

Statutes of Transgender Europe

Version as of 27.Oktober 2013

§ 1 Name, registration, seat and aims

- (1) The association shall be known as “Transgender Europe e. V.”, in short “TGEU”, henceforth referred to as the Association.
- (2) It has its seat in Berlin and extends its activity to all Europe.
- (3) Transgender Europe is a non-profit association established to promote respect, health and equality for all transgender persons.
- (4) The Association is selflessly active. The assets of the Association may only be employed for purposes specified in this document. Members shall not receive allowances out of resources from the Association. No person may be favoured by expenditures which are foreign to the purpose of the Association nor by disproportionately generous compensation.

§ 2 Purpose

The purpose of the Association is:

- (1) To work for the application of the human rights of transgender people in Europe, their social and legal equality, and to work towards greater respect for transgender people;
- (2) to work towards the promotion of equality for all genders and the improvement of transgender persons’ social integration;
- (3) to promote the support of transgender persons in the health care system, especially the improvement of their access to health care;
- (4) to give advice, information and support on trans-related questions, particularly to transgender persons and their families in need of support from others due to their physical, mental or psychological condition or because they are in need of financial support;
- (5) The promotion of education, especially by trainings raising awareness regarding transgender issues, informing the public on the diversity of transgender lives and the representation of transgender persons’ interests in public debates in order to reduce prejudices and bring discriminations to an end;
- (6) As well the promotion of an international spirit and tolerance especially among transgender persons.

§ 3 Means to fulfil the purpose of the Association

(1) The purpose of the association shall be accomplished, among other things, through the following activities:

- (a) The development of European-wide connected structures in order to promote better attitudes and greater tolerance internationally;
- (b) The organisation of regularly occurring Transgender Councils, where transgender activists meet to discuss issues affecting the community;
- (c) Co-operation with the media, other organisations and public bodies as well as publishing statements on transgender issues;
- (d) The representation of the interests of transgender people before European institutions, as well as other bodies and the health-care system;
- (e) Cooperation with institutions as well as charitable organisations and groups which pursue the same or a similar purpose;
- (f) The support of projects, programs, actions and initiatives of members to give a European dimension;
- (g) The development and implementation of cross-border initiatives, projects and action programs as well as the participation in worldwide activities and projects that are in line with the purposes of the association;
- (h) Legal and material support of persons who are exposed to threats and discrimination due to their gender identity or who are threatened in the exercising of their rights and are in need of financial support;
- (i) Assistance in the development of local, regional or national infrastructure for transgender people;
- (j) The execution or support of scientific, artistic or social projects which correspond to the aims of the Association;
- (k) To fulfil its mission Transgender Europe can among other things use every informational medium or means of advertising as well as organize informative, scientific, cultural or social events.

(2) The necessary financial resources shall be found through:

- (a) application fees and membership dues;
- (b) returns from events and collections;
- (c) profit from the sale of the Association's goods and publications;
- (d) returns from offering services;
- (e) public, private, and other donations, subsidies, loans, grants and assistance.

§4 Types of membership

Members of the Association can be all natural and corporate bodies as well as groups which are involved in matters committed to transgender issues. Groups and corporate bodies will nominate delegates to represent them in activities of the Association. The members of the Association are full members, supporting members as well as

honorary members.

- (1) Full members are those who pay membership dues and participate regularly in the work of the Association.
- (2) Supporting members are those who aid or support the Association through regular or one time substantial contribution, service, interest or engagement.
- (3) Honorary members are persons appointed because of special contributions to the Association.

§5 Application for membership

- (1) The admission of new members lies with the Steering Committee or a membership sub-committee selected out of its members. The award of honorary membership requires the consent of the General Assembly (§12 (5)).
- (2) Groups and corporate entities which apply for a full membership need to send a profile of the group's engagement with their application.
- (3) Individual persons who apply for a full membership need provide an explanation of interest with the application.
- (4) Every group and corporate entity that is a member of Transgender Europe has the right to nominate delegates.

§6 Membership withdrawal

- (1) Membership ends by voluntary resignation, deletion from the rolls, exclusion or death (for corporate entities upon loss of incorporation, with groups upon dissolving). Membership dues are not refundable.
- (2) Members may resign any time. The Executive Board must be informed.
- (3) The Steering Committee can end the membership of any member because of failure to pay membership dues, or a lack of involvement as indicated by a continuous unreachability by the usual means of communication of the Association (e-mail) or by lack of further interest in a membership. This shall apply correspondingly to supporting members.
Objection to the ending of the membership may be filed within one calendar month to the Steering Committee which may ask for further information in order to reconsider the decision.
- (4) The exclusion of a member from the Association can be initiated by the Steering Committee due to an alleged serious breach of responsibilities of membership, contravention of the aims and objectives of the Association or because of behaviour damaging to the Association. An appeal against exclusion may be filed with the Court of Arbitration. The rights of membership rest until the decision is made.
- (5) The revocation of an honorary membership can be decided on by the General Assembly for reasons mentioned in clause (4).

§7 Rights and duties of members

- (1) Members may take part in all events of the Association and participate in activities of the Association in accordance with available opportunities.
- (2) The right to vote and the right to stand for office are reserved for full members who are up to date with their payment of membership fees. Offices can only be held by natural persons.
- (3) Members must have a valid e-mail address from which they are able to call up postings within 10 days. The Executive Board need be informed of changes to the e-mail address 14 days before expiration of the old address.
- (4) Members are obliged to promote the interests of the Association to the extent their capabilities allow and to refrain from actions by which the reputation or the purpose of the Association could be adversely affected.
- (5) They need to recognize the constitution of the Association and the decisions of the organs of the Association.
- (6) The members are obliged to pay application fees and membership dues in the amount approved by the General Assembly and on time.
- (7) Honorary members are freed from membership dues.

§8 Organs of the Association

The General Assembly (§9 to §12), the Steering Committee (§13), the Executive Board (§14 to §16), as well as the Auditors (§17) and the Court of Arbitration (§18) are the organs of the Association.

§9 The regular General Assembly

- (1) The regular General Assembly shall be called together by the Executive Board normally every second year, and not later than four years after the previous General Assembly.
- (2) All members are to be invited as early as possible through e-mail, but at least eight weeks prior to a regular General Assembly.
- (3) A preliminary agenda of the regular General Assembly must be announced four weeks in advance by the Executive Board. The final agenda must be announced seven days prior to the regular General Assembly.
- (4) Motions for consideration must be filed as an e-mail at least two weeks before the convening of the regular General Assembly with the Executive Board; excluded are changes of the statutes and decisions of similar fundamental importance. Amendments or additions to the agenda not supported by the Executive Board have to be communicated with the final agenda. By a two third majority, the General Assembly can

decide to adopt them.

§10 The extraordinary General Assembly

(1) An extraordinary General Assembly is called following a decision of the Steering Committee or the regular General Assembly, upon a decision of at least two members of the Executive Board, a petition of more than a tenth of the membership, upon demand of both Auditors, or upon demand of a single Auditor within six weeks after filing a request to this end with the Executive Board.

(2) All members must be invited by means of an e-mail at least three weeks before the date of the extraordinary General Assembly.

(3) A preliminary agenda of the extraordinary General Assembly must be announced two weeks in advance by the Executive Board. The final agenda must be announced seven days prior to the General Assembly.

(4) Motions for consideration must be filed as an e-mail at least ten days before the convening of the extraordinary General Assembly with the Executive Board; excluded are changes of the statutes and decisions of similar fundamental importance. Amendments or additions to the agenda not supported by the Executive Board have to be communicated with the final agenda. By a two third majority, the General Assembly can decide to adopt them.

(5) An extraordinary General Assembly may be held in a web-based format.

§11 Decisions of the General Assembly

(1) Motions of candidacy for the Steering Committee, the Executive Board and Auditors shall include a description of the candidates and their proposed engagement for the Association.

(2) Decisions, except over a motion to convene an extraordinary General Assembly, can be taken only on topics on the agenda. Amendments to points of the agenda may be raised.

(3) All members attending the General Assembly are eligible to participate. The right to speak or vote is laid out in §7 (2) of this constitution. Groups and corporate entities are to be represented by delegates. Proxy voting is permitted if authorized in writing. The General Assembly can invite non full members with a right to speak.

(4) The Steering Committee may authorize a web-based vote parallel to the General Assembly vote. For this purpose, motions and profiles of candidates running for offices of the Association must be published in the web. The online voting deadline cannot extend beyond the voting during the General Assembly.

(5) A General Assembly is quorate only with the presence of half of all attending members entitled to vote. If the General Assembly is not quorate at the time and place specified in the agenda, then after 30 minutes the General Assembly may be opened with the same agenda. This clause is to be disregarded in cases when a parallel on-line

vote is authorized.

(6) Each group member has six votes, each individual member has one vote.

(7) As a rule, the decisions taken at the General Assembly are passed with a simple majority of votes. Elections to offices need an absolute majority of votes. Further specifications may be included by the General Assembly in Standing Orders. The vote of the co-chairs of the Association decides a tie. Constitutional changes require a majority of two-thirds.

(8) The chairperson of the General Assembly is selected by the Executive Board.

(9) Decisions taken by the General Assembly have to be recorded in a protocol. In case of constitutional changes the exact wording is to be recorded. The protocol is to be signed by two members of the Executive Board.

§12 Tasks of the General Assembly

The following actions are reserved for the General Assembly:

(1) Accepting and approving of the general working reports and audited and approved account books.

(2) Electing the members of the Steering Committee and the Auditors.

(3) Electing or dismissal of the members of the Executive Board.

(4) Approving of application fees and membership dues.

(5) Awarding and revoking honorary memberships.

(6) Adopting standing orders of the General Assembly.

(7) Deciding constitutional changes and the voluntary dissolution of the Association.

(8) Deliberating and deciding about other topics standing in the agenda.

§13 The Steering Committee

(1) The duties of the Steering Committee include operational development, strategic development, project management, membership support, and representation of the network, preparation of the Transgender Council and other meetings and appointment and dissolution of Working Groups.

(2) The Steering Committee shall be chosen to reflect as much as possible the regional origins and gender variation of the membership.

(3) The admission, exclusion and expulsion of Association members lies with the Steering Committee. It can nominate a membership sub-committee to perform these tasks.

(4) The Steering Committee consists of nine members. Members of the Executive Board are per se members of the Steering Committee. The Steering Committee can appoint additional members to fill vacancies between General Assemblies.

(5) The Steering Committee shall meet in person as required for tasks to be considered and resources available at least two times a year. Place and time of the meeting are to be taken by a vote and announced to all members of the committee as soon as possible but at least four weeks prior to the meeting. All members of the Steering Committee are to be informed of the decisions taken through a meeting protocol. One-half of the members of the Steering Committee will be quorate for the making of decisions. When the meeting is not quorate recommendations for decisions can be decided by e-mail or on later Steering Committee Meetings.

The Steering Committee shall meet in online meetings at least once a month. The time and date of the meeting shall be agreed upon in the previous meeting. Three Steering Committee Members can call for an additional meeting. Invitations including an agenda have to be sent to all members by e-mail at least 3 days before the meeting.

(6) If the Steering Committee has to elect a secretary and a treasurer in accordance with §14 (4) all members of the Steering Committee have to decide on which members to appoint among the Steering Committee members.

(7) The term of office of the Steering Committee ends at every regular General Assembly with the appointment of a new Steering Committee. When the General Assembly does not convene the Executive Board shall call for a web-based election of functionaries within three years of the last General Assembly. Incumbents are eligible for re-election.

(8) Unless by expiry of the term of office, the function of the members of the Steering Committee ends with resignation (§13 (9)), elimination (§13 (10)), dismissal (§13 (11)) or death.

(9) Members of the Steering Committee can resign in writing at any time. The resignation is to be addressed to the Steering Committee, in the case of the resignation of the entire Steering Committee, to the General Assembly.

(10) Members of the Steering Committee can be expelled from the Committee upon continuous non-participation in discussions, voting or meetings for at least six months or upon non fulfillment of their duties after being warned in advance of the consequences of their behavior failing to participate, and being reprimanded by a vote of at least a two-thirds majority of Steering Committee.

(11) The full membership can dismiss individual Steering Committee members or the entire Steering Committee through a three-quarters majority at any time.

§14 The Executive Board

(1) The Executive Board consists of a minimum the two co-chairs, the secretary and the treasurer. Persons on the Executive Board must be full members and natural persons of the Association. Deputies can also be elected.

(2) The Executive Board can engage assistants in the execution of specific tasks.

(3) Transgender Europe can only be legally represented by two members of the Executive Board acting together with proper authorization of the majority of the Executive Board.

(4) The two co-chairs of the Executive Board are elected separately at the General Assembly in a separate election. The two-chairs are the ones with the most and the second most votes at the election. The two co-chairs appoint a secretary and a treasurer from the elected Steering Committee Members to become members of the Executive Board within 2 weeks from the General Election. Candidates for the two co-chairs must present their candidacy at the latest a week before the opening of the election. If the two co-chairs cannot agree on the election of the secretary and the treasurer the Steering Committee decides who to elect.

(5) Upon resignation of a member of the Executive Board, the Steering Committee has the right to select a member of the Steering Committee for the vacant office. The Steering Committee can appoint additional members to become members of the Executive Board from the Steering Committee.

(6) Decisions of the Executive Board require a fifty percent voting participation. The Executive Board passes its decisions with a simple majority of votes. In the event of a tie a revote is taken.

(7) The Executive Board may furthermore establish its own standing orders.

(8) The term of office of the Executive Board ends with a regular General Assembly. In all cases an Executive Board remains in office until a new Executive Board is chosen.

(9) The responsibilities of the Executive Board end with expiry of the term of office §14 (8), as well as analogously due to the circumstances mentioned in §13 (8). Resignation, expelling and dismissal are effective only upon choice or appointment of a successor (§14 (4)).

(10) Members of the Executive Board can be expelled upon continuous non-participation in discussions, voting or meetings for at least three months or upon non fulfilment of their duties after being warned in advance of the consequences of their behaviour, and being reprimanded by a vote of at least a two-thirds majority of the Steering Committee.

§15 The duties of the Executive Board

The fiscal and legal management of the Association lies with the Executive Board. It undertakes all tasks which are not explicitly assigned by the constitution to another organizational element. The following matters fall particularly into its domain:

(1) Writing of the annual reports and accounts. Publication of these documents to the membership;

(2) Informing the Steering Committee of activities of the Executive Board including fiscal and legal management of the Association;

(3) Calling of the General Assembly;

(4) Administration of the assets of the Association;

(5) Hiring and dismissing employees of the Association;

(6) Overseeing the work of the staff;

(7) Approving a work schedule drawn up by the Steering Committee for the coming financial year.

(8) Approving the budget upon the advice of the Steering Committee with circulation of the approved budget to the members.

§16 Special obligations of individual members of the Executive Board

(1) The two co-chairs are the highest officers of the Association. In case of emergency they are authorized to act for the Steering Committee and the Executive Board upon their own responsibility. Such actions require subsequent approval by the responsible organizational element.

(2) The secretary shall support the co-chairs in the conduct of the Association's affairs. The secretary is also responsible for the preparation of protocols of the General Assembly, the Steering Committee and the Executive Board.

(3) The treasurer is responsible for the proper finances of the Association.

(4) In case of absence, the co-chairs, the secretary or the treasurer are represented by their deputies.

§17 The Auditors

(1) Two auditors are to be elected by the membership for the same term of office as the Executive Board. The regulations in §14 (9) apply to the auditors analogously.

(2) The auditors are responsible for controlling regular business activities and checking the account books. Their annual report shall be presented to the Steering Committee and subsequently, the General Assembly.

§18 The Court of Arbitration

(1) The court of arbitration decides all disputes within the Association internally.

(2) The court of arbitration consists of five full members of the Association. Each of the disputing parties shall name two members as arbitrators before the Executive Board within fourteen days. The fifth arbitrator, who functions as chairperson of the court of arbitration, will be a member of the Steering Committee chosen by chance.

(3) The court of arbitration will, whenever possible arrive at a consensus decision, which can include the provision of advice to the parties, including the Association. If consensus cannot be reached the court of arbitration makes its decision by a simple majority vote after statements from each of its members. It decides with best knowledge and conscience, and has a free vote. The chair may vote in the case of a tie, or may choose not to vote if the court members have chosen instead to provide advice. Any decision is final within the Association. If advice is given, this shall be fully considered by the parties, or the Association, and if an agreement cannot be reached, the matter will

be referred back to the court of arbitration for a simple vote.

§19 Voluntary dissolution of the Association

(1) The voluntary dissolving of the Association can be decided on only in a vote of the General Assembly called to this end and valid with a more than three-quarters majority vote.

(2) In the case of dissolution of the association or in case of a withdrawal of tax-privileged purposes, all assets of the organisation shall be transferred to a legal person under public law, or another tax-privileged entity, to be used for the promotion of equality for all genders.