

CONSTITUTION

ILTGA, International Association of Lesbians, Gays, Bisexuals, Trans and Intersexuals.

(Incorporating changes made by the executive board with conform the decision by the 2006 World Conference in Geneva)

C1

PREAMBLE

C1.1 Recognizing the fundamental pride that lesbians, gay men, bisexuals, trans people and intersex people have in their gender identity and expression and sexual orientation;

C1.2 Conscious that social and legal discrimination on the basis of sexual orientation, gender identity and expression is pervasive and that effective work against oppression calls for international solidarity;

C1.3 Seeking in ILTGA an international organisation within which people of different political option and personal identity choice (for example, separatism, feminism, orientation and identity) can work together;

C1.4 Concerned with the vulnerability of youth in a world that continues to practice so many forms of discrimination, the need for their protection from abuse and the goal of ensuring that young people experience both freedom and support as they develop their own sexualities and identities;

C1.5 Mindful of the impact of discrimination on the basis of sex, sexual orientation, gender identity, race, age, disability, economic status, national origin and ethnicity on lesbians, gay men, bisexuals, trans people and intersex people, and the way in which such discrimination can end in violence;

C1.6 Building on the work of previous generations who have struggled for equality and liberation;

C1.7 We approve this document as the Constitution of the International Lesbian, Gay, Bisexual, Trans and Intersexual Association.

C2

CONSTITUTION

C2.1 It is hereby created an international non profit organisation called "ILTGA" in its developed form: International Lesbian, Gay, Bisexual, Trans and Intersexual Association. The association is incorporated for an unspecified period. It is covered by title III of the Belgian law of 27 June 1921 on international non-profit associations..

C2.2 The registered office is situated in Belgium, 1210 Brussels (Saint-Josse-ten-Noode), Rue de la Charité 17. The registered office of the association can be transferred anywhere in Belgium, by a decision of the Executive Board and deposited at the Court of Commerce of the applicable jurisdiction.

C2.3 The working languages of ILTGA are English and Spanish.

C3

AIMS AND OBJECTIVES

C3.1 The Aims and Objectives of ILTGA are:

C3.1.1 To work for the equality of lesbians, gay men, bisexuals, trans people and Intersex people and liberation from all forms of discrimination;

C3.1.2 To promote the universal respect for and observance of human rights and fundamental freedoms, including the elimination of all forms of discrimination and also including the realisation of the specific provisions of the following international human rights instruments:

- The International Covenant on Civil and Political Rights;
- The International Covenant on Economic, Social and Cultural Rights;
- The International Convention on the Elimination of all forms of Racial Discrimination;
- The Convention on the Elimination of all forms of Discrimination against Women;
- The Convention on the Rights of the Child

C3.2 To work towards these goals, ILTGA shall:

- Create a platform for lesbians, gay men, bisexuals, trans people and intersex people internationally, in their quest for recognition, equality and liberation, in particular through the world and regional conferences;
- Work towards equal representation in all regions for lesbians, gay men, bisexuals, trans people and intersex people in our quest for recognition, equality and liberation;
- Give locally initiated and determined support for our organisations in all parts of the world;
- Collect information, conduct research, publish material and organise seminars, training, briefings and specialised conferences;

- Offer facilities for co-ordination of activities and actions.

C4

MEMBERSHIP

C4.1 All members have to support the aims of ILTGA.

C4.2 Membership in ILTGA is divided into three categories:

C4.2.1 Full members are:

- non-profit organisations representing lesbians, gays, bisexuals, trans people or intersex people, their culture or providing exclusive service to or support for them;
- branches of the above mentioned organisations;
- non-profit groups representing lesbians, gays, bisexuals, trans people or intersex people within other organisations.

C4.2.2 Associated members are: other organisations.

C4.2.3 Individual members are: persons identified as lesbian, gay, bisexual, trans or intersexual.

C4.3 *Application:*

An applicant for any category of membership of ILTGA must submit an application to the Administrative Office and affirm agreement with the aims and objectives of ILGA. An organization applying for full or associate membership must provide a description of itself, its aims, the composition of its membership, target group and structure.

C4.4 *Admission:*

Applications which are in conformity with the aims and objectives in this constitution shall be accepted by the Executive Board, subject to final decision by the World Conference. The Executive Board can delegate the acceptance of new members in a region to a regional structure set up in accordance with C5.2.

C4.5 *Suspension and expulsion:*

C4.5.1 A member may be suspended from membership by the Executive Board for failure to comply with this constitution. The suspension, unless revoked by the Executive Board, shall remain in force until the next World Conference. A member may be expelled from membership by motion at a World Conference for failure to comply with this constitution.

C4.5.2 Members facing the possibility of expulsion have the right to present their defence.

C4.6 If a member does not pay the annual membership fee within 3 months after being given notice that the fee is due, the member will not be able to exercise the rights of a member as set out in this constitution until such time as any outstanding fees have been paid.

C4.7 Members shall at all times have the same membership status in a region as in ILTGA itself.

C5

REGIONAL STRUCTURES

C5.1 The regions of ILGA are Africa, Aotearoa/ New Zealand/ Australia/ Pacific Islands (ANZAPI), Asia, Europe, Latin America/ the Caribbean (LAC) and North America.

C5.2 The members in a region may form regional organizations. All members of ILTGA in a region are members of the same category in the regional organization.

C5.3 The 'highest body' for each regional organization is the regional conference.

C5.4 The aims of regional organizations shall at all times be consistent with the aims expressed in this constitution, and their work shall reflect the diversity of members in the region.

C5.5 Regional organizations may make decisions on regional structures and regional matters, and regional conferences have the power to determine the policy of the regional organization, according to their rules, subject to the provisions of this constitution.

C5.6 Where no such rules have been determined, then the arrangements for regional conferences must follow ILTGA's Standing Orders as closely as possible in order to be recognized as official events of ILTGA.

C5.7 Where no such rule have been determined, and in case a Regional Conference has not decided the place and time of the next conference, then the Administrative Office or regional office if there is one, shall communicate to all full members in the region that they can propose to organise the next regional conference. Members that wish to do so need to present and defend their proposal. The proposals are public. A committee composed of the Secretaries-General, the region's representatives on the Executive Board and 5 full members from the region will consider the various proposals, and decide which group will organize the next conference on the grounds of the criteria in the invitation for proposals.

C5.8 A regional organization shall mention in its own constitution that it is a regional organization of ILTGA. A regional organization may list, in its official name, the specific groups covered by ILTGA, and for this purpose use wording and formulations appropriate to the cultural and linguistic context of that region. However, a regional organization may not alter the name

"ILTGA" in the official name of the regional organization.

C6

WOMEN'S SECRETARIAT

C6.1 The World Conference shall elect a Women's Secretariat from the full members.

C6.2 It is the responsibility of the Women's Secretariat to:

- a) Collect and co-ordinate information/visibility world wide on lesbians and bisexual women, in close co-operation with the Executive Board;
- b) Initiate articles world wide on women's issues for ILTGA publications;
- c) Attend relevant conferences within and outside ILTGA and make policy inputs to international organisations and agencies;
- d) Co-operate with other international women's organisations;
- e) Co-ordinate and arrange women's caucuses and workshops in co-operation with the group planning for a World Conference;
- f) Carry out tasks allocated to it by ILTGA World Conferences.

TRANS SECRETARIAT

C7.1 The World Conference shall elect a Trans' Secretariat from the full members.

C7.2 It is the responsibility of the Trans' Secretariat to:

- a) Collect and compile information world wide on trans and Intersex people, in close co-operation with the Executive Board;
- b) Develop actions in order to highlight trans and intersexual people
- b) Initiate and request for articles world wide on trans' issues for ILTGA publications;
- c) Attend relevant conferences within and outside ILTGA and make policy inputs to international organisations and agencies;
- d) Co-operate with other international organizations on Rights and Gender
- e) Co-ordinate and arrange trans' caucuses and workshops in co-operation with the group planning for a World Conference;
- f) Carry out tasks allocated to it by ILTGA World Conferences.

C8

THE WORLD CONFERENCE

C8.1 The highest body of ILTGA is the World Conference.

C8.2 The time and place of the World Conference shall normally be determined by a prior World Conference. However, if such a decision is not taken or if it subsequently becomes unviable for any reason, the Executive Board shall take steps to ensure that a conference is called, including determining the conference venue and host organisation.

C8.3 The procedures for the World Conference shall be those set out in this Constitution and the Standing Orders.

C8.4 Full members, the Executive Board, Women's and Trans' Secretariats, and Regional Executive Boards can submit proposals and amendments to proposals in accordance with the provisions in the Standing Orders. They may also nominate candidates for Secretaries General and the Women's and Trans Secretariats.

C8.5 In advance of the World Conference the Executive Board shall send to all members, in accordance with the provisions in the Standing Orders a preliminary agenda with proposals, and the audited accounts for the previous financial year or years, and invite full members to submit amendments to proposals. The Board shall also send to all members, in accordance with the provisions in the Standing Orders, the final agenda with the reports from the Board and the Women's and Trans' Secretariats and the financial report for the current year.

C8.6 The agenda of the World Conference shall include:

- a) Approval of the report from the Executive Board
- b) Approval of the report from the Women's Secretariat
- c) Approval of the report from the Trans Secretariat
- d) Approval of the audited accounts
- e) Approval of the financial report for the current year
- f) Approval of the budget
- g) Appointment of an auditor
- h) Proposals and amendments from full members, the Executive Board, Women's Secretariat, Trans Secretariat or Regional Executive Boards
- i) Any change in the membership fee
- j) Election of the Secretaries General and alternates
- k) Election of the Women's and Trans' Secretariats and alternates.

C8.7 The conference is chaired by a Chaining Pool, which shall have the functions set out in the

Standing Orders

C8.8 Only full members are entitled to vote at a World Conference. Delegations with mixed identity members will have two votes. Delegations of women's, trans' and intersex's organisations will have two votes. Delegations with only male members will have one vote.

C8.9 Associate and individual members are entitled to attend World Conferences and speak in all workshops and plenary sessions. The Executive Board can permit others to attend and participate in any World Conference or a part of it.

C8.10 Decisions of a World Conference are taken only by the conference in plenary session.

They shall be recorded in a special register and signed by two Executive Board members.

A plenary session can decide on questions of membership, resolutions, constitutional amendments, policy statements, budgetary decisions, elections and other business, in accordance with the procedures in the Standing Orders.

C8.11 Wherever possible, decisions are taken by consensus. In the event of a vote, decisions shall be taken on the basis of a simple majority of the votes cast for and against, with the exception of amendments to this Constitution, as stated in C11.2.

C8.12 A full member that cannot participate may be represented in accordance with the provisions for proxies in the Standing Orders.

C8.13 An extraordinary World Conference shall be convened by the Executive Board if:

C7.13.1 A World Conference decides that an extraordinary conference should be held, or

C7.13.2 20% of the full members including members from at least twelve countries and two regions request such a conference in order to discuss and take decision on particular issues, or

C7.13.3 The Board considers that it is in the interests of ILTGA for such a conference to be held and make decisions on particular issues.

C8.14 The notice for such a conference shall specify the issues that are to be discussed, and the agenda for the conference shall be restricted to these issues. At extraordinary conferences decisions can be taken only if at least 15% of the full members including members from at least fifteen countries and three regions are represented at the conference by delegates or by proxy. In all other respects, the provisions of this Constitution and the Standing Orders shall apply.

C9

THE EXECUTIVE BOARD

C9.1 The Executive Board shall act on behalf of ILTGA between World Conferences, within the framework and goals of this Constitution and the resolutions of the World Conference.

C9.2 The Executive Board shall include three members, of different identity, gay or bisexual, lesbian or bisexual, trans or intersexual, from each region recognised by ILTGA, the three Secretaries-General, one representative of the Women's Secretariat and one representative of the Trans Secretariat.

C9.3 Regional representatives and alternates shall be elected by the appropriate regional structures, according to their procedures. If this is not possible, a regional caucus at a World Conference shall elect representatives until the region elects representatives according to their procedures or until the next World Conference.

C9.4 In case of a vacancy, a replacement may be elected by the region according to their procedures. If the region does not or cannot fill a vacancy, the Executive Board may appoint an interim member until the region or a regional caucus elects a new member.

C9.5 The World Conference shall elect Three Secretaries General, one lesbian or bisexual, one gay or bisexual, and one trans person to join the Executive Board.

C9.6 The Executive Board has the following functions:

a) to represent ILTGA internationally and implement ILTGA policies,

b) to ensure the organisation of world conferences

c) to manage an administrative office, including the employment of staff

d) to report regularly on their activities to the membership and to each World Conference,

e) to select signing officers for the organisation.

f) to undertake fundraising for the organisation.

g) to set up working parties to assist them in specific areas and to mandate such working parties to act on its behalf where appropriate and within the aims and objectives of ILTGA;

h) to work closely together with the Women's and Trans' Secretariats

i) to promote equality of women, trans and intersexual persons within and outside ILTGA

j) to act on behalf of the organisation where necessary and undertake such other functions for every purpose falling within the aims and objectives of ILTGA.

C9.7 The Executive Board shall set up its own order of business and determine its own timetable for meetings in order to carry out its functions.

C9.8 Meetings of the Executive Board will be open to observers representing full members of

ILTGA, with the exception of discussions involving confidential personal information regarding individual board members or employees.

C9.9 The Executive Board will have a meeting shortly after the World Conference.

C9.10 The quorum for a meeting of the Executive Board shall be at least 50% of the regions represented, and one Secretary-General present. Meetings can also be conducted by telephone or electronically.

C9.11 The term of office of the Secretaries-General and the Women's and Trans Secretariats shall be from the end of the World Conference at which they are elected until the end of the next World Conference. They may be re-elected. The term of office of the regional members shall be specified by the appropriate regional structures.

C9.12 Decisions of the Executive Board are recorded in a special register and signed by two Board members.

C9.13 ILGA can only be legally committed by three members of the Executive Board jointly, acting with the authorisation of the board.

C9.14 All decisions of appointment and dismissal of board members and people entitled to act on behalf of the association will be deposited at the Court of Commerce of the applicable jurisdiction.

C10

FINANCES

C10.1 The financial year of ILGA is the calendar year, unless otherwise determined by the Executive Board or a World Conference.

C10.2 ILGA is a non-profit, international, non-governmental organisation. It may receive income from membership contributions, gifts, grants or other legally acceptable sources.

C10.3 The Executive Board is responsible for ensuring that accurate accounts are kept of the capital, income and expenditures of ILGA, and shall present the audited accounts and balance sheets for the previous financial year or years to the World Conference for approval and adoption, together with a financial report outlining the situation in the current financial year and the budget for the following year or years.

C10.4 The approved accounts shall be deposited at the Court of Commerce of the applicable jurisdiction.

C10.5 The Executive Board shall determine detailed financial regulations for the proper control of the financial resources of the organisation and the keeping of accurate financial records, which shall include provisions for the audit of ILGA accounts.

C10.6 Only signing officers designated by the Executive Board shall be able to withdraw funds from any ILGA bank or giro account.

C10.7 The World Conference shall appoint a suitably qualified auditor who shall be independent of the Executive Board.

C11

USE OF THE ILGA NAME

C11.1 The names The International Lesbian, Gay, Bisexual, Trans and Intersexual Association and ILGA can only be used with the authorisation of the Executive Board or the World Conference.

C12

AMENDMENT OF THE CONSTITUTION

C12.1 An amendment to the Constitution can only be considered at a World Conference if the proposal has been submitted and circulated according to the rules in C7. The World Conference can consider the amendment proposed and any alterations to the amendment, which are not outside the scope of the proposed amendment.

C12.2 Adoption of changes to the constitution requires a majority of 75% of the votes cast for and against.

C12.3 All amendments to the Constitution shall be deposited at the Court of Commerce of the applicable jurisdiction. They will be adopted by notary deed in those cases required by the law.

C13

VARIOUS PROVISIONS

C13.1 Dissolution of ILGA can be decided by a World Conference under the rules for the amendment of the Constitution. Notice, in this case, shall be mailed to members at least three months in advance of the conference. In the case of the dissolution of ILGA, the World Conference shall appoint one or several liquidators, shall define their powers and indicate how to affect distribution of the net assets. The assets of the organisation shall go to an organisation or organisations having similar aims, the organisations to be decided by the World Conference or, in default of such decision, by the Executive Board.

C13.2 Anything not expressly addressed in these statutes will be decided according to title III of the Belgian law of 27 June 1921 on international non-profit associations.