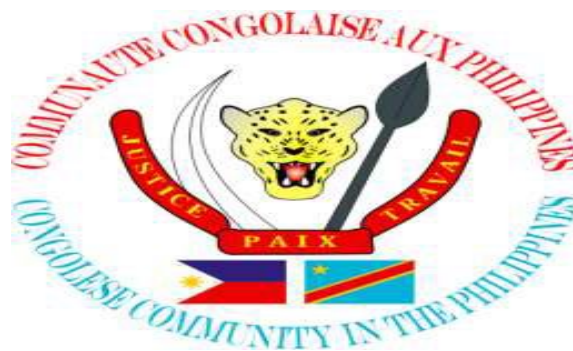


CONGOLESE COMMUNITY IN THE PHILIPPINES



CONSTITUTION

COMMUNAUTE CONGOLAISE AUX PHILIPPINES

TABLE OF CONTENTS

FOREWORD	3
CHAPTER I	PRELIMINARY	4
	Definitions	5
	Abbreviations	6
CHAPTER II		
	CREATION, MOTTO, COMMON SEAL, OFFICE, REPRESENTATIONS, VISION, MISSION, CORE VALUES, GOALS AND OBJECTIVES	7
CHAPTER III		
	MEMBERSHIP, EXECUTIVE COMMITTEE, MEETINGS OF THE COMMITTEE MEMBERS AND OFFICERS	11
CHAPTER IV		
	ORGANIZATIONAL CHART, EXECUTIVE COMMITTEE, DUTIES AND RESPONSIBILITIES OF OFFICERS	17
CHAPTER V		
	ELECTIONS, ANNUAL GATHERINGS, SANCTIONS AND DISMISSALS	26
CHAPTER VI		
	FINANCES, DEVELOPMENT PROJECTS, RECREATIONAL AND LIFE EVENTS, CONSTITUTIONAL AMENDMENTS, AND COMMUNITY AWARDS	32

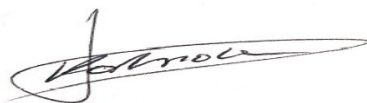
FOREWORD

Inspired by our Vision of building a dynamic, united and supportive Community, we felt the necessity to review our constitution after previous revisions made in 2016, and 2017. The amendment made in 2020 is more adapted to our mission of committing ourselves to work for a Congolese Community that enhances projects for development and mutual aid. This revision approved by the General Assembly held virtually via Google Meet on September 6, 2020 brought about changes that will help to gather and unite all Congolese living in the Philippines.

The publication of this present constitution is a strong invitation for all Congolese living in the Philippines to consolidate unity and solidarity through community activities, share and initiate common development projects, awaken consciences, and educate members to be Agents of change who will always work for the success of every member. The publication of this constitution is also a call for every member of the Congolese Community in the Philippines to be an architect of integration of Congolese arriving in the Philippines in order to prepare them to be contributive members to the Philippine society and models of the Congolese diaspora.

This constitution will serve not only as a guide throughout our stay on these 7, 107 Philippines Islands but also for future generations.

Thus, it is with great honor and privilege for us to officially publish our constitution as approved by our General Assembly held on September 6, 2020



Héritier Kalonda Iseku, Président

Manila, October 31, 2020

CHAPTER I
PRELIMINARY

Article 1 – Preliminaries

Definitions

“*Congolese Community in the Philippines*” is to be called “*Community*” or “*Association*”, which means:

An organized group of Congolese and Non- Congolese members living in the Philippines.

“*Congolese*” means:

A person who at least one of the parents is originally from the Congo or a descendant of an ancestor originally from the Congo or a person who had been granted a Congolese citizenship according to the Congolese legislation or as defined by the Congolese Constitution.

“*Non- Congolese*” means:

A person who is not a Congolese by birth or by naturalization and has strong ties and sympathy to contribute, morally and financially to advance the cause of the Congolese Community in the Philippines.

“*Congo*” means:

The Democratic Republic of Congo, former Zaire.

“*Community Member*” means:

A Congolese or Non- Congolese person who is registered with the Community as stipulated in Art. 11.

“*Vade Mecum*” means:

Go with me from Latin. It refers to the initial document that served as the Constitution of the Community.

Abbreviations

“CCP” means Congolese Community in the Philippines.

“SEC” means: Security Exchange Commission.

“GA” means: General Assembly.

“OM” means: Ordinary member.

“GC” means: General Coordinator.

“BT” means: Board of Trustees.

CHAPITRE II

**CREATION, MOTTO, COMMON SEAL, OFFICE,
REPRESENTATIONS, VISION, MISSION, CORE VALUES,
GOALS AND OBJECTIVES**

Article 2 – Creation

(1) The Community was officially created on the 15th of January 2012 in the Philippines, precisely in Manila as a non-profit, apolitical and secular organization; and was called "CONGOLESE COMMUNITY IN THE PHILIPPINES" with its official acronyms "CCP".

(2) The Community was managed by a set of regulations compiled in a document known as VADE MECUM which served as the Constitution of the Community until its review and amendments adopted by the General Assembly on the 17th of December 2017. The 2017 Constitution was also reviewed. Amendments were adopted by GA on September 6, 2020 which constitute this present Constitution.

(3) The Community acquired its legal status on the 15th of December 2018 in accordance with internal regulations without prejudice to the provisions of the law in force in the Philippines on non-profit associations with status number CN201840564.

(4) The Community legal Status is valid for 50 years from the date of issuance. However, the community should submit its annual financial report at the beginning of every year at the Security Exchange Commission (SEC) office.

(5) Every change of the Leadership, office address etc. should be submitted to Security Exchange Commission (SEC) office within 30 days after annual meeting.

Article 3 – Motto

The motto of the Congolese community is **Unity, Work and Progress**.

Article 4 – Common Seal

(1) The common seal of the Community which represents the ideals and Objectives of the Community shall be designed and approved by the General Assembly.

(2) The common seal must be kept in the custody of the President.

(3) The common seal must not be affixed to any instrument except by the authority of the Executive Committee; and the affixing of the common seal must be attested by signatures either of two members of the Executive Committee, the President and the Vice-President or any other member of the Executive Committee and the Secretary.

Article 5 – Head Office

The Headquarter of the Community is established at the residential address of its President until such time the Community can afford a separate office.

Article 6 – Office of Representation

The Community upon a decision of the General Assembly can have satellite offices and representation officers in other provinces and regions of the Philippines.

Article 7 – Area of Action

The area of action should be as authorized by the Security Exchange Commission in the letter granting legal status to the Community.

Article 8 – Vision, Mission and Core Values

(1) Our vision is:

- to build a dynamic, united and supportive Community.

(2) Our mission is:

- a commitment for a Congolese Community for development and mutual aid. The Community strives to bring together and unite all Congolese living in the Philippines.

(3) Our Core Values are:

- a. Commitment to human and cultural values.
- b. Integrity and Honesty.
- c. Love and mutual support.
- d. Patriotism and Civism.
- e. Moral and Intellectual Integrity.

Article 9 – Objectives

Our objectives are:

- (1) To pursue the well-being and development of the socio-cultural conditions of Community members.
- (2) To consolidate unity and solidarity through community activities.
- (3) To share and initiate common development projects.
- (4) To awaken consciences and educate members to be change agents.

Article 10 – Goals

Our Goals are:

- (1) to exchange information and share experiences of success and challenges in order to minimize and eradicate isolation and other underdevelopment factors;
- (2) to promote the Congolese traditional heritage and cultural values in the Philippines;
- (3) to educate and facilitate integration of Congolese members in the Philippines in order to be contributive members to the Philippine society and role models of the Congolese diaspora.
- (4) to safeguard connections between the Democratic Republic of the Congo and the Philippines on matters that advance bilateral cooperation and development.
- (5) to promote mutual aid among members of the Community through contributions made to Social Fund.

CHAPTER III

MEMBERSHIP

EXECUTIVE COMMITTEE, MEETINGS OF THE COMMITTEE MEMBERS AND OFFICERS

Article 11 – Membership

The Congolese Community in the Philippines has five types of membership:

(1) Sympathizers

- a. Anyone from any other nations who supports and agrees with the vision, mission and values of the Congolese Community in the Philippines.
- b. They are free to contribute or not for the annual gatherings.
- c. They can attend any other activity organized by the Community with the exception of the General Assembly meetings.
- d. Sympathizers who distinguish themselves by their level of commitment and support to the Community of any kind can be rewarded for that by the Steering Committee but cannot be elevated to Honorary Members.
- e. Their rights, privileges and obligations cannot be transferred or transmitted to another person. They are all terminated upon cessation of their membership.

(2) Ordinary Members

- a. An Ordinary member (OM) is any Congolese living in the Philippines.
- b. These are Congolese who do not participate actively in the life of the Community but who once in a blue moon attend selective gatherings of their own choosing.
- c. They do not contribute neither for the gatherings nor for annual contributions to raise the Community fund.
- d. They have full rights to attend the four gatherings but cannot run for any executive positions. They cannot be part of the committee and cannot vote.
- e. Their rights, privileges and obligations cannot be transferred or transmitted to another person. They are all terminated upon cessation of their membership.

(3) Active Members

- a. An Active Member (AM) is any Congolese living in the Philippines and who participates actively in the life of the Community by advancing its vision, mission and objectives.
- b. They are up to date with their punctual and annual contributions; and attend the four (4) gatherings including any emergency call for help.
- c. They proactively engage with all members of the Community, try their best to support those struck by sorrowful events.
- d. They maintain an active communication with the Executive Committee.
- e. They have full rights to vote and run for any executive position.
- f. They have a valid community membership card signed by the president in charge at the time of issuance.
- g. Their rights, privileges and obligations cannot be transferred or transmitted to another person. They are all terminated upon cessation of their membership.

(4) Honorary Members

- a. An Honorary Member (HM) is any member who distinguishes himself/herself by his/her level of commitment to the Community.
- b. Honorary Membership is the highest category of membership; and it requires that a member has a proven record of outstanding service to the Community to be nominated.
- c. Any member can be elevated to the Honorary Membership category after thorough assessment of their moral standing and level of commitment to the Community by the President and his/her Executive Committee members.
- d. A member who has been elevated to the Honorary Membership category will be duly notified in writing by the President and invited to respond to such nomination in accordance with the terms as articulated in the nomination letter.
- e. An Honorary Member should commit to contribute a certain amount annually or monthly to support the Community. The amount will be set by the Executive Committee in office

and cannot be below, equal, or closer to the annual amount paid by Professional members and Priests.

f. All founding persons de facto by their outstanding initiative to create the CCP as well as former presidents are Honorary Members.

g. Any member can lose his Honorary Membership if

1. they do not uphold the moral and ethical standing required for an Honorary Member;
2. they do not maintain the level of commitment to the Community that triggered their nomination;
3. they are not up to date with their contributions.

h. Their rights, privileges and obligations cannot be transferred or transmitted to another person. They are all terminated upon cessation of their membership.

(5) Other Nationals married to Congolese

- a. Other nationals who are legally married to Congolese members are in fact active members of the Community. They can vote but they cannot run as president or vice president.
- b. They cannot be appointed for any executive position.

Article 12 – Executive Committee

(1) The Executive Committee is the official organ to which the General Assembly gives all the powers and rights to control and manage the affairs of the Community and to represent the Community in the Philippines and overseas.

(2) The Executive Committee is composed of five (5) members which include the following:

- a. The President;
- b. The Vice President;
- c. The Secretary;
- d. The Councilor in charge of Finance;
- e. The Councilor in charge of Public Relations.
- f. Based on the needs of the Community, the President and the Vice-President may add two more roles to support the attainment of the Community objectives.

(3) The Executive Committee has the mandate to uphold the integrity of the Community in all business dealings and deliver on the objectives for which it was elected for.

(4) Without prejudice to such powers as granted by the General Assembly, the Executive Committee shall also have the following power:

- a. To call out and correct any practices not consistent with the Community's objectives and affairs.
- b. To purchase, receive, keep under custody, in the name of the Community, any and all properties, rights, or privileges entitled to the Community.
- c. To prosecute, maintain, defend, compromise or abandon any lawsuit in which the Community or its members are either plaintiffs or defendants in connection with the activities of the Community.

(5) No member shall be eligible for election to the Executive Committee unless he¹ is a member of good moral standing.

(6) Has contributed at least for two consecutive years preceding the election.

(7) The members of the Executive Committee shall serve for a period of two years renewable once only.

Article 13 – Meetings of the Executive Committee

(1) Meetings

Regular meetings of the Executive Committee shall be held anywhere; that means in or outside of the Philippines on a date adopted by the Committee. Special meetings may be called at any time by the President or upon request of a majority of the Executive Members to address urgent matters.

(2) Notice

The notice of the meetings shall be communicated by the Secretary to each Executive Member personally or collectively, by telephone call or in an electronic message at least two weeks prior to the scheduled meeting. It shall indicate the date, time and the place of and most importantly the concern of the meeting.

(3) Quorum

- a. A majority of the Executive Committee Members shall constitute a quorum for the scheduled meeting; and *ipso facto* every decision taken at that particular meeting by those present is valid, except for the decision to elect (2) two additional Executive Members which shall require the vote of all Executive Members.

¹ In this work a « he » is as good as « she » unless the context says differently. Sexist language is indeed outdated but “ he/she ” or “ his/her ” is cumbersome and is avoided only for that reason.

b. Even if the quorum is attained, the Executive Committee members shall abstain from voting resolutions at a meeting where both the President and the Vice- President are not present either physically or virtually. Both must be present or at least one of them for the resolutions passed or voted to have full force.

(4) Presiding Member

Meetings shall be presided over by the President. In his/her absence, the Vice- President presides or any other member chosen by the Executive Committee with the consent of the Vice- President. The Secretary shall take notes at every meeting. In his/her absence, the President or the presiding member shall appoint any other member to act as the Secretary at that particular meeting.

Article 14 – Executive Officers

(1) Immediately after their election, the President- Elect and the Vice President- Elect shall formally coordinate to appoint other Executive Committee members: The Secretary, The Treasurer and The Public Relations Officer and present them on the investiture day.

(2) Any two (2) positions may be held concurrently by the same person, except that no one shall act as President and Treasurer or Secretary at the same time.

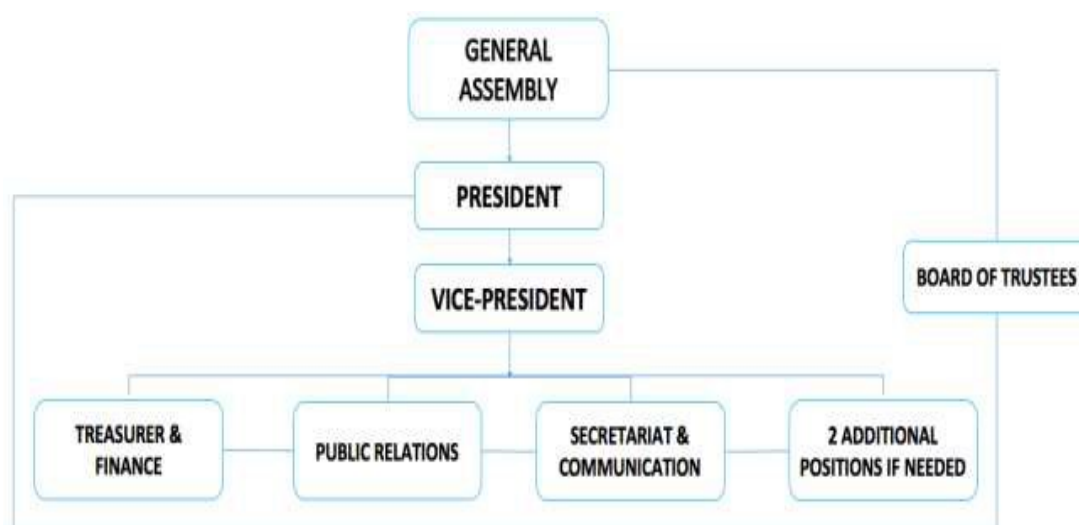
CHAPTER IV

ORGANIZATIONAL CHART, EXECUTIVE COMMITTEE, DUTIES AND RESPONSIBILITIES OF OFFICERS

Article 15 – Organizational Chart

The organizational chart of the Community is as follows:

- (1) General Assembly
- (2) President
- (3) Vice- President
- (4) Secretary and Communications Officer
- (5) Treasurer and Finance Officer
- (6) Public Relations Officer
- (7) Two additional Executive Members (If necessary)
- (8) Board of Trustees



Article 16 – Duties and Responsibilities of Each Entity

(1) – General Assembly

- a. This is a gathering of all Congolese living in the Philippines. The body which oversees the entire action of the Community and its leaders.
- b. The General Assembly is the only entity endowed with the power to approve any amendments to the Constitution.

- c. General Assemblies take place twice within one calendar year. The first General Assembly is held in April or May and the second in November or December.
- d. During the first General Assembly, most important decisions and amendments are taken for the management of the Community.
- e. During the second General Assembly, the Executive Committee must present to the Community a comprehensive report of what they have achieved; propose major amendments or changes and request the approval of the General Assembly; and together with the Board of Trustees organize the elections for the new Executive Committee.
- f. Other members may attend but will not vote (see article 11 on membership)

(2) – President

a. Aptitudes and Qualifications:

- 1) A bachelor degree in any course and have a proven professional experience.
- 2) Mastery of spoken and written English.
- 3) Capable of defending the Congolese Community to authorities and ensuring its representation.
- 4) Must be flexible and easy to reach, approachable and ready to sacrifice his/her time for the benefits of the CCP.
- 5) Must be at least 25 years old of age, married or missionary holding permanent functions, and have been living in the Philippine for at least 2 years.
- 6) Must be an active member of the Community. Honorary members though active are exempt from seeking the presidency
- 7) Must be in good stand with the Immigration and the Laws of the Philippines,
- 8) In good stand with all contributions.

b. Responsibilities

The President shall exercise the following duties:

- 1) He is the moral authority of the Community and coordinates its activities in collaboration with the Vice- President and other Executive Members.

- 2) He is in charge of initiating external partnerships with third parties including Governments.
- 3) He initiates and maintains contacts with Congolese of the other Diaspora.
- 4) He reports regularly to the Executive Committee and if necessary, to the Board of Trustees by the request of the later.
- 5) He controls the Community's finances and monitors all expenditures.
- 6) Once elected, he, in coordination with the Vice- President Elect nominates other Executive Members and introduces them to the Community on the day of their investiture.
- 7) He convenes or adjourns meetings of the Community and of the Executive Committee.
- 8) He reports to the General Assembly and seeks advice from the Board of Trustees if he deems it necessary.
- 9) He upholds and defends the constitution.

(3) – Vice- President

a. Aptitudes and Qualifications:

Cfr. Art. 16 (2) a.

b. Responsibilities

The Vice- President shall exercise the following duties:

- 1) He immediately becomes President in case the President has resigned or has been removed from office.
- 2) He carries out the duties of the President in his absence.
- 3) He is the principal and first adviser to the President in managing the Community affairs.
- 4) He supports the President in his work.
- 5) He motivates members and families to maintain an active participation to Community activities.

- 6) Once elected he coordinates with the President to nominate other Executive Committee members.
- 7) He reports to the President.

(4) – Secretariat and Communication

a. Responsibilities:

The Secretary shall exercise the following duties:

- 1) He provides outstanding administrative support to the Executive Committee in all matters regarding coordination of Community affairs.
- 2) He is responsible for taking notes at each meeting of the Executive Committee and the Community.
- 3) He sends, after review by the President and the Vice- President, the minutes and resolutions of each meeting of the Executive Committee and that of the Community to concerned recipients no later than five (5) business days after the meeting has taken place.
- 4) He maintains all reports from each department and from each Executive Committee member.
- 5) He manages all channels of communication, including the Community Facebook page, WhatsApp Group, Congolese group and email tracks.
- 6) He performs duties that are only related to the Community affairs as assigned by the President or the Board of Trustees.
- 7) He reports to the President.

(5) – Treasurer and Finance

a. Responsibilities:

The Treasurer and Finance Officer shall exercise the following duties:

- 1) He ensures that all money due to the Community is collected and received; and also all payments authorized by the Executive Committee are made.
- 2) He keeps full and accurate accounts of funds, receipts and disbursements in the books of the Community.

- 3) He supports the President in designing and executing development projects, events and other activities aiming at increasing income streams of the Community.
- 4) He comes up with statements of needs and plans activities to undertake.
- 5) He holds and manages the bank account and the ATM related to it.
- 6) In cooperation with the President and the Vice- President, he/she prepares the financial report to present to the entire Community during the General Assembly.
- 7) After the May and December gatherings, he presents the financial report to the Community in collaboration with the President and the Vice- President.
- 8) He receives all the contributions from members and updates the books accordingly.
- 9) He reports to the President and the Vice- President.

(6) – Councilor in charge of Public Relations

a. Responsibilities:

The Councilor in charge of Public Relations shall exercise the following duties:

- 1) He represents the Executive Committee and the Community to other communities and partners in the Philippines.
- 2) He initiates and maintains the relationships with other partners.
- 3) He maintains the independence of the Community and shall not disclose any confidential information to other communities.
- 4) With the approval of the Executive Committee, he/she can initiate activities to foster collaboration and partnerships with other communities.
- 5) He takes a leadership role in mobilizing other African communities to work together and run common projects; but any position that he may occupy outside of our Community in relation to this particular duty will run concurrently with his term as an Executive Committee member of our Community. Therefore, he shall relinquish that title once his term as an Executive Committee member of our Community has ended; unless the Executive Committee Elect decides otherwise.
- 6) He reports to the President.

(7)The General Coordinator

a. Definition

- 1) The General Coordinator (GC) is an Active Member of the Community who displayed outstanding moral, which the Board of Trustees appoints to run the Community affairs until the elections are held.
- 2) The General Coordinator is vested with power to make decisions, represent the Community and appoint other Executive Committee members.

b. Circumstances under which a General Coordinator can be appointed

- 1) If there has been no candidacy for President or Vice- President after elections has been called and the term of the President and Vice- President in office has ended
- 2) If all candidacies submitted have been determined to be invalid.
- 3) If both the President and the Vice- President pass away, resign, or unnotified long absence from the Philippines for more than ninety (90) days; or have been deposed; or if the entire Executive Committee has been dissolved on the grounds articulated in Art. 16, (8), b, 7.

c. Responsibilities

- 1) The General coordinator runs the Community affairs until the next elections are held
- 2) The General coordinator shall not initiate amendments to the Constitution;
- 3) The General Coordinator appoints his Executive Committee team members if appointed at the beginning of the term (January). However, if appointed during an ongoing term of the previous President, he shall continue with the ongoing executive committee team members unless due discussion has taken place with the Board of Trustees.

(8) Board of Trustees

a. Nominating a Trustee:

The Board of Trustees is a group of four (4) members of the Community among which at least one female when possible, each called “*trustee*” or “*wise*”. To be qualified as a *wise* or *trustee* of the Community, a person must be:

- 1) An active member of the Community. Any Executive Committee member cannot be a trustee or a wise;
- 2) Must be legally married and at least forty-year of age
- 3) Has stayed in the Philippines for a minimum of five years.
- 4) Nominated by himself or by other members.
- 5) Approved by the General Assembly to be a mature, responsible, credible, and competent with high ethics and morals.
- 6) Has knowledge of the community activities, history, and good moral standing

b. Responsibilities:

The Board of Trustees’ main role is to advise the Executive Committee to adhere to the rules and principles. It is the “watch dog” of the Community which means that:

- 1) They monitor how the President and the Executive Committee manage the Community affairs.
- 2) They cooperate with the Executive Committee and provide insights on matters of great significance and major challenges only.
- 3) They supervise the elections up to the swearing in of the new President and Vice-President.
- 4) They can convene a meeting and demand clarifications from the President and other Executive Committee members in the event of mismanagement of Community affairs.
- 5) They audit the finances of the community twice a year and provide recommendations

- 6) Manage any conflicts that arises between executive committee and members or between members. They do also have authority to arbiter appeal complain.
- 7) In some undesirable circumstances where there has been an excessive mismanagement of the Community affairs that jeopardizes its integrity, cohesion and progress; they can, without further delay, demand an immediate resignation from the President and his/her Executive Committee or forcibly dissolve the entire Executive Committee if they resist to voluntarily resign; and proceed to nominate a General Coordinator to run the Community affairs during the transition period until the next elections are held.
- 8) They cannot apply or be appointed to serve as Executive Committee members. To do so, they must tender their resignation to the president of the Board of Trustees one month prior to the election's day or to their nomination. Once such resignation has been accepted, they can run. However, they cannot be immediately readmitted to the Board of Trustees upon an unsuccessful candidacy to an executive position.
- 9) In the long absence, dismissal or resignation of one trustee/wise, the remaining three have the power to nominate one community member to assume that role; However in the event that three trustees have left, the remaining trustee/wise still has the power to nominate three other community members to be presented at the General Assembly for an official acceptance and appointment by the majority of members present.

c. Term

- 1) The Board of Trustees once approved and instated by the General Assembly remains in office for a period of three (3) years renewable once only.

CHAPTER V

ELECTIONS, ANNUAL GATHERINGS, SANCTIONS AND DISMISSALS

Article 17 – Elections

1) Elections shall be held every two years in December during the General Assembly and are organized by the Board of Trustees.

2) The term in office of an Executive Committee is two (2) years.

3) Elections shall be organized to elect the President and the Vice- President only.

4) Other Executive Committee members are appointed by the President Elect in consultation with the Vice- President Elect.

5) The new Executive Committee takes office in January at the New Year Community gathering.

6) The President's term is set to two (2) years renewable once only. After cumulative two terms.

7) In case of the refusal to seek for second term or unsuccessful result of the second term runoff, the president be granted automatically the status of honorary member. If he wants to run again, he shall send an email to both the board of trustees and the president to renounce to his title at least one month prior to the election. If elected he will stay for one term only.

8) Any person who will hold the President office can stay in office for a maximum of four (4) years in his lifetime.

9) If a president stays in office for one term of 2 years, then loses in the next election or for any reason refuses to run, he can run for only two more years whenever he will be elected.

10) Only Active and Honorary members with valid issued community identity card have the right to vote.

11) Only Active members with valid issued community identity card can run for the position of the president and vice president.

12) Each member allowed to vote casts only one ballot at each voting round.

13) Ballot must be given personally and not by proxy.

14) The results of each vote must be announced on the same day and at the same General Assembly.

15) In the event there has been only one valid candidacy for each position (President and Vice- President) after the elections had been called, the elections will still push

through; therefore, the only candidate for President and the only candidate for Vice-President will both be declared winners in their respective roles.

16) In the event there have been valid candidacies for President which led to the election of a new President; but no candidacy for Vice- President, the President Elect will proceed with appointment of other Executive Members in collaboration with the Board of Trustees and the post of the Vice-President will remain vacant for that full term until next elections.

17) In the event there have been valid candidacies for Vice- President which led to the election of a new Vice-President; but no candidacy for President has ever been submitted, the Vice- President Elect will automatically become the President and will proceed with the nomination of other Executive Members in collaboration with the Board of Trustees and the post of the Vice- President will remain vacant for that full term until next elections.

Article 18 – The Community Membership Card

- 1) The community approved its first Identity Card on September 6, 2020.
- 2) The community Identity Card is duly signed by its bearer and the President in charge in time of issuance.
- 3) Every active member has his/her permanent card number maintained by Executive Secretary.
- 4) The Community Identity Card expires as soon ones ceases to be an active member, or once the inactivity of the member leads to termination by Executive Committee.
- 5) The Community Identity Card is valid for a period of 5 years

Article 19 – Annual Gatherings

Four (4) Community gatherings shall be held every year and are the following:

- 1) In January, the Community gathers to celebrate New Year, to introduce the complete Executive Committee members and to officially invest them. This gathering is open to all Congolese and friends.
- 2) In May, the Community holds its first General Assembly to evaluate the activities run by the Executive Committee and make constructive suggestions to help them achieve the goals for which they were elected. This gathering is exclusively for Congolese Community members.

- 3) In July, the Community gathers to celebrate the Independence Day. This gathering is open to all Congolese and friends.
- 4) In December, the Community holds its second General Assembly to present the annual report of all activities undertaken and results achieved throughout the year; and to elect the new President and Vice- President. This gathering is exclusively for Congolese Community members.

Article 20 – Sanctions, Blacklisting and Dismissals

- 1) A member faces suspension, Blacklisting, up to termination of his membership for any of the following causes:
 - (a) Defamation
 - (b) Fraud
 - (c) Corruption
 - (d) Theft
 - (e) Serious misconduct
 - (f) Commission of a crime
 - (g) Other causes analogous to the foregoing
 - (h) Assault, injurious and insulting behavior on the president or any executive committee members, Board of Trustees, General Coordinator
 - (i) Refusal or neglect to comply with provisions of this Constitution
 - (j) Willfully acted in a manner which jeopardizes the interest of the Community

2) Due Process

Any member to be suspended, blacklisted or dismissed is entitled to due process. Due process requires ample opportunity for the member to explain his side before he is sanctioned. Absence of due process makes the suspension, blacklisting or dismissal invalid. Indeed, it is not enough to wish to suspend, blacklist or dismiss a member to charge him with the above-mentioned causes. The validity of charges must be established in a manner consistent with due process. Accusation cannot take place of proof. A suspicion or belief no matter how sincerely felt cannot substitute for factual findings carefully established through an orderly procedure.

3) Procedure

- a. Following the charge or the complaint, the Executive Committee shall write two notices before any decision, The first notice informs the member of the infractions, violations or omissions he allegedly committed and requires and invite him to explain in a face-to-face meeting or if circumstances do not allow face-to-face meeting in writing; the subsequent notice, which informs the member of the Executive Committee's decision.
- b. The opportunity to explain should be adequate which, at least seven calendar days from receipt of the notice to explain.

- c. If the member voluntarily and expressly admitted his infractions, no formal investigation is needed. All that is needed is to inform the member of the findings and the decision of the Executive Committee otherwise it convenes meeting with the Board of Trustees to seek a resolution at this level.
- d. If a member is suspended, blacklisted or dismissed, the Executive Committee via the Secretary shall notify the member within five (5) business days following the decision. The notification shall include the ground of the decision taken and the member's right to appeal (sixty days).
- e. The decision shall take effect after the appeal period or after the appeal decision if the member decides to evoke his appeal rights

Article 21 – Suspension, Blacklisting, Dismissal of an Executive Committee Member

- (1) An Executive Committee Member is a member of the Community and as such, he is not exempt from suspension, blacklisting or dismissal based on causes stated in Art 20 and he enjoys the right of appeal as stated in Art 21. However, considering the executive position, if convicted, he shall immediately resign. An appointment for his replacement will follow within seven days of his conviction.
- (2) An executive member also loses his position following:
 - his death;
 - He duly resigns by addressing a resignation letter to the President and copying the Vice- President;
 - Failure to attend three consecutive Executive Committee meetings during calendar year without prior notice to the President or to the presiding officer;
 - Prolonged absence outside of the Philippines of more than ninety (90) days;
 - Failure to maintain confidentiality of any classified matter
 - If the dismissed Executive Member is a Vice- President, the position remains vacant until a new Vice- President is elected at the next elections.
 - If the dismissed Executive Member is the President, Art. 16, (3), b, 1 applies

Article 22 – Appeal Procedure

- (1) The Board of Trustee is vested with authority to arbiter appeal complaint
- (2) A member may appeal to the Board of Trustees against the decision of the Executive Committee within sixty days following the decision.
- (3) Upon receipt of request for appeal from a member, the Board of Trustees open in-depth investigations to establish the wrongdoing(substantial or procedural) in the Executive Committee’s decision.
- (4) After in-depth investigation and throughout consideration of the grounds and the due process leading to the Executive Committee’s decision, the Board of Trustee makes decision to either confirm or annul the decision of the executive committee.
- (5) The Secretary shall notify the member of the decision of the appeal within seven calendar days following the said decision.

CHAPTER VI

**FINANCES, DEVELOPMENT PROJECTS,
RECREATIONAL AND LIFE EVENTS,
CONSTITUTIONAL AMENDMENTS, AND
COMMUNITY AWARDS**

Article 23 – Financial Incomes

- (1) Annual membership contributions constitute the main source of income for the Community and they are set as follows:
 - a. Professional members, including priests with a regular monthly income pay Two Thousand (2,000.00) Philippine Pesos per year.
 - a. Religious Brothers and Sisters pay One Thousand (1,000.00) Philippine Pesos per year.
 - b. Students, Seminarians and any other category pay Five Hundred (500.00) Philippine Pesos per year.
- (2) Annual membership fees can be increased depending on the needs of the Community and after a resolution has been passed by the General Assembly. However, they can never be decreased at any point below the threshold stated in Art. 23, (1).
- (3) Members can constantly contribute more to their annual membership fees to increase their chances of being nominated Honorary Members of the Community. However, contributing more does not automatically guarantee such nomination. Other criteria must be considered as stated in Art. 11, (4), a-h.
- (4) All contributions must be deposited to the Community Bank account and a screenshot of the transaction must be sent to the Executive Member in charge of finance for documentation purposes.
- (5) All annual membership fees and any other punctual contributions made to the Community are non-refundable.

Article 24 – Approval of Financial and Social Assistance

- (1) Only member with valid Community issued ID can avail finance assistance from the community. However, the finance assistance received shall be paid back to the community within 30days.
- (2) In case of failure to pay within 30 days, some disciplinary actions might be applied.
- (3) the maximum amount to be granted for loan is 10,000 Pesos
- (4) Before the financial assistance to be granted, the borrower shall submit any collateral good that has equal or higher value than the amount to be borrowed.

- (5) The Executive Committee can study case per case to assist a member who is really in need; and any financial assistance granted to that member might be non-refundable and shall not exceed the amount already contributed by the concerned member.

- (6) Any financial assistance granted to a member who has zero contribution; or has contributed less than five thousand (5,000) Philippine Pesos shall not exceed five Thousand (5,000) Philippine Pesos.

- (7) A member who voluntarily wishes to repay a non-refundable financial assistance should not be prevented from doing so; instead, the Executive Committee member in charge of finance should work out with the member on a reasonable repayment plan signed by the member and the member in charge of finance.

- (8) Only an active member can be assisted financially; and in order to avail such assistance the member must:
 - 1) present the issued and up-to-date the community identity card
 - 2) present evidence to the Executive Committee that he did not find any family member, friend or Community member who could assist him/her directly;

 - 3) officially write to the President expressing the need for a financial assistance and state the amount needed.

 - 4) be aware that stating the amount needed in the request letter does not guarantee that it will be granted as such. The decision will depend on the assessment made by the Executive Member in charge of Finance on behalf of the entire Executive Committee.

 - 5) Ordinary members cannot be assisted financially; but are entitled to other forms of assistance.

- 6) Any decision on financial assistance to a member, and all details of the discussion that have led to that decision shall be classified. Any Executive Member found to be in breach of this disposition will be subject to Art. 20.

Article 25 – Development Projects

(1) The Community can run from time to time some social and development projects to enhance creative, innovative and entrepreneurial skills of Community members. Any profits made as a result of these projects shall be re-invested in the Community Social Fund in line with the not-for-profit character of the Community.

(2) Any social or development project must be assessed by the Executive Committee before its launch. In the assessment process the Executive Committee must make sure that:

- 1) it is aligned with the vision, mission and values of the Community;
- 2) it is legal in all its forms;
- 3) the results are profitable, measurable and achievable;
- 4) The resources are available and capable of undertaking the project.

Article 26 – Recreational Activities

- 1) Aside from Community annual gatherings, the Executive Committee needs to organize other sorts of events to strengthen friendship and camaraderie among Community members.
- 2) Recreational activities should not be limited to Congolese members among themselves. The Executive Committee should consider initiating events in partnership with other African communities and other partners in the Philippines or overseas.

Article 27 – Life Events

- (1) In case of death of a Congolese member living in the Philippines, the Executive Committee should contact the deceased member's family for guidance.
- (2) The Executive Committee will issue an official announcement to the entire Community and call for a voluntary contribution. The amount to be contributed should not be set.
- (3) In case of death of a first-degree family member of a Compatriot living in the Philippines, the concerned member must inform at least one member of the

Executive Committee as soon as possible; and a special assistance shall be provided to the afflicted member.

- (4) For any other life events such as birth/adoption of a child, wedding, ordination, a token shall be provided to encourage and demonstrate the Community support to active members.

Article 28 – Community Awards

- (1) To encourage some outstanding members of our Community who distinguished themselves by their actions, contributions and participations to Community events throughout the years, the Executive Committee can award them with certificates of appreciation.
- (2) Any Community member can nominate another member to be awarded. The nominating member must write to the President copying the Vice- President stating the name of their nominee/s and the reasons why he thinks the nominated member must be awarded.
- (3) For an award nominee to be successful, a majority vote of the Executive Committee members must be achieved.
- (4) All discussions leading up to the awarding or not awarding a nominee shall be classified as confidential until the award ceremony day. An Executive Committee member found to have leaked any information in this regard shall be subject to Art. 22, (2), f.
- (5) Once approved, the Award must be prepared, designed with the Community logo and symbols and the name of the nominee.
- (6) The awarding ceremony shall take place during the July gathering of each year; therefore, all nominations shall be submitted in June the latest.

Article 29 – Amendments to the Constitution

- (1) Amendments to the Constitution can only be initiated by the Executive Committee in partnership with the Board of Trustees after five years; or by a majority of vote of the General Assembly or special meeting duly held for that purpose.

- (2) However, based on previous experience and in view of promotion and defense of alternance, articles regarding eligibility and terms of the president (17, 6) and eligibility for the vice president shall never be subject to amendment.
- (3) Ideas to improve the Constitution can come from anyone and at any time. They must be introduced and thoroughly discussed at General Assembly or special meetings duly convened for that purpose; but for the amendments to take effect and to be inserted in the Constitution, five years must have elapsed from the last constitutional amendments.
- (4) Any amendment approved by General Assembly takes effect immediately

**LONG LIVE THE CONGOLESE COMMUNITY IN
THE PHILIPPINES!**