication of torture.
2. The procedures for the General Assembly shall be laid out in the Rules of Procedure.
3. The Executive Committee may request that the General Assembly adopt decisions through digital communication means, if such decision is required and the General Assembly cannot be held physically for whatever reasons.

### Article 8. Competencies

1. The General Assembly is held every third year, if possible, in conjunction with a Scientific Symposium.



2. Delegates to the General Assembly shall be members of staff or the board of a member centre or programme and be mandated as its representative. Each member has the right to appoint one person as Delegate to the General Assembly. Delegates to the General Assembly carry out this function on a pro-bono basis.
3. The General Assembly shall also have the following competencies:
  - a. consider implementation of the strategies of IRCT and their impact on the policies and principles furthered by the organisation, and debate and decide the future configuration of strategy and policy;
  - b. electing the members of the Council through the regions;
  - c. electing the convenors of the standing Advisory Boards;
  - d. deciding on amendments to these Statutes;
  - e. dissolving the organisation, by vote of a two-thirds majority of its members.

### SECTION III: THE COUNCIL

#### Article 9. Mandate

1. The Council carries out annual evaluation of the strategy of the IRCT through global, regional and thematic input and is accountable to the General Assembly.
2. The Council meets on an annual basis.
3. The Executive Committee may request that the Council adopt decisions through digital communication means between Council meetings.
4. The procedures for the Council shall be laid out in the Rules of Procedure.

#### Article 10. Composition

1. The Council consists of 14 voting members and five non-voting members.
2. 14 voting members shall be appointed by the IRCT regions.
  - a. Each region will have the right to elect two voting members and shall also elect three alternates.
  - b. Voting members of the Council shall be members of staff or the board of a member centre or programme and be mandated as its representative. Each member may nominate only one person of its staff or board as candidate for election to the Council;
3. Non-voting members of the Council (hereafter "Advisory Board Convenors") shall be elected in their individual capacity by the General Assembly.
  - a. Advisory Board Convenors may or may not be members of staff or the board of a member centre and programme.
  - b. Candidates for Advisory Board Convenors can be nominated by any person.



4. The members of the Council carry out this function on a **pro-bono** basis. Employees or paid contractors of the IRCT secretariat are not eligible for membership to the Council.
5. All **Council Members are elected for a term of three years**, and are eligible for immediate re-election once. The nomination and election procedure of the Council members shall be conducted according to rules of procedure laid out by the Executive Committee.

### **Article 11. Competencies**

The **Council** shall have the following **competencies**:

1. **reviewing the annual report of the Executive Committee**, the regions and the Advisory Boards as input in the **evaluation of the implementation of the IRCT strategy**;
2. **electing among its members the Executive Committee**, including a President and a Vice-president;
3. **resolving challenges presented against decisions of the Executive Committee**, including rules of procedure.
4. studying, deliberating and deciding on the dismissal of a Council member;
5. deciding on the review of a member centre or programme, where Council membership is concerned because a Council member comes from that centre or programme; and
6. monitoring progress and providing input to the strategy of the IRCT on the basis of regional, thematic and global priorities.

### **Article 12. Duties of members of the Council**

1. Council members shall all be of the **highest moral authority**, have a proven commitment to the values, principles and objectives of the IRCT and be **free from any conflict of interest**. They shall have **specialised knowledge of the nature and treatment of consequences of torture**, the prevention of that practice or the fight against impunity.
2. The capacity of a Council member is **incompatible with the exercise of governmental positions, diplomatic appointments** or any other appointment or activity that may hinder the exercise of the obligations of a Council member, or that could affect her or his independence.
3. Council members shall be of full legal capacity and shall comply with all legal requirements and commitments established under the legislation of the State of domicile for the exercise of their functions. Information on the said requirements will be prepared and kept updated by the Secretariat, and will be available at all times to all members of the IRCT.
4. A Council member is **obliged to**:



- a. do all in her or his power to promote knowledge of, and demonstrate an active interest in, the objectives and work of the IRCT;
- b. promptly reply to all inquiries and questionnaires from the General Assembly, the Council, the Executive Committee and the Secretariat;
- c. promptly keep the General Assembly, the Council, the Executive Committee and the Secretariat informed of any developments or events of interest in her or his region or thematic areas of responsibility, as applicable; and
- d. promptly report back to all centres and programmes in the region or Advisory Board for which she or he stems, with as much information as to the activities of the organisation as may be relevant to them.

### Article 13. Termination

1. If a Council member is unable to attend a Council meeting; if the association with the centre or programme that nominated the member ceases; if that centre or programme withdraws the mandate of the Council member to be its representative; if the Council decides to terminate membership of one of its member's centres or programmes; or if for whatever reason a Council member is no longer able to serve in the Council, that person may be replaced by an alternate, who will exercise full voting powers. The first alternate will be the person who – without being elected – received the highest number of votes in the region from which the absent member stems. In the event that this person is unable to attend, the second alternate will be the person who received the second highest number of votes without being elected, and so on.
2. Should a Council member become aware of a conflict of interest between the IRCT and her/himself or the institution that she/he represents or with which she/he is otherwise closely associated, the member must excuse her or himself in writing from voting or exercising any influence in relation to those activities that relate to the said conflict of interest. Should the conflict of interest relate to several activities, the member must bring that circumstance to the attention of the Council for decision.
3. The Council may dismiss any member of the Council by a majority vote of two-thirds of the members of the Council. Cause for termination shall include any action by the member that is inconsistent with IRCT values, purposes and objectives; any action that is inconsistent with the obligations of the members of the Council or brings into disrepute the IRCT or the medical or any other relevant profession, the failure to attend two consecutive Council meetings, or supervening non-compliance with the requirements set forth by the Statutes. Prior to dismissing a Council member, the Council must invite the member to respond in writing to the alleged breach of duty, and must consider her or his response. The respective decision will be reasoned.

### Article 14. IRCT Regions

1. The following are the IRCT regions: Asia, Europe, Latin America, Middle East and North Africa, North America, Pacific and Sub-Saharan Africa.



2. IRCT members located in each region provide regionally specific input to IRCT policy and strategy, duly respectful of sub-regional specificities. Ideally this input is decided in a **Regional Meeting held in between General Assemblies**.
3. The regional representative to Council will be responsible for convening the process through which regional input to the IRCT policy and strategy will be decided, including if possible, a Regional Meeting. **The regional representative will also be the voice of the region at Council meetings**.
4. Where necessary, the IRCT will endeavour to provide **logistical and financial support to regional processes**.
5. The Executive Committee will set terms of reference and rules of procedure of regional activities that are conducted with the support of the IRCT.

### **Article 15. Advisory Boards**

1. The IRCT will have **Advisory Boards** with the purpose of **adding and supplementing the overall competence of the Council**.
2. Members of the Advisory Boards may or may not be staff or a board member of the organisation, and they will be appointed by the Executive Committee through transparent, participative and open selection processes. Prior to the constitution of an Advisory Board the Executive Committee will adopt its Terms of Reference.
3. There will be **five standing Advisory Boards convened by a person elected by the General Assembly**:
  - a. **Health**;
  - b. **Research**;
  - c. **Compliance**;
  - d. **Communications**; and
  - e. **Resources and Sustainability**.
4. **There may be other, non-standing Advisory Boards as the organisation requires for specific purposes**. Non-standing Advisory Boards will be convened by a person appointed by the Executive Committee.

## **SECTION IV: THE EXECUTIVE COMMITTEE**

### **Article 16. Mandate**

1. The **Executive Committee executes the will of the General Assembly** and is accountable before it, its action is steered by the input received by the Council every year.
2. The Executive Committee consists of **seven members**, including the **President, the Vice-President, and one member from each IRCT region other than those from which stem the President and Vice-President**.



3. All members of the Executive Committee are **elected for a term of three years**, and are **eligible for immediate re-election once**.
4. The Executive Committee **meets at least three times a year**, once immediately prior to the annual meeting of the Council with the purpose of discussing the agenda.
5. The members of the Executive Committee carry out this function on a **pro-bono** basis.

### **Article 17. Competencies**

1. The **Executive Committee** shall have the following **competencies**:
  - a. **guiding, monitoring and supporting the implementation of IRCT policy and strategy**;
  - b. deciding policy between General Assembly meetings;
  - c. ensuring the registration of the IRCT in the State of domicile, and the compliance with all legal requirements established there under;
  - d. **supervising the financial operations of the IRCT**;
  - e. appointing the Secretary-General of the IRCT;
  - f. appointing the auditor of the IRCT;
  - g. **signing the annual report** of the IRCT (including the annual accounts);
  - h. deciding on **obtaining, reviewing and termination of membership**;
  - i. proposing and deciding on the review of a member centre or programme or of an applicant for membership;
  - j. deciding to carry out a written General Assembly when this is pertinent, subject to the ratification by the Council at its following meeting;
  - k. deciding to request a decision by the Council through digital communication means when this is pertinent, subject to the ratification by the Council at its following meeting;
  - l. requesting the attendance of Advisory Board Convenors, physically or electronically, at meetings of the Executive Committee as deemed to be pertinent for the agenda;
  - m. requesting the attendance of staff from the Secretariat at meetings of the General Assembly, the Council and the Executive Committee;
  - n. inviting any relevant observers to the meetings of the General Assembly, the Council or the Executive Committee;
  - o. generally adopting all relevant executive decisions for the operations of the IRCT, including all rules of procedure necessary for the functioning of the organisation.
2. The Executive Committee may adopt its decisions by digital communication means or through telephone or video conference.



### Article 18. Termination

1. If, for whatever reasons, a member is no longer able to serve the Executive Committee, she or he shall be replaced by a new member elected by the Council.
2. The General Assembly may revoke the mandate of the Council. In the case of revocation of mandate of the Council, the General Assembly shall appoint a President pro tempore to conduct all proceedings. The President pro tempore will have the function of ensuring that a new Council be elected and installed immediately.
3. The Council may revoke the mandate of a member of the Executive Committee. In that case, the remaining members of the Executive Committee will have the responsibility of adopting the measures necessary to ensure continuity in the executive action of the organisation.

### Article 19. The President and Vice-President

1. The President is the elected representative of the IRCT.
2. The Vice-President exercises the function of President in the absence of the latter.
3. The President has the following duties:
  - a. convening and chairing the General Assembly; the Council and the Executive Committee;
  - b. requesting the Executive Committee to approve an alternate chairperson for the General Assembly and the meetings of the Council.

## SECTION V. THE SECRETARIAT

### Article 20. Mandate

There shall be an IRCT secretariat, organised under the laws of the State of domicile and any other country in which the IRCT is registered. The Secretariat has the following functions:

1. implementing the organisational policy and strategy;
2. managing all operations of the organisation.
3. providing quarterly financial and narrative reports to the Executive Committee regarding the implementation of policy;
4. organising the meetings of the General Assembly, the Council, and the Executive Committee; and ensuring the accurate recording and production of the minutes; and
5. supporting the Advisory Boards, according to available resources.



### **Article 21. Secretary-General**

1. The **Secretary-General is accountable before the Executive Committee** for the management and operations of the IRCT; the Executive Committee will establish a procedure for delegation pursuant to legal requirements of the State of domicile, as well as established practice. The **Secretary-General** will have the **overall function** of:
  - a. **managing all organisational and staff matters regarding the Secretariat.**
  - b. **participating in the meetings of the General Assembly, the Council and Executive Committee** with the right to speak but no right to vote;
  - c. **advising the Executive Committee on the adoption, amendment or revocation of rules of procedure** necessary for the functioning of the organisation; and
  - d. **delegating the right to sign** by procuracy.
2. The rights and duties of the Secretary-General and the staff of the Secretariat shall be established in application of the contract law, labour law and other relevant legislation of the State of Domicile.

## **SECTION VI. BASIC RULES OF THE ORGANISATION**

### **Article 22. Signatories**

1. The IRCT shall be bound by the joint signatures of the President, or in his/her absence, of the Vice-President, as well as of a member of the Executive Committee.
2. The Executive Committee may authorise the Secretary-General to sign by procuracy.

### **Article 23. Rules of Procedure**

1. **Rules of Procedure are subordinate to the instant Statutes.** In case of any conflict, the Statutes shall prevail.
2. The Executive Committee may issue the rules of procedure that it deems relevant for the achievement of the objectives of the IRCT, at its own motion or the suggestion of an IRCT member.
3. Rules of Procedure issued by the Executive Committee will be communicated to the membership.
4. Upon communication of the issuance of rules of procedure any IRCT member may challenge its application during a period of two months after the date of communication. The challenge will be resolved by the Council and, until it is resolved, the rule will not be applied. If the Rules of Procedure are not challenged they will enter into force two months after the date of communication.



5. The members of the IRCT, the General Assembly, the Council, the Executive Committee and the Secretariat are obliged to uphold and comply with all Rules of Procedure in vigour.

#### **Article 24. Annual Report and Audit**

1. The financial year of the IRCT shall be the calendar year.
2. The annual report shall be prepared by the Secretariat for each financial year, consisting of balance sheet, profit and loss statement and explanatory notes as well as the Secretariat's report, in accordance with generally accepted accounting principles and practice, and shall be audited by an independent chartered accountant/ auditor appointed/ reappointed by the Executive Committee each year.
3. The annual report shall be signed by the members of the Executive Committee, the Secretary-General, and the auditor within six months of the end of the financial year.

### **SECTION VII. DISSOLUTION AND OTHER FINAL PROVISIONS**

#### **Article 25. Dissolution**

1. The dissolution of the IRCT can only be decided by the General Assembly by a vote of two-thirds majority of all members, during a session called solely for that purpose.
2. In case of dissolution, the Executive Committee shall designate, by simple majority, a liquidator of the properties and assets of the IRCT, who shall discharge all its debts and liabilities according to the laws of the state of domicile.
3. The liquidator shall ensure that all IRCT funds are transferred as mandated by the State of Domicile, particularly the Danish Tax Assessment Act (Ligningslovens), Paragraph 8A, i.e. that they are transferred to an IRCT member or another charitable organisation based in Denmark or another EU/EEA country, that supports victims of torture globally or works for the prevention of torture or other gross violations of fundamental human rights globally.
4. The responsible public authority of the state of domicile shall approve the transfer of IRCT funds by the liquidator in collaboration with the Executive Committee. Further, the Executive Committee shall have the files of the association conveyed to the national archives of the state of domicile – for the time being the Danish National Archives – so that the material is not open to the general public and that access is only granted for particular research purposes as currently defined by the Danish National Archives.

#### **Article 26. Amendment**

1. Amendments to the Statutes must be decided upon at a meeting of the General Assembly with the approval of a simple majority.



2. Any member may propose amendments to the Statutes in writing through the Secretariat at least two months prior to the meeting of that General Assembly. Any proposal received by the Secretariat less than two months prior to the meeting will not be considered.

#### **Article 27. Vigour**

These Statutes enter into force on the day of their adoption with the exceptions established in the transitional provisions and will be in vigour until they are integrally modified, or the organisation is dissolved.

#### **Article 28. Transitional provisions**

1. The Executive Committee will ensure all measures of preparation for the election of Council members following the adoption of these Statutes. Until that election, the current Council will continue in functions.
2. IRCT General Guidelines remain in vigour insofar as they don't contradict the Statutes and until such time as they are partially or fully superseded by Rules of Procedure in accordance with Article 23.