

# CHARTER

## OF RECIPROCAL COMMITMENTS

BETWEEN THE STATE, MOUVEMENT  
ASSOCIATIF AND TERRITORIAL COLLECTIVITIES

SIGNED BY

THE PRIME MINISTER,

PRESIDENT OF MOUVEMENT ASSOCIATIF,

PRESIDENT OF THE ASSOCIATION DES MAIRES DE FRANCE (AMF),

THE PRESIDENT OF THE ASSEMBLÉE DES DÉPARTEMENTS DE FRANCE (ADF),

THE PRESIDENT OF THE ASSOCIATION DES RÉGIONS DE FRANCE (ARF),

THE PRESIDENT OF THE ASSOCIATION DES MAIRES DES GRANDES VILLES DE FRANCE (AMGVF),

THE PRESIDENT OF THE RÉSEAU DES COLLECTIVITÉS TERRITORIALES POUR UNE ÉCONOMIE SOLIDAIRE (RTES),

Le  
MOUVEMENT  
ASSOCIATIF  
CHOISIR L'INTÉRÊT GÉNÉRAL



## PREAMBLE

The signatories of this charter commit themselves, under the watchful eye of the citizens, to a partnership approach aimed at better recognizing the associative life in our country and intensifying their cooperation in the service of the general interest. The State, Mouvement associatif, a recognized denomination of the associative movement, joined by the representatives of local authorities, renew and strengthen the charter signed on the centenary of the 1901 law. Local authorities and associations are today essential partners in the territories.

This solemn act, based on the values of freedom, equality and fraternity, strengthens tripartite relations based on mutual trust, respect for the independence of associations and the free administration of local and regional authorities. It contributes to the progressive elaboration of a partnership ethic, made necessary by the evolution of public policies, both national and territorial, and the French and European regulatory framework.

At local or European level, associations are vectors of solidarity between people and between individuals; they work to abolish divisions and inequalities. In a context of rapidly changing social needs, associations play a major role in alerting and questioning public authorities, but also in innovative experiments and managing services of general interest. Legitimised by the free and voluntary commitments it gives rise to, the associative movement enjoys a high level of confidence from our fellow citizens, which is essential for democratic life and social cohesion.

The public authority, which is assumed by the State and local and regional authorities, guarantor of the general interest, listens to associations and engages in dialogue with them, contributes to the financing of their projects and entrusts them with the management of certain services, within the framework of the public policies it conducts. The optimisation of public spending encourages it to seek partnerships that ensure the best use of taxpayers' money, proximity to citizens and users, and legibility of responsibilities.

For the future, the partnership rules set out in this charter will constitute principles of action shared by the three parties. Their implementation will lead to concrete and measurable effects and will make possible:

- strengthening democratic life and civil and social dialogue, with a view to the free, active and increased participation of women and men in associative projects and public policies in co-constructed approaches;
- contributing, with an aim other than benefit-sharing, to the creation of social, cultural and economic wealth in proximity to the territories, to the development of a social and solidarity-based economy, to the elaboration of a sustainable and equitable development model.

The charter opens the scope for the application of these commitments to sectoral and territorial plans. Particular attention is paid to its implementation and evaluation. The signatories undertake to do their utmost to achieve the objectives and to promote them at the various territorial levels.

## SHARED PRINCIPLES

The State and local and regional authorities, guarantors of the general interest at their own level and responsible for the conduct of public policies, base their legitimacy on representative democracy.

The associations make an independent contribution to the general interest through their civic and social usefulness. They base their legitimacy on the free, active and voluntary participation of citizens in a common project, on their ability to defend rights, to reveal and respond to the aspirations and needs of those living in our country.

The State and local authorities consider the diversity of the associative world as an inseparable richness of the variety of sizes, fields of intervention and territorial coverage of the structures that make it up. They recognize the independence of associations and uphold this principle.

### **2.1. Trust and Partnership Relationships, Democratic Strengthening Factors**

Partnerships are built through listening, having a dialogue and respect for each others' commitments, roles and functions. The signatories decide to develop and organise their complementarities through partnerships based on a definition of the established commitments and the granted public support as well as the monitoring of these. The signatories shall define, by mutual agreement, the places and times for such consultation.

The State and local and regional authorities recognize associations as essential for the functioning of democracy.

The confidence and complementarity of the actions between the State, local authorities and associations allow the creation of new forms of democratic life and greater relevance of public policies.

### **2.2. Foundation of relations on the convention, duration, transparency and evaluation**

The signatories give priority to relations based on objective agreements, long-term project management, transparency of realised commitments and evaluation of contributions to the general interest in relation to the resources mobilized.

### **2.3. Volunteering and democracy, the foundations of life in a community**

The signatories recognize free and voluntary commitment as the driving force of life in a community. They agree to make every effort to facilitate, encourage and recognize it in its contribution to society, social ties and the development of the territory.

The signatories are jointly committed:

- to promote respect for the principles of non-discrimination of persons in associative commitment;
- to encourage forms of collective involvement; to enable everyone to exercise their citizenship;
- to promote the complementarity of human resources;
- to promote the equal participation of women and men in governance, the balance between generations, between socio-cultural environment and in the exercise of responsibilities.

The signatories encourage the promotion of the associative experience within our society and the promotion of the achievements of volunteers, employees and all actors in the community.

In this perspective, it is the responsibility of the associative bodies to ensure that the democratic nature of their functioning is respected. It is the responsibility of the State and local and regional authorities to ensure that the constitutional value of freedom of association and the legal obligations to which associations are subject are respected.

#### **2.4. Contribution of associations to economic, social, cultural, citizen and sustainable development**

By their number, associations represent an important part of the social and solidarity economy. They create tangible and intangible wealth in the territories. Their way of doing business is based on non-profit and selfless principles. They play an essential role in experimenting, identifying, analysing and carrying out social demands. Associations bring culture and the cultures to life, and in this sense they contribute to living together.

The extension of the economic role of associations - particularly with regard to employment, as an employer - is compatible with the law of 1st July, 1901. It requires associations to comply with the legislation that applies to them in the course of their activities, particularly regarding social rights and taxation.

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### **STATE AND TERRITORIAL COMMUNITY COMMITMENTS**

Respecting the independence of associations, in particular their role of interpellation and the free conduct of their projects, and considering associations as full partners in public policies, the State and local authorities undertake to:

#### **3.1 Promote and facilitate civic and social volunteerism for all, regardless of age, sex or social origin, through measures to promote:**

- the development, in addition to professional and family time, of chosen civic and social time;
- training of volunteers;
- recognition of skills acquired in associative life;
- recognition of the associative commitment and the particular role of leaders;
- the meeting between the willingness of individuals to get involved and the need for volunteers by the associations, especially at the territorial level.

**3.2. Promote long-term public support** for associations contributing to the general interest in order to enable them to carry out their associative projects in the best possible way; give priority to subsidies and simplify procedures.

**3.3. Develop a public policy** for awarding grants, with transparent selection criteria and transparent procedures for awarding and implementing grants, in consultation with the relevant stakeholders.

**3.4. In accordance with the competences** of each level of authority, promote a structured and quality global associative employment policy, enabling the development of projects of general interest carried out by this sector.

#### **Integrate the concepts of:**

- complementarity between volunteers and employees;
- training and qualification;

- integration of disadvantaged groups;
- job continuity;
- access to negotiations with the public authorities for all employers' organisations representing associations.

**3.5. Take into account the specific characteristics of associations** when designing and implementing policies in favour of economic actors.

**3.6. Organise, as far as possible and desirable, consultation** with associations and groupings on draft texts or public measures or decisions that concern them, at the national, decentralized and territorial levels.

Ensure that the association representatives have the necessary time and resources to enable them to give detailed opinions.

Promote the representation of associations in consultative bodies and consultative bodies according to their competencies and representativeness at national and local level (CESE, CESER, development councils, consultative councils).

**3.7. Distinguish clearly in the relations between the State,** local and regional authorities and associations what is relevant for the evaluation of partnership actions and what is relevant for monitoring the application of laws and regulations.

**3.8. To sensitize and train public officials** of the State and local authorities to a better knowledge of associative life, partnership-based approaches to relations with associations and the evaluation of policies and conventions concluded with them.

**3.9. Be attentive, at the level of the State** on one hand, and at the level of local and regional authorities on the other hand, to ensure that the intersectoral and interterritorial dimensions of associative policy are visible and coherent.

Organize relations with associations and their groupings within the framework of territorial projects of the State and local authorities, based on identified interlocutors and appropriate consultation methods.

**3.10. Support, while respecting the competences** of each level of local authorities, associative groupings, and in particular associations and federations of associations as places for consultation, mutualisation, expertise and representation. Involve them in the design, implementation and evaluation of policies to support community life.

**3.11. To promote the values and principles of the 1901 law** in European bodies, to facilitate links between Community programmes and associative projects, to facilitate the representation and participation of French associations in European and international bodies.

**3.12. To promote, with due respect for the sovereignty of the States,** the development of associative life and its free exercise in all countries, particularly within the framework of official development assistance; to encourage international solidarity, each in its own field of competence, through joint projects of French civil society actors and non-governmental actors from other countries in favour of their populations.

## STATE COMMITMENTS

Respecting the independence of associations, in particular their critical function and the free conduct of their projects, and considering associations as full partners in public policies, the State undertakes to:

**4.1. To give coherence and visibility to the associative policy** by placing it in an inter-ministerial dimension, at the level of the central administration, by developing the role of the associations correspondents in each ministry on the one hand, and at the level of decentralized services by strengthening the role of departmental delegates to the associative life on the other hand.

Take this charter into account in the design, implementation and governance of sectoral policies affecting the fields of intervention of associations.

**4.2. Promote the multi-year agreement** of objectives as a method of funding for associative activities.

**4.3. Ensure that members** of the Economic, Social and Environmental Council's group of associations and representatives of associations are appointed to the EESC on a proposal from the Association Movement.

**4.4. To improve the tools of knowledge** of associative life and its evolution, by mobilizing in particular the services of public statistics; to finance studies and research contributing to a better understanding of non-profit exchanges.

To raise awareness of associations; to institute, in school and higher education curricula, awareness-raising campaigns on associations and voluntary involvement.

**4.5. Ensure that associations** benefit from a tax regime that takes into account the disinterested nature of their management, the impossibility of income-sharing of profits, their non-profit-making purpose and their contribution to the general interest.

**4.6.** Promote the independence and innovative capacity of associations through a legislative and regulatory environment that supports public generosity and sponsorship as a means of financing the general interest.

**4.7. Encourage the recognition of European associations** by implementing the Statute for a European association.

## LOCAL AND REGIONAL AUTHORITY COMMITMENTS

Local and regional authorities shall respect the independence of associations, in particular their role of interpellation and the free conduct of their projects. They consider associations as full partners in public policies and, by supporting the development of shared knowledge of territories, commit themselves to:

**5.1. To conduct a coherent associative policy** taking into account all the fields of intervention of the associations.

Recognize the potential contribution of associations in all areas of community jurisdiction.

**5.2. Promote the creation of reception, information and advice centres** on associative life in partnership with the associative actors.

**5.3. Implement, in full transparency,** various forms of support for associations, including grants linked to projects carried out by associative structures, the lending of adapted premises and equipment.

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### ASSOCIATIONS COMMITMENT

Respecting and enforcing the rules of democratic functioning and governance, non-discrimination, parity and disinterested management in accordance with the spirit of the 1901 Act by:

- the expression and participation of their members and/or their audiences in the development and implementation of their projects;
- access by all to associative actions and responsibilities;
- supervision of the activity and mandates of managers by guaranteeing access to reliable and transparent information;
- the limitation of the accumulation of mandates and their renewal through adapted statutes, regular elections and specific organisational arrangements;

The signatory associations undertake to:

**6.1. Define and conduct associative projects** based on the expression of members' needs or public expectations, taking into account the context and in particular civic, social and cultural demands, the promotion and education of people, the quality of "relational services" rather than the economic purpose.

**6.2. Implement an ethical approach to the financing of associative activities,** with a view to the best use of public funding, through diversification of associative resources, selfless management and non-sharing of surpluses, financial transparency regarding members, donors and public authorities, and self-monitoring of the management and use of resources.

**6.3. Enhance the value of all associative human resources through:**

- respect for social right
- governance arrangements in which elected and operational volunteers, employees and members of the association's public have their place and are complementary;
- special attention to the information and training of volunteers and employees;
- a desire for qualification and social promotion of volunteers and employees;
- a concern for the sustainability of the jobs created.

**6.4. Continue to implement evaluation and appraisal principles, methods and practices in the associations to enable clear reporting of:**

- previously made analysis of changes in social needs,
- definition of qualitative and quantitative objectives
- the reality of the management of the associative project in relation to the objectives,
- analysis of the effects produced by the implementation of the project
- public satisfaction with the actions carried out,
- commitments made in partnership with public authorities.

6.5. Participate constructively in the consultation activities set up by the public authorities, positioning itself as a force for proposals, and in the implementation of certain public policies, with a view to advancing the general interest in France and the interests of the world population.

6.6. Facilitate control procedures, in particular when associations benefit from special approvals or public funding; contribute to the effectiveness of supervision of financial jurisdictions; implement clear and accessible reporting procedures.

6.7. Implement, at all levels, groupings and modes of representation enabling public authorities to rely on identified, representative and structured associative interlocutors in order to develop civil and social dialogue, consultation on public policies and the possible negotiation of contractual provisions.

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### **FOLLOWING, EVALUATION AND IMPLEMENTATION OF THE NATIONAL CHARTER**

The implementation of the national charter will be part of an ongoing and shared evaluation process. It will be reviewed every three years.

In the same way, the signatories to each of the charters will define evaluation methods adapted to their scope of action.

These steps will provide one of the necessary frameworks for developing a rich and dynamic civil dialogue in our country.

**7.1. An ongoing evaluation will be entrusted to a national monitoring and evaluation committee whose constitution will be negotiated and will take into account the inter-ministerial and territorial dimensions of the issues dealt with.**

The committee will be co-chaired by a representative of the State, a representative of local and regional authorities and a representative of the “Mouvement associatif”.

An executive secretariat, provided by the central administration of the ministry in charge of associative life, will oversee its implementation. This monitoring and evaluation committee, which will provide a space for permanent dialogue between the State, local and regional authorities and associations, will have a role to play in territorial variations.

**7.2. An evaluation of the national charter and the situation of sectoral and territorial variations will take place every three years.**

It will be prepared by the national monitoring committee and proposed to the High Council for Association Life (HCVA) for opinion, then presented to the EESC and to the National Assembly. This evaluation will be used for the preparatory work for the Conference on associative life and will be made public and discussed in an appropriate framework with representatives of each signatory. Territorial variations will also be encouraged, involving civil dialogue bodies such as the Economic, Social and Environmental Council, development councils and the advisory committees set up by the municipalities.

**7.3.** The national evaluation will be based on a list of themes contained in the charter, which constitute as many issues of dialogue and progress for associations, for the State and for local authorities, or all the signatories. Some themes may be selected and others neglected, depending on the primary concerns, territorial levels and the respective responsibilities of the actors.

**7.3.1. Evaluation axis which is primarily the responsibility of associations:**

- ensure associative vitality through the renewal of projects and people;
- facilitate control procedures to ensure transparency of operation;
- establishing modalities for monitoring mandates to improve internal democracy;
- recognize and train volunteers;
- implementing groupings and modes of representation that enable public authorities to rely on identified, representative and structured associations.

**7.3.2. Evaluation axis which is primarily the responsibility of the State and/or local authorities:**

- promote long-term public support based on the skills of each individual;
- train the agents of the State and local authorities to a better knowledge of associative life;
- design an administrative and territorial organization that takes into account the transversal nature of associative life;
- consult, as far as possible and desirable, associations and groupings organised on texts proposals or public measures or decisions affecting them.

**7.3.3. Evaluation axis which is shared responsibility between associations and the State and/or local authorities:**

- Support voluntary associations;
- Develop a shared culture of qualitative and quantitative evaluation;
- Promote the territorial anchoring of the associative fabric, particularly in the most disadvantaged territories;
- Promote, in associations, complementarity between employees, volunteers and the concerned public.

The proposed assessment process, which is ongoing and periodically recapitulative, will make possible to analyse and, if necessary, remedy the difficulties encountered in relations between the State, local and regional authorities and associations.

It will make it possible to verify the consistency of the actions undertaken and their validity. It will provide a guarantee of visibility and transparency, as well as support for negotiation and decision-making.

Each of the steps described may be amended, supplemented and adapted to the sectors and territorial levels that choose to apply this basic text.

**DISCLAIMER**

*This document is a non-official translation for information purposes only.*