

## **Equality Alliance CONSTITUTION**

- adopted by the General Assembly gathered to establish the informal network “Equality Alliance” on August 24<sup>th</sup>, 2018, in Bucharest.

### **CHAPTER I – GENERAL PROVISIONS**

#### **Art. 1 – Identification**

(1) The name of the informal network without the status of legal entity is the “Equality Alliance” – EA (Romanian language: “Alianța pentru Egalitate”), hereafter the “Alliance”.

#### **Art. 2 – Duration**

The Alliance is formed and works on an indefinite period.

### **CHAPTER II – MISSION, OBJECTIVES, PRINCIPLES AND ACTIVITIES**

#### **Art. 3 – Mission**

The mission of the Alliance is to combat hate and discrimination, to promote diversity and equality of chances for all within the broader framework of human rights protection, and the principles and values of a democratic society in Romania.

#### **Art. 4 – Objectives**

The objectives pursued by the Alliance through its activity are:

- a) Combating discrimination; the social inclusion and respect towards the other in the Romanian society and in general, regardless of race, nationality, ethnicity, social origin, political opinions, belief, religion, sex, sexual orientation, gender identity, disability, being HIV / AIDS affected, age or any other grounds that might lead to situations of discrimination in a democratic society;
- b) Promoting a culture of solidarity and memory based on the respect for the principle of equal chances and equal access to civil, political, economic, social and cultural rights in general and in the Romanian society, in particular.

#### **Art. 5 – Principles**

The principles on which the members of the Alliance shall act are:

- a) Non-discrimination, regardless of the ground of belonging to a group which is underprivileged/ vulnerable to discrimination – e.g. race, nationality, ethnicity, social origin, political opinions, belief, religion, sex, sexual orientation, gender identity, disability, being HIV / AIDS affected, age or any other grounds that might lead to situations of discrimination in a democratic society;
- b) Commitment to the principles and values of a democratic society;
- c) Good faith in the interactions between members and in all the activities that are carried out;
- d) Solidarity among members;

- e) Transparency in communication between members and related to the activities of the Alliance.

#### **Art. 6 – Activities**

In view of meeting its mission and objectives, the Alliance can carry out the following types of activities:

- a) Encouraging and building the capacity of the members of a group which is underprivileged/ vulnerable to discrimination to participate in public life and to self-represent;
- b) Promoting the memory of victims of the Holocaust, combating negationism and the values of the extreme right;
- c) Creating and supporting networks of professionals who would then support victims of hate crimes or of discrimination;
- d) Facilitating and improving the dialogue between institutions and members of groups which are underprivileged/ vulnerable to discrimination;
- e) Proposing and promoting public policies to the benefit of groups which are underprivileged/vulnerable to discrimination;
- f) Stimulating cooperation and exchange of information between the members of the Alliance;
- g) Local, national and international cooperation in order to meet the mission and objectives of the Alliance;
- h) Publishing studies and research reports in its fields of activity;
- i) Organizing and/ or participating in different events within its area of activity (symposia, seminars, workshops, exhibitions, meetings, conferences, debates, training courses, etc.) either on its own or with other actors from the human rights field, with the purpose of achieving the mission and objectives of the Alliance, including through stand-alone programmes;
- j) Organizing training activities in the field of non-discrimination and combating hate for various relevant professional groups (e.g. journalists, social workers, psychologists, educators and teachers, legal professions, police officers etc.);
- k) Any other activities necessary in order to meet the mission and objectives of the Alliance.

#### **Art 7 – Implementation of activities**

- (1) In order to achieve its objectives and carry out the proposed activities, the Alliance will act on a volunteering basis or based on financed projects.
- (2) The members may apply to specific funds, in coalition with all the other members of the Alliance or, as warranted, only with some of the members of the Alliance. Any intention to apply using the name of the Alliance shall be notified in advance to all the members of the Alliance.

#### **Art 8 – Using the name of the Alliance**

The name of the Alliance will be used publicly only where the agreement of all members on the final form of the communication has been given explicitly in writing.

### **CHAPTER III – STRUCTURE OF EQUALITY ALLIANCE**

## **Art. 9 – The members of the Alliance**

- (1) The members of the Alliance meet simultaneously the following criteria:
    - a) they are legal entities established according to the Romanian legislation;
    - b) they are not subject to a procedure of insolvency, liquidation or radiation; dissolution or restructuring with effects upon the mandate of the legal entity;
    - c) they were not subject of a final court decision against them for violating the criminal legislation in force, with intent;
    - d) they carry out activities of fighting against discrimination and hatred, they promote equality of chances and non-discrimination;
    - e) they commit themselves to the mission and objectives of the Alliance;
    - f) they are accepted by the Alliance, according to the procedure below.
  
  - (2) Membership cannot be conferred upon:
    - a) organizations directly affiliated to a political party or which carry out electoral activities;
    - b) organizations with a discriminatory, fascist, legionary, racist or xenophobic character, according to the Romanian legislation;
    - c) natural entities.
  
  - (3) a) The founding members of the Alliance are:
    - Association MozaiQ LGBT - <http://mozaiqlgbt.ro/>
    - Center for Legal Resources – [www.crj.ro](http://www.crj.ro)
    - Equality and Human Rights Action Center (ACTEDO) - <http://actedo.org/ro/>
    - Roma Centre for Social Intervention and Studies – Romani CRISS - <http://romanicriss.org/>
    - The “Elie Wiesel” National Institute for the Study of the Holocaust in Romania - <http://www.inshr-ew.ro/>
  
  - b) Where the participation to the activities of the Alliance is not being done through its legal representative, each member in this situation appoints a person to represent them in relation to the Alliance, with mandate and voting right in the General Assembly (GA), and the Extraordinary General Assembly (EGA) respectively. The replacement of this person can be done only by the legal representative of each member, through written communication to the Secretariat of the Alliance.
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- (4) The status of new member is obtained by invitation from the Alliance. The decision to invite new members is taken by vote, with the agreement of at least half plus one of the members and if none of the members present opposes the decision by veto.
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- (5) Any member can withdraw from the Alliance by sending a letter, signed by the legal representative of the member, to this end to the Secretariat, by email (scanned) with confirmation of sending/ receipt, by post (with confirmation of delivery) or by fax. The withdrawal takes effect at the date the Secretariat receives this communication.
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- (6) The exclusion of a member takes place if that member violates the provisions of the herein Constitution. Any of the Alliance members can propose to exclude somebody. The decision to exclude a member is taken by the General Assembly, after the member in question has been given

the possibility to defend itself. There is a deadline of 15 days for the defence. The decision to exclude is taken by vote, with the agreement of at least half plus one of the members. The member proposed for exclusion cannot vote within this decision.

#### **Art. 10 – General Assembly**

(1) The General Assembly is the leading forum of the Alliance. It is legally assembled if at least two thirds of the members are present. Participation can also take place online (e.g. Skype or any other means of real time online communication), as well as by phone (the phone used at the meeting being commuted on “Speaker” mode in order to facilitate communication with all participants).

(2) Each member has the right to vote. The vote cannot be delegated.

(3) The decisions are taken by the vote of half plus one of the members present at the meeting, except for the cases related to the modification of the Constitution which requires the vote of two thirds of the members present.

(4) The General Assembly can decide by electronic vote also. If there is no reply within 3 business days, the vote is considered as abstention. The emails shall be sent with a confirmation of sending/receiving the message.

(5) The General Assembly has the following tasks and responsibilities:

- a) Establishing the Alliance strategy;
- b) Inviting new members or excluding members;
- c) Modification of the Constitution;
- d) Replacement of the Secretariat;
- e) Dissolving the Alliance;
- f) Any other tasks and responsibilities, according to the herein Constitution and the provisions of legislation in force.

(6) The General Assembly has the obligation to meet at least once every 6 months. The Secretariat will ensure the organization of the meeting. The Secretariat must communicate the working agenda a week before the meeting. The agenda becomes final, after potential comments from the members, two days before the General Assembly.

#### **Art. 11 – The Extraordinary General Assembly**

(1) The Extraordinary General Assembly (EGA) is legally assembled in the presence of half plus one of the members.

(2) The convocation of the EGA can only be done in writing, by any of the members. For it to assemble the support of a quarter of all the members is necessary.

(3) The EGA cannot modify the Constitution of the Alliance unless at least two thirds of the total of the members of the Alliance are present and the proposed modifications are voted by two thirds of the members present.

#### **Art. 12 – The working group**

(1) Any member can convoke in writing a working group. If an EGA does not meet the necessary quorum, it can become a working group.

(2) The working group has no decisional role.

### **Art. 13 – Secretariat of the Equality Alliance**

(1) The member who shall act as Secretariat is elected by vote at the first General Assembly. At the same meeting, the General Assembly shall elect an alternate for when the member acting as Secretariat cannot exert, temporarily, its tasks and responsibilities. In order to be elected, the member that acts as Secretariat and the alternate must receive the vote of the qualified majority (two thirds) of the members present.

(2) The duration of the mandate for a member who acts as Secretariat is two years. This mandate can be renewed by new elections for a maximum of two mandates, so that no member can hold the Secretariat for more than three consecutive mandates. At the end of each mandate, the member who holds the Secretariat will draft an activity report that shall be submitted to the General Assembly.

(3) The member who acts as Secretariat has the following tasks and responsibilities:

- a) Coordinates the ongoing programmes and activities of the Alliance;
- b) Coordinates/ supports the members' fundraising activity in view of strengthening the network;
- c) Represents the Alliance in relations with third parties;
- d) Maintains and updates the Alliance website/ Facebook page;
- e) Other tasks and responsibilities that derive from the Constitution or that are being conferred on it by the General Assembly.

(4) Revoking a member from acting as Secretariat during the mandate can be done at proposal of at least a fourth of the members, for not fulfilling or faultily carrying out the tasks and responsibilities foreseen in the herein Constitution. The proposal must be motivated. The decision to revoke shall be taken by the General Assembly, after the member acting as Secretariat is given the opportunity to defend itself. There is a deadline of 15 days for the defence. The decision to revoke is taken by qualified majority (two thirds) of the members present. If the General Assembly decides to revoke, a new member to hold the Secretariat, as well as an alternate are to be elected immediately.

The signatory parties of the herein Constitution are:

- Association MozaiQ LGBT - <http://mozaiqlgbt.ro/>
- Center for Legal Resources – [www.crj.ro](http://www.crj.ro)
- Equality and Human Rights Action Center (ACTEDO) - <http://actedo.org/ro/>
- Roma Centre for Social Intervention and Studies – Romani CRISS - <http://romanicriss.org/>
- The “Elie Wiesel” National Institute for the Study of the Holocaust in Romania - <http://www.inshr-ew.ro/>