

Disabled Peoples’ International European Region
(Acronym has to be discussed, named below “DPI-E”)
 (Draft 05)

Project of Constitution of DPI-E

Diversity is beautiful and inclusion is powerful
(Draft Preamble of DPI Constitution)

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Preamble

1. **Reaffirming that all Human Rights and fundamental freedoms must be accessible to all** without any discrimination;
2. **Whereas Disabled Peoples Organisations (DPO)** initiated and contributed to the research, writing and adoption of the Convention on the Rights of Persons with Disabilities (CRPD) that, once ratified by a State, they must promote, protect and implement the Rights of persons with Disabilities and both ratify existing legislation and implement legislation ensuring such rights;
3. **Considering the strong participation of DPOs** in the drafting of the CRPD it could be an example for other movements and a rich heritage for international, national, regional and local disability organisations;
4. **Recognising the experience of and DPOs as an essential source of knowledge** for the implementation of the CRPD, and considering that people with disabilities are **efficient and powerful Human Rights advocates**;
5. **Whereas the number of people with disabilities is increasing**, as the 2011 WHO report shows and whereas the progress made in extending the lifetime of human being,
6. **Acknowledging the difficulties in developing countries** in ensuring legislation and services for persons with disabilities;
7. **Considering disability as an ordinary experience of living** that all human beings will personally experience and/or will have immediate family experience during their life;
8. **Whereas that people with disabilities are acknowledged as being amongst the poorest of the poor** as they are unable to contribute due to environmental and/or attitudinal barriers leading to exclusion, discrimination and lack of equal opportunities;
9. **Whereas a sustainable development is possible only in open and non discriminatory societies** where the rights of each and every individual are equally important;

A decision has to be taken
“Disabled people” or “People with disabilities”

10. **Aware that the solutions for people with disabilities are facilities for all** that strengthen their capacity to contribute to the life of the community;
11. **Invest in practices and procedures to ensure non-discrimination** and an inclusion in their society;
12. Supporting and promoting inclusion in **research and innovation** when they promote full participation and the full involvement of **DPOs and** of persons with disabilities as **equal partners**.

Implement Human Rights (Dinah)

Article 01. Goals

Moved by sentiments of justice, humanity and peace and with a view to attaining the objectives set forth in the preamble of the Constitution of Disabled Peoples' International (DPI), the parties to this document agree to the constitution of "*DPI-E*" on the basis of the Final Declaration adopted by the participants to the European Conference to "*define a strategy to enforce Human Rights*" hold in Budapest on August 29, 2009 (Annexe 2).

The goal of "*DPI-E*" is to achieve the Human Rights of adults and children with disabilities and it will focus in particular on the implementation of the following and non-exhaustive goals:

1. **To coordinate and to support the actions of the national members** to implement the full Human Rights of adults and children with disabilities.
 2. **To lobby authorities to reinforce the participation and inclusion** of adults and children with disabilities in all spheres of society.
 3. **To support the process of ratification, implementation and monitoring of CRPD** and facilitate the exchange of experiences regarding these activities.
2. **To lobby authorities to reinforce the participation and inclusion** of adults and children with disabilities in all spheres areas (Giampiero) of society.

4. **To produce training material** in an adapted format to promote, inform, train and raise awareness on the Human Rights of adults and children with disabilities.
 5. **To organize meetings and training on the UN CRPD** alone or with partner.
 6. **To facilitate dialogue** between the members of “DPI-E” and national, European and international institutions and NGOs.
 7. **To implement the action plans** and strategies defined and adopted by the participants of the first and any forthcoming assembly.
 8. **To develop and obtain the participation of adults and children with disabilities** to the DPOs development and their actions at the European, National, Regional and Community levels.
 9. **To achieve the implementation of European, National and local trainings of trainers** with a disability.
 10. **To support the efforts of disabled people’s organizations internationally** and to achieve full respect for their Human Rights as elaborated in the CRPD.
 11. **To advocate for research and conduct such data collection** on the living conditions of adults and children with disabilities.
 12. **To develop partnerships and engage with psychosocial activists** and to support them within our own organisations as well as to organise and represent themselves.
 13. **To facilitate dialogue** between women and men, girls and boys with disabilities and researchers on technologies and biomedicine.
 14. **To work on an equal gender basis** and to promote the voice of women with disabilities and to support their representative movements.
 15. **To develop new alliances** with the European Human Rights Movement.
 16. **To advocate and promote independent living** for women and men, girls and boys with disabilities in their communities.
4. **To produce training material** in an adapted format to promote, inform, train and raise awareness on the Human Rights of adults and children with disabilities, **and of persons without disabilities! (society in general).** (Dinah)
 5. **To organize meetings and training on the UN CRPD** alone **as DPI Europe or together with national assemblies** or with partner **organisations.** (Dinah)
 6. **To facilitate dialogue** between the members of “DPI-E” and national, European and international institutions and NGOs, **including governments** (Dinah)
- Why ? (Dinah)
- Why ? (Dinah)
13. **To facilitate dialogue** between women and men, girls and boys with disabilities and researchers on technologies **and biomedicine.**(Dinah)

17. **To represent National Disabled Peoples' Organisations** -DPOs- on DPI World Council and DPI committees in accordance with the DPI Constitution.

Article 02. Name

The name of the European association is

- **Disabled People's International European Region DPIE**

Article 03. Registered office

"DPI-E" is a non-profit, politically independent and religiously neutral organization in Europe.

Article 04. Location

"DPI-E" will be based in France under the French Law and later in any place within Europe as decided on by a future Assembly.

Article 05. Membership

There are six membership statutes:

- A. Full members.
- B. Corporate members.
- C. Associate members.
- D. Individual members.
- E. Private companies & donors supporters.

The rights and obligations of the members are as set forth in this constitution and by law.

Full Members

The members of DPI from Europe are automatically full members of "DPI-E".

In accordance with the DPI constitution, full membership can be granted to a maximum of **one National umbrella Organization** of People with Disabilities' (DPOs) **in any European country**.

People with Disabilities' Organizations (DPOs) are qualified under the provisions of the following principle: "*People with Disabilities' (DPOs) means that a 51% majority within its governing bodies are People with Disabilities themselves*".

The National umbrella Organizations members of "DPI-E" shall seek the widest representation of the PwDs as well as regards their gender, their religion, their language, their culture, their origin, their location

...

18. Empower women and men, girls and boys with disabilities and their organizations to achieve their Human Rights (giampierro)

"Human Rights Disability Advocates" -HURDA (It is better not use DPI-Europe or DPI in any case Giampiero)

Full members exercise voting powers, send delegates to DPI organs, and nominate persons to DPI offices.

In case a national organization of persons with disabilities present a candidature to be member of the HURDA, but not have the requirements to be full member, because is not an umbrella organization, the organization can be member as provisional member. The board decide the timing and rules to submit provisional member to become full member.

About the individual member, it is necessary define the rules to nominate a representative in the board. (Giampiero)

~~E. Private companies & donors supporters.~~ Donors need not be members, danger of corruption! (Dinah)

Full members exercise voting powers and the right to stand for election to the organizational structures of “DPI-E” in accordance with the present Constitution.

Full members have complete membership of “DPI-E”, they set the policies, guidelines and priorities and assure an ongoing contribution to its activities.

Corporate members

Corporate members are **national DPOs** from any European country and that support the objectives of “DPI-E”.

Representatives of corporate members have speaking rights at the DPI-Europe General Assembly. The Corporate members of “DPI-E” have the right to elect one representative who is automatically member of the Board.

The elected representative of the Corporate members to the Board has the right to speak and the right to vote when there is at least a **minimum of ..** Corporate members that will be decided by the General Assembly.

Associate Members

Associate members are local organizations of & for people with disabilities in any European country that supports DPI-Europe objectives and activities, but which do not full fill the requirements of becoming full members.

An associate member has no voting right nor the right to be elected, but he has right to speak. In the case of the creation of a committee of associate members, it may appoint a representative of the associate members in the General Assembly. This representative is ex officio member of the Board of Directors with voting rights, the right to be elected.

Individual member

Individual members are individual with disabilities that support the objectives of “DPI-E”.

An individual member has speaking rights at the DPI-Europe General Assembly. The individual members of “DPI-E” have the right to create a committee of individual members and to elect one representative who is automatically member of the Board.

The elected representative of the Individual members to the Board has he right to speak, and the right to vote when there is at least a **minimum of ()** individual members that will be decided by the General Assembly.

~~... who is automatically member of the Board~~ Why!
Could they become full members? (Dinah)

~~The elected representative of the Corporate members to the Board has the right to speak and the right to vote when there is at least a minimum of .. Corporate members that will be decided by the General Assembly.~~ (Dinah)

~~This representative is ex officio member of the Board of Directors with voting rights, the right to be elected.~~ (Dinah)

~~and to elect one representative who is automatically member of the Board~~ (Dinah)

~~The elected representative of the Individual members to the Board has he right to speak, and the right to vote when there is at least a minimum of () individual members that will be decided by the General Assembly.~~ (Dinah)

Private companies and supporters, donors member

Membership may be extended to private companies, supporters and donors that support “DPI-E”. Private companies, supporters and donors members have no voting rights, nor the right to be elected but have the right to speak.

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(Dinah)

Article 06. Membership Procedures

Subject to “Article 5”, every person or body corporate who wishes to become a member shall deliver to “DPI-E” an application for membership in such form as the Board require. All applications will be considered by the Board of Directors to determine their compliance with Article 10 and decide on their admissibility.

The Board may admit to honorary membership such persons and subject to such rights and obligations of this Constitution. Such honorary members shall not be members for the purposes of the articles 4 and can't be granted the right to vote by the Board of Directors.

Article 07. Termination of Membership

The General Assembly of DPI-Europe has the power to determine the continued compliance with membership requirements of the member.

A member that wishes to withdraw its membership is to give notice to the Chairperson. Such notice shall take effect six (6) months after it is received provided that the member has at that time fulfilled its entire financial obligations to “DPI-E”.

A member may be excluded from the organization by the Board upon recommendation of the Executive committee if in serious areas in payment of financial contributions to “DPI-E” or any other breach of constitutional rules. A decision for expulsion by the General assembly requires an opinion of the relevant National Assembly and needs to be passed by a two-thirds majority of those present and voting.

~~A decision for expulsion by the General assembly requires an opinion of the relevant National Assembly and needs to be passed by a two-thirds majority of those present and voting.~~ If it's a national assembly which is to be excluded, we cannot ask for it's opinion (Dinah).

A member who, in whatever way and for whatever reason, excluded from the organization shall, because of such exclusion of membership, have no claim for compensation from the organization.

Article 08. Organization structure

The organisation is consisted of:

- The General Assembly,
- The Board
- The Executive Committee.

The organizational structures are assisted in their workings by the Secretariat of the organization.

In all organs of association the quorum for a meeting shall be at the minimum 51 % members present and with proxies. In all elections of the organization, secret ballots shall be used.

Article 09. The General Assembly

The General Assembly shall consist of the accredited representatives of the full members and the members as defined in article 5.

There is one vote for each full member.

One General Assembly shall be organized every four years.

Corporate & Individual members will stand their voting procedure to elect their representatives to the Board during the General Assembly.

All members may send observers at their own cost and with no voting right.

Role and Responsibility of General Assembly.

One General Assembly of “DPI-E” shall be organised every four years with the following objectives:

1. **Elect the members of the Board**, which includes a maximum of twelve (12) members, including one (1) from Individual and one (1) from Corporate Members Committees. The Board shall represent different living conditions of people with disabilities with a minimum of 40% of women.
2. **Elect the Chairperson** of “DPI-E”. The mandate of the Chairperson is renewable twice. The actual Chairperson of the European Region of DPI is the first president up to first General assembly. The President will be the Chair of the Board.
3. **Elect the two (2) members** of the **DPI World Council** who will represent the European Region of DPI with the Chairperson of “DPI-E”.
4. **Nominates the election committee** and appoint scrutinizers to count the ballots. An official voters register shall be adopted by the General assembly at the commencement of the meeting.
5. **Appoint of internal auditors.**
6. **Adopt the report and the accountability** from the Board for the 4 past years.
7. **Discuss and adopt the objectives**, action plan and budget for the next four years.

In the DPI constitution the regional assembly is organized every 2 years. It is necessary to amend the part of this article related with the change of the periodicity. (Giampiero)

If the Corporate & Individual members want to elect their representative at distance with electronic tools (down the control the chairperson or executive), the constitution must offer this possibility. (Giampiero)

Why do we need a Board? I'm not in favour of it. (Dinah)

At the first election the chairperson of the DPI-Europe will be the chairperson of the new organization (Giampiero)

~~The President will be the Chair of the Board.~~ (Dinah)

Elect 5 members of the WC and eventual substitutes (Giampiero)

~~Adopt the report and the accountability from the Board for the 4 past years.~~ (Dinah)

8. **Discuss and adopt by laws** on the proposal of the Board.
9. **Serve as final court of appeal** on all matters respecting the rights and obligations of members.
10. **Discuss and approves resolutions and amendments** to the constitution of “DPI-E”.
11. Decides the dissolution of the organization.

12: Seek and review National Reports on the ratification of and implementation of the UNCRPD. (F. Mulcahy)

Article 10. Proceedings at General assembly.

The quorum of the General Assembly is 51% of the members of “DPI-E” present and represented with a proxy.

Can be added to art. 9. (Giampiero)

Decisions of the General Assembly are valid with the simple majority.

Article 11. Board.

The Board shall have twelve (12) members included the Chairperson and the 2 committees representative. The mandate of the members of the Board is four years and renewable.

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The full members and other eligible members of the association on the basis of Article 4 have the right to stand for election to the Board.

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Subject to the provisions of the Constitution and by law shall be managed by the Board Members who may exercise all the powers of the association

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Role and Responsibility of the Board:

The Board is accountable to the General Assembly of association and shall:

- **Elect the Executive Officers** as follow
 - 1 (One) Secretary,
 - 1 (One) Treasurer
 - 1 (One) Information Officer
 - 2 (Two) Vice presidents
- **Hold at least one meeting in a year** with additional meetings when necessary. Invitations of the meetings will be sent to the members in written form at least one month in advance of the meeting including the agenda, venue, date and hour of the Board meeting. ~~The Board meetings can be hold via Internet videoconferences.~~
- **Allocates the resources** of the organization in accordance with decisions of the General Assembly.
- **Prepares an annual action plan** of “DPI-E”.

Role and Responsibility of the Board:

~~The Board is accountable to the General Assembly of association and shall:~~ (Dinah)

12 member is very high number, the budget of DPI can't permit to cover the cost of the meetings. I propose 6 members + chairperson.

In between the meetings of the Regional assembly the affairs of the organization are dealt with by the Board. (Giampiero)

~~... including the agenda, venue, date and hour of the Board meeting ...~~ (Dinah)

- **Controls the finances** of “DPI-E” and prepares annual budgets.
- **Issue an annual activity report and financial audit** of association and submit the auditor’s Report to all the members.
- **Assures that the membership** fees are paid.
- **Advises Institutions** as the European Union, the Council of Europe and other relevant bodies on matters relating to the activities of “DPI-E”.
- **Decides on rules of procedure** of the General Assembly and Board.
- **Assigns all such committees** and special officers as are deemed necessary to carry out the tasks of by law.
- **When financially** stable to Appoint a Director and fix his/her remuneration and terms of reference.
- **Decides the location** of the organization Secretariat and control of the work of the Secretariat
- **Decides co-operation** between the Association and third parties.
- **Approves of membership** applications to the organization, according to the procedure established in article 5
- **Presents and argues the exclusion demands** to the General Assembly.

Article 12. The Executive Committee

The Executive Committee shall have five members and the Chairperson. The mandate of the Executive Committee is four years.

The Executive Committee members are individuals, who are permanent representatives of Board member organisations.

Any executive committee member ceases membership from his/her organization or board of this association will pursue its mandate until the next Board meeting.

The Board at its next meeting will organise an election to fill the vacancy of executive committee membership.

Role and Responsibility of the Executive committee:

- Supervises and manage the activities of the Secretariat.
- Appoints staff members of the Secretariat.
- Approves monthly action plan and budget.
- Represents “DPI-E” in meetings and events.
- Organize meetings regularly as it is necessary to implement the actions plan and prepare decision of the board.
- All of decisions that are taken must be reported in the written minutes.

The Executive Committee decision can be adopted when 3 officers at the minimum are present.

- Invitation of the meeting send 15 days before. Meeting by tele and videoconference.
- It is the responsibility of the Board to prepare the matters to the Regional assembly for decision, and to carry out the tasks set out by the Regional assembly.
- Prepare annual priorities of action on the base of the Action plan decided by GA.
- Receive periodical report from the NAs on the implementation of the CRPD.
- Stipulate agreement and contract with other organization or public and private bodies. (Giampiero)

When financially appropriate to develop and issue a regular Newsletter (F. Mulcahy)

Article 12 and 13 – the board and the executive shall be only one bodies, with a number of member reasonable (6), this a reasonable solution to have affective functional bodies. (Giampiero)

The Executive Committee members are individuals, ~~who are permanent representatives of Board member organisations.~~ (Dinah)

Any executive committee member ceases membership from his/her organization or board of this association will pursue its mandate until ~~the next Board meeting. The Board at its next meeting will organise an election~~ to fill the vacancy of executive committee membership. (Dinah)

Organize meetings regularly as it is necessary to implement the actions plan and prepare decision ~~of the board.~~ (Dinah)

Article 13. Role and Responsibility of Executive Committee Members.

The Chairperson:

The Chairperson is elected by General assembly for a four years mandate and a maximum of two (2) mandates.

The Chairperson has the responsibility to:

- Chairs the meetings of the General Assembly, the Board of Directors and the Executive Committee.
 - Represents “DPI-E” on behalf of the Executive Committee at external meetings and events.
 - Represents “DPI-E” in legal procedures, contract, official signatures, etc.
 - Supervises, on behalf of the Executive Committee, the activities of the Secretariat.
 - Delegates their representative to other member of the Board with a decision of the Executive Committee
- The chairperson is the legal representative of the association. (Giampiero)
 - Chairs the meetings of the General Assembly, ~~the Board of Directors~~ and the Executive Committee.
 - Delegates their representative ~~to other member of the Board~~ with a decision of the Executive Committee ?? (Dinah)

The Vice-Chairpersons:

The Vice-Chairpersons shall perform the duties of the chairperson if the chairperson is absent or unable to perform his/ her responsibilities.

The Secretary:

The Secretary manages and supervises the register of the minutes of the General assembly, the board, the executive committee and other bodies.

He/She monitors that the procedures followed by the Governing bodies of the organization are in fit with the organization’s constitution and by law.

The Secretary manages and supervises the register of the minutes of the General assembly, ~~the board~~, the executive committee and other bodies. (Dinah)

The Treasurer:

Supervises the financial activities of secretariat.

Presents interim and annual financial reports of the organization to the Board.

Presents accounts to the Board and General Assembly for approval.

Presents interim and annual financial reports of the organization ~~to the Board~~.

Presents accounts to the ~~Board and~~ General Assembly for approval. (Dinah)

Article 14. Committees of “DPI-E”.

To promote largest participation of all members in the organizational activities, the Board shall encourage and support the members to organize the committees of “DPI-E”.

To promote largest participation of all members in the organizational activities, the ~~Board Executives~~ shall encourage and support the members to organize the committees of “DPI-E”. (Dinah)

The two (2) first Committees created:

1. Committee of corporate members
2. Committee of individual members

3 Women’s committee (Dinah)

The creation of additional committees will be decided by the General Assembly on the proposal of the Board or the Executive Committee.

The Committees will adopt their own functioning rules in accordance with those of “DPI-E”. Those committees’ rules must be proposed to the Board for an adoption by the General Assembly.

The Committees have the power to propose resolutions to the Board for an adoption by the General Assembly.

Article 15. By Laws.

There shall be a set of by laws with more detailed rules and regulations on the procedures that have to be followed in the organization. It is the responsibility of the General Assembly to adopt and amend the by laws.

Article 16. Amendments to the Constitution

Any changes of the present constitution shall be forwarded to the Board.

The Board organize a constitutional committee to study the Amendment proposal(s). The Board is to request opinions from the members and make them available to the constitutional committee. The committee is to give its recommendation as to a decision and submit it to the Board. It is the responsibility of the Board to put the proposal(s) together with the recommendation of the committee and a recommendation from the Board on the agenda of the next general assembly.

A decision to change the constitution requires a 2/3 majority of the general assembly to become valid.

Article 17. Dissolution of the Organization

A decision to dissolve of the organization shall be in response to the wish of not less than 2/3 of the full members.

If upon the winding-up or dissolution of the organization there remains, after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members of “DPI-E”, but shall be given or transferred to some other non governmental organizations or institutions with similar objectives as those of “DPI-E”, and which shall prohibit the distribution of its or their income and property among its or their members.

Article 18. Entering into force

This Constitution will enter into force after its adoption by the adoption by the simple majority of DPI European Members.

The Committees will adopt their own functioning rules in accordance with those of “DPI-E”. Those committees’ rules must be proposed to the **Board Executives** for an adoption by the General Assembly. (Dinah)

The Committees have the power to propose resolutions to the **Board Executives** for an adoption by the General Assembly. (Dinah)

Article 16. Amendments to the Constitution

Any changes of the present constitution shall be forwarded to the **Board Executives**.

The **Board Executives** organize a constitutional committee to study the Amendment proposal(s). The **Board Executives** is to request opinions from the members and make them available to the constitutional committee. The committee is to give its recommendation as to a decision and submit it to the **Board Executives**. It is the responsibility of the **Board Executives** to put the proposal(s) together with the recommendation of the committee and a recommendation from the **Board Executives** on the agenda of the next general assembly. (Dinah)

