

Bylaws



Alliance for Democracy in Laos

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Bylaws of Alliance for Democracy in Laos

ARTICLE I—NAME, LOCATION OF OFFICE, TERM, AND SEAL

Section (a): Name

The name of the Organization shall be:

in Lao--ພັນທະມິດເພື່ອປະຊາທິປະໄຕໃນລາວ (ພປລ)

in English--Alliance for Democracy in Laos (ADL)

in French--**Alliance pour la Démocratie au Laos (ADL)**

Section (b): Location of Principal Office

The location of the Central Office of the Organization shall be determined by the General Conference of the Organization depending on consideration of work conveniences and facilities as appropriate. Based on the decision of the inaugural General Conference held in Brussels, Belgium on May 28-29, 2009, the Central Office shall be located in Germany where the President of the Organization resides, at the following address:

ADL
Hohenlimburger St. 120
58093 Hagen, Germany
Tel/Fax: 0049-2334-4444 668
E-mail: chanthalavong@aol.com

Section (c): Term of Office

The term of office of the Leadership and Officers of the Organization shall be a maximum of two years. At the expiration of this term, the General Conference shall hold a new election of Leadership and Officers.

Section (d): Seal



The seal shall be a circle containing the image the traditional three-headed elephant above a map of the world bordered by the English name of the Organization at the top and the Lao name at the bottom. It signifies an allied movement to work together worldwide for democracy in Laos. This seal shall not be used as a national flag. It shall be used only for the duration of the struggle for Lao democracy. What form the future national flag of Laos will take should left to the deliberation of the National Legislature in a democratic framework.

ARTICLE II—PURPOSE

Section (a): To rally and unify the opposition organizations and representatives of Lao people from around the world in the movement for democracy, without closing or changing, in any way, their own existing status and structure. This shall include representatives from Laos who have faith, patriotism and the desire for Lao independence and for peaceful change in the governing system towards democracy. A key objective is to build and institute a new constitution that will foster and safeguard genuine democracy.

Section (b): To speak for and represent the opposition organizations at the international level with the objective of pushing and pressuring the leaders of the communist Party and government of the Lao People's Democratic Republic to change the governing system towards democracy and allow free and legitimate elections that are based on democratic principles and multi-party participation under the supervision of the United Nations.

Section (c): To seek the promotion and support from the international community without strings attached to help bring about real democratic rule in Laos.

Section (d): To enable the entire populace of Laos to have the right to decide and choose a democratic system of government as a republic with a president or a constitutional monarchy with a monarch as head of state.

Section (e): To preserve and protect the benevolent culture and heritage of Laos including her independence and integrity and to sustain and safeguard her natural endowments and environment from exploitation by foreign dictatorships.

Section (f): To put an end to corruption which is destroying the heritage and national resources that have been built up by the ancestors of Laos; to stop the flow of Lao youths to the slave markets in other countries or their becoming menaces to Lao society for lack of education and employment opportunities. A key objective is to build an education net that will capture the entire youth population preparing them for employment and to promote real improvement in the education and health sectors, including more adequate facilities, material and equipment.

Section (h): To research and collect statistical data and information concerning the human capacity and resource base of Lao people worldwide, in particular to compile and organize census data concerning levels, qualifications, experiences, know-how and skills of Laotian labor force in different fields and professions in the economic and financial sectors, in education and health sectors in different countries. The objective is to ensure preparedness for the development and building of the nation under a free democratic governing framework, so that the entire population can be lifted from poverty towards a wellbeing that is on par with the rest of the world.

Section (i): To secure the rights of the Lao diaspora to be equal to those of Laotians in Laos without discrimination when they return for a visit or resettlement.

Section (j): To pressure the ruling power to release political prisoners and free Laotians who have been incarcerated for calling for democratic rights as well as those being arbitrarily accused.

Section (k): To ensure that the ruling power in Laos agree to respect human rights in accordance with the stipulations of the United Nations to which LaoPDR is a signatory, namely freedom of association, freedom to form political parties, freedom to gather and disseminate news, freedom of opinion, freedom to write and publish, freedom of movement, religious freedom and others.

Section (l): To join together Laotians of every ethnicity and to promote the wellbeing of the entire nation by enabling sustained development and progress apace with the times.

ARTICLE III—STRUCTURE AND ORGANIZATION

Section (a): Leadership Team

The highest-level leadership of ADL shall be composed of a team of regional presidents representing Laotians from different continents and countries and elected by the General Conference. Based on the decision of the inaugural General Conference, there shall be six presidents altogether who shall have equal authority of leadership and decision-making on issues under majority rule among them.

These six regional presidents shall elect from among them the central President and the Secretary of ADL who will coordinate the work of the regional presidents. In the event of a voting tie the central President will have the deciding vote.

-Individuals eligible for the position of president must be of Lao race with leadership quality and able to make a judgment or decision rationally and judiciously in accordance with democratic principles particularly the respect for majority rule. They must not use influence their self-interest or group-interest. They must have the facility and capacity to travel for work missions of ADL. Must be capable in dealing with international relations.

-All official documents can only be signed by the President or Vice-President (regional president) with the approval of the entire team of presidents.

-The Secretary shall act as spokesperson for the team of presidents responsible for public announcements relating to the activities of the team and on the work of the various committees of ADL as appropriate.

-The team of presidents shall have one meeting per month by telephone, mail or e-mail depending on the topic and as convenient.

Section (b): Structure and Organization at the continent/country level.

Based on the decision of the General Conference, each of the six continent/country presidents shall form and establish an Executive Committee with the following Officers as a minimum:

1. A Chairman
2. A Secretary
3. A Treasurer

The continent/country presidents have the authority to appoint officers of their Executive Committee and Sub-committees based on appropriate criteria without autocratic direction. The Secretary has the responsibility of establishing working contacts; of drafting, preparing publishing and disseminating documents; and of keeping records. The Secretary shall not overstep or sidestep or sign for the President or Chairman.

The Treasurer is responsible for keeping records of the revenue and expenditure of ADL at the continent/country level; collecting and accounting for annual membership fees; for preparing monthly financial statements to be submitted every six months to the Finance Committee.

Section (c): Specialized Committees

The membership of the Specialized Committees shall be made up of Laotians and/or non-Laotians who are qualified and capable professionals from different areas and sectors. Professionals in the political field shall also be eligible for membership. Each specialized committee shall have a Director and a Deputy Director. The number of committees and sub-committees shall not be limited and shall depend on the actual needs of ADL's work. The committees and sub-committees shall fall under the supervision of the continent or country president.

Based on the view of the General Conference, the following committees are deemed as needed:

1. Economic and Financial Committee shall have the responsibility of keeping records of the total incomes and expenses of ADL; seeking funding assistance from both private and public sources and donations from Laotians around the world, utilizing effective ways and means as appropriate.
2. Foreign Aid Committee shall compile, maintain, and update evidentiary documents

and other material relating to the bilateral and multilateral grants and loans to the LaoPDR over the decades up to now including individual donor countries, NGO's, and private investments.

3. Corruption Committee shall research, compile and maintain a data bank on corruption in the LaoPDR in the past and at present.
4. News and Media Committee shall set up a tri-lingual website for ADL featuring Lao, English and French to raise public awareness of the mission of ADL and its goals and objectives for Laos. This committee shall focus on gathering and broadcasting factual and accurate news which will open the eyes and ears of the Lao people in Laos as well as promote credibility and interest internationally.
5. Human Rights Committee shall monitor and report on violations of human rights in LaoPDR in timely and up-to-date manner and network with every Lao and international NGO's and other governmental agencies that are involved in the area of human rights in Laos.
6. Free Elections Committee shall prepare electoral laws and the necessary codes covering the planning of negotiations and the preparations for free elections.
7. Ethic Committee shall promote inter-ethnic/inter-racial co-existence with equality before the law particularly concerning livelihood, employment, and mobility.
8. Evaluation Committee shall monitor and assess the work performance of the leadership and committees of ADL and the status of the membership every six months and report to the President in order to solve problems in a timely manner in keeping with new developments.
8. Legal Committee shall research, compile, maintain and update a data bank of international treaties, accords, covenants, conventions, and other agreements concerning Laos; study and formulate a new evolved constitution that is conducive to and supportive of a system of government that is free, democratic, stable, balanced and egalitarian; prepare laws, codes, regulations and standards governing banking and finance, foreign private investment, capital markets, labor force, human and natural resources, interior commerce, foreign trade, utilization of foreign aid and international assistance, protection of the environment, and others. This committee shall has the authority to mobilize and recruit relevant professionals in the various fields, for example, lawyers, legal experts, bankers, accountants and others.

Section (d) : Membership

ADL shall have two types of members: regular members and sponsoring members.

Rule 1. Regular Members

- A. Regular membership shall include Laotians and non-Laotians of 18 years of age on up without discrimination with respect to gender, race, social status, ethnicity, or organizational affiliation as long as they agree with the Bylaws of ADL.
- B. Regular members shall have applied and paid the specified annual membership dues.
- C. Regular members shall be able to participate in the discussion at the General Conference. They shall have the voting right based on the principle of one member one vote. They shall also have the right to run for the Presidency and other official positions including those in the various committees. Other organizations which have existed before ADL shall have the right to apply for an unlimited number of their representatives to be regular members of ADL in which even they will have one vote each.

Rule 2. Sponsoring Members

Sponsoring members shall include any individual without any limitation with regard to age, race, creed or social status as well as organizations that have the good intention of supporting ADL with financial and/or material assistance. Sponsoring members shall be invited to the General Conference where they shall be able to give their views and comments but have no voting right.

Rule 3. Regular Membership Fee

The amount of the annual membership fee charged shall be determined by the General Conference, for example €20 or US\$25 per year to be paid before the end of the year. The annual fee shall be paid to the Treasurer of the Executive Committee of the continent or country in which the member resides. The proceeds from the membership fees shall be used to defray the expenses of ADL such as postage, meetings, conferences and others.

Rule 4. Dismissal

Following a hearing before the panel of presidents of ADL and recognition by the member of his or her wrongdoing, the panel shall advise and warn the member concerned not to repeat the violation. After two such warnings, if the member still does not make a corrective change, he or she shall have their membership suspended or permanently terminated as deemed appropriate by the panel. There shall be no reimbursement of their paid annual fee.

Rule 5. Resignation

Every member has the right to resign by submitting a letter of resignation to the panel of presidents.

Rule 6. General Conference

The General Conference shall be held once every two years to review and assess the work carried out by ADL over the two years, to draw lessons from it and to plan for the next biennium by identifying priority issues and their solutions, to hold an election of the President, entire panel of presidents, Secretary, and members of the various committees. The location of the General Conference shall be determined by the panel of Presidents.

Rule 7. Special Conference

A Special Conference shall be called if there is an urgent request from the panel of presidents or if it is called for by two-thirds of the regular membership of ADL. In that event, if the panel agrees after considering the request of the membership, the President and Secretary should send out invitation to all the members detailing the reason for the Special Conference, its venue, dates and times.

Rule 8. Letter of Invitation to Conferences.

A letter of invitation to the General Conference or Special Conference shall be sent to every member of ADL by postal mail based on the official mailing list, at least thirty days before the Conference. It can also be conveyed via the telephone. The invitation shall require prior written approval signed by the panel of presidents.

Rule 9. President of the General Conference.

The President of the General Conference shall:

- a. be elected from the attendant regular members with the right to express opinions and to vote like all other regular members.
- b. conduct and keep order of the proceedings.
- c. be a knowledgeable individual who is familiar with parliamentary rules and procedures.

Rule 10. Regulations for opening the Conference.

The Conference shall not be opened without a minimum quorum of twenty-five per cent of the total membership. There shall not be voting by proxy but members can vote by mail if they are not able to attend. The names and relevant biographic information of the candidates for presidents shall be made known and available to all members prior to the Conference.

Rule 11. Postponement of Conference

In the event that the quorum of attendant members is less than twenty-five per cent of the whole membership, the Conference shall be postponed to another date and time as appropriate. In case of an urgent need to hold the Conference anyway, provided that the

justification is clear and adequate it shall not be necessary to specify the required number of attendants.

Rule 12. Voting

Assignment of priorities to different issues, proposed solutions, and other important proposals shall be voted on by either open or closed ballot based on majority rule.

Rule 13. Officers in charge of ballots

The President of the Conference shall appoint at least three attendant members to hand out, collect, and count the ballots. These can cast their ballots like other members.

Rule 14. Finance Controller

Every General Conference shall elect a committee of a minimum of three persons and a maximum of five persons to oversee and audit the books and accounts of ADL.

Rule 15. Financial Agreements and Contracts.

Financial documents, bank checks and related documents shall be signed by the Treasurer or the President of the Economic and Financial Committee authorized by the General Conference. The Treasurer can only sign documents for either deposit or withdrawal involving an amount of no more than five hundred US Dollars. For any greater amount, the co-signature of the President or Vice-President shall be required.

Rule 16. Amendment of Bylaws

The elimination or amendment of any Article, Section, Rule, or Item shall only be effected by a resolution of the General Conference in accordance with majority rule.

Rule 17. Dissolution of the ADL Organization.

- a. If and when it is deemed that the situation in Laos has settled into a full-fledged democracy, independence, and unity, the Alliance for Democracy in Laos shall be dissolved by a resolution of the General Conference. This resolution must be adopted by at least two-thirds of the members present at the Conference.
- b. In the event of dissolution, all the assets of ADL including its money in the banks shall, after deducting its liabilities including all debts, be donated to other organizations involved in the development of Laos and religious organizations which promote Buddhism.

The present draft of the Bylaws of the Alliance for Democracy in Laos has been studied and agreed on by the whole Panel of Presidents of ADL. If the participants from around the world who attended the inaugural General Conference on May 28-29, 2009 in Brussels, Belgium, should have any proposals to amend or add to this draft, please advise us no later than September 26, 2009.

Signed at Brussels, Belgium On June 1, 2009

By President of the General Conference



Dr. Khamlay Mounivongs

Presented by Dr. Khamlay Mounivongs

Presented by Dr. Bounthone Chanthavong-Wiese