

QUESTIONNAIRE - CONSTITUTIONAL REVIEW

Theme 1 : Work of the Compliance and Mediation Committee (CMC)	
1.	<p>Do you think that effective compliance mechanisms should be put in place so that grave and urgent integrity issues can be dealt with more efficiently and effectively by the CMC?</p> <p>[Yes/No] [If yes, please explain how]</p>
2.	<p>In your view, do we need to improve the compliance and accountability of National Societies?</p> <p>[Yes/no][If yes, please explain why]</p>
3.	<p>The CMC can issue recommendations to National Societies with respect to individuals that are subject to substantiated allegations of a serious nature who hold National Society Leadership Positions (see Rule 3.5 of the Rules of Procedure).</p> <p>Where a National Society is not implementing the CMC's recommendation -</p> <ul style="list-style-type: none"> a) do you think that the interim measures available to the CMC should be strengthened? [Yes/No] Comments b) if yes, please explain how? c) do you think that the interim measures should extend to stopping or freezing support to the National Society until the CMC recommendations have been implemented? Please note, this measure would not apply if there was a humanitarian imperative. <p>[Yes/No] Comments</p>
4.	<p>Do you think that other improvements could be made to the IFRC's Statutory Texts or governance processes in this area?</p> <p>[Yes/No] if yes, please provide detail of the issue, and if possible, what solution can be implemented to address the issue</p>
Theme 2: Restriction of membership rights due to failure to pay statutory contributions	
5.	<p>Do you think that it is appropriate for the membership rights of a National Society to be restricted where a National Society fails to pay its statutory contributions and is in arrears or technical default? (see Articles 11.4, 29.2(g), 36 and Rule 36).</p> <p>[Yes/No] [Comments]</p>
6.	<p>Under Article 36.4 of the Constitution, a National Society unable to pay its statutory contribution may refer the matter to the Finance Commission in order to obtain appropriate arrangements enabling the National Society to pay in conformity with the conditions fixed by the Finance Commission ("payment plan").</p> <p>Where a National Society is in arrears/technical default and has agreed and complied with the terms of a payment plan, do you think that the National Society should be provided with automatic relief from the consequences of being in arrears - so that its membership rights are not restricted?</p> <p>[Yes/No] [Comments]</p>

	If Yes , do you think the relief should be triggered at the date of signature of the payment plan or triggered after a period of compliance with the payment plan?
7.	Do you think that other improvements could be made to the IFRC's Statutory Texts or governance processes in this area? [Yes/No] if yes , please provide detail of the issue, and if possible, what solution can be implemented to address the issue
Theme 3: Updating of Financial Regulations to take into account emerging needs	
8.	Are there any current or emerging needs that you think need to be take into account in the Financial Regulations? [Yes/No] [Comments]
9.	Do you think that other improvements could be made to the IFRC's Statutory Texts or governance processes in this area? [Yes/No] if yes , please provide detail of the issue, and if possible, what solution can be implemented to address the issue
Theme 4: Appointment and election process for governance positions	
10.	Do you think that there are any specific cases of incompatibility for elected and appointed positions that should be clarified in the Statutory Texts? [Yes/no][If yes, please provide details]
11.	Do you think that stronger compliance mechanisms should be put in place so that a breach of the electoral standards can be dealt with more effectively by the Election Committee? [Yes/No] [Comments]
12.	Do you think that the Election Committee should have a right of initiative in case of potential violations of the Electoral Standards? [Yes/No] [Comments]
13.	Currently candidates for the Presidency make a presentation at the General Assembly before the Presidential elections. Do you think that there should be a forum where candidates for President could express different views? [Yes/No]
14.	Do you think the Statutory Texts appropriately address Vice-Presidential vacancies? [Yes/No] [Comments]
15.	Do you think that eligibility criteria should be introduced with respect to the individual representatives of the National Society members of the Governing Board? [Yes/No] If Yes , what criteria do you believe should be introduced?
16.	Do you think that other improvements could be made to the IFRC's Statutory Texts or governance processes in this area? [Yes/No] if yes , please provide detail of the issue, and if possible, what solution can be implemented to address the issue
Theme 5: National Society Compliance with legal base (texts that regulate the National Societies & set the minimum IFRC/Movement requirements)	
17.	Should a National Society's duties in the Statutory Texts (Article 8.1B of the Constitution) be clarified so that a National Society is under a duty to a. adhere to the Statutes of the Movement? b. adhere to its own Statutes and update them from time to time in accordance with the Guidance for National Societies Statutes?

	<p>c. work with their government to ensure that there is a legal framework (by means of law, regulations or statutes of the National Society) which regulates the relationship between the National Society and the public authorities in its country?</p> <p>[Yes/No] [Comments]</p>
18.	<p>Do you think that other improvements could be made to the IFRC's Statutory Texts or governance processes in this area?</p> <p>[Yes/No] if yes, please provide detail of the issue, and if possible, what solution can be implemented to address the issue</p>
<p>Theme 6: Ethical considerations</p>	
19.	<p>Do you think a provision on ethical standards (which includes a reference to the Fundamental Principles) should be introduced into the Statutory Texts?</p> <p>[Yes/No] [Comments]</p>
20.	<p>In your view, do we need to improve the compliance and accountability of individuals sitting on IFRC governance bodies (including the President, Vice-Presidents, IFRC Commission and Committee members and representatives of the National Society members of the Governing Board)?</p> <p>[Yes/no][If yes, please explain why]</p>
21.	<p>All individuals sitting on IFRC governance bodies (including the President, Vice-Presidents, IFRC Commission and Committee members and representatives of the National Society members of the Governing Board) must sign a Declaration of Integrity (Rule 26.3 of the Rules of Procedure) and a Code of Conduct (Article 22.3 of the Constitution and Rule 35.7 of the Rules of Procedure). Do you think it should be made clearer in the Statutory Texts –</p> <p>a) that the Code of Conduct and Declaration of Integrity must be complied with? [Yes/No] [Comments]</p> <p>b) what the process and what the implications of non-compliance with the Code of Conduct and Declaration of Integrity are? [Yes/No] [Comments]</p> <p>c) what should the sanctions be for non-compliance? [Comments]</p>
22.	<p>Do you think the Code of Conduct framework needs to be clarified and/or strengthened?</p> <p>[Yes/No] [if yes, please detail why]</p>
23.	<p>Do you think that the interrelation between the integrity policies, the Code of Conduct and ethics needs to be clearer?</p> <p>[Yes/No] [Comments]</p>
24.	<p>Do you think that individuals sitting on IFRC governance bodies (including the President, Vice-Presidents, IFRC Commission and Committee members and representatives of the National Society members of the Governing Board) should be able to concurrently hold a significant position in their national government or be an elected political office holder?</p> <p>[Yes/No] [Comments] If yes, under what circumstances?</p>
25.	<p>Do you think that other improvements could be made to the IFRC's Statutory Texts or governance processes in this area?</p> <p>[Yes/No] [Comments] if yes, please provide detail of the issue, and if possible, what solution can be implemented to address the issue</p>

Theme 7: Strengthening Governance Processes	
26.	Do you believe there is a conflict with National Society staff members serving in IFRC governance roles? [Yes/No] [if yes, please detail why]
27.	Do you think National Society staff members should be able to continue to serve in IFRC governance roles? [Yes/No][If no, please detail why]
28.	Are there any models or best practices relating to the governance structures of international organizations that you think should be implemented at the IFRC? [Yes/No] [if yes, please provide detail]
29.	Are you satisfied with the composition of the Governing Board, or do you think other models should be explored? [Yes/No] [if yes or no, please provide detail]
30.	Are there any provisions that could be introduced in the IFRC's Statutory Texts to further promote gender equality? [Yes/No] [Comments]
31.	Do you think that other improvements could be made to the IFRC's Statutory Texts or governance processes in this area? [Yes/No] if yes, please provide detail of the issue, and if possible, what solution can be implemented to address the issue
Stronger Youth Involvement in Governance	
32.	Do you think that it should be encouraged for a youth delegate to be part of a National Society's delegation at the General Assembly or Regional Conference? [Yes/No] [Comments] In the case of larger delegations of 3 or more members do you think that it should be made mandatory that a youth delegate forms part of the National Society Delegation? [Yes/No] [Comments]
33.	Do you think that the text of Article 5.1A of the Constitution (International Federation Functions - Services to National Societies) should be modernised to reflect the key role young people play in the delivery of humanitarian services to build more resilient communities? [Yes/No] [Comments]
Composition of Audit and Risk Commission (ARC)	
34.	To help ensure independence when overseeing internal audits and investigations, do you agree that ARC members: (a) should not be able to concurrently hold a significant position in their National Society (including President, Vice-President, Treasurer, Board Member)? [Yes/No] [Comments] (b) must be volunteers and not staff of a National Society or the IFRC Secretariat? [Yes/No] [Comments]
35.	As ARC's mandate is technical, do you agree that ARC members must have a professional designation related to ARC's work (including Chartered Accountant, Certified Public Accountant, Certified Internal Auditor, Certified Fraud Investigator, Qualified Safeguarding Specialist or any other relevant professional qualifications) with at least 5 years of executive experience? [Yes/No] [Comments]
36.	ARC is currently composed of a Chair and five members. At least one ARC member is independent of the Movement. In order to provide greater National Society

	<p>representation and continuity throughout the term, do you agree that the size of the ARC should be expanded from six to eight members so that -</p> <p>(a) there is one additional member? [Yes/No] [Comments]</p> <p>(b) there is one additional independent member? [Yes/No] [Comments]</p>
Theme 8: Other	
37.	<p>Are there any other areas of the IFRC Statutory Texts that require amendment or improvement, or that could make the IFRC processes more efficient?</p> <p>[Yes/No] if yes, please provide detail of the specific issue / the need for the change, and if possible, what solution can be implemented to address the issue</p>
38.	<p>Are there any other changes that could be made to improve and strengthen the IFRC's governance processes? Please note that these improvements do not necessarily need to be related to the Statutory Texts.</p> <p>[Yes/No] if yes, please provide detail of the specific issue / the need for the change, and if possible, what solution can be implemented to address the issue</p>