

Association VOL ET302 - Solidarité et Justice

Preamble

The association's initial objective is to bring together the relatives of victims of all nationalities, to listen to them, to respond to their expectations and needs, and to provide support to the extent of its means. It must promote mutual aid and solidarity.

Its main concern is to support the families and relatives of victims in their mourning by providing them with answers on the conditions and circumstances of the accident, the determination of responsibilities and to provide them with support during the years that the various procedures to be conducted will take place.

The association will also seek to contribute to the search for justice and truth and to prevent such a tragedy from happening again, by engaging and participating in all the actions that would allow this.

The association aims to offer total transparency in its operation with respect to its members, so that each one can better relate to the decisions, be updated with information the association obtains, and be aided in their approach.

While the association follows a collective approach, it does not replace individual actions and each member retains full freedom in its choices and decisions.

The association will make sure that each actor involved in one way or another in the disaster assumes its responsibilities, and in particular in terms of information and transparency with respect to the relatives of the victims.

Finally, the association plans to coordinate and facilitate dealings between relatives and families of the victims with representatives of public authorities, ministries and judicial authorities in France, Ethiopia, the United States or any other country concerned, with support associations and any another actor involved in the context of this air disaster.

SECTION I

- Constitution - Purpose - Registered Office - Duration -

Article 1 - Constitution and denomination

An association governed by the law of 1st July 1901 and the decree of 16th August 1901 is constituted with the name:

Association VOL ET302: Solidarité et Justice

Article 2 - Purpose

The purpose of the "Association VOL ET302: Solidarité et Justice" is to:

- Bring together the relatives of the victims of the crash of Ethiopian Airlines Boeing 737max flight ET302 that occurred on 10 March 2019 near Addis Ababa, capital of Ethiopia, and to provide them with support, mutual assistance and any necessary information and advice;
- Ensure that the Ethiopian authorities, in cooperation with the relevant national authorities, make every effort to complete the passenger identification process, that all victims can be returned to their relatives and that personal belongings recovered at the accident site can be returned to the families;
- Coordinate and facilitate relations with the various interlocutors (coordinators, Ministry of Justice, Ministry of Foreign Affairs, insurers, investigating judges, etc.) in the long term;
- Contribute to the search for the truth about the causes of the crash of the Boeing 737max flight ET302, the establishment of responsibilities in this crash and the sanctioning of those responsible before courts;
- Help to obtain fair and full compensation for the damages suffered by the families and relatives of the victims, while respecting their individual choices and the collective interest;
- Honour, maintain and perpetuate the memory of this disaster and the missing persons by organising memorial actions;

- Engage or participate in any action to improve the safety of air transport;
- Participate in improving the care and support of families and relatives of the victims and give them the opportunity to act collectively regarding the details of this care.

Article 3 - Registered office of the association

The registered office of the association is established as:

FENVAC (Fédération Nationale des Victimes d'attentats et d'Accidents Collectifs)

6, rue du Colonel Moll

75017 PARIS

This may be changed by simple decision of the Board of Directors, with the approval of the ordinary General Assembly.

Article 4 - Duration

The duration of the association is unlimited.

SECTION II

- Composition –

Article 5 – Composition

The association consists of members distributed as follows:

- Parent members of victims with a deliberative voice at General Assemblies;
- Friend members without deliberative voice.

Parent members are relatives of those who died in the crash of Flight ET302: ascendants and descendants, spouse or companion, collaterals, uncles and aunts, nephews and nieces, cousins, and particular cases by decision of the Board of Directors.

There is no nationality criterion.

There is no age criterion either, in application of law n° 2017 - 86 of 27th January 2017 on equality and citizenship, modifying article 43 of the law of 1st July 1901. Minors may join and participate in the actions of the association. Contributions will however necessarily be paid by at least one of their legal representatives.

Article 6 - Contributions

The contribution due is fixed annually by the General Assembly.

Article 7 - Conditions of membership

Any application for membership must be made in writing (paper or electronic) by the applicant via the membership form provided by the association.

The admission of members is pronounced by the Board of Directors, which, in case of refusal, is not obliged to make known the reason for its decision.

Article 8 - Obligations of the members

Each member commits to:

- Respect these statutes which are communicated to them upon joining this association;
- Pay the annual subscription set by the General Assembly;
- Respond to a duty of confidentiality and reserve in order never to disclose or inappropriately use information, contacts, photographs or documents of a strictly personal and confidential nature relating to the victims, their families and loved ones which may be shared in one way or another between members of the association;
- Not speak on behalf of the association unless they have obtained this power from the Board of Directors. However, any member not elected to represent the association is free to speak in their own words and in their own name, but cannot create liability for the association;
- Meet the obligations of respect, memory and dignity due to the victims, their families and their loved ones.

Article 9 - Loss of membership

Membership is lost:

- By death;
- By resignation addressed in writing to the President of the association;
- By exclusion pronounced by the Board of Directors for grave breach of these statutes or serious cause;
- By removal by the Board of Directors for non-payment of the contribution.

Before making any decision to exclude or remove, the member concerned is first invited to provide written explanation to the Board of Directors.

Article 10 - Liability of members

No member of the association is personally responsible for the commitments contracted by it.

Only the assets of the association answer to its commitments.

SECTION III

- Board of Directors -

Article 11 - The Board of Directors

The association is administered by a Board of Directors elected for three years by the General Assembly. The Board is chosen by the parent members of the association. It must include a maximum of 21 persons and a maximum of three family members per victim.

The members of the Board of Directors elected at the constituent General Assembly must be confirmed at the next Ordinary General Assembly, before the renewal of the Board of Directors is done each year by third parties. Outgoing members are designated by lot in the first two years. Outgoing members may be reappointed.

In case of vacancy (death, resignation, exclusion ...) in the period between two General Assemblies, the Board of Directors provisionally provides for the replacement of its members. Their definitive replacement is made by the next Ordinary General Assembly. The powers of the members thus elected terminate at the time when the term of office of the replaced members would normally expire.

Any person who is at least 18 years of age on the day of the election and who is up to date with their contributions is eligible for the Board of Directors.

Article 12 - Election of the Board of Directors

The General Assembly is called to elect the Board of Directors.

Any member of the association, over the age of 18, is eligible for election by the General Assembly.

Article 13 – Committee

The Board of Directors each year elects, by secret ballot, a cabinet comprising:

- A president
- One or more vice-presidents
- A treasurer and possibly a deputy treasurer
- A secretary general and possibly a deputy secretary general

Outgoing members may be reappointed.

Article 14 - Meeting

The Board of Directors meets whenever it is convened in writing by its president or at the request of at least half of its members, whenever the interest of the association so requires, and at least twice a year.

The presence or representation of at least half of its members is necessary for the Board of Directors to validly deliberate.

Meetings of the Board of Directors may be held by videoconference. Exceptionally, on a specific question, the president may proceed to a vote by e-mail.

The deliberations are taken by a majority of the members present. Proxy voting is allowed. In case of a tie, the president has the casting vote. Only the items on the agenda can be voted on.

Each meeting of the Board of Directors gives rise to Minutes, signed by the meeting chairman and secretary, which is sent to all members.

Article 15 - Exclusion from the Board of Directors

Any member of the Board of Directors, who has missed three consecutive sessions without excuse, will be considered as having resigned. They will be replaced in accordance with the provisions of article 10 of these statutes.

In addition, any member of the Board of Directors who has been excluded from the association will be replaced under the same conditions.

Article 16 - Remuneration

The functions of members of the Board of Directors are on a voluntary basis. However, the expenses and disbursements generated by the fulfilment of their mandate may be reimbursed upon production of their supporting documents, after approval by the Board of Directors. The financial report presented to the Ordinary General Assembly must mention these reimbursements.

Article 17 - Powers and roles of the Board of Directors

The Board of Directors is generally vested with the broadest powers within the limits of the aims of the association and within the framework of the resolutions adopted by the General Assembly.

It may authorise all acts and operations permitted of the association and which are not reserved for the Ordinary or Extraordinary General Assembly.

It decides on all admissions of members to the association and confers the possible title of honorary member. It is also pronounces on the possible measures of exclusion or removal of members.

In particular, it supervises the management of the members of the committee and is always entitled to make them accountable for their actions. It may suspend the members of the committee by majority. It opens all bank accounts, cash all postal cheques and before all credit institutions use all funds, contract any mortgages or other loans, solicit all grants, request all registrations and useful transcripts.

It authorises the president and the treasurer to undertake all acts, purchases, disposals and investments recognised as necessary with the goods and worth belonging to the association, and to award the contracts necessary for the pursuit of its purpose.

It appoints and decides the remuneration for the association staff.

It organises the work of the association and membership information, and more particularly the creation and promotion of thematic commissions.

The Board of Directors may delegate all or part of its powers to the committee or to some of its members.

Article 18 - Thematic commissions

The Board of Directors may create thematic commissions to facilitate the operation of the association and to involve the largest number according to the skills and availability of each. Each commission may consist of no more than ten members. These members will announce their intention to join a commission with the president by mail or email. The committee will appoint these persons.

These thematic commissions assist the deliberative bodies of the association and have no decision-making power.

Article 19 - Association communication

The members of the Board of Directors are the only ones authorised to communicate publicly on behalf of the association in accordance with the guidelines defined by it.

Each year, the Board of Directors elects a spokesperson, who can help the members of the Board of Directors in this communication.

Article 20 - Role of the committee members

The committee of the Board of Directors is specially invested with the following attributions:

The President guides the work of the Board of Directors and ensures the functioning of the association that they represent in court and in all acts of civil life.

The secretary general is in charge of the correspondence and more particularly the sending of the various convocations. They draft the minutes of meetings of both the Board of Directors and the General Assemblies, and transcribes them in the registers provided for this purpose. They keep the special register provided for by the law of 1st July 1901.

The treasurer keeps the accounts of the association. They are assisted by all the necessary recognised accountants. They make all payments and receipts under the supervision of the president.

SECTION IV

- The General Assembly -

Article 21 - Common provisions for the conduct of General Assemblies

The General Assemblies include all members of the association who are up to date with their subscription on the day of the Assembly.

Assemblies are convened by the president of the association or at the request of the members representing at least a quarter of the members. In the latter case, the notices to convene the Assembly must be sent within fourteen days of the request being filed, and held within twenty-two days following the sending of the said convening notices.

The convocations must necessarily mention the agenda planned and set by the Board of Directors. They are made by individual letter or by e-mail addressed to members at least fifteen days in advance.

Only resolutions adopted by the General Assembly on the agenda items will be valid. Motions proposed by a member may be placed on the agenda only if the Board of Directors has received them at least seven days before the date of the General Assembly, apart from exceptional cases upon decision of the Board of Directors.

The president chairs the General Assembly or, in their absence, the vice-president(s); one or the other may delegate their duties to another member of the Board of Directors. The Assembly committee is that of the association.

The deliberations are recorded in the minutes entered in a register signed by the chair of the meeting and the secretary of the meeting.

Proxy voting is allowed.

Minors who are members of the association may exercise their right to vote at the General Assembly and have a deliberative vote when they are sixteen years old.

An attendance sheet will be kept, signed by each member present and certified by the Assembly committee.

By way of derogation, and at the decision of the Board of Directors, the General Assemblies (ordinary and extraordinary) may be organised by videoconference.

Article 22 - Nature and power of the Assemblies

The regularly constituted General Assemblies represent the universality of the members of the association.

To the limit of the powers conferred by these statutes, the decisions of the General Assemblies oblige all members, including absentees.

Article 23 - Ordinary General Assembly

At least once a year, members are convened at an Ordinary General Assembly under the conditions set out in article 21.

The Assembly hears the management reports of the Board of Directors, particularly on the moral and financial situation of the association. The treasurer reads their financial report.

The Assembly, having deliberated and ruled on the various reports, approves the accounts of the closed financial year, votes on the budget for the following year and deliberates on all the issues appearing on the agenda.

It provides for the appointment or renewal of the members of the Board of Directors under the conditions set out in Article 11 and 12 of these statutes.

It also fixes the amount of the annual subscription to be paid by the various categories of association members.

The decisions of the Ordinary General Assembly are taken by a majority of the members present or represented. All deliberations are taken by show of hands. However, at the request of at least one quarter of the members present, the votes must be cast by secret ballot.

Article 24 - Extraordinary General Assembly

This is convened under the conditions set out in article 21 of these statutes.

For the decisions to be valid, the Extraordinary General Assembly must comprise at least half, plus one, of the voting members.

If this proportion is not reached, the General Assembly is convened again fourteen days later. It can then deliberate regardless of the number of members present.

The Extraordinary General Assembly decides on matters that are solely its competence, namely amendments to be made to these statutes, early dissolution, etc. The deliberations are decided by a majority of the members present or represented.

Voting shall be by show of hands unless at least a quarter of the members present demand a secret ballot.

SECTION V

- Association resources - Accounting -

Article 25 – Association resources

The resources of the association come from:

- The proceeds of contributions paid by members;
- Possible subsidies from the State, regions, departments, municipalities and public institutions;
- The proceeds of events and demonstrations, interest and royalties from property and worth that it may possess, as well as fees for services rendered;
- Gifts and legacies;
- Any other resource or grant that would not be contrary to applicable law.

Article 26 - Accounting

Daily accounting is required for registration of all financial transactions.

This accounting will be kept in accordance with the general accounting plan.

The balance sheets, income statements and appendices are drawn up by the treasurer and submitted for approval to the Ordinary General Assembly.

SECTION VI

- Dissolution of the association -

Article 27 - Dissolution

Dissolution is pronounced at the request of the Board of Directors, by an Extraordinary General Assembly convened especially for this purpose.

The conditions of convening and the modalities of holding such a meeting are those provided for in article 21 of these statutes.

For the decisions to be valid, the Assembly must include at least half, plus one, of the voting members.

If this proportion is not reached, the General Assembly is convened again 22 days later. It can then deliberate regardless of the number of members present.

To be valid, the dissolution decision requires the agreement of the majority of the members present.

Voting shall be by show of hands unless at least one quarter of the members demands a secret ballot.

Voting by videoconference is allowed.

Article 28 - Devolution of assets

In case of dissolution, the Extraordinary General Assembly designates one or more liquidators who will be in charge of the liquidation of the association's assets and whose powers it will determine.

In no case may association members be assigned any part of the association's property, apart from the return of their contributions.

The remaining net assets will be attributed to one or more other associations with similar goals, which will be named by the Extraordinary General Assembly.

SECTION VII

- Rules of procedure - Administrative formalities -

Article 29 - Rules of procedure


Rules of procedure may be established by the Board of Directors, which then seeks approval from the General Assembly.

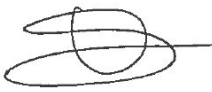
This possible regulation is intended to set the various points not provided for in these statutes, particularly those relating to the practical operation of the association's activities.

Article 30 - Administrative formalities

The president of the Board of Directors or any delegated member must perform all the formalities of declaration and publication provided for by the law of 1st July 1901 and by the decree of 16 August 1911, both at the time of the association's creation and during its subsequent existence.

Enacted in Paris, 8th June 2019


V. Nicolas
président


Violaine WILLERT, Secrétaire
générale