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Centro Agronómico Tropical de Investigación y Enseñanza (C A T I E) Turrialba, Costa Rica

"STATUTES OF THE

TROPICAL AGRICULTURAL RESEARCH AND TRAINING CENTER

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(Approved at the First Meeting of the Board of Directors of CATIE, held at Turrialba, Costa Rica, July 17 - 19, 1973)

STATUTES

I. Generalities

Article 1

The 'Centro Agronómico Tropical de Investigación y Enseñanza'

(hereinafter CATIE) is a civil non-profit association, of scientific
and educational character, with its own legal capacity, established
within the laws of Costa Rica through an agreement between the GovernLegal
ment of Costa Rica (hereinafter Government) and the Inter-American
Capacity
Institute of Agricultural Sciences (hereinafter IICA), approved by
Law N° 5201 of June 1, 1973 of the Legislative Assembly of Costa
Rica and recorded in the Public Registry (volume 58, folio 451, registry 933).

Article 2

CATIE will have its headquarters in the establishment previously called 'Centro Tropical de Enseñanza e Investigación' of the Inter-American Institute of Agricultural Sciences, in Turrialba, quarters province of Cartago, Costa Rica.

Article 3

The contract on the creation of CATIE is for an initial period of ten years and may be extended for equal periods unless the

Government or IICA informs the other party of its decision to end said contract, one year in advance of the termination date of each period.

Article 4

CATIE will have the legal capacity to receive, buy, rent, administrate or obtain by legacy or donation any property that will further its purpose or aims. In the same manner, the Center may guarantee, mortgage, tax or sell any goods acquired after the constitution of CATIE. CATIE may also cultivate, transform, process or acquire and sell all kinds of agricultural products and their by-products and may dispose of them in any form, for research or educational purposes, as well as sign and carry out contracts and agreements and other transactions that are convenient for its objectives, procuring not to impair in any way the patrimony granted.

Aims

11. Purposes and Functions

Article 5

The purposes of CATIE are to carry out, promote and stimulate research and training at different levels, in selected courses in agriculture, forestry, animal husbandry and related fields, covering the scientific, technical, economic and social aspects, in

Purposes

benefit of the tropical American regions, particularly Costa Rica and other countries of the Central American isthmus and the Antilles.

Article 6

CATIE programs will be directed towards strengthening national institutions, within the general policy concepts of IICA, and therefore research and training efforts will be designed in such a manner so as to produce results in the agricultural economy especially in the tropical regions of Central America and the Antilles. Efforts will be made to ensure that these programs be multinational in character.

Character

Article 7

In order to attain the goals already indicated and to cooperate in the strengthening of programs of the national institutional systems, CATIE will have the following main functions:

a. Promote, support or carry out research, educational and training programs and projects, directly or in cooperation with public or private, national or international, scientific and educational institutions of like kind:

Functions

- b. Produce and distribute high yielding genetic material adapted to different ecological conditions and resistant to pests and diseases, that will contribute towards increasing the efficiency of agriculture production and improving the nutritive quality of food products;
- c. Cooperate in agricultural production promotion programs

that combine technological advances with policies of a greater participation in income produced, by the largest number possible of farmers, according to the development plans of interested countries;

- d. Sponsor or cooperate in conducting meetings and other activities of a scientific, technical and educational nature, that will lead to the exchange and diffusion of scientific knowledge;
- e. Publish research results in such a way that they may be applied in a practical form to increase productivity and to improve the quality of agricultural production.

III. Programs

Article 8

CATIE will concentrate its efforts on a limited number of integrated projects with the aim of obtaining integrated technological practices in response to problems of impact in the economy of the American tropics. The study of the problems will comprehend an integral concept that will consider the inter-relationship of crops, cattle and forests, giving special consideration to the studies concerning agricultural systems that will allow for the technological development of small as well as medium and large farms, in order to transform them into efficient enterprises

General Aim to be considered as an adequate medium for the development and fulfilment of the rural man.

Article 9

In the programming and execution of research and teaching activities, CATIE will observe the following general guidelines:

- a. Ensure compatibility with the programs of IICA, taking into account the general policy concepts of strengthening national research and teaching institutions:
- b. Ascertain the development plan priorities of the countries in the American Tropics;
- c. Integration of research projects according to production items of major interest, taking into account regional and sub-regional aspects;
- d. Articulation with IICA and other national and international institutions, that are dedicated to research and training; and
- e. Evaluation of the programs and projects with the aim of verifying the execution and real costs, in order to establish a basis for the elaboration or revision of programs.

Article 10

In order to harmonize the programs and activities of CATIE and of IICA, a coordination and cooperative agreement will be

subscribed for the execution of programs of regional status, particularly those concerning the Northern Zone and the Antilles of

Agreement

Article 11

The formal graduate training programs will be carried out through an agreement with the University of Costa Rica, who will assume the academic coordination and be responsible for granting G degrees. The formal teaching programs, as well as other non- T formal training activities must comprehend the educational process as an orientation towards the personal and collective liberation of man on this continent.

Graduate

Training

IV. Social Structure

Article 12

CATIE is initially constituted by the Government and IICA Founding as founding members.

Members

Article 13

Other governments, organisms, public or private institutions interested in its development and committed to making contin- Members uous contributions of not less than US\$50,000 annually during the time they are associated with CATIE, may become members.

Article 14

The admission of new members will be subject to the majority Admission of approval by vote, of the members of the Board of Directors. Members

Article 15

Members will have the rights established under the Law of Associations N° 218 dated August 8, 1939, as follows:

a. Participate on the Board of Directors, as foreseen in Article 20 of this Statute;

Rights

- b. Participate without vote, when they are not members of the Board of Directors;
- c. Request a meeting of the Board of Directors in the manner provided for in Article 29;
- d. Ensure that CATIE complies with its purposes and that the support and incomes are properly applied in this sense: and
- e. Notification of separation in writing, with a minimum of one year and having complied with the obligations implicit in the CATIE contract and of this Statute.

Article 16

Obligations of the members are to:

a. Submit to the dispositions of this Statute and the decisions taken by the Board of Directors;

Obligations

- b. Make the respective annual contributions;
- c. Comply with commissions as charged;
- d. Ensure the prestige and strengthening of CATIE; and
- e. The inherent social rights are non-transferable.

Article 17

The Board of Directors may decree the exclusion of a member Exclusion that is in arrears with two annual contributions.

of Members

Article 18

A member who resigns, separates or for any other reason withdraws, will lose the amount of its contributions or any other Loss of social right to CATIE, as stipulated in Article 9 of the Law of Contributions Associations N° 218 of August 8, 1939.

V. The Board of Directors

Article 19

The Board of Directors will be the supreme organ of CATIE and will be integrated in the following form:

a. Two representatives from the Government;

Integration

b. Two technical representatives of IICA;

- c. Up to three representatives of the remaining members, who will be members for a period of three years, and in accordance to a rotation system to be established, when there are more than three outside members;
- d. Five highly qualified persons of different nationalities, one of which will be the Rector of the University of Costa Rica, and the rest will be selected in common agreement between the Government and IICA, taking into account the person's knowledge and experience in the problems of the agricultural sector of tropical America. The appointment of the four members selected will be for a period of three years; members may be re-elected. When any of these members have been absent for three consecutive meetings, he will lose his condition as member.

One of the representatives referred to above, item c, will be replaced each year, following the chronological order of admittance of members to CATIE, when such an event should occur.

Partial Replacement

Article 21

The members of the Board that represent institutions, that is, the Government, IICA and the University, will exercise their membership as long as they occupy their respective posts. The institutions referred to may designate alternate representatives and

Duration of
Representation

substitute them as often as needed.

Article 22

In the election of the four members referred to in the preceding article, item d, care must be taken to ensure that scientists, professors or specialists of international recognized prestige participate, and by preference, that they come from different institutions and countries.

Selection of Members

Article 23

In its first session the Board will elect a President and two Vice-Presidents.

President & Vice-Presidents

Article 24

The Director of the Center will act as Board Secretary.

Board

Secretary

Article 25

The Board will have the following main attributes:

- a. Determine the general norms for CATIE;
- b. Approve the Budget;

Attributes

- c. Elect and remove the Director and determine his salary;
- d. Decide on the admission of members;

- e. Supervise the activities of the Director;
- f. Consider the reports of the Director and others;
- g. Promote the cooperation of CATIE with organisms and entities with analogous or similar purposes;
- h. Designate the public external auditors;
- i. Approve the statutes for CATIE; and
- j. Take the necessary steps to ensure the proper functioning of CATIE and the scope of its objectives.

Should the Board consider it necessary to fully comply with its functions, it may delegate to a Committee composed of three of its members that represent the Government, IICA, and members of the Board of free election, part of their attributes such as those included in items e, g and j of Article 25, their decisions to be taken on an "ad referendum" basis for the Board of Directors.

Delegation of

Attributes

Article 27

For the approval of the Budget, the Board must bear in mind the recommendations that the members make and in particular the prosecution of projects initiated or recommended by IICA before the creation of CATIE or after that date, or that are derived from the relations of the work being carried out by CATIE and IICA.

Approval
of the
ProgramBudget

The Board will adopt its decisions by affirmative absolute majority vote of its members. Each member has the right to one vote. Quorum will be half plus one of the members that at such time constitute the Board.

Decisions and Quorum

Article 29

The Board will meet once a year at CATIE headquarters. Each member will be notified by the President, in writing, with a minimum advance notice of thirty days. The Board may be called for extra meetings at the request of the majority of its members or by request of the Director, by written notice indicating the date, place and the reasons for the meeting.

Meetings

Article 30

CATIE will bear international travel and per diem costs, so that the members of the Board may participate at the meetings.

Costs

Article 31

The Board may constitute commissions or advisory committees for the study or consultation of specific matters.

Commissions

VI. Director's Office

Article 32

A Director will be appointed by the Board of Directors; he will be a person of international prestige due to his scientific activities in the field of agriculture. The Director will hold his post for four years and may be re-elected.

Director

Article 33

The Director, under the supervision of the Board, will have the legal representation of CATIE in juridical and non-legal matters, and will have the general power of attorney, provided under article one thousand two hundred and fifty-three of the Civil Code of the Republic of Costa Rica. He may also delegate authority of all kind, under his responsibility. He will have the following main attributes:

Powers &
Attributes

- a. Comply and ensure compliance with the regulations of CATIE and the decisions of the Board;
- b. Manage CATIE; determine the number of functionaries and employees; establish their attributes and responsibilities; determine their salary; and appoint or remove them;
- c. Prepare the Program-Budget and submit it for the consideration of the Board;

- d. Present to the Board an annual report on the activities and financial situation of CATIE:
- e. Propose to the Board the measures to be taken for compliance with the purposes of CATIE;
- f. Seek support from governments and institutions that may be interested in research in tropical America;
- g. Coordinate and supervise the execution of the programs;
- h. Maintain coordinate and cooperative relations with IICA;
- i. Celebrate and legalize with CATIE's seal, the contracts and other necessary instruments that are convenient for CATIE's purposes: and
- j. Participate in the sessions of the Board without vote.

In order to assure maximum planning and development of the research and teaching programs within the objectives outlined for CATIE, a Technical Advisory Group will be constituted by at least three highly qualified scientists of recognized experience in the region, who will act individually or in group, as considered most convenient. Each one of them will acquaint themselves with the projects of his interest, discussing methods used, programming and its projection. This Group may request the Director the designation of specialized consultants for

Technical Advisory Group specific areas and/or technical disciplines when considered necessary for their analysis.

Article 35

A Coordination Committee constituted by the Director, Heads of Department of CATIE and one representative of IICA, will meet every month under the presidency of the Director or his representative.

Coordination
Committee

VII. Scientific and Academic Structure

Article 36

The Scientific and Academic Structure of CATIE is based on the existence of operative research units, to be made up of the St Departments, and for teaching and technical cooperation.

Structure

Article 37

Each Department will have a Head and its organization will Head of correspond to the integration of a group of related matters. Department

Article 38

At inception, CATIE has three Departments:

- a. Tropical Crops and Soils;
- b. Tropical Animal Husbandry; and

Departments

c. Forestry

Article 39

Other departments may be created or the present departments may be subdivided, in the measure that activities intensify or increase.

Other
Departments

Article 40

The Heads of Department will comprise the Advisory Committee of the Center, with whom the Director will consult concerning all problems of administration and conveyance of the Center. The Director may call meetings of this Committee and other technical or administrative personnel, as needed.

Advisory

Committee

Article 41

In order to coordinate the agreement with the University of Costa Rica, there will be a Registrar's Office. Its functions will deal with the establishment of curricula and programs. Its obligations will be:

Registrar's Office

 a. Receive requests for admission and submit them for the approval of the corresponding Committee;

- Inform the candidates on the admission procedures and obtainment of fellowships;
- c. Have the student's records up-to-date, curricula approved by his counsellor, this situation in relation
 to his studies, register his approved thesis project
 and ensure compliance with the requirements of the
 School's regulations.

There will be a Research Secretary with the following functions:

- Maintain a registry of the projects with information on their progress and finalization;
- b. Centralize and be in charge of all the activities required for the trimestral publication of the bulletin "Activities at Turrialba"; and
- c. Act as information and organization liason for events and visits that take place at the Center.

Article 43

The technical cooperation program will be headed by a technician or functionary to be named by the Director of the Center. The following will be his specific functions:

a. Evaluate in close relationship with IICA representatives in the countries already indicated, and

Research Secretary

Functions of the Technical Cooperation Program

any other tropical agriculture country pertaining to the inter-American system, the technical cooperation needs for establishing contacts with experimental stations and research and teaching institutions of the countries, including universities, in order to provide technical cooperation as well as to originate, coordinate and promote reciprocal training between the countries:

b. Establish contacts with international governmental or non-governmental organisms dedicated to similar purposes to those of CATIE in order to establish an interinstitutional coordination system that will satisfy the national aspirations of cooperation.

VIII. Finances

Article 44

The financial resources of CATIE will be made up of:

a. Annual contributions from IICA in the amount established in Article 17 of the contract. IICA will pay, within said amount, salaries of the personnel and the remaining sum will be given to CATIE in twelve payments;

Financial Resources

b. Annual contributions from the Government in the form established in Article 16 of the contract approved by Law N $^\circ$ 5201.

- c. Annual minimum contributions of US\$50,000 made by the members;
- Resources coming from agreements, resolutions, contracts and other forms of cooperation;
- e. Legacies, donations or special contributions for objectives compatible with the Center's purposes and norms:
- f. Profits from patrimonial goods, dividends and miscellaneous incomes; and
- g. Resources from capital, including those resulting from conversions of patrimony and rights into specie.

Contributions provided in currency, services or any other form, may be accepted from public or private, national or international institutions, and from governments with cooperative relations or that carry out programs with CATIE, as well as similar contributions from the Government and IICA.

Various
Contributions

Article 46

All goods and funds will be used exclusively for purposes Destination that are in accordance with the objectives and character of CATIE. of Funds

Article 47

There will be an Administrative Head-Treasurer who will be

appointed by the Director, and amongst others, he will have the following faculties:

Administrative

Head-Treasurer

- a. Organize and direct the accounting services, ensure maintaining up-to-date and provide monthly reports that will permit the Director and Heads of Department periodic control of the budget;
- b. Receive the funds, and with the approval of the Director, may incur obligations and make, for lesser sums as stipulated in Article 13 of the contract (Law N° 5201), payments in the name of CATIE;
- c. Make deposits in the banking accounts of CATIE;
- d. Have the inventory up-to-date;
- e. Responsible for all of the administrative services
 that are not specifically stipulated in this statute.

Article 48

The fiscal period of each year will begin on the first of

July and terminate on June 30.

Year

IX. Program-Budget

Article 49

The Director will prepare the Program-Budget for each fiscal

year and will submit it to the Board of Directors, a minimum of thirty days before the session where it will be considered.

Presentation

Article 50

The Program-Budget will contain the following information:

- The objectives and general goals of the Program-Budget;
- b. The mechanisms and personnel for its execution;

Structure

- c. Compatibility with the programs of IICA, particularly with reference to the execution of programs with regional scope;
- d. The relations of cooperation and coordination with the other organisms and institutions:
- e. Justification of each program and definition of its objectives, specific goals, duration and costs, based on the projects that integrate it;
- f. A detailed relation of ordinary and extraordinary income;
- g. A detailed relation of expenditures under the corresponding chapters, sections and items;
- h. The supplementary relation of expenditures of the fiscal year and of expenditures of the preceding fiscal year;
- Donations and contributions for specific purposes to be received, and estimates of corresponding expenses;

- j. Estimates of expenses for each department; and
- k. Income and expenditures of the commercial operations.

The approval of the budget by the Board of Directors will constitute authorization for the Director to incur obligations and carry out necessary expenditures for the purpose designated for each item of expenditures, in the amounts approved. The Director will designate the expenditures in writing. Funds designated for expenditures will be available only for the programmed items, corresponding to the fiscal year referred to, except in the case mentioned in Article 53. Any amount not spent by June 30 will be deposited in the Working Fund.

Significance of Approval

Article 52

Transfer of allocated funds will be subject to the terms of resolution on the budget that the Board of Directors adopts.

Transfers

Article 53

The Director may establish a Reserve Fund for the liquidation of pending payment obligations, within the items authorized in the budget that have been contracted for during the fiscal year; this authorization will be valid only until August 31 of the same year. Any balance not used will also be deposited in the Working Fund.

Reserve Fund

The non-liquidated obligations and the balance of funds not utilized deposited in the Working Fund, in accordance with the preceding article, will be carried over to the following fiscal year. Those items will be considered as added to the total of obligations not met, if the Director is of the opinion that it is not possible to cover these obligations with funds of the new fiscal year. A report of such obligations will be submitted to the Board of Directors with the accounts of the preceding fiscal year.

Pending
Obligations

X. Working Fund

Article 55

The Working Fund will include the following:

Balance of unspent budget, in accordance with Articles
 51 and 53;

Composition

- b. The miscellaneous income that have not been taken into account in the budget resolution; and
- c. Contributions received after the year to which they correspond.

Article 56

The Working Fund will be used for the following purposes:

- Take care of budgeted expenditures while awaiting receipt of contributions;
- b. Take care of expenditures incurred by pending obligations, and transferred to the Fund in accordance with Article 51;

Purposes

- c. Take care of extraordinary expenditures as stipulated by the Board of Directors; and
- d. Other purposes as decided on by the Board of Directors.

Advance payments made in accordance with clauses c and d, must be reimbursed with budget funds to be included in the budget of the following year.

XI. Internal Control

Article 57

The Director must:

 a. Prescribe the necessary regulations and detailed procedures in order to assure an efficient fiscal and economic administration;

Duties of the

b. Have an inventory taken of all existing goods and properties in CATIE; Director

c. Ensure that all payments are made with the necessary corresponding vouchers. These vouchers must indicate that services and articles are duly received, except where commercial practice justifies advance payments;

- d. Maintain an internal fiscal control that will permit the constant examination of accounts and a revision of the fiscal transactions in order to:
 - Assure the regularity of the receipt, disposition and custody of all funds and financial resources of CATIE;
 - 2. Assure that expenditures are made in accordance with this statute, with the resolutions pertaining to each item, with any other fiscal disposition of the Board of Directors, or in the case of dispositions that regulate the funds and special accounts; and
 - Procure a strict economy in the use of CATIE's resources.

Article 58

The Director must have the authorization of the Board of Directors before signing contracts for amounts greater than 100,000 colones.

Limit of Contracts

Article 59

No contracts, agreements or commitments will be made that obligate CATIE funds in excess of one hundred dollars (US\$),

unless measures are taken to have the funds available to discharge any obligation that may be presented for payment during the fiscal year, under said contract, agreement or commitment.

Requirements
on
Expenditures

Article 60

CATIE accounts will be handled in United States of America currency, or its equivalent in Costa Rican currency.

Currency

XII. Accounting

Article 61

CATIE's accounting will be established so as to satisfy the requirements imposed by the independent auditors and those determined by the Board of Directors.

Accounts

Article 62

The Director will present to the Board of Directors, with a minimum of thirty days prior to the annual meeting, the general statement on the financial situation of CATIE and balance statements of corresponding accounts, up to the date of presentation of said document.

Report on
Financial
Situation

XIII. Fiscal Control

Article 63

There will be a Fiscal Board constituted by three members and their alternates, appointed by the Board of Directors, for a period of four years, responsible for:

Fiscal
Board &
Auditors

- a. Revising CATIE's accounts and presenting a report to the President of the Board of Directors, together with a report from the independent auditors designated by the same Board;
- Follow budget operations, with the right to examine the accounting books or any other element, and request information; and
- c. Exercise the attributes provided for in the Law of Associations.

Article 64

The Board of Directors will decide on the approval of CATIE's accounts as presented by the Director and based on the reports of the Fiscal Board and of the auditors.

Approval of Accounts

XIV. Personnel

Article 65

CATIE will maintain a staff of scientific international

and national professional personnel, as well as auxiliary personnel.

Staff

Article 66

The international personnel will receive their salary according to a wage scale set by IICA and promotions will be made according to a strict evaluation system of each individual's respective activities.

Wage

Scale

Article 67

National professional staff members will receive their salary in Costa Rican currency and will have their own wage scale.

Salary of National Professional Staff

Article 68

The auxiliary personnel will have a special wage scale sim-

Salary Scale of Auxiliary Personnel

Article 69

Labourers will be subject to the labor laws of Costa Rica Labour and will benefit from these laws.

XV. Resources and Property

Article 70

IICA will grant to CATIE as patrimony, the use of the farms,

buildings, installations, equipment and other property and real estate; and grant outright existing stock as per existing inventory of the Tropical Training and Research Center (CTEI), previously with headquarters in Turrialba, and which are detailed as an annex to the contract for the constitution of CATIE and which is entered in the Public Registry.

IICA's
Contribution

Article 71

As stipulated in the contracts, the destination of the inmovable estate mentioned in the above article cannot be changed. Changes can only be made for the improvement of the patrimony, with prior authorization by the Board of Directors of IICA and by the Government.

Permanence

Article 72

Should CATIE for any reason have to liquidate, the patrimony provided with its corresponding improvements, will be returned to IICA, and the remaining possessions will be distributed among all the active members of CATIE, giving IICA the first option to obtain these possessions.

Destination

XVI. Privileges and Immunities

Article 73

The Government will provide CATIE and its non-Costa Rican professional staff, the rights, privileges and immunities granted

to IICA by Contract Law N° 29 of December 19, 1942; in the Agreement approved by Legislative Decree N° 3367 of August 6, 1964, and in the Agreement approved by Executive Decree N° 51 of November 26, 1968, as well as other advantages that may result from contracts, agreements or subsequent agreements, according to the dispositions of Article 15 of the contract approved by Law N° 5201 of June 1, 1973.

Extension

XVII. Transitory Dispositions

Article 74

The Director for the first period of four years, will be appointed by IICA, which will cover the cost of his salary and additional related provisions, within the contribution of IICA to CATIE, provided in Article 17 of the contract (Law N° 5201).

First Director

Article 75

Until it is considered necessary to prepare a complete set of regulations to govern the relations and rights of the personnel, the current IICA manuals will serve as a basis for these relations and mutual obligations.

Regulations

Article 76

Technicians appointed by IICA, and at present working at

the Tropical Training and Research Center (CTEI), will continue with CATIE, and in accordance with the current conditions of their respective appointments, and will be paid with the contributions stipulated under Article 17 of the contract (Law N° 5201). In the same way, IICA will be responsible for repatriation costs, in accordance with the respective regulation, of those technicians whose appointments are not renewed and that are not under the direct responsibility of CATIE.

Technicians
Appointed
by IICA

Article 77

CATIE will assume responsibility for all those contracts of a commercial or labor nature, rights as well as the obligations, in order to maintain a continuity of the operations.

Transfer of
Contractual
Obligations

Article 78

The Board of Directors may introduce changes to this Statute, as proposed by the Director, in order to adapt it to the orientation being given to CATIE, whenever it is deemed necessary.

Changes in the Statutes

Article 79

These Statutes will be announced in the Official Gazette and will be in force as of the date of publication.

Publication