

# CHARTER

## BORNEO DAYAK FORUM

(Approved and Adopted  
By the Delegates of the  
1<sup>st</sup> General Assembly of BDF  
on \_\_\_\_\_ October, 2016)

## PROVISIONS

### PREAMBLE

WE THE DAYAK PEOPLES' ORGANISATION AND MOVEMENTS in Borneo having come together in mutual trust and respect for one another;

HAVING SHARED, DISCUSSED AND DEEPLY REFLECTED on the history, customs, identity, relations, common agenda, present situation, concerns and aspirations of our people;

HAVING AFFIRMED our commitment to assert our right to our homeland and ancestral domain;

AND HAVING DECLARED our right to self determination to protect, utilize and develop our lands territories and resources in ways appropriate to our traditions, values and culture, do ordain and promulgate this Charter.

### Article I. Name

**Section 1:** The name of the organization shall be **Borneo Dayak Forum** hereafter referred to as "**BDF**".

### Article II. Office

**Section 1:** The Secretariat of the BDF shall be located at any place decided upon by the General Assembly.

### **Article III. Seal**

**Section 1:** The logo of the organization is:



The Bunga Terung, which translates to eggplant flower, is the first tattoo a Borneo Dayak male would receive. The Bunga Terung is a coming of age tattoo which marks the passage of a boy into manhood. The Bunga Terung has a spiral at the center of the eggplant flower, known as Tali Nyawa, which means the rope of life and is identical to the underside of a which symbolizes the beginning of a new life.

All the tattoos, following the eggplant flower, are like a diary. A young male would go out on his own to find knowledge and from each place he went to he would get one tattoo to mark not only where he is from but also where he has been. From each place the tattoos have different styles so the regional differences in his tattoos would tell the story of his journeys in life.

### **Article IV. Registration and Accreditation**

**Section 1:** The organization is legally registered as a Foundation (Borneo Dayak Forum Foundation) in United Kingdom and the United

States of America as a non-profit, non-government organization under the \_\_\_\_ since 20\_\_.

**Section 2:** BDF is accredited as an NGO in Special Consultative Status with the UN Economic and Social Council since July 20\_\_.

**Section 3:** BDF is accredited with the UN Framework Convention on Climate Change (UNFCCC) in 20\_\_, and with the UN World Intellectual Property Organization (WIPO) in July 20\_\_.

### **Article V. Nature of the Organization**

**Section 1:** The nature of the organization shall be a regional forum of Dayak peoples' organizations representing the movements in Borneo to facilitate, support and strengthen solidarity and unity among member organizations and movements.

### **Article VI. Purpose**

**Section 1:** To serve as an organisation for sharing aspirations, ideas and experiences, consolidating cooperation, solidarity and coordination for developing common agenda and programmes on issues affecting Dayak peoples in Borneo.

**Section 2.** To enhance capacities of Dayak communities, organizations and institutions, including women and youth to respond to their concerns and issues at different levels.

**Section 3.** To develop programmes based on the key and strategic issues and needs of member-organizations.

**Section 4.** To advocate the cause of Dayak peoples at all levels and engage with relevant national, regional and international processes as well as with relevant institutions and agencies.

**Section 5:** To strengthen linkages, networking and co-ordination with advocate and support-organizations, and support other

organizations and movements for the realization of the aspirations of Dayak peoples in Borneo as well as to contribute in achieving equality, peace, democracy and justice.

## **Article VII. Vision, Mission and Goal**

**Section 1. Vision:** Dayak Peoples in Borneo are fully exercising their rights, distinct cultures and identities, and are living with dignity and enhancing their sustainable management systems of land territories and resources for their own future and development in an environment of peace, justice and equality.

**Section 2. Mission:** BDF strengthens the solidarity, cooperation and capacities of Dayak peoples in Borneo to promote and protect their rights, cultures and identities, and their sustainable resource management systems for their development and self-determination.

### **Section 3. Goals:**

- 3.1 To empower Dayak peoples in Borneo to promote and defend their human rights and fundamental freedoms and claim legal recognition to their identities, collective rights under UNDRIP and other international human rights instruments.
- 3.2 To build the broadest solidarity and cooperation of Dayak peoples in Borneo to strengthen Dayak movements.
- 3.3 To promote and protect the integrity of nature and the environment and enhance the sustainable resource management systems of Dayak peoples including their traditional knowledge, food sovereignty and biodiversity by having full control over their land, territories and resources.

3.4 To attain full and effective participation and representation of Dayak peoples, particularly Dayak women and youth at all levels of decision-making.

3.5 To strengthen solidarity and cooperation with other social movements towards achieving equity, equality, peace, democracy and justice.

### **Article VIII. Membership**

**Section 1.** Membership to the BDF is open to all Dayak peoples' organizations and movements including organization of Dayak women and youth and ethnic based organizations located in Borneo who subscribe to the aims and objectives of the BDF.

**Section 2.** Organizations and movements wishing to become members of the BDF are required to fill the application form and provide information about the organisation to the Executive Council and shall be decided as a candidate member and the final approval shall be done by the General Assembly.

**Section 3.** Membership are based on three Categories depending on the level of the organization or movement:

1. Local Category (local or community organizations / movements);
2. Sub-National Category (state or provincial level organizations / movements); and
3. National Category (national level organizations/movements).

**Section 4.** There shall be over-all consideration to manageability and needs for consolidation of the organisation, geographical balance and membership of women and youth organizations.

### **Article IX. Network of Organisations**

**Section 1.** BDF also functions as a network and shall establish relationship with other Dayak peoples' organizations who may wish to be part of BDF's network but not join as members. Such network of contacts may also be invited to participate in the programmes and activities including as project partners of BDF and receive regular news updates and publications.

**Section 2.** BDF shall convene sub-regional meetings of members, partners and network affiliates in between the General Assembly for consultations on updates of key developments, priority issues and concerns of the respective sub-region, review of programmes and planning, coordination mechanisms and other concerns in line with the general programmes, aims and objectives of BDF.

### **Article X. The General Assembly**

**Section 1.** The General Assembly shall consist of all the members of the BDF through their duly designated representatives.

**Section 2.** The General Assembly is the supreme body for decision-making of the organization.

**Section 3.** All decisions in the General Assembly shall be made by consensus among the delegates from member-organizations.

**Section 4.** The General Assembly shall be convened every four (4) years by the Executive Council.

**Section 5.** The General Assembly shall constitute the Executive Council.

### **Article XI. The Foundation Board**

**Section 1.** The Board Members of the BDF Foundation shall compose of **2 representatives from Sabah, 2 representatives from Sarawak** and **5 representatives from Kalimantan** plus the current President, Treasurer and Secretary General of BDF.

### **Article XII. The Executive Council**

**Section 1.** The Executive Council shall be the decision making body in between the period of the General Assembly.

**Section 2.** The Executive Council shall be composed of:

1. duly selected leaders from each of the region of BDF to be selected by the members in the respective regions;
2. the Chairman, Treasurer and the Secretary General shall be elected directly by the General Assembly;
3. representatives of youth and women shall nominate one representative each to be endorsed by the GA; and

**Section 3.** The Executive Council members have a term of four (4) years coinciding with the period in between the General Assembly. The maximum number of terms for the EC shall be for two consecutive terms.

### **Article XIII. The Secretariat**

**Section 1.** The Secretariat, under the supervision of the Secretary General in close cooperation and coordination with the EC, BDF members, partners and networks shall be responsible for the implementation of the Programmes and activities of BDF as approved by the General Assembly.

**Section 2.** The Secretariat shall be composed of Dayak persons in Borneo and shall possess the qualifications as per the tasks to be performed.

**Section 3.** A Deputy Secretary General shall be appointed by the Secretary General in consultation with the Executive Council to assist in the supervision and management of the secretariat and in the implementation of specific activities and targets.

**Section 4.** The members of the secretariat are directly accountable to the SG and the Executive Council.

#### **Article XIV. Amendments**

**Section 1.** The Charter and Rules may be amended, repealed or altered in whole or in part by a 2/3 vote of the members present in the General Assembly.

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# RULES OF BORNEO DAYAK FORUM

## **Part I. Membership Dues, Rights and Privileges**

### **Rule 1.**

Organizations and movements wishing to become members of the BDF shall be required to fill the application form and provide information about the organization to the Executive Council who will decide on the application as a candidate member. In certain countries where peoples' organisations / movements are non-existent due to the prevailing political situation, consideration for membership will be extended to NGOs led or managed by Dayak peoples. Final approval of the membership shall be done by the General Assembly.

### **Rule 2.**

Members shall be required to pay an annual membership due, the quantum of which is dependent on the category of membership as follows:

1. USD 20: Local Category (local or community organization / movement).
2. USD 35: Sub-National Category (state or provincial level organization / movement)
3. USD 50: USD National Category (national level organization / movement).

### **Rule 3.**

Members of good standing shall have the following rights and privileges:

- a. Members have the right to voice opinions on the functioning of the BDF as well as to bring to the attention of the Executive Council and the General Assembly any matter concerning the organization (BDF) and Dayak peoples cause and struggles in general.

- b. Members have the right to be part of the Programme Committees and other coordinating mechanisms established by BDF for advice and supervision of the planning, implementation and evaluation of programmes and activities of BDF.
- c. Members shall be given priority to participate in all activities and programmes of the BDF at the national, regional and global levels subject to certain considerations and availability of funds or budget allocated for the specific activity/programme.
- d. Members shall be given priority for direct partnership with funding support for the implementation of programmes and projects where appropriate.
- e. Members are entitled to receive various forms of direct and or indirect support and assistance i.e. technical, logistical and financial support to priority/urgent issues of member-organizations, subject to the capacity of the Executive Council, the regional secretariat and availability of funds and resources.
- f. Members are entitled to participate in BDF Sub-regional Meetings as mechanism for exchange, identification of key issue, concerns of IPs; provide feedbacks and comments on BDF activities implemented by the regional secretariat; and provide inputs for BDF programmes, identification of key activities and other activities for organizational strengthening i.e. mechanisms for coordination and communication, etc..
- g. Members are entitled to receive and send relevant information in the BDF members' list which serves as a channel for exchange of developments on their organizations, expression of views, comments, feedbacks and inputs to BDF activities, programmes and functions.
- h. Members are entitled to receive all BDF publications and other materials.
- i. Members are entitled to receive the minutes of Executive Council Meetings and organizational documents, including financial reports of

BDF, proposals and other relevant documents of the Secretariat as requested.

- j. Members are entitled to communicate directly with the Regional Secretariat, Executive Council members, Secretary General on any matters relating to BDF activities and programmes, organizational concerns among others.
- k. Members are entitled to endorse new members of BDF based on the Guidelines.
- l. Members are entitled to nominate and or endorse candidate for any staff position in the Secretariat.

#### **Rule 4.**

Members shall have the following duties and responsibilities:

- a. Members shall bear the responsibility to maintain communication with the BDF Secretariat and the Executive Council, and to submit updates on organisational development and share relevant information and their activities to enhance the information sharing and knowledge building of BDF.
- b. Members shall promote the aims and objectives of the BDF, to fully participate in the programs and activities of the BDF, and of paying all prescribed membership dues.
- c. Members that are partners of BDF in programme or project implementation shall implement project(s) in accordance with the MoU or TOR signed between members and BDF.
- d. Members shall abide by the policies and guidelines of BDF agreed upon in the General Assembly i.e. finance policy and gender policy
- e. Members shall perform their tasks as part of coordinating mechanisms established by BDF such as the programme committees and coordinating

committees for regional and international processes, bodies and mechanisms.

**Rule 5.**

Membership of an organization or movement shall be suspended or ceased on the following grounds:

- a. A member may be suspended from the membership for deliberately conducting itself against the Charter and Rules, as well as policies and guidelines of BDF. The temporary suspension shall be issued by the Executive Council in consultation with respective members in the sub-region. The final suspension shall be decided by the General Assembly. The Executive Council can classify certain members as inactive if they have not been in communication with the Regional Secretariat and have not participated in any BDF activity for at least two years. The Secretariat shall notify them with a show-cause letter. The inactive status of any member shall be reviewed by the GA and will be the body to take the final decision regarding the suspension of any member. Any suspended member may re-apply for renewal of membership through the Executive Council.
- b. A member shall cease to be a member if the organization or movement withdraws from the BDF.

**Part II. The Foundation Board: Meeting and Duties**

**Rule 6.**

The Board shall meet at least once a year.

**Rule 7.**

The following shall be the duties of the Board Members:

- a. The Board Members shall supervise and oversee financial management and shall review the financial audited reports of the secretariat.
- b. The Board members shall advise the Executive Council and the Secretariat on matters relating to requirements in relation to the BDF legal registration and as requested by the Executive Council.

### **Part III: The Executive Council: Meetings, Composition and Duties**

#### **Rule 8.**

The Executive Council shall meet every year or least twice between meetings of the General Assembly.

#### **Rule 9.**

A meeting of the Executive Council shall have a quorum of at least two-thirds of its members. In the event of an adjournment due to a lack of quorum no quorum shall be required for an adjourned meeting.

#### **Rule 10.**

The Secretary General, in consultation with the Chairman with a notice of not less than 30 days shall call the meeting of the Executive Council.

#### **Rule 11.**

The nomination and selection of the Executive Council members shall be guided by the following criteria or qualifications:

- a. Shall be an active leader or member of any member-organization of BDF.
- b. Shall possess a basic knowledge on BDF as an organization and its programmes.
- c. Shall have the support or endorsement of his/her organization to become a member of the Executive Council.

- d. Shall have a good track record of integrity and performance in his/her organization or in the IP movement.
- e. Shall possess strong commitment to promote and work for the rights, issues and welfare of Dayak peoples.
- f. Shall have the time and commitment to perform his/her duties and responsibilities as member of the Executive Council, including to work as part time or full time with BDF.

**Rule 12.**

The selection of the members of the Executive Council shall give due consideration to gender balance and age levels to include youth and elders.

**Rule 13.**

The members of the Executive Council shall be through the selection of sub-regional Representatives by members in each of the sub-region defined below and with the number of EC Representative/s per sub-region:

<b>No.</b>	<b>Regional Groups</b>	<b>No. of Members</b>	<b>No. of EC</b>
1	Sabah		
2	Kalimantan		
3	Sarawak		
	<b>SUBTOTAL</b>		
	Chairman and Secretary General [Appointed by BOD]		
	Women and Youth		
	<b>TOTAL</b>		

**Rule 14.**

The Women and Youth representatives shall be nominated by their respective women and youth delegates and to be endorsed by the General Assembly.

**Rule 15.**

The Secretary General and the Chairman shall be elected by the General Assembly.

**Rule 16.** The nomination and selection of the Chairman of BDF shall be guided by the following criteria and qualifications:

- a. Active leader in any of the member-organization and demonstrable commitment to Dayak peoples.
- b. Actively involved in BDF activities for at least 3 years.
- c. Good track record of integrity in working for and with Dayak peoples.
- d. Skills in articulating the issues and concerns of Dayak peoples and have at least 3 years of experience in advocacy work at national, regional and or international levels.
- e. In-depth knowledge of Dayak peoples' rights issues and concerns at least at the local, national and regional or international levels.
- f. Have the time and skills to perform the tasks as the Chairman in particular to work as part time (at least 10 days /month) or as full time for BDF.

**Rule 17.**

The nomination and selection of the Secretary General of BDF shall be guided by the following criteria and qualifications:

- a. Active leader of any of the member-organization and demonstrable commitment to Dayak peoples.
- b. Actively involved in BDF activities for at least 3 years.

- c. Good record of integrity in working for and with Dayak peoples.
- d. Skills in writing and articulating the issues and concerns of Dayak peoples and at least 3 years of experience in advocacy and networking at different levels including international.
- e. Skills in proposal writing and fund raising.
- f. In-depth knowledge of Dayak peoples at the grassroots level and experience or familiarity with regional and or international of work on Dayak issues.
- g. Leadership skills and skills on coordination, networking and advocacy.
- h. Strong commitment and willingness to work as full time with the secretariat.

**Rule 18.**

The Secretariat shall nominate one member from among the BDF staff to be a member of the Executive Council as ex-officio member (non-voting member).

**Rule 19.**

In the event of a member leaving the Executive Council, the members from the sub-region shall be asked by the EC to nominate to the Executive Council, through the Chairman a new Executive Council member for the sub-region at the earliest possible time. In the case of extra-ordinary situation where there is no consensus from the members, the Executive Council shall designate an EC member in Charge from the sub-region for consultation, coordination and communication with the region till the circumstances become conducive to achieve a consensus choice for EC member replacement.

**Rule 20.**

The Executive Council shall have the prerogative to classify the status of any Executive Council member if he/she fails to maintain communication or participate in two consecutive Executive Council meetings without justifiable

grounds. Under such circumstances, the Executive Council shall communicate to the concerned members in the sub-region on the status of the inactive EC member to seek their views and recommendations. In the event of a requirement for replacement, the concerned members in the sub-region shall nominate a new EC member within 6 months or prior to an EC meeting if time allows, or for the replacement to be selected during its sub-regional meeting. If the members in the sub-region are unable to nominate or reach a consensus on the as specified above, the EC shall designate an EC Member In-charge for the concerned sub-region to serve the remaining term.

**Rule 21.**

If any member of the Executive Council is proven to have violated any of the policies and guidelines of BDF, or deemed to have a conflict of interest, any member-organization can recommend to the EC to take remedial action through the Chairman. Due process shall be observed by the EC in taking action that may range from temporary suspension to dis-membership from the EC. For the replacement, the steps enumerated in section 5 apply to this case.

**Rule 22.**

The Executive Council shall take all possible steps and convene an Extraordinary General Assembly (EGA) for the appointment of a new Secretary General in the event of the Secretary General leaving the Executive Council before the completion of the term. The Executive Council may, appoint a member of the Executive Council as the 'Acting Secretary General' for the interim period.

**Rule 23.**

The following shall be the general functions of the Executive Council.

- a. The Executive Council shall be the decision-making body of the organization in between the General Assembly.
- b. The primary function of the Executive Council shall be to supervise and guide the functioning of the BDF, including the implementation of its periodic strategic plan as per the tasks, guidelines and mandates provided by the General Assembly.
- c. The Executive Council shall formulate appropriate policies and guidelines as needed or required in the smooth functioning of BDF as well as in operationalizing the organizational principles, aims and objectives.
- d. The Executive Council shall receive and act on suggestions, comments, recommendations and other matters regarding the functioning of the BDF from the members, including conducting periodic assessment of the functioning of BDF.
- e. The Executive Council shall authorize the Secretary General to address recommendations relating to programme strategies and implementation including resource-mobilization to support BDF programmes and activities.
- f. The Executive Council shall receive and review reports of the actions taken by the Secretary General in relation to the tasks and mandate of the SG.
- g. The Executive Council shall be responsible for the preparations and organizing the General Assembly, including the preparation of the Executive Council Report with support from the secretariat.
- h. The Executive Council shall receive the annual audited financial reports, and approve annual budgets to support the programmes and activities of the BDF.
- i. The Executive Council shall approve annual plans of BDF programmes.

- j. The Executive Council shall review the Guidelines and Policies for BDF staff and act on recommendations from the SG, DSG and the Secretariat.
- k. The Executive Council shall review the evaluation of the performance of the staff members.
- l. The Executive Council members shall be the conveners of the BDF Programme Committees.
- m. The Executive Council shall do all that is necessary to uphold and implement the aims and objectives of the BDF and shall report on the same to the General Assembly.

**Rule 24:**

Each member of the Executive Council shall have the following task and duties:

- a. To maintain regular communication and respond to communications relating to the functions of the EC.
- b. To participate in teleconference of the EC.
- c. To participate in the meetings of the EC.
- d. To prepare and coordinate the conduct of sub-regional meetings in their respective sub-region in consultation with the SG and with the assistance of the DSG and the secretariat.
- e. To participate in BDF activities where appropriate and requested.
- f. To represent BDF where appropriate.
- g. To conduct networking and assist in organizational strengthening in their respective sub-region.
- h. To assist in the validation process of applicant organizations from their respective sub-region including consultations with BDF members in their respective sub-region.

- i. To be a convenor or co- convenor of at least one of the BDF programmes and maintain close coordination with the secretariat.
- j. To provide advice or guidance to programme planning and implementation.
- k. To assist in the interviews of staff applicants from their sub-region as needed or appropriate.
- l. To perform other task/s assigned by the EC.

#### **Part IV. Programme Committees: Composition and Functions**

##### **Rule 25.**

The composition and criteria of the Programme Committees shall be based on the following:

- a. Designated representatives by member organisations who possess the required skills, knowledge and has the time to be an active member of the concerned committee.
- b. Dayak leader from network with expertise on the specific programmes/issues and or directly involved in the issues relating to the specific programme in their own organisation, intuitions or community.
- c. An overall criteria on gender balance, representation from the sub-regions, gender and participation of youth shall be applied in the formation of programme committees.

##### **Rule 26.**

Member organisation can replace their representative to the Programme Committees through notification with justifiable grounds/basis for replacement to the Executive Council In-Charge, the Secretary General and the Programme Coordinator.

##### **Rule 27.**

Any member who is not in communication for one (1) year or have not participated in the Programme Committee meetings or activities shall be classified as inactive and replaced after notification by the Programme Committee in consultation with member organisations in the respective sub-regions.

**Rule 28.**

An Dayak expert who is not in communication for 1 year or have not participated in the Programme Committee meetings shall be classified as inactive and replaced after notification by the Programme Committee in consultation with the Executive Council in charge and the Secretary General.

**Rule 29.**

The primary function of the BDF Programme Committees shall be to provide advice and guidance to the staff in charge for implementing the programme and activities under its purview.

**Rule 30.**

The Committees shall conduct meetings at least once in two years to assess the progress of the implementation of its work in the previous year and to plan for the one to come.

**Rule 31.**

The Committees shall receive and deal with suggestions, comments, recommendations and other matters from BDF members and contacts regarding the implementation of programme and activities under its purview in consultation with the SG/DSG and the Chairman.

**Rule 32.**

The Executive Council's representative in the respective Programme Committees with the support of the SG/DSG assistance from the respective

Programme Coordinators, shall be active in providing guidance to programme planning and implementation.

**Rule 33.**

The Executive Council representative in the Programme Committee may delegate his/her tasks to other members of the EC on a case to case basis depending on the circumstances.

**Rule 34.**

The Programme Committees shall do all that is necessary to uphold and implement the aims and objectives of the BDF and shall report on the progress of its work to the Executive Council through the Council's representative in the respective Programme Committees.

**Rule 35.**

In any eventuality that programme committees fail to function properly due to in active members, the secretariat through the SG/DSG in consultation with the assigned EC member shall recommend steps to reconstitute the members of the programme committees.

**Part V. Rule of Order**

**Rule 36.**

BDF shall uphold consensus decision-making processes. If consensus among its members is not possible, decision-making shall be based on one vote per country/geographic division (of BDF) and shall be decided through the following processes:

- a. Voting shall be conducted among its members in each country/geographic division to decide on its vote. Each country/geographic division (of BDF) then shall vote in the General Assembly to exercise its voting rights.

## **Part VI: The BDF Secretariat**

### **Rule 37.**

The composition of the secretariat shall be based on the needs for programme implementation and the financial capacity of BDF.

### **Rule 38.**

The SG and the Executive Council shall define the tasks and responsibilities as well as the TOR for the Deputy Secretary General; and the SG and the Executive Council shall conduct a regular assessment of the performance of the Deputy SG.

### **Rule 39.**

The secretariat operations shall be based on the Staff Policies and Guidelines of BDF as approved by the EC and to be reviewed based on request or recommendations from the secretariat or any of the EC members.

### **Rule 40.**

The secretariat may hire or include volunteers based on the needs and requirements for supervision and other considerations.

### **Rule 41.**

The following shall be the duties of the BDF Secretariat:

- a. The Secretariat shall report on the progress of its work to the Executive Council through the Secretary General.

- b. The Secretariat shall be responsible for preparing project proposals, narrative and financial reports to donors as well as the annual report of BDF.
- c. The secretariat shall abide by and implement the BDF Policies and Guidelines, as well as to adhere to the Charter and Bylaws of BDF.

### **Part VII. Effectivity and amendment**

#### **Rule 42.**

This Charter and Rules shall take effect immediately upon its ratification by the members.