

Statutes Transgender Europe

as of June 30th, 2018 Antwerp, Belgium

§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 its mandate covers Europe and Central Asia.
- (3) Transgender Europe is a non-profit association established to promote respect, health and equality for all trans 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. Members of the Board may receive an annual volunteer compensation (Ehrenamtszuschale) according to §3 Nr. 26a EStG (Einkommensteuergesetz).

§2 Purpose

The purpose of the Association is:

- (1) to work for the application of human rights of trans persons, for their social, legal and economic equality, and to work towards greater respect for trans people and diverse gender identities and gender expressions;
- (2) to work towards the promotion of equality for all genders and the improvement of trans persons’ social inclusion;
- (3) to promote the support of trans persons in the health care system, especially equal access to health care;
- (4) to give advice, information and support on trans-related questions, particularly to trans 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 issues related to gender identity and gender expression, informing the public on the diversity of trans people’s lived experiences and the representation of trans 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 trans 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 connected structures that extend across Europe, Central Asia and beyond in order to promote better attitudes and greater tolerance internationally;

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- (b) the organisation of regularly occurring Trans Councils, where trans activists meet to discuss issues affecting the community;
 - (c) cooperation with the media, other organisations and public bodies as well as publishing statements on trans issues;
 - (d) the representation of the interests of trans 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 and Central Asian 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 for persons who are exposed to threats or discrimination due to their gender identity or gender expression, 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 trans 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 organise informative, scientific, cultural or social events.
- (2) The necessary financial resources shall be found through:
- (a) membership fees;
 - (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 persons and groups as well as legal entities which demonstrate commitment to social justice related to gender identity or gender expression. The members of the Association are full members and supporting members.

- (1) Full members are those who pay membership fees.
- (2) Supporting members are those who aid or support the Association through donations and interest or engagement.
- (3) For-profit organisations can only be supporting members.

§5 Application for and approval of membership

- (1) The admission of new members lies with the Board or a membership committee selected out of the Board's members.

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- (2) Groups and legal entities which apply for full membership need to send a description of the group or entity to the Board.
- (3) Groups, natural persons or legal entities which apply for supporting membership need to send an application to the Board.

§6 Membership withdrawal

- (1) Membership ends by voluntary resignation, deletion from the rolls (§6 (3)), exclusion or death (for legal entities upon loss of legal status, with groups upon dissolving). Membership fees are not refundable.
- (2) Members may resign any time. The Board must be informed.
- (3) The Board can end the membership of any member who does not pay their membership fees for three consecutive years or longer, or because of continuous unreachability by the usual means of communication of the Association (email). This shall apply correspondingly to supporting members.
- (4) Any objection to the ending of the membership has to be filed within one calendar month to the Board, which may ask for further information in order to reconsider the decision.
- (5) The exclusion of a member from the Association can be initiated by the Board due to a serious breach of responsibilities of membership or a contravention of the aims and objectives of the Association.

§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 is reserved for full members who are up to date with their payment of membership fees. Full members who are groups or legal entities have to nominate delegates to that end.
- (3) Members must have a valid email address from which they are able to call up postings within 10 days. The Board need be informed of changes to the email 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) Members need to respect the Statutes of the Association and the decisions of the bodies of the Association.
- (6) The members are obliged to pay membership fees in the amount approved by the General Assembly and on time. The Board can waive membership fees on a temporary, case by case basis.

§8 Bodies of the Association

The bodies of the association are the General Assembly (§9 to §12), Pre-election Committee (§13), Board (§14 to §17), Executive Director (§18), and Internal Auditors (§20).

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§9 The regular General Assembly

- (1) The regular General Assembly shall be called together by the 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 email, 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 Board. The final agenda must be announced seven days prior to the regular General Assembly.
- (4) Motions for consideration must be filed as an email at least two weeks before the convening of the regular General Assembly with the Board; excluded are changes of the Statutes and decisions of similar fundamental importance. Amendments or additions to the agenda not supported by the Board have to be communicated with the final agenda. The General Assembly can decide to adopt them by a two thirds majority.
- (5) A General Assembly may be held in a web-based format.

§10 The extraordinary General Assembly

- (1) An extraordinary General Assembly is called following a decision of the Board or the regular General Assembly, a petition of more than a tenth of the membership, upon demand of both Internal Auditors, or upon demand of a single Internal Auditor within six weeks after filing a request to this end with the Board.
- (2) All members must be invited by means of an email 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 Board. The final agenda must be announced seven days prior to the General Assembly.
- (4) Motions for consideration must be filed as an email at least ten days before the convening of the extraordinary General Assembly with the Board; excluded are changes of the Statutes and decisions of similar fundamental importance. Amendments or additions to the agenda not supported by the Board have to be communicated with the final agenda. By a two thirds majority, the extraordinary 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) 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.
- (2) All members attending the General Assembly are eligible to participate. The right to speak or vote is laid out in §7 (2) of these Statutes. Groups and legal entities are to be represented by delegates. Proxy voting is permitted if authorised in writing. The General Assembly can invite non-full members with a right to speak.
- (3) The Board may hold a solely web-based vote or 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

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be published online. The online voting deadline cannot extend beyond voting during the General Assembly.

- (4) A General Assembly is quorate only with the presence of half of all members entitled to vote. If the General Assembly is not quorate at the time and place specified in the agenda, then after 10 minutes the General Assembly is opened with the same agenda. This clause is to be disregarded in cases when an online vote is authorised.
- (5) Each full member who is a group or legal entity has six votes, each full member who is a natural person has one vote.
- (6) 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. In case of a tie, a re-vote is taken between candidates who are tied. Changes in the Statutes require a majority of two-thirds.
- (7) The chairperson of the General Assembly is proposed by the Board and approved by the General Assembly
- (8) Decisions taken by the General Assembly have to be recorded in minutes. In case of changes to the Statutes the exact wording is to be recorded. The minutes are to be signed by two members of the Board.

§12 Tasks of the General Assembly

The following actions are reserved for the General Assembly:

- (1) Accepting and approving of the activity report of the Board and audited accounts.
- (2) Electing or dismissing the Board, the Internal Auditors and the Pre-election Committee. The composition of all bodies of the Association should reflect the diversity of the trans community in Europe and Central Asia as much as possible.
- (3) Approving the strategic plan.
- (4) Approving of membership fees.
- (5) Adopting standing orders of the General Assembly.
- (6) Deciding on the amount of the volunteer compensation for the members of the Board as long as it does not exceed the limitations of §3 Nr. 26a EStG.
- (7) Deciding changes to the Statutes and the voluntary dissolution of the Association.
- (8) Deliberating and deciding about other topics standing in the agenda.

§13 The Pre-election Committee

- (1) The Pre-election committee is elected by the General Assembly of TGEU and consists of 3-5 persons, from the TGEU membership, who should have good knowledge on and be well connected with the trans community in Europe and Central Asia. Current members of the Board, the Staff or Internal Auditors cannot be members of the Pre-election committee. The Board can appoint additional members to the Pre-election Committee to fill vacancies between General Assemblies.

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- (2) The Pre-election Committee supports the Association in the election process of the Board and Internal Auditors and presents their findings to the General Assembly. The Pre-election Committee shall not make recommendations to the General Assembly on whom to elect to office.
- (3) The task of the Pre-election committee is to make sure that as qualified candidates as possible run for office and that the pool of candidates reflects the diversity of the trans community in Europe and Central Asia as much as possible. In order to achieve this the Pre-election committee shall reach out to potential candidates and groups.
- (4) The Pre-election committee further supports all candidates in the application process.
- (5) Motions for candidacy to the Board and Internal Auditors have to be filed to the Pre-election committee no later than two weeks prior to the General Assembly.
- (6) Motions for candidacy to the Board and Internal Auditors shall include a description of the candidates and their proposed engagement for the Association. All candidacies need to be endorsed by at least one full member.
- (7) All candidates will have to be available for an interview or written communication with the Pre-election committee, that will support the candidate in preparing for running for office, which includes informing the candidate on the expectations, roles and responsibilities of the office they run for.
- (8) Motions for candidacy to the Pre-election committee have to be filed to the Board no later than 2 weeks prior to the General Assembly in order to be sent to the membership prior to the General Assembly.
- (9) Motions for candidacy to the Board, Pre-election committee and Internal Auditors can also be filed directly to the General Assembly before the start of the General Assembly.

§14 The Board

- (1) The Board is composed of nine members, including two Co-chairs, at least one Secretary and at least one Treasurer. The Co-chairs are elected separately by the General Assembly. The Secretary and the Treasurer are elected by the Board from its own ranks. The Pre-Election Committee can appoint additional Board members to fill vacancies between General Assemblies.
- (2) The Board shall meet in person or online at least once every quarter, as required for tasks to be completed and if resources are available for in person meetings. A majority of the members of the Board must be present to be quorate to make decisions. When the meeting is not quorate recommendations for decisions can be decided by email or in later Board meetings, or another channel previously agreed by the Board. The decisions made by email or other channels shall be recorded in the minutes of the next Board meeting.
- (3) The term of office of the Board ends at every regular General Assembly with the appointment of a new Board. When the General Assembly does not convene, the Board shall call for a web-based election of functionaries within three years of the last General Assembly. Board members can only be elected by the General Assembly to the Board at most three consecutive times.
- (4) Unless by expiry of the term of office, the function of the members of the Board ends with resignation (§14 (5)), elimination (§14 (6)), dismissal (§14 (7)) or death.
- (5) Members of the Board can resign in writing at any time. The resignation is to be addressed to the Board or in the case of the resignation of the entire Board, to the General Assembly.
- (6) Members of the Board can be expelled from the Board upon continuous non-participation in discussions, voting or meetings for at least six months or upon non-fulfilment of their duties after

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being warned in advance of the consequences of their behaviour failing to participate, and being reprimanded by a vote of at least a two-thirds majority of the Board.

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

§15 Tasks of the Board

- (1) The Board governs the Association and is legally and fiscally responsible for it.
- (2) The Board is responsible for overseeing the implementation of the strategic plan and the approval of organisational policies.
- (3) The admission and dismissal of Association members lies with the Board.
- (4) Report on the activities and finances of the Association to the General Assembly.
- (5) Calling the General Assembly;
- (6) Hiring and dismissing the Executive Director.
- (7) Overseeing the work of the Executive Director.
- (8) Approving a work schedule for the coming financial year.
- (9) Approving the annual organisational budget.
- (10) Approval of the operational manual of the Association and the standing orders of the Board.

§16 Committees appointed by the Board

- (1) The Board can establish internal committees such as a Finance Committee, Staffing Committee and Membership Committee
- (2) The terms of reference of Board Committees are defined in the Standing Orders of the Board.
- (3) The Board Committees shall report regularly to the Board.

§17 Specific obligations of individual members of the Board

- (1) The Co-chairs are the highest officers of the Association. In case of emergency they are authorised to act for the Board upon their own responsibility.
- (2) The Secretary shall support the Co-chairs in the Board's affairs. The Secretary is also responsible for the preparation of minutes of the Board.
- (3) The Treasurer ensures proper financial management of the Association.

§18 Executive Director and other employees

The Association has at least one Executive Director who is responsible for the execution of the decisions of the Board and the management and recruitment of the staff.

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§19 Legal representation of the Association

The Association can only be legally represented by two members of the Board acting together or an Executive Director acting alone, in both cases with proper authorisation of the Board. The Board may authorise other members of staff or bodies of the Association to legally represent the Association.

§20 The Internal Auditors

- (1) Two Internal Auditors are to be elected by the General Assembly for the same term of office as the Board. The regulations in §14 (4) apply to the Internal Auditors analogously. The Pre-Election Committee can appoint additional Internal Auditors to fill vacancies between General Assemblies.
- (2) The Internal Auditors shall confirm whether the Association uses its resources in a responsible way in accordance with the aims of the Association. Their report shall be presented to the Board and subsequently to the General Assembly.
- (3) The Board is to commission one or more independent certified financial auditors to audit the Association in accordance with internationally accepted audit standards.
- (4) The Board shall also submit the financial auditor's reports to the next General Assembly.

§21 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.

§22 Transitional clauses

- (1) For the first elections after these Statutes come into effect the Pre-election committee will be appointed by the Board.
- (2) The Steering Committee and Co-Chairs elected at the present General Assembly, will form the Board and assume all its duties, as soon as these Statutes have been registered with the German NGO registry and hence are legally enacted.

Co-Chairs:

Dinah Bons

Clémence Zamora Cruz