

Rainbow Rose statute

Modified by the GA on November 5th 2016

Article 1:

An association under French Law (Loi 1901) and French décret of August 16th 1901 is founded and regulated by this statute by its members. It is called "Rainbow Rose" (RR below)

Article 2:

The aims of the association are fighting against all types of discrimination based on societal principles/morals; campaigning for an equality of rights for Lesbian Gay Bi, Trans and Intersex people (LGBTI); advancing LGBTI people's rights in the political agenda of the Party of European Socialists (PES) and its member parties; and the promotion of social democratic values in Europe.

Article 3:

The headquarters of the association are based in Paris. It can be transferred by a simple decision taken by the majority of the board.

Article 4:

The duration of the association is unlimited

Article 5:

The association is composed of three different member types: Member Structures (MS), Non-affiliated members (NAM) and Rainbow Rose Activists (RRA).

In order to be part of the association, one needs to be a paid-up member and needs to get the agreement of the majority of the board.

Article 6:

The cessation of membership can occur by:

- a) Dismissal;
- b) Death;
- c) Exclusion decided by the board for non up-to-date membership, or serious grounds. The member shall have been heard and contacted by the Board before such a decision is taken.

Article 7:

Members of the association accept the current statute and the decisions of the association. The current statute and rules of procedure are available online.

Article 8:

Financial resources of the association include: membership fees, grants and donations, income from events.

All other resources shall be permitted by the current laws and legislation.

Article 9:

The association's board is made up of 7 people elected by the General Assembly every two years. A President and a treasurer need to be appointed within the board directly after election.

Article 10:

The board shall meet physically at least once a year. A board meeting can be called on a request made by 2 of its members.

Article 11:

Members of the board need to be:

- Paid-up Rainbow Rose Activists,
- Or members of paid up Member Structures.

At least three members of the board must be persons identifying as women or trans.

Article 12:

The General Assembly shall meet physically at least once a year in Plenary Session. It is made up of RRA, MS and NAM. The board can consult and communicate with members via electronic and/or written consultation outside of this physical meeting.

Invitation to the physical General Assembly shall be sent at least 8 weeks before it takes place.

The draft agenda and draft documentation shall be sent at least one week before the General Assembly.

Article 13:

The general Assembly sets the general orientation of the association.

Article 14:

An exceptional meeting of the general assembly can be called by at least half of the paid-up members (RRA+MS+NAM). This 50% cannot be only members who are RRA. The board may call directly for an exception General assembly for matters related to the modification of statute or dissolution of the structure.

Article 15:

All the positions, including at the board level, are unpaid. Only expenses directly related to the responsibilities of the board can be reimbursed based on valid receipts.

Article 16:

The Statute and rules of procedure are adopted by the General Assembly. The rules of procedure can address issues not mentioned in the present statute. It can be related to internal organisation and to such matters as the level of membership fees.

Article 17:

Proposals to modify the statutes or rules of procedure can be made by the board or members (as defined in article 2 of the rules of procedure) of the association to a General Assembly or

Exceptional General Assembly. The rules of procedure can be modified by a simple majority of the General Assembly or Exceptional General Assembly. The statutes can be modified by two thirds or more of the available votes at the General Assembly or Exceptional General Assembly.

Article 18:

Dissolution of the association can be put on the agenda of an extraordinary general assembly. Liquidators are named and the different funds are to be spent as the General assembly has agreed on for the dissolution.

Rules of procedure

Modified by the GA on November 5th 2016

Article 1: Objectives of Rainbow Rose

Rainbow Rose has many objectives including: (but not limited to)

- Creating a strong LGBTI Social Democratic network in each EU Member State
- Promote LGBTI issues within the PES family (sister parties, politicians, events, ...)
- Support LGBTI initiatives in the different Council of Europe member states, and especially in a hostile environment
- Cooperate with LGBTI organizations (or other organizations where appropriate) to realize equality for all LGBTI European citizens

Article 2: Role of the GA

The year without election, the GA is doing a mid-term control of the board to evaluate its work with its commitments.

Motions on policy proposals or positions papers can be submitted to the GA by members of RR and the board each year, up to four weeks before the GA.

The board can submit up to five motions for each GA. Each MS can submit up to four motions, NAM up to three and RRA 1 motion to each GA.

Each motion shall be sponsored (not necessarily submitted by) at least two MS or five NAM.

Proposals related to statute or ROP modifications, follow the same rule, but are voted only the year without elections (in order to prevent last minute changes on voting procedures).

Article 3: Financial information

Financial information on RR will be presented every year at the GA by the treasurer or by a member of the board if the treasurer is not physically present at the meeting. This shall include a set of accounts and information on use and allocation of external funds and grants.

Article 4: Membership, dismissal, exclusion, death of a member

a) Member Structures (MS)

i) Definition : MS are defined as LGBTI group within a sister party affiliated to PES, or having close tie with the party at national level, or as a group of people holding a mandate to work on LGBTI issues within their party. It shall be composed of a significant group of active members.

The board can decide that any group close from this definition is to be considered as a MS.

A group from Switzerland, Norway or Iceland can be considered as a MS. Other non-EU countries willing to join with a MS shall be accepted by the GA.

ii) Fees: MS are required to pay an annual membership of 100€. Well established and wealthier organizations are encouraged to pay more, in order to support the smaller ones.

The Board may agree to grant an annual derogation to a MS in order to adjust its annual fees. Such requests are exceptional, for a year and shall be justified and documented by the requesting MS.

b) Non-affiliated members:

i) Definition: any LGBTI structure, should it be composed of 1 individual or more people, which has not paid the MS fees but it still considered as representative for being part of Rainbow Rose network (up to the Board to decide on who to appoint as such).

It could also include groups without formal recognition within their respective parties and not being able to pay for the fees.

ii) Fees: not applicable

c) Rainbow Rose Activist (RRA)

i) Definition: RRA are physical persons willing to become member of RR via an individual membership. No restriction of residence or nationality shall be apply.

According to Article 5 of the statute: the board may refuse a request of membership.

ii) Fees: annual membership of 10€ and 5€ for students & unemployed people, and special requests to be agreed by the board.

1. Dismissal shall be addressed to the President of the board with a legal acknowledgment of receipt.

2. As mentioned in article 6 of the statute, the board can exclude a member for serious concerns, which can be defined as:

- Criminal offence during the time of the membership
- Taking official position in the name of RR without respecting the official message
- Using of the network for personal commercial purposes,
- All actions that could jeopardize, directly or indirectly, the activities or the reputation of the RR.

The decision of exclusion is taken by the board at the majority.

3. In case of the death of a member, the heirs or legatees cannot replace this person as a member.

The membership fees will not be given back in case of dismissal, exclusion or death.

Article 5: Chairing of the GA

The GA shall be chaired by a temporary board consisting of one chair, one secretary taking GA minutes and one substitute in case one of these two persons is temporarily not able to conduct the duties or requires help. These positions cannot be hold by RR board members. The GA needs to approve the composition of this temporary board on a proposal from the RR board at

the beginning of the GA. An election, by majority of votes, on volunteers for these positions, could take place in case the RR board proposal is rejected.

Article 6: Weight of votes

For any vote during the GA, the weight is as follows, for paid-up members (need to have paid fees before the vote takes place):

- 1 vote per MS;
- All NAM together get 10% of the votes available at the GA;
- Rainbow Rose Activists altogether get a total number of votes equal to 20% of the total number of votes available at the GA.

Members of the current board do not get any right to vote. Nevertheless, if they are appointed by a MS to represent them, they can do so in the name of the MS, and only in this particular case.

Article 7: Elections of the board

- i) The general assembly appoints for the meeting an election preparation committee for the following GA where there is an election consisting of three people and two substitutes: the committee shall appoint a chair from the group;
- ii) Any person putting themselves forward for election to the board cannot serve on the election preparation committee;
- iii) The committee shall decide on a time before the GA where there is an election for when the nominations to the board should at the latest be submitted to the committee;
- iv) The committee shall propose a board to the general assembly consisting of seven persons. Gender, age and geographic balance shall be taken into consideration;
- v) A delegate representing its structure (i.e., only one delegate per organisation) to the General Assembly can propose that someone else of the nominated, but who has been submitted on time to the election committee and considered as eligible by the election committee, should be elected to the board at the point of elections on the agenda;
- vi) If consensus can't be reached on the names put forward by the committee and delegates, all candidates submitted on time to the election committee and considered eligible should be put on a ballot paper in alphabetical order;
- vii) Ballots cast with more names than seven should not be viewed as valid;
- viii) Elected are the seven people with the most votes on the ballot paper.

Article 8: Replacement of board members

In case a board member resigns or leaves the board, the current board can appoint a new person as long as the different criteria set out in article 11 of the statute are respected and age and geographic balance are taken into consideration. If more than four board members elected by the GA resign or leave between two GAs, a new board needs to be elected during an Exceptional General Assembly.

Article 9: Committee work

The Board can create as many committees as required. One external person could be in charge of the convening of a committee but it shall be supervised by a board member. Only board members or committees appointed by the GA, including the election preparation committee, can be held accountable towards the GA.