



EUROPEAN NETWORK ON INDEPENDENT LIVING

Brussels Office

7th Floor – Mundo J, Rue de l'Industrie 10, B-1000 Brussels, Belgium

Tel: +32 (0)2 893 25 83

secretariat@enil.eu

www.enil.eu

ENIL Brussels Office is registered as a non profit organisation in Belgium under reg. number 0628829521.

STATUTE OF THE EUROPEAN NETWORK ON INDEPENDENT LIVING (ENIL)

1. Name and Seat

1.1. The organisation has the name "European Network on Independent Living", hereafter referred to as "ENIL", which is a non-profit organisation.

1.2. ENIL has a revolving seat within Europe. ENIL is the voice of the Independent Living Movement in Europe.

1.3. ENIL has a non-profit Limited by guarantee company registered in Ireland and a registered NGO in Brussels for the purpose of administering projects. The ENIL Board has the opportunity to start other offices when necessary through a board decision. The ENIL Board can choose to close any ENIL office as seen fit and will, as per paragraph 1.3.1., inform the ENIL membership.

1.3.1. If any change in the company status were to take place, members of ENIL will be informed through the newsletter and at the next General Assembly.

2. Purpose

2.1. ENIL's purpose is to develop and support the Independent Living Movement in Europe in order to improve the situation of disabled people through:

- Promoting individual empowerment and self-determination, reducing attitudinal and practical barriers;
- Promoting human and civil rights through anti-discrimination legislation;
- Improving opportunities for full participation in society;
- Advocating for Personal Assistance services and legislation.

2.2. ENIL works towards building a closer network amongst disabled people and their organizations for Independent Living on a local, national and European level in order to improve co-operation, disseminate information and advocate for members' rights.

2.3. To this end, ENIL has prepared an Action Plan:

- To carry out training activities on the European level;
- Develop the concept, principles and definition of Independent Living;
- Promote the spreading of the Independent Living Philosophy among the general public, national policy makers, government administrations, as well as among regional bodies such as the European Union, the Council of Europe and the Organization for Security and Cooperation in Europe.

3. ENIL Membership

3.1. Individual disabled persons as well as organisations of disabled people and their national bodies in Europe can apply for membership, if they support and adhere to the Independent Living philosophy and approach and if - in the case of organisations - they are run, represented and controlled by persons with disabilities. Individual disabled persons are full ENIL members, if they support and adhere to the Independent Living philosophy. More information on philosophy, approach and demands on members is stated in the document "Principles of Independent Living".

3.1.1. ENIL full organisational members are local, regional, national, international or European NGOs organised with a social approach to disability adhering to the Independent Living Philosophy and having a Human Rights approach in their work. The organisations are to be run, represented and controlled by persons with disabilities, with at least 51% of board members being disabled people.

3.1.2. Associated organisational members are local, regional, national, international or European NGOs which are organised with a social approach to disability and are promoting Independent Living Philosophy and have a Human Rights approach in their work.

3.1.3. Associated individual members are persons without disability who support the objectives and work of ENIL.

3.2. ENIL's Board decides on membership applications by simple majority.

3.3. The membership fee is decided during the General Assembly. The fee may differ for individual members, organisations and national organisations.

4. Cancellations of membership

4.1. Members have the right to cancel their membership. Membership fees will not be refunded.

5. Exclusion

5.1. A member may be excluded from the organisation if the member does not fulfil the member's duties as stated in the statute such as:

- Violates the Independent Living principles;
- Does not follow decisions made by ENIL's elected bodies;
- Actively contravenes ENIL's interests;
- If the member's permanent address has been unknown – or in the case of organisation – it has been dissolved for more than a year.

5.2. The ENIL board decides on exclusion cases after a hearing with the respective member. A hearing shall not be necessary, if the member explicitly foregoes this option, or if the member has moved to an unknown address, or if neither the respective member nor an authorised representative for the member is present at the meeting where the issue is to be dealt with. The respective member has to be notified of the exclusion in writing and without delay.

6. Membership rights

6.1. Each member has the right to participate in and to contribute to the organisation's activities. This includes in particular the right to:

- Participate in the General Assembly and its deliberations, decisions and elections;
- Attend and be heard at Board meetings;
- Make suggestions for the Agenda of the General Assembly;
- Access all documents and accounts of the organisation, if this does not violate an individual's reasonable right for privacy;
- Read the organisation's annual accounts and receive explanations from the Board at the General Assembly.

7. General Assembly

7.1. The General Assembly is the organisation's main decision-making body. The General Assembly has to take place at least once in every three years.

7.2. Each full individual member has one vote at the General Assembly. Each full member organisation and national organisation - independent of the number of members - has one vote. No one can represent both herself/himself and an organisation at the same time. Thus, one person one vote, the exception being those instances where a present member can show a proxy written by an absent member to vote on the absent member's behalf. There is a maximum of one

proxy per person. In order to vote, persons must have been a member of ENIL for at least two months before the ENIL General Assembly.

7.3. The Board has to inform the membership through email and the electronic newsletter, unless requested in another form by an individual member, about the General Assembly at least six (6) weeks before the planned date of the General Assembly. The notice has to contain the place, date and time of the day and include an agenda. The agenda shall contain all the items to be taken up at the meeting.

7.4. The General Assembly elects the chair for the meeting and the minute taker. The minutes shall be signed by the meeting's chair and the minute taker. Members shall receive the minutes of the meeting no later than three (3) months after the General Assembly through posting on internet.

8. Decisions of the General Assembly

8.1. The General Assembly decides primarily over the following issues:

- Changes in the Statute;
- The approval of the Board's report and annual accounts;
- The election of the new Board;
- Membership fees;
- The election of the nominating committee for the Board. The committee should be of four people and if possible one from each ENIL region – north, south, east and west Europe.

8.2. Decisions at the General Assembly are made by simple majority by all the members present with voting rights, as long as this procedure is in accordance with the law and the organisation's Statute. In case of a tied vote on a motion, the motion will be turned down.

8.3. The following decision require a majority vote of three quarters of the present members:

- Abolition of the non-profit status of the organisation;
- Dissolution of the organisation or merger with other organisations;
- Changes in the Statute;
- Changes in the "Principles of Independent Living".

8.4. The quorum of the General Assembly is if one third of ENIL members from the Council of Europe Member States are represented and at least 25 ENIL members are either physically present or have authorised present members to vote on their behalf. Before the General Assembly can start, the number of members with voting rights has to be counted and adopted by the Assembly. If

the General Assembly has no quorum, the Board shall announce another General Assembly to be held no later than one year after the date of the first General Assembly. This subsequent General Assembly can have a quorum with a smaller number of members with voting rights than what has been specified above. The Board, in this case, decides how many members with voting rights make up the quorum.

8.5. At the election of the Board members and other officers, each member has one vote to be cast on each of the officers to be elected. Those candidates receiving the highest number of votes are elected. In case of a tie, the General Assembly chair decides by drawing a lot.

9. The Board

9.1. The Board consists of at least six (6) persons and not more than nine (9). The General Assembly shall determine the number of Board members before election of the Board takes place. All Board members must be disabled people and more than 50% of the board members should be in need of personal assistance. The aim is for representation on the ENIL Board of different countries, regions, cultures and impairments. An equal balance in gender should be sought. The elected board is to be the same board for all ENIL NGO branches.

9.2. ENIL board members are elected to serve two mandate periods (a mandate period is the time between ENIL General Assemblies). The ENIL Board members are to be elected so that a part of the ENIL board is elected at a given ENIL General Assembly, allowing for as close to 50% of the board to have experience of the board work. For example, if there are to be nine board members, this would mean 5 board members are to continue until the next GA.

9.3. If a member of the Board leaves before the end of the elected period, the remaining Board members may appoint a substitute by simple majority. The person shall serve for the remainder of the period. The Board will meet at least two (2) times a year. The meetings can also be conducted by video, skype, e-mail, or telephone conference under the condition that at least 50% of the Board members participate. The Board may delegate individual members with specific areas of responsibility.

10. ENIL Advisory Group

10.1. The members to the Advisory group are appointed by the General Assembly on the proposal of the ENIL board at any given board meeting and Assembly. It is common practice that when persons leave the ENIL board they may be asked to join the Advisory group. Other IL experts can also be asked to join the Advisory group.

10.2. The term of membership is unlimited. It can be terminated if the board finds a person is not acting in ENIL interest or if the member decides that for some reason they can no longer be in the group. The ENIL director is to be notified and the decision confirmed at the next General Assembly.

10.3. The group is consulted for their expertise by the ENIL board when there is a need for further opinion. The group could also give their opinion or suggestions on certain issues upon the initiative of any of its members. The group is to facilitate decision-making by offering their knowledge and experience. There is no budget for the work of the ENIL advisory group.

10.4. Communication with the advisory group is done through email, skype consultation meetings or at direct communication at some of ENIL's events.

11. ENIL Audit Committee

11.1 The ENIL Audit Committee is appointed by the ENIL Board and is comprised of a minimum of 3 and maximum of 5 members.

11.2. The Audit Committee is an independent appraisal function established by ENIL, for the review of activities as a service to the Board. The Audit Committee evaluates and reports upon the effectiveness of internal, financial and other controls, as a contribution to the safeguarding and efficient use of ENIL resources.

11.3. The ENIL Audit Committee is regulated and run according to the ENIL Charter for the Audit Committee adopted by the ENIL board.

12. ENIL Subgroups

12.1 ENIL subgroups, such as the ENIL Youth Network, can be established for targeting and focus on distinct areas. To allow these groups to be formal, an MOU will be produced and agreed by ENIL board and the group representatives in order to carry out activity.

13. Non-Profit making status

13.1 ENIL is a non-profit making organization.

13.2. ENIL's funds may only be used for purposes stated in the Statute.

13.3. Voluntary work within ENIL. ENIL promotes voluntary work for office administration/staff in the different regions according to the current national laws regulating this type of work in each country.

14. Dissolution

14.1. In the event of the organisation's dissolution or loss of the organisation's non-profit status, ENIL's assets are to be transferred to another Independent Living organisation with similar aims.

Last changes to the Constitution were adopted at the 2017 General Assembly.