

Climate Action Network Southeast Asia (CANSEA) Charter

Preamble

- a. CANSEA and CAN note that Life on earth is under severe threat from catastrophic climate change, which is being caused by humans through our constant production of greenhouse gases. CANSEA and CAN as a network face this threat with the common concern of its members all over the world.
- b. The vision of CANSEA and CAN is a world striving actively towards and achieving the protection of the global climate in a manner which promotes equity and social justice between peoples, sustainable development of all communities, and protection of the global environment. CANSEA and CAN unite to work towards this vision.
- c. CANSEA and CAN's missions are to support and empower civil society organisations to influence the design and development of an effective global strategy to reduce greenhouse gas emissions and ensure its implementation at international, national and local levels in the promotion of equity and sustainable development.
- d. Climate Action Network Southeast Asia is a non-profit and non-government organisation which is public service oriented and does not represent industry. It is legally incorporated in Malaysia.

Network Rules and Guiding Principles for Network Governance

1. Introduction

- 1.1. This document aims to provide clarity and set rules for the way the CANSEA regional network is organised and works. It should be used as a guide to define how members and National Nodes best work together with the ultimate aim to bring the change we need.
- 1.2. This version of the CANSEA Charter was adopted on 10 December 2020.

- 1.3. The name of this network shall be: CLIMATE ACTION NETWORK SOUTHEAST ASIA abbreviated as CANSEA.
- 1.4. The geographical area of operation of CANSEA shall be the Southeast Asian Countries, as defined by the Association of Southeast Nations intergovernmental regional organisation, or ASEAN, and Timor Leste.
- 1.5. CANSEA is the Regional Node for Southeast Asia for CLIMATE ACTION NETWORK, abbreviated as CAN.

2. Purpose

- 2.1. This Network is organised for the purpose of fostering national and regional programmes that directly or indirectly contribute to addressing climate change and related activities.
- 2.2. The objectives of CANSEA are to:
 - 2.2.1. Promote research, education and knowledge sharing;
 - 2.2.2. Build capacity of member organisations to address climate change effectively;
 - 2.2.3. Strengthen its membership base;
 - 2.2.4. Act as a forum for regional climate activities and bring climate concerns to the attention of international and national authorities;
 - 2.2.5. Organise, support, inspire and coordinate its members to take effective action on climate change, either as one regional voice, or in the countries where members operate.
- 2.3. The primary activities of CANSEA are:
 - 2.3.1. Information sharing;
 - 2.3.2. Capacity building;
 - 2.3.3. Lobbying on common positions;
 - 2.3.4. Coordination of media messages;
 - 2.3.5. Coordination of research efforts;
 - 2.3.6. Cooperation with other NGO groupings;
 - 2.3.7. Mobilisation of public support and awareness;
 - 2.3.8. Advocating for Mitigation and Adaptation programmes
 - 2.3.9. Any other activities which would promote the CAN objectives.

CANSEA Membership

3. Eligibility and Qualification

- 3.1. All non-politically affiliated, non-profit and non-government organisations, including community-based organisations, are eligible to become members of CANSEA and may apply to do so, providing they satisfy the criteria below:

- 3.1.1. Be a registered organisation;
- 3.1.2. Be a non-politically affiliated, non-government and non-profit organisation, that does not represent industry interests;
- 3.1.3. Have interest in actively promoting ambitious climate action and sustainable development;
- 3.1.4. Be supported by a CANSEA member organisation.
- 3.2. By applying for membership, the applicant organisation declares it will respect and apply the rules of this Charter; CAN Charter; support the vision, mission and activities of CAN; and bind itself to the CAN Code of Conduct.
- 3.3. There is no membership fee.

4. Application for Membership

- 4.1. All existing members of CANSEA, who accept this charter, will automatically retain membership when this charter is enacted, unless there are problems with eligibility to be determined by the National Coordinator, Regional Coordinator or the Board or, in their absence, the CAN Board.
- 4.2. Applicant organisations may apply for membership of CANSEA to the National Coordinator, or in their absence to the Regional Coordinator.
- 4.3. All applicant organisations are required to submit the following documents and information:
 - 4.3.1. Completed Membership Application Form;
 - 4.3.2. Its constitution or statutes, indicating its legal status in the country. (A translation into English is required);
 - 4.3.3. Confirmation it is an environmental NGO independent of both government and business and an indication of the work it is doing on climate change issues;
 - 4.3.4. A written undertaking that if the organisation is admitted, it will abide by this Charter and CAN Charter.

5. Membership Approval Process

- 5.1. Approval of the membership application should be done by the Regional Node with adequate consultation with the respective National Node. On approval, Regional Node, represented by the Regional Coordinator, will notify CAN and the relevant National Node for addition to their membership registration.
 - 5.1.1. The National Coordinator receives the Membership Application Form from applicant organisation and will ensure all requirements and documents are in good order. Maximum duration of 14 days;

- 5.1.2. The National Coordinator will circulate the application to existing members for comments, with reference to Clause 3.1. Maximum duration of 14 days;
- 5.1.3. Upon approval by National Node, the application will be recommended and forwarded to the Regional Node;
- 5.1.4. The application will then be circulated to other National Nodes within CANSEA for comments, with reference to Clause 3.1. Maximum duration of 14 days;
- 5.1.5. Where a National Node does not exist, the above processes shall be undertaken by the Regional Node.
- 5.2. Upon approval by Regional Node, the Regional Coordinator shall:
 - 5.2.1. Advise respective National Node of the application approval;
 - 5.2.2. Inform CAN of the new member and then invite the new member to register in order to be included by CAN in the CAN-Talk or appropriate communication channels;
 - 5.2.3. Update CANSEA database and website.
- 5.3. National Node will inform the applicant of the successful application. Applicant organisation is now considered a CAN, CANSEA & National Node member. Where a National Node does not exist, the above shall be undertaken by the Regional Node.
- 5.4. In case an application is refused by a National Node, an appeal may be made to the Board, who may attempt to resolve the dispute.
- 5.5. Any direct application to CAN from an organisation in Southeast Asia will be referred to Regional Node.
- 5.6. All members' organisation details will be posted on the CANSEA & CAN websites.

6. Resignation

- 6.1. Resignation will be submitted to the National Node and be recorded by CANSEA, when a member gives written notice to that effect. It will be accepted if all the member's obligations to CANSEA and/or CAN or to any Node have been fulfilled.

7. Expulsion

- 7.1. A member organisation may be expelled from CANSEA for violation of the CAN Code of Conduct and/or this Charter.
- 7.2. Regional and National Nodes may expel a member only after at least three members have applied to CANSEA for the expulsion of the member.

- 7.3. The application with reasons should be sent to the Regional Node for processing.
- 7.4. On receipt of the application for expulsion of a member, the Regional Node will inform the Board of the application. The Board will appoint an ad hoc Ethics Committee to hear the matter of the expulsion.
- 7.5. The Ethics Committee must consist of at least three individuals from three different members and member countries, of which at least one must reside in the country of the member concerned.
- 7.6. The Ethics Committee must provide the member in question the opportunity to be heard or to remedy any actions complained of in the application, and will determine the procedure to be followed based on the rules of natural justice and fairness.
- 7.7. The Ethics Committee will have the right to take the appropriate decision in the circumstances, including the decision to expel the member.
- 7.8. An expelled member may appeal to the Board and/or CAN Board.

Governance and Decision Making

8. NATIONAL NODES

- 8.1. A National Node is an association of members in a particular country. The name of any Node must adequately reflect the country it represents.
- 8.2. A National Node must consist of at least three members.
- 8.3. A National Node must appoint a Coordinator or co-coordinators, taking into consideration geographic and gender equity.
- 8.4. A National Node governing body is accountable to its members. In the event of a failure of this accountability, members may report this to the Board, which may take appropriate action.
- 8.5. A National Node may set the rules for the appointment, rotation, terms of reference, and activities of the National Node Coordinator.
- 8.6. A National Node may decide to set up a Node secretariat with its own staff, objectives and work programme.
- 8.7. A National Node is encouraged to reach out to and work with non-CANSEA member organisations and networks to encourage, include and foster work on climate together within the country and at the regional level to work towards an equitable climate regime globally and regionally
- 8.8. A National Node must try and grow CANSEA membership.
- 8.9. A National Node member organisation must support CANSEA's vision and work in whatever way possible.

- 8.10. A National Node must ensure visibility to CANSEA where appropriate and with the common understanding of CANSEA.
- 8.11. A National Node may start an appropriate communication means to share intelligence.

9. Regional Node

- 9.1. A Regional Node is an association of members, and/or National Nodes, in a group of countries on an international basis. The name of any Regional Node must adequately reflect the countries it represents.

10. Convening of General Assemblies of CANSEA

- 10.1. The governance of CANSEA is achieved at the General Assembly (GA). The General Assembly must be convened at least once a year. CANSEA may also constitute more frequent General Assemblies at times when CANSEA members are together at events.
- 10.2. The General Assembly is the highest decision-making body of the Regional Node. The General Assembly addresses the vision and strategy of CANSEA, and both the substance of future climate solutions as well as the governance, administration and funding of the Regional Node.
- 10.3. General Assemblies will be properly constituted when at least 50% of CANSEA members' representatives are present.
- 10.4. General Assemblies will be called by the Board through the Regional Coordinator. The Board will set the date and give advance notice of at least 30 days thereof through the standard communication means used by CANSEA.
- 10.5. The Board will set its agenda in advance, and call on members to propose items for the agenda 15 days before commencing the General Assembly. All items will be accompanied by a description of the item or the proposed decision.
- 10.6. Members who cannot attend the General Assembly may request the Board to take note of their responses to items up for decision making, which will be passed on to the General Assembly facilitators.
- 10.7. As far as possible all decision-making process would be by way of consensus. Facilitators of the meeting, whether it is the General Assembly or otherwise, where decision making is required, will ensure that as far as possible it is by way of consensus.
- 10.8. Where full consensus cannot be reached, in cases where there are opposing or qualifying views, the decision-making process shall be voting by the show of hands.

11. CANSEA Board

- 11.1. The General Assembly must elect the Board, which fulfils the function of CANSEA Governance.
- 11.2. Board Members elected will hold office for two years. Board members may be elected for succeeding terms though for not more than two terms in a succession.
- 11.3. A member cannot serve on the board of CANSEA for more than three numbers of terms cumulatively.
- 11.4. The election will be by nomination and decision making.
- 11.5. Nomination may be arranged by the Regional Coordinator from all members by electronic means before the General Assembly. Fifteen days before the General Assembly, all nominations will be shared with CANSEA members through appropriate means of communications.
- 11.6. Nominees agreeing to stand will then be presented by the facilitator at the General Assembly.
- 11.7. Board Members will be chosen through the decision-making process, or if unopposed, automatically
- 11.8. The Board should, if possible, reflect the balance and composition of CANSEA. Members of the Board are, however, representatives of CANSEA as a whole and do not represent their individual countries or organisations. To ensure there is balance in composition of the board, it needs to be ensured that all sections such as International NGOs, development NGOs, environment NGOs, grassroots NGOs, gender balance, are represented equally. The representation of International NGOs will not exceed 30% of total Board members.
- 11.9. Each country is represented on the Board up to a maximum of three member organisations.
- 11.10. Once elected to the board, the members do not represent their individual organisations or country but are representatives of CANSEA as a whole.
 - 11.10.1. In view of the above, if a member of the Board resigns or takes a leave of absence from the organisation that nominated her/him, she/he may continue to serve on the Board as long as:
 - 11.10.1.1. She/he does not join an organisation which is not a member of CANSEA or is not eligible to be a member of CANSEA;
 - 11.10.1.2. She/he does not join an organisation which already has a member (as it would or could potentially lead to collusion of interests for the said organisation).
- 11.11. Only one representative per member organisation irrespective of how many countries the organisation has offices in, may be elected to the Board.

- 11.12. The size of the Board should optimally not be less than seven members. However, there could be exceptions, if the General Assembly so decides. But, even in the case of exception, the number should not exceed 15.
- 11.13. The Regional Coordinator reports to and supports the Board and liaises between the Board and regional coordination.

12. Functions and Procedures of the Board

- 12.1. The Board will adhere to and operationalise the decisions of the General Assembly, as well as facilitate General Assemblies during its term of office.
- 12.2. The Board will not take independent policy and position-related decisions unless first referred to CANSEA as a whole. The Board will rely on inputs from National Nodes and General Assembly while taking decisions.
- 12.3. The Board will represent CANSEA.
- 12.4. The Board may take such decisions as may be required to give effect to the decisions of the General Assembly.
- 12.5. The Board will act as an oversight to the Regional Coordinator, who will be accountable to the Board.
- 12.6. The Board shall put in place Administrative working procedures and financial guidelines that comply with best international financial and accounting practices.
- 12.7. The Board shall approve all proposals, annual report, annual financial report, annual budget and work plan concerning CANSEA.
- 12.8. The Board may appoint specialised committees comprising relevant members and external specialists to inform and assist its own decision-making.
- 12.9. The Board shall periodically review the extent to which the Charter is being adhered to, and may by unanimous consensus recommend amendments, which shall be effective only upon approval during the General Assembly.
- 12.10. Any internal decisions by the Board will be by vote and simple majority. The Board will however strive for consensus, wherever possible.
- 12.11. The Board must fulfil the function of dispute resolution agency within the Regional Node, including within the National Node within CANSEA. In the case of a dispute arising and not adequately provided for in this Charter, the Board must attempt to resolve the dispute.
- 12.12. The final authority for dispute resolution will be the General Assembly in case the Board fails to resolve such disputes, if any.
- 12.13. The Board will constitute and take responsibility for resourcing the Regional Coordinator.

- 12.14. The Board shall develop its annual budget that is presented to the General Assembly for approval.

13. Functioning of the Board

- 13.1. For the purpose of meetings of the Board, two-thirds of the full Board shall constitute quorum. A majority of Board members present at a meeting, whether or not quorum is present, may adjourn a meeting of the Board to another time and place.
- 13.2. The Board will select a Chair and/or Co-Chair whose term will be for the entire duration of two years.
- 13.3. The main responsibilities of the Chair or Co-Chair in her/his absence will be to call for meetings, ensure proper business is conducted at the meetings, follow up on planned activities and ensure accountability of the Board to the General Assembly.
- 13.4. The Chair or Co-Chair will set the Board meeting date and agenda, and give advance notice of at least 14 days thereof through the standard communication means.
- 13.5. Board members shall participate in a Board meeting and arrive at a unanimous or majority decision through personal participation at the meeting.
- 13.6. The Board shall hold its meetings at least once every 12 months, and special meetings may be convened by the Chair or Co-Chair as and when deemed necessary.

14. CANSEA Regional Coordination

- 14.1. The Regional Node shall have a fixed and ongoing Regional Coordinator appointed by the Board, based in one of the ASEAN countries or Timor Leste.

15. Regional Coordinator

- 15.1. Regional Coordinator may decide to set up a secretariat, with its own staff, objectives and work programme, to support the work of CANSEA.
- 15.2. The performance of the Regional Coordinator shall be evaluated by the Board every two years.
- 15.3. During Regional Coordinator handover, outgoing Regional Coordinator must pass the following documents to the incoming Regional Coordinator:
 - 15.3.1. Full access and status report of the website and any online social media;
 - 15.3.2. Audited financial accounts and any funding related matters;

- 15.3.3. Two-year report, including all meeting minutes which occurred during the tenure;
- 15.3.4. Updated membership database; highlight any addition or resignation.
- 15.4. The outgoing Regional Coordinator must also inform and provide UNFCCC the incoming Regional Coordinator's contact details.
- 15.5. Whenever Regional Coordinator fails to discharge her/his duties satisfactorily, it is the responsibility of members to advise the Board.

16. Roles of Regional Coordinator

- 16.1. Keep a database of all existing members, process applications for new membership, record removal from membership, and inform CAN of new and removed members.
- 16.2. Co-ordinate and manage the CANSEA website and online presence.
- 16.3. Keep a register of all statements on CANSEA positions.
- 16.4. Co-ordinate and assist members in raising funds for node activities either globally or regionally. Assist to raise funds for CANSEA.
- 16.5. Ensure keeping of timely and correct records of all income and expenditure of CANSEA in accordance with best international financial and accounting practices.
- 16.6. Arrange for audits of funds held.
- 16.7. Prepare and present to the Board at least every 12 months complete financial statements and progress reports of activities of CANSEA.
- 16.8. Organise and record Board meetings, at least once every 12 months.
- 16.9. Keep records of and assist capacity building efforts within the network.
- 16.10. Co-ordinate and support funding of CANSEA participation in workshops and COP/MOPs.
- 16.11. Prepare an annual progress report of CANSEA activities, which shall be published and publicly disseminated upon approval of the Board.

17. Changes to this Charter

- 17.1. This Charter may only be amended or terminated by the General Assembly, upon recommendation from the Board.
- 17.2. Any amendments can be presented to the Board, preferably via the National Node.

-End-