



CONSTITUTION  
of the African Forensic Sciences Academy

CONSTITUTION  
de l'Académie Africaine des Sciences Forensiques

Final Draft March 2023

# CONSTITUTION OF THE AFRICAN FORENSIC SCIENCES ACADEMY

## PREAMBLE

Forensic Scientists of African Origin as defined by the African Union (as defined in January 2023) or working in Africa or supporting Forensic Sciences in Africa, assembled in Pretoria, South Africa, in December 2022 and established AFSA as a professional body to represent Forensic Sciences throughout Africa, together with an interim executive, the future General Assembly, Board, and General Secretariat.

The present Constitution governs the operation of the African Forensic Sciences Academy in a spirit of cooperation and collegiality.

## CHAPTER I

### THE AFRICAN FORENSIC SCIENCES ACADEMY

#### ARTICLE I Definition of AFSA

AFSA is a voluntary, non-political, non-profit, scientific organisation open to all practitioners in all Forensic Sciences fields without distinction of gender, origin, race, or creed, in accordance with the mission and values stated below.

AFSA works toward promoting Forensic Sciences in its broad definition as defined in the Sydney Declaration - revisiting the essence of forensic science through its fundamental principles per the 2022 version (doi: 10.1016/j.forsciint.2022.111182) Thus for AFSA Forensic sciences are defined as “a case-based (or multi-case-based) research-oriented, science-based endeavour to study traces – the remnants of past activities (such as an individual’s presence and actions) – through their detection, recognition, recovery, examination, and interpretation to understand anomalous events of public interest (e.g., crimes, security incidents)”.

#### ARTICLE II Core values of AFSA

AFSA stands for the following core values:

- Excellence

Adherence to scientific rigor, continuous improvement, critical appraisal, standardisation, and certification of practices as well as all aspects of scientific-based and research-based approaches in Forensic Sciences.

- Independence and Impartiality

Empowering Forensic Sciences practitioners to make decisions without outside influence, in complete independence. Being aware of human limits such as cognitive biases, but manage our limitations within the scope of our work to attain impartiality and independence whilst disclosing potential conflicts of interest.

- Integrity and ethical practice

Adherence to global ethical values, professionalism, and honesty, transparency, and accountability as well as to professionalism, honesty, and the respect of the highest ethical standards in circumstances related to forensic cases as well as testimonies and advocacies related to Forensic Sciences as a cause or as an outcome.

- Equality, Diversity and Inclusion,

Striving towards an inclusive approach to all forensic sciences practitioners to be fulfilled through the diversity of skills, experience, backgrounds, and perspectives without any distinction whatever its source.

- Transparency:

Remaining accountable to all its members and to the community regarding its operations, in line with Integrity and Ethical practice. Building a culture of proactive intentional declaration among Forensic Sciences practitioners.

## CHAPTER II

### **TITLE, PURPOSE, AND ORGANS OF THE AFRICAN FORENSIC SCIENCES ACADEMY**

#### **ARTICLE III Title of AFSA**

Title of 1. The African Forensic Sciences Academy at the continent level of Africa is governed by this constitution under the title of African Forensic Sciences Academy, hereinafter called AFSA, as an independent, non-political, non-profit, non-governmental organization with a common interest.

#### **ARTICLE IV Mission of AFSA**

The purpose of the AFSA is explained in the mission statement as follows:

- Promote evidence-based, innovative, and multi-disciplinary forensic sciences practice;
- Promote relevant and impactful research;
- Disseminate forensic science knowledge among the practitioners and institutions in Africa;
- Develop appropriate standards and guidelines;
- Promote collaboration, partnership, and training in forensic sciences.

## **ARTICLE V: Organs of AFSA**

The organs of AFSA are:

- a- The AFSA founding meeting: served as the first AFSA General Assembly with the main purpose of setting the fundamental characteristics of AFSA and electing the interim board.
- b- The AFSA Interim Executive: elected at the founding meeting and serves as the first interim board with a two-year mandate to organise the first General Assembly. During its mandate, the Interim Executive fulfils the same functions as the Board.
- c- The AFSA General Assembly.
- d- The Board of AFSA.
- e- The General Secretariat of AFSA.

## **ARTICLE VI: Legal Status of AFSA**

The legal identity for the organs of AFSA is given by the registration in the country of domicile of 'The African Forensic Sciences Academy', also known as AFSA Inc / Ltd. Legal title to all property of AFSA, including its assets and properties, including intellectual property, are held by AFSA Inc/Ltd.

## **CHAPTER III**

### **MEMBERSHIP**

## **ARTICLE VII: Membership Requirements**

1. Membership of AFSA is open to all practitioners in the different Forensic Sciences fields, or other individuals/organisations, who fulfil the requirements for the various categories of membership explained hereafter. The list of fields represented by AFSA would be published and revisited on a periodic basis by the Board of AFSA. This list is to be made public through the agreed communication channels.
2. Authority to confer membership in AFSA is vested in the AFSA Board, upon suggestion from a sub-committee dedicated to validating the membership criteria.
3. Individuals/Organisations in membership of AFSA are referred to as Members.
4. Admission to membership in AFSA requires the following from the applicant:
  - a. Adoption of and evidence of sustained adherence to the mission, and values as laid down by Chapter I of this Constitution.
  - b. Application for membership is open to all who agree to abide by the mission, and values of AFSA.
  - c. Paying an annual fee following a procedure established and communicated by the Board of AFSA.

VII.4. Membership categories are as follows:

a. Full members

- i. Presenting a verifiable graduation, qualification, or any other kind of certification that is relevant to the fields of Forensic Sciences or a proven work experience of at least five years in a forensic sciences position;
- ii. To be eligible in this category the individual can work within or outside Africa but is African; or alternatively is not African but provides a forensic sciences service in Africa;
- iii. Are required to pay the prescribed annual membership fee for this category;
- iv. Are allowed to stand for office in AFSA;
- v. Full members will each have one vote within AFSA.

b. Associate members

- Members in this category are not forensic scientists, or are non-African forensic scientists, or are professionals not practicing forensic science;
- Are required to pay the prescribed annual membership fee for this category;
- Are not allowed to stand for office in AFSA;
- Have no vote within AFSA.

c. Affiliated members

- Any organisation located within or outside Africa that promotes forensic sciences in Africa;
- These organisations can nominate themselves or be invited by the AFSA Board
- Are not required to pay annual membership fees;
- Are not allowed to stand for office in AFSA;
- Have no vote within AFSA.

d. Honorary members

- These members are recognised advocates of AFSA;
- Nominated and approved by the board of AFSA;
- Recognised at AFSA activities;
- Are reputable individuals that promote or support forensic science activities;
- Are not required to pay annual membership fees;
- Are not allowed to stand for office in AFSA;
- Have no vote within AFSA.

e. Student members

- African students of forensic science studying in Africa or elsewhere;
- Non-African students studying forensic science in Africa;
- Professionals in training in forensic sciences thus enrolled in a forensic science training program or a forensic science-relevant institution in Africa;
- Are required to pay the prescribed annual membership fee for this category;
- Are not allowed to stand for office in AFSA;

- Have no vote within AFSA.

New membership categories can be proposed and approved by the General Assembly upon proposal by the AFSA Board.

#### **ARTICLE VIII Membership procedures**

1. The Board of AFSA shall investigate an application for membership by an individual applying established objective criteria to be published from time to time. If it considers that the requirements laid down by Article VII.3.5 are fulfilled, it shall make the necessary communication to the individual.

2.1. A membership recommendation is made a sub-committee dedicated to this cause to the AFSA Board. In case the recommendation is (1) unopposed, or (2) opposed by less than the majority of the Members of the Board, the Board of AFSA shall declare the individual a Member of AFSA.

2.2. If the majority of the Members of the Board oppose admission, the application shall be further processed and a final decision should be taken requiring a two-thirds majority of the votes cast by the board.

#### **ARTICLE IX Rights and obligations of AFSA members**

Members of AFSA in good standing enjoy the rights and privileges and are required to fulfil the obligations given in this Constitution.

IX.1. Members of AFSA have the following rights:

- a. To be represented and have the right of voice at an AFSA General Assembly and all Conferences, Congresses, and other events organized by AFSA, subject to payment of the Conference fees and agreement to any policy for the event that may be put in place;
- b. Full members have the right of vote at an AFSA General Assembly;
- c. To receive services from AFSA, as practicable, in the form of visits, opportunities for participation in courses and seminars, and other types of assistance;
- d. To receive the scientific publications of AFSA. This would not grant waivers from potential article processing charges or other payment for any kind of editorial work;
- e. To receive invitations to national conferences, and other gatherings organised by members of AFSA at the discretion of AFSA.

IX.2. Members shall have the following obligations:

- a. Continued acceptance of and conformity with the requirements of the Constitution of AFSA;
- b. Compliance to the core values of AFSA;
- c. Payment of an annual registration fee as reviewed and determined by the Board of AFSA;
- d. To answer the surveys and other questionnaires sent by the Board and the General Secretariat of AFSA.

## **ARTICLE X: Suspension and expulsion of members of AFSA**

X.1. The Board of AFSA may provisionally suspend the membership of any Member who, in its opinion, no longer fulfils the requirements of their specific membership category. If the Board of AFSA maintains its suspension, the AFSA General Assembly (in person or virtually) at its next meeting shall hear the report of the Board of AFSA and invite the suspended member to make its written or oral comments. The General Assembly has the broadest power to then decide on an appropriate course of action; if its decision is to expel the member, such decision shall require a two-thirds majority of the votes cast.

X.2. Any Member may withdraw from AFSA by written notice addressed to the Secretary-General. Withdrawal shall take effect within one month after receipt of the notice by the AFSA General Secretariat, subject to the Member having at that date fulfilled all obligations arising out of its membership, including financial obligations.

X.3. A member who, for any reason, ceases to be a Member shall no longer be entitled to the privileges and services of AFSA.

X;X.4. The Board of AFSA will publish the list of suspended and/or expelled members in the appropriate communication channels

## CHAPTER IV

### **THE AFSA GENERAL ASSEMBLY**

#### **ARTICLE XI Composition of the AFSA General Assembly**

XI.1. The AFSA General Assembly is the governing organ of AFSA and is composed of all the full Members.

XI.2. All members of AFSA are represented at any meeting of the AFSA General Assembly individually.

XI.3. The current AFSA Board President and Vice-president are *ipso-facto* the General Assembly Chair and Co-chair.

#### **ARTICLE XII Functions of the AFSA General Assembly**

1. The functions of the General Assembly are:

- a) To take note and comment when needed on the general policy of AFSA.
- b) To participate in the elections as provided in this Constitution.
- c) To consider reports and recommendations presented by the Board of AFSA.
- d) To consider recommendations brought forward by Members.
- e) To consider and vote on proposed amendments to this Constitution.
- f) To exercise other functions resulting from this Constitution.
- g) To take note of the updated membership list and statutes as published by the AFSA Board.

### **ARTICLE XIII Voting at the AFSA General Assembly**

1. Each Full Member shall have one vote and, except as provided for under paragraph 2 of this Article, resolutions shall be taken by a simple majority of the Members present or represented and voting. In the event of a tie, the motion is defeated.
2. Decisions concerning the amendment of this Constitution (Article XIII) shall be passed by a two-thirds majority of the votes cast.
3. A Full Member who is unable to be present at a meeting of the General Assembly may vote by proxy given to another Full Member, but no Member may accept more than one proxy. In case a group cannot attend the General Assembly they could cede their vote to an office bearer to a vote by proxy. The latter situation remains the exception and would be organized by the General Assembly Rules of Procedures.
4. In appropriate circumstances determined by the Board of AFSA there may be a referendum by post or electronic communication to Members between meetings of the General Assembly when the same rules as to voting, majority, and in the event of a tie shall apply.
5. Any Members who shall have failed to pay their annual registration fee up to the start of the General Assembly's first session shall forfeit their right to vote at that meeting of the General Assembly unless remission or postponement of dues has received prior authorisation from the AFSA Board.

### **ARTICLE XIV Meetings of the AFSA General Assembly**

1. There shall be an election triennial meeting of the General Assembly at such time and place as the General Assembly may decide, either physical or virtual. A meeting of the General Assembly can be organised by AFSA Board in intervening years to deal with non-election AFSA business.
2. An extraordinary meeting may be called on the decision of the Board of AFSA, or at the request of not less than one-third of the Full Members.
3. Four months' notice shall be given for a triennial meeting and one month for an extraordinary meeting.
4. The in-person or virtual presence of one-half of the Members shall constitute a quorum.
5. The General Assembly shall adopt its own rules of procedure upon recommendation by the Board.

## **CHAPTER V**

### **THE BOARD OF AFSA**

#### **ARTICLE XV Composition of the Board of AFSA**

1. The Board is the executive organ of the AFSA. Its members shall consider the interests of the AFSA as a whole and shall neither consider themselves nor be considered, as representing any particular country or a sub-regional organ, or a specific field of Forensic Science.
2. The Board shall be composed of members:



- a. Seven elected voting members, who shall be full members of AFSA. They shall be elected by the General Assembly, by secret ballot, from a list of nominees submitted by Members. In no case shall more than one elected member from any one country serve on the Committee in any one period.
  - b. The Secretary General of AFSA, who shall be an ex-officio member of the Board without a voting right on the Board.
  - c. An ex-officio member of all subsidiary committees of the Board of AFSA, without a voting right on the Board.
3. Each member elected by the General Assembly is elected until the next General Assembly and can be re-elected once. After two consecutive terms, a retiring member shall only be eligible for re-election after a lapse of three years.
  4. Vacancies occurring amongst the elected members of the Board shall be filled for the remainder of the term still to be served by the resigning or deceased holder of the seat by the runners-up in order of election, at the election in which the resigning or deceased member was elected. Such runners-up shall only be considered as having served a normal term of service as an elected member if they filled the vacancy before half of the term of the resigning or deceased member has expired.
  5. Thirty calendar days' notice shall be given for meetings of the Board.
  6. The Secretary-General shall serve as Secretary of the Board. Between meetings of the Committee, matters shall be submitted by the Secretary-General to members of the Board for consideration by correspondence.
  7. Members of the Board of AFSA may vote by proxy given to another member of the board with voting rights, but no member may accept more than one proxy.

#### **Article XVI Functions of the Board of AFSA**

##### 1. The functions of the Board of AFSA are:

- a. To oversee and implement aspects related to AFSA business
- b. To consider the policy and standards of AFSA throughout Africa and to take such action as shall further the purpose of AFSA
- c. To act on behalf of the General Assembly between its meetings; to give effect to its decisions, recommendations, and policies; and to represent it at international and national events.
- d. To promote Forensic Sciences throughout Africa and the world via appropriate actions.
- e. To advise and assist Members in carrying out the mission and values of AFSA.
- f. To decide on the admission of individuals applying for membership, and to suspend or expel members when appropriate.
- g. To prepare the agenda and procedure of the meetings of the General Assembly, considering suggestions from members.
- h. To appoint the Secretary General of AFSA, and appoint their Deputy or Deputies upon a recommendation of the Secretary-General, and supervise the management of the General Secretariat of AFSA.
- i. To approve the annual budget and financial statements of AFSA.
- j. To accept the responsibility for the raising of additional funds.
- k. To appoint the Financial director.
- l. To appoint Chairpersons of standing committees, sub-committees, and all working groups.

- m. To grant affiliate membership status to such organisations as may be of assistance to the Forensic Sciences in Africa.
- n. To decide upon granting honorary membership to distinguished professionals.
- o. To coordinate links with all organs of AFSA.
- p. To secure compliance with the Constitution of AFSA by all organs.
- q. To ensure that risks facing AFSA of whatever nature are assessed and appropriate control measures put in place.
- r. To call for an extraordinary meeting of the General Assembly in accordance with Article XII where required.
- s. To consider plans and strategies for AFSA and make appropriate proposals to the General Assembly.
- t. To approve the purchase/lease of real estate for use or occupation by AFSA and ensure that the title is registered in the name of the African Forensic Sciences Academy according to legal requirements.
- u. To follow up on the execution and evaluation of the programs/activities of the General Secretariat.
- v. To receive yearly consolidated audited reports from the General Secretariat.
- w. To approve the creation and supervise the management of all legal bodies created on behalf of AFSA.
- x. To supervise the organisation of all events organized by AFSA.
- y. To exercise other functions resulting from this Constitution.

**Article XVII: Voting at the Board of AFSA**

1. Each voting member of the Board shall have one vote.
2. Resolutions shall be taken by a simple majority of the voting members present and voting. In the event of a tie, the motion is defeated.

**ARTICLE XVII: Meetings of the Board of AFSA**

1. The Board of AFSA shall meet at least three times a year at such time and place as the Board may decide. Such meetings may be held using electronic communication technology. Virtual attendance of individuals is permitted.
2. The AFSA Board shall elect its President and Vice-president as provided for in this Constitution.
3. The presence of four voting members shall constitute a quorum.
4. In case of emergency, and in the absence of the President's invitation, three members of the Board may call an extraordinary meeting providing an explanation for calling the meeting and an agenda.
5. The Board shall adopt its own policies which shall be available to all Members of the Board.
6. The Board of AFSA may establish, on a permanent or ad hoc basis, such subsidiary committees or other organs as it deems necessary for the performance of its functions.

## CHAPTER VI

### THE AFSA GENERAL SECRETARIAT

#### ARTICLE XIX Composition of the General Secretariat of AFSA

1. The General Secretariat of AFSA shall comprise the Secretary General of AFSA and such staff as AFSA may require. The Secretary-General shall be appointed by the Board and shall be the chief administrative officer of AFSA.
2. The General Secretariat has its main headquarters in Rwanda. In case of a decision to create sub-regional Secretariats, the General Assembly should take a decision with a two-thirds majority and the adequate amendments to this constitution would be voted on.

#### ARTICLE XX Functions of the Secretary-General and the General Secretariat of AFSA

XX.1. The functions of the Secretary-General are:

- a) To direct the work of the General Secretariat;
- b) To appoint, supervise and remove the staff of the General Secretariat, as provided for within the framework of the budget approved by the Board. In so far as is possible, such staff shall be recruited on an international basis;
- c) To make contacts as necessary, by correspondence and visits in order to promote and to safeguard the interests of AFSA and Forensic Sciences;
- d) To exercise other functions resulting from this Constitution and such other functions as the Board may delegate.

XX.2. The functions of the General Secretariat are:

- a. To assist the General Assembly, the Board, and its subsidiary organs in the fulfilment of their functions; to prepare for all their meetings; and to provide the necessary services for the implementation of decisions;
- b. To provide the services necessary for the promotion of AFSA and Forensic Sciences throughout Africa according to the Board directives and triennial plan, such as research and documentation, training, programs, public relations, and publications;
- c. To maintain relations with Members and to assist them in the development of Forensic Sciences;
- d. To promote the development of Forensic Sciences in African countries where it still needs assistance, and to reach out to new potential members;
- e. To manage the applications for membership, requests for aid, and other similar matters and provide a joint recommendation subgroup in charge of memberships to the board;
- f. To support the organisation of regional events on Forensic Sciences;
- g. To maintain relations with international organizations whose activities are concerned, inter alia, with Forensic Sciences.

## CHAPTER VIII

### MISCELLANEOUS PROVISIONS

#### **ARTICLE XXI Finances**

1. Each Member shall pay an annual registration fee at a rate to be determined from time to time by the AFSA Board.
2. All funds shall be deposited into the official AFSA Bank account and shall be disbursed by the Financial Director in accordance with a budget approved by the board.
3. An audited financial statement shall be submitted annually by the Treasurer to the board and shall be available to all Members in AFSA.
4. The board shall appoint auditors for the General Secretariat.

#### **ARTICLE XXII Languages**

The official language of AFSA is English. Working languages will be promoted especially those adopted by the African Union.

In the event of a conflict arising out of the interpretation of this Constitution or any other official document of the AFSA, the English text shall prevail.

#### **ARTICLE XXIII Amendments to the Constitution**

1. This Constitution may be amended by the General Assembly of AFSA at any of its meetings by a two-thirds majority of the votes cast. Texts of proposed amendments shall be communicated by the General Secretariat to all Members at least three months in advance of the time of the meeting.

#### **ARTICLE XXIV Dissolution of AFSA**

1. The African Forensic Sciences Academy may only be dissolved with the consent of no less than two-thirds of all its Members. Such consent shall be expressed at a meeting of the General Assembly
2. A resolution for dissolution may be put forward by the board or by a resolution signed by not less than one-half of the Members in order to be voted at the General Assembly. Notice of such a draft resolution shall be communicated by the General Secretariat to all Members at least four months in advance of the time of the meeting. If the resolution is carried, incumbent Members of the Board shall remain in office as long as is necessary to effect the dissolution in accordance with the requirements of its legal identity (see Article IV).