

STATUTE

The Unione forense per la tutela dei diritti umani was established in Rome, via notary act of Panvini Rosati on March 2, 1968, by a promoting committee consisting of ten lawyers from every area of Italy.

The Statute of the Unione forense is preceded by the following

Preamble

Considering

that the Universal Declaration of Human Rights, unanimously approved by the General Assembly of the United Nations on December 10, 1948, has assumed fundamental and determining importance in the formation and in the evolution of the internal legal systems of the States of old and new date;

that the principles enunciated by said Declaration have been progressively translated into norms of international law both at the universal level, particularly through the "International Covenant on Civil and Political Rights" and the "International Covenant on Economic, Social and Cultural Rights", adopted in December 1966 with resolution no. 2200 A (XXI) by the General Assembly of the United Nations, and at the regional level, in particular through the European Convention for the Protection of Human Rights and Fundamental Freedoms, adopted by the Committee of ministers of the Council of Europe on November 4, 1950;

that Italy has ratified both the International covenants of 1966 and the European Convention on Human Rights of 1950;

that Italy is part of numerous multilateral and bilateral international instruments concerning the protection of human rights and fundamental freedoms;

that art. 6 of the Treaty on the European Union, as amended by the Treaty of Lisbon which came into force on December 1, 2009, states that "the European Union recognizes the rights, freedoms and principles enshrined in the Charter of Fundamental Rights of the European Union of December 7, 2000, as adopted on December 12, 2007 in Strasbourg, which has the same legal value as the Treaties" and that "the Unione adheres to the European Convention for the Protection of Human Rights and Fundamental Freedoms";

that, therefore, the norms laid down by said instruments, ratified and made executive by Italy, have become an integral part of the Italian legal system;

that the multifaceted nature and complexity of such norms of international origin make even their mere knowledge practically difficult, even more so the in-depth study by judges, lawyers and legal operators at all levels, as well as scholars not specialized in international law;

that the contribution of the Order of Attorneys is indeed precious not only to spread wider knowledge, but also and above all for the effective application of the norms of international origin operating for our system;

that Italy, as a member State of the United Nations, the Council of Europe, the European Union and of numerous other international organizations of universal and regional basis - all of which have respect for the rights of the human person as their foundation - is committed to the observance and effective protection of those rights;

that by unanimous decision of the General Assembly of the United Nations the year 1968 has been proclaimed "International Year of Human Rights" and that its celebration has been recommended by the General Assembly to States and their private and public organizations;

that never more so than today the effective respect of the juridical rules is placed as an essential premise and guarantee of security and peace among States;

Knowing

that the moral duty of the legal class is contributing to the effective adaptation of the internal legal system to international rules, as well as contributing to the concrete respect of fundamental rights of the human person protected both at national and international level.

Art. 1

The Association called "Unione forense per la tutela dei diritti umani" (hereinafter "the Unione" or "the Association"), established in Rome on March 2, 1968, pursuant to and for the purposes of articles 36 et seq. of the Civil Code, is currently an Association of Social Promotion, governed by the norms of this Statute, the Regulations approved by the Assembly of members, as well as the current provisions of laws and regulations on the subject.

The Association pursues the purpose of social utility towards members and/or third parties, has unlimited duration and is non-profit.

The association models the rules of its internal system after the principles of democracy and equal rights of all members.

The headquarter of the Unione is in Rome.

In order to achieve the objectives set forth in this Statute, including that of spreading among all legal operators the knowledge of the issues concerning the protection of human rights and of promoting the effective respect of such rights, the Unione will be able to open its own Sections, both in the national territory and abroad. The constitution and the activity of the

Sections, as well as its relations with the Unione Headquarters, are governed by a specific regulation approved by the Assembly and proposed by the Steering Committee.

Art. 2

The Unione aims to pursue exclusively the purpose of spreading, especially among the members of the Order of Lawyers, and among legal operators, and in any case towards any subject or organs - national or international - which has an interest in it, the knowledge of internal and international norms regarding the protection of human rights as well as the purpose of promoting the concrete and effective observance of such rights in judicial, extrajudicial, administrative and legislative contexts.

The activity that the Unione is called to carry out is firstly intended to ensure that every individual benefits from the protection to which he or she is entitled, also on the basis of international standards that are effective for the domestic legal system. The Unione is independent with regards to any group ideology or political party, any religious confession and any government organization.

The Unione will also be able to carry out all the activities connected to its institutional purpose, as well as all the related actions.

Art. 3

The Unione aims to establish, should it deem it appropriate, relationships of collaboration, adhesion or of other nature, with bodies, institutes, organizations and associations that pursue similar purposes at the national or international level and to provide the competent national and international bodies with its own contribution of experience, investigation and counseling.

The Unione will be able to establish appropriate links with non-governmental organizations among legal professionals in any case engaged in the protection and promotion of human rights, or establish appropriate subsidiary bodies for the implementation of its statutory purposes, which will have their own juridical, administrative and financial autonomy. The constitution and the activity of said subsidiary bodies are governed by specific regulations approved by the Assembly upon proposal of the Steering Committee.

Art. 4

In accordance with the purposes set forth above, the Unione will take every appropriate action to ensure that legal operators

- (a) urge the courts to apply such international and European standards of human rights protection as relevant to the case or controversy;
- b) affirm, in the interpretation of the laws in force, the effectiveness of the principles universally recognized and enshrined in the Universal Declaration of Human Rights of 1948, the European Convention on Human Rights of 1950, the European Social Charter of 1961, the International Covenants of 1966, the Charter of Fundamental Rights of the European u

nion of 2000, as adapted in 2007, and the other treaties and normative acts in the field of human rights, ratified and enforceable in domestic law;

c) raise, where possible, the issue of constitutional legitimacy whenever a domestic provision appears in irremediable conflict with the provisions of the Constitution on the subject of fundamental rights and freedoms, or with the international and European obligations deriving from the norms cited in subsection b);

(d) contribute to the resolution, in a manner consistent with the principles of protection of the fundamental rights of the person referred to in subsection b), of problems regarding the adaptation of domestic legislation to legislation of international origin;

(e) do not neglect to activate, where the conditions are met, the international contentious and non-contentious procedures established within the United Nations Organization, the Council of Europe, the European Union and other organizations of universal or regional nature;

f) moreover, do not neglect to resort, where the conditions are met, to the jurisdictional guarantees afforded to legal entities (natural and legal persons) under the European Convention on Human Rights and by the law of the European Union;

g) solicit the approval and ratification of international conventions and instruments inspired by the principles of the Universal Declaration of Human Rights;

h) commit themselves to spread the culture of consensual and peaceful resolution of conflicts that concern any type of need or human right that is unmet or violated.

Art. 5

In order to reach the goals set forth in art. 2, the Unione will be able to

a) organize conventions, working groups, conferences, seminars, calls, press conferences;

b) organize, also in collaboration with other entities, associations and organs active in the field, educational and specialization courses, including on the subject of mediation according to D. Lgs. no. 28/2010 and subsequent modifications, as well as release diplomas recognized by the current laws;

c) handle the curation of publications, websites and tools to spread the knowledge of human rights as well as the national jurisprudence on the subject of human rights;

d) take part in national and international contests, in projects funded by the European Union, by national or local institutions and entities, and in other calls regarding activities in line with the goals of the Unione;

e) offer its legal assistance, within the limits of the available resources, to the victims of gross violations of human rights before national and international jurisdictions;

f) offer support to human rights defenders, both in Italy and in foreign States;

g) carry out activities such as investigations, information gathering and reporting on specific issues concerning the protection of human rights in Italy and in foreign States;

h) take part, via its own delegations, in procedures monitoring the respect of international obligations on the subject of human rights;

i) participate to electoral consultations as international observers;

j) intervene in procedures before the international and European jurisdictions as *amicus*

curiae;

k) establish internal bodies dedicated to conflict negotiation, mediation, out-of-court resolution of controversies particularly with regard to the field of human rights and needs;
l) carry out any other activity aimed to spread the knowledge of the norms concerning the protection of human rights and to promote their concrete and effective respect, as well as adopt any initiative aimed to funding the activities presented above.

Art. 6

Those eligible to join the Unione as ordinary associates are lawyers practicing their profession freely and in any case those who, due to competence and activity, are able to offer an effective contribution towards the goals of the Unione.

The admission of the associates is settled by the Steering Committee upon request of the interested party after the introduction by two associates.

Those eligible to join the Unione as honorary associates are people of renowned reputation and public and private entities, upon invitation by the Steering Committee.

The associative quota or contribution is yearly, it isn't transmittable nor open to revaluation.

The status of associate can be lost, after deliberation by the Steering Committee, due to the missing payment of the quota, due to expulsion, due to withdrawal, due to the dissolution of the Association as well as due to the death of the associate.

The loss of the status of associate, regularly settled, implies the automatic forfeiture of any role within the Association.

The expulsion of an associate is settled by the Steering Committee upon proposal by the President against the associate who:

a) doesn't respect the rules set forth by the Statute, nor the decisions regularly adopted by the organs of the Association, nor the norms set forth by the Statute and by the Regulations of the Association.

b) carries out activities opposing the interests of the Association;

c) harms the Association in any way.

The associate can withdraw via written communication to be sent to the President.

In case of withdrawal or expulsion, the associate must adhere to the obligations previously undertaken until the withdrawal or the expulsion come into force, as well as define to the Association, the other associates and third parties, the legal relationships established as member of said Association. Notwithstanding the obligations set forth by the present Statute, there are no provisions for economic charges borne by the associate in the event of withdrawal.

In each case of dissolution of the associative relationships concerning an associate, said associate or their heirs aren't entitled to the reimbursement of the yearly quota corresponded, nor are they entitled to any right on the assets of the Association.

The associates have the right to:

- take part in every activity, initiative and demonstration promoted by the Association;
- elect the social bodies and be elected in said bodies;
- express their vote for the approval of the economic and financial report as well as the approval and modifications of the Statute;

The associates have the duty to:

- respect the present Statute, the decisions made by the social bodies as well as the current Statute and the Regulations of the Unione;
- support the aims and the scopes set forth in art. 2 as well as to actively take part in associative endeavors;
- correspond, within the deadlines set, the yearly associative quota or contribution.

The provisional nature of the participation is excluded.

Art. 7

The bodies of the Unione forense are:

- a) the Assembly
- b) the Steering Committee
- c) the Presidency Bureau
- d) the President
- e) the two Vice presidents
- f) the Secretary-General
- g) the Treasurer
- h) the Board of Auditors

Art. 8

The Assembly is made up of the ordinary associates and it is presided by the President of the Unione.

It elects the social offices, it approves the economic and financial reports, it guides the activity of the Unione, it settles complaints against the expulsion of associates.

The Assembly can also elect an Advisory Committee consisting of people of renowned reputation in the field of law, even if they're not associates, who may be consulted in order to reach the goals of the Unione.

The Assembly is legitimate after the first convocation and with the majority of the ordinary associates present, and after the second convocation with any number of ordinary associates present.

The decisions are adopted by the majority of the votes of the ordinary associates present.

The attendance of the Assembly can also happen via visual and telematic supports.

The convocation, made by the President, must happen via a dedicated announcement sent to every associate by e-mail or by different means, including electronic ones, able to certify the reception of the communication by the recipients, or by posting said communication at the headquarter office of the Association or on the homepage of its website, at least 10 days before the date chosen for the meeting, with indication about the place, date and time of the plenary both upon first and second convocation, as well as indication on the topics included

in the discussion agenda.

The Assembly must be summoned at least once a year and, in any case, every time said summoning is requested by a number of associate equal to 3/10 of the entire associative community.

Each associate has the right to one vote, as long as they're on track with the payment of the associative quota.

An ordinary associate can represent two other associates at most via delegation.

Art. 9

The Steering Committee is elected by the Assembly and it is made up of 14 members, besides the President, the two Vice presidents, the Secretary-General and the Treasurer. The Steering Committee remains in office for three years and in any case until the date of the meeting of the Assembly summoned to renew it.

The Committee implements the directives given by the Assembly for the achievement of the statutory aims; it decides on the admission and expulsion of members. Against the expulsion, the interested party can complain to the Assembly within thirty days from the communication of the decision.

The Committee can prepare regulations for the implementation of the statutory aims of the Unione.

The Committee deliberates by absolute majority of those present, provided that there are not less than eight associates present, except in cases of expulsion, for which a majority of two thirds of the members is required.

The members of the Steering Committee who do not participate in three consecutive sessions without a justified reason are considered to have resigned. The Committee shall provide for the replacement of resigning members by co-optation until the following Assembly.

Art. 10

The Presidency Bureau is composed of the President, the two Vice-Presidents, the Secretary-General and the Treasurer. The Bureau exercises the functions delegated to it by the Steering Committee and, in case of urgency, replaces it.

The deliberations of urgency so adopted are submitted to the ratification of the Steering Committee in the first meeting following such adoption. The Body is constituted with 3/5 of its members and deliberates components and deliberates by a majority of those present.

Art. 11

The President shall represent the Unione with respect to third parties and in court. He/she convenes and presides over the Assembly, the Steering Committee and the Bureau. The President's vote shall prevail in the event of a tie. In case of impediment, he/she is replaced by the most senior Vice-President.

Art. 12

The Secretary-General executes the deliberations of the Steering Committee; he/she carries out the acts of ordinary administration, supervises the administration, supervises the administrative functioning of the Unione and the staff possibly hired by the Executive Committee; he/she provides for the editing and the custody of the minutes of the of the Assembly, of the Steering Committee and of the Presidency Office.

Art. 13

The Treasurer shall remain in office for two years; he/she shall provide for the management of the Unione's budget in execution of the resolutions of the Steering Committee. The Treasurer shall prepare the economic and financial report, both forecast and final, for every financial year, to be submitted to the Assembly after approval of the Steering Committee of the relevant project elaborated by the Treasurer himself/herself.

Art. 14

The Unione may appoint a Board of Auditors composed of three members, including non-associates, elected by the Assembly. The Board of Auditors carries out the task of controlling the accounting and the regularity of the administrative management in general, as well as verifying the final accounts and the annual budgets and certifying them with a dedicated report. The Board of Auditors participates, without the right to vote, to the meetings of the Assembly and of the Steering Committee; it can be invited to the meetings of the Presidency Bureau.

The term of office of the Board of Auditors is established at the time of appointment and expires on the date of the first meeting of the Assembly convened for the renewal of the offices.

Art. 15

The association may draw the economic resources for its action and for the conduct of its activities from:

- (a) quotas and contributions of the members, in the amount decided annually by Steering Committee;
- b) inheritances, donations and legacies (legati);
- c) contributions from the State, the regions, local authorities, public bodies or institutions, also aimed to the support of specific and documented programs carried out within the statutory purposes;
- d) contributions from the European Union and international organizations;
- e) income from the provision of contracted services;
- f) proceeds from the sale of goods and services to members and third parties, including through the conduct of economic activities of a commercial or professional nature, carried out in an auxiliary and subsidiary manner and in any case aimed at achieving the institutional objectives;
- g) liberal donations from members and third parties;
- h) income deriving from promotional initiatives aimed at its funding, such as events and subscriptions, including those with prizes;

i) other income compatible with the social aims of the association of social promotion, including the contribution of "5 per mille" of IRPEF.

For the period of time set by the regulations in force, the Association is obliged to conserve documentation, with indication of the donors, relating to economic resources resulting from inheritance, donations and legacies, contributions from the state, regions, local authorities, public entities or institutions, also aimed to support specific and documented programs carried out within the scope of the statutory purposes, contributions from the European Union and international organizations, revenues from contracted services, as well as the documentation relating to liberal donations if aimed at tax deductions and deductions from taxable income in the cases of liberal donations by members and third parties.

The profits or surplus of management, as well as funds, reserves or capital will not be distributed, even indirectly, during the life of the Unione, unless the destination or distribution are not imposed by law, and therefore will be carried forward and used by the Unione for the purposes pursued.

Art. 16

The social and financial year shall begin on January 1 and end on December 31. The final economic and financial report shall be deposited at the Association's head office at least 15 days before the Assembly convenes for its approval, and it can be consulted by any associate.

The meeting for the approval of the final economic and financial report shall be held within four months from the end of the financial year, except in exceptional cases in which it may be held within six months at most.

The Association has the obligation to use the profits or the surplus for the realization of the statutory institutional activities and the actions directly related to said activities.

Art. 17

The extraordinary Assembly may deliberate on the dissolution of the Association with the favorable vote of at least 3/4 (three quarters) of the members entitled to vote.

In the event of dissolution, the Assembly appoints one or more liquidators and determines the modalities of liquidation of the social assets and its devolution.

In the event of dissolution for any reason, the Association's residual assets must be devolved to another association of social promotion with similar purposes or for purposes of public utility, after consultation with the supervisory body referred to in art. 3, paragraph 190, of Law 23.12.1996, no. 662, and unless otherwise required by law.

Art. 18

The present Statute can be modified by the Assembly with the vote of two thirds of those present, when it is proposed by the Steering Committee, or with the vote of two fifths of the ordinary members.

For all that is not expressly regulated by the present Statute, reference is made to the provisions of the Civil Code, as well as to the specific laws and regulations in force.