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# AMENDMENTS TO THE CONSTITUTION

## PROPOSAL MC1, NSW LGBTI Legal Forum, Australia, “Alternates”

### PURPOSE

The purpose of this proposal is alter the ILGA World Constitution to ensure that the following two requirements are specifically enunciated: -

- 1) Two ‘Alternate’ Limit** - There are only to be two people elected by each region to act as that region’s alternates.
- 2) Woman Requirement** - At least one of the two ‘alternates’ chosen must identify as a woman.

### BACKGROUND

Under the ILGA World constitution, if one or more of the regional representatives cannot attend an ILGA World board meeting, one or more of a region’s alternates are to attend as replacement. Whilst the ILGA World constitution requires one of the regional co-convenors from each region to identify as a woman, there is no such written requirement for either of the ‘alternates’. There has been an unwritten ILGA World practice to request that the regions nominate at least one alternate that identifies as a woman. This proposal reinforces this unwritten ILGA World practice.

### FINANCIAL IMPACT

**None**

### REQUIRED CHANGES

Currently the ILGA World constitution reads as follows: -

**C8 THE EXECUTIVE BOARD**

.....

*C8.3 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.*

The following constitutional change is to be made: -

**Underlined** – Added sections

**~~Crossed~~** – Removed Sections

**C8 THE EXECUTIVE BOARD**

.....

*C8.3 Regional representatives and alternates shall be elected by the appropriate regional structures, according to their procedures, **noting the following requirements must be met:-***

***a) One of the two regional representatives must identify as a woman.***

***b) One of the two regional alternates must identify as a woman.***

*If ~~this is~~ **these elections are** 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.*

**PROPOSAL MC2, NSW LGBTI Legal Forum, Australia, “Friends of ILGA”**

**PURPOSE**

The purpose of this proposal is to remove the ‘friend of ILGA’ membership category from the ILGA World constitution. This is a counter proposal to proposal 4A, whose contrary purpose is to reinvigorate this membership category.

**BACKGROUND**

The ‘friend of ILGA’ category of membership is a remnant from when the ILGA World constitution previously allowing voting rights to be given to individuals as well as organisations. These voting rights were abolished at an ILGA World conference either in 2006 (Vienna), or before.

ILGA currently has no ‘friend of ILGA’ memberships. This is largely because the ‘friend of ILGA’ membership has no rights or duties under the ILGA World constitution. ‘Friend of ILGA’ memberships are not advertised and no membership fee has been set by the ILGA World board for any person wishing to become a ‘friend of ILGA’.

The issue of the ‘friend of ILGA’ membership has been continually raised in past ILGA World board meetings. However, no solution has been formulated for making such a special category of membership functional. Abolishing the ‘friend of ILGA’ category of membership was previously discussed by the ILGA World board, without resolution.

**FINANCIAL IMPACT**

None

## REQUIRED CHANGES

The ILGA World Constitution currently read as follows: -

*C4.2 Membership in ILGA is divided into two categories: Full members and Associate members.*

*Individuals wishing to associate to ILGA may become Friends of ILGA.*

.....

*C4.3 Application:*

*An applicant for any category of membership of ILGA or for friends of ILGA must submit an application to the Administrative Office and affirm agreement with the aims and objectives of ILGA.*

.....

*C4.6.3 An individual may be suspended by the Secretaries General and later removed from the Friends of ILGA by a decision of the Executive Board*

The proposed amendments to the ILGA World Constitution are as follows: -

*C4.2 Membership in ILGA is divided into two categories: Full members and Associate members.*

~~*Individuals wishing to associate to ILGA may become Friends of ILGA.*~~

.....

*C4.3 Application:*

*An applicant for any category of membership of ILGA ~~or for friends of ILGA~~ must submit an application to the Administrative Office and affirm agreement with the aims and objectives of ILGA.*

.....

~~*C4.6.3 An individual may be suspended by the Secretaries General and later removed from the Friends of ILGA by a decision of the Executive Board.*~~

## **PROPOSAL MC3, NSW LGBTI Legal Forum, Australia, “Regional representatives”**

### PURPOSE

The purpose of this proposal is to ensure that the ILGA World constitution has duties and responsibilities for the ILGA World Board regional representatives and that these are constitutionally articulated.

### BACKGROUND

The regional representatives, constitutionally do not have any prescribed duties at all. Under the ILGA World constitution, apart from ILGA World ceasing to function without quorate ILGA World board meetings, there does not seem to be a duty placed on the regional representatives to even attend those events. The proposal remedies the neglect, over the life of the ILGA World organisation, to assign coherent duties to the existing regional representatives.

This proposal sets duties for the regional representatives which reflect what they currently do in their day-to-day operation. A large number of regional representatives have been industrious, whilst others have not. This proposal is not a reflection of the individual performance of any particular regional representatives. However, it does

allows a regional representative's performance to be better monitored, to see if it falls below expectations by comparing it to a minimum standard.

## FINANCIAL IMPACT

**NONE**

## REQUIRED CHANGES

The following constitutional change is made by adding the following section: -

**Underlined** – This section is to be added to the ILGA World constitution.

### **C5.9 REGIONAL PRESENTATIVE**

**It is the responsibility of every regional representative to: -**

- a) Attend relevant conferences within and outside ILGA and make policy inputs to international organizations and agencies;**
- b) Co-ordinate and arrange the caucuses and workshops associated with that representative region, in co-operation with the group planning for a World Conference;**
- c) Carry out tasks allocated to it by World Conferences.**
- d) Write a regional report for each Executive Board meeting, in conjunction with the other representative of their own region.**
- e) Act in coordination with the Executive Board, ensure the organisation of the: -**
  - i) regional caucuses, in accordance with C5;**
  - ii) regional conference.**

## **PROPOSAL MC4, Closét de Sor Juana, Mexico, “Co-Secretaries General”**

The current article C 8.5 of the Constitution of ILGA reads:

C8.5

*The World Conference shall elect two Secretaries General, at least one of whom identifies as a woman, to join the Executive Board:*

- a) The secretaries general represent the organisation*
- b) The secretaries general can delegate the representational functions to other board members*
- c) The secretaries general act as joint line manager to the executive director. They can decide to designate one of them as the lead person on this matter.*

The proposed amendment to C8.5:

*The World Conference shall elect two Secretaries General, at least one of whom identifies as a woman **and at least one of whom is from the global South,***

to join the Executive Board.

[...]

## AMENDMENTS TO THE STANDING ORDERS

### **PROPOSAL MS1, NSW LGBTI Legal Forum, Australia, “Secretariats”**

#### PURPOSE

The purpose of this proposal is to update the ILGA World standing orders, with regards to the handling of the ILGA World Secretariats, to reflect changes made to the ILGA World Constitution over the past decade, thereby making the ILGA World standing orders compatible with its parent document.

#### BACKGROUND

The ILGA World standing orders provision has remained unchanged, whilst the ILGA Oceania constitution has notably had two major constitution changes at two previous ILGA World conferences

- 1) Intersex Secretariat Addition** – The addition of the Intersex Secretariat. (Sweden 2012)
- 2) Bisexual Secretariat Addition** – The addition of a Bisexual Secretariat. (Mexico 2014)

These ILGA World constitutional changes have impacted significantly on the ILGA World standing orders. Since the ILGA World standing orders are a subservient document to the ILGA World constitution, this has rendered these particular provisions of the ILGA World standing orders, which this proposal is designed to update, out-of-date and contrary to the authoritative ILGA World constitution. The purpose of this proposal is to update the ILGA World standing orders to make them consistent with the main body of the ILGA World constitution.

#### FINANCIAL IMPACT

**None**

#### REQUIRED CHANGES

The ILGA World standing orders currently read as follows: -

***SO5.1** A full member not present at the conference who would otherwise be entitled to vote, and mixed organizations sending a delegation of only women or only members who do not identify as women, may nominate an individual participant or the Women’s Secretariat or the Trans Secretariat to exercise by proxy either one or both of its votes.*

.....

***SO5.4** The Women’s and Trans Secretariats may exercise up to ten (10) proxy votes.*

*SO5.5 The Women's and Trans Secretariats may nominate other individuals to exercise those proxy votes nominated to it, provided the member has agreed to this in advance in writing.*

.....  
*SO7.1 The Chairing Pool will be responsible for coordinating the election of the Secretaries General, and the Women's and Trans Secretariats.*

.....  
*SO8.1.1 Full members, the Women's and Trans Secretariats, Regional Executive Boards and the Board may submit proposals or amendments on matters which have arisen since the relevant deadline for the receipt of proposals or amendments in the timetable published under SO 2.1.*

The proposal amends the ILGA World standing orders as follows: -

**Underlined** – Added sections

**~~Crossed~~** – Removed Sections

*SO5.1 A full member not present at the conference who would otherwise be entitled to vote, and mixed organizations sending a delegation of only women or only members who do not identify as women, may nominate **any of the following to exercise by proxy, either one or both of its votes;-***

- 1) an individual participant; or***
- 2) the Women's Secretariat; or***
- 3) the Intersex Secretariat; or***
- 4) the Bisexual Secretariat; or***
- 5) the Trans Secretariat***

*~~to exercise by proxy, either one or both of its votes.~~*

.....  
*SO5.4 The Women's, **Intersex, Bisexual** and Trans Secretariats may exercise up to ten (10) proxy votes.*

*SO5.5 The Women's, **Intersex, Bisexual** and Trans Secretariats may nominate other individuals to exercise those proxy votes nominated to it, provided the member has agreed to this in advance in writing.*

.....  
*SO7.1 The Chairing Pool will be responsible for coordinating the election of the Secretaries General, and the Women's, **Intersex, Bisexual** and Trans Secretariats.*

.....  
*SO8.1.1 Full members, the Women's, **Intersex, Bisexual** and Trans Secretariats, Regional Executive Boards and the Board may submit proposals or amendments on matters which have arisen since the relevant deadline for the receipt of proposals or amendments in the timetable published under SO 2.1.*

### **3) ILGA WORLD STANDING ORDERS CHANGE: "STANDING ORDERS UPDATE (VOTE ALLOCATION)"**

## **PROPOSAL MS2, NSW LGBTI Legal Forum, Australia, "Vote allocation"**

### PURPOSE

The purpose of this proposal is to update the ILGA World standing orders, with respect to vote allocation, to reflect changes made to the ILGA World Constitution over the past decade, thereby making the ILGA World Standing Orders compatible with its parent document.

## BACKGROUND

Whilst the ILGA World standing orders have remained unchanged, the ILGA Oceania constitution had a major constitution change at the Brazil ILGA World conference (2010). The ILGA World used to give more votes to organisation representing women and mixed organisations. Since the Brazilian amendments, the ILGA World constitution now mandates that all ILGA member organisations get the same number of votes at ILGA World conferences, i.e. 2 votes: -

*C7.8 Only full members are entitled to vote at a World Conference. Each full member may exercise up to two votes in accordance with the provisions in the Standing Orders.*

This change significantly impacted significantly on the ILGA World Standing Orders and its provisions. The ILGA World Standing Orders are a subservient document to the ILGA World constitution. This has rendered the particular provisions of the ILGA World Standing Orders, which this proposal is designed to update, out-of-date and contrary to the ILGA World Constitution, from which it gains its authority. The purpose of this proposal is to update the ILGA World standing Orders to make them consistent with the main body of the ILGA World constitution.

## FINANCIAL IMPACT

**None**

## REQUIRED CHANGES

The ILGA World standing orders currently read as follows: -

*SO6.3 Every full member organization will have two votes, but a mixed organization sending a delegation of only women or only members who do not identify as women, will have only one vote unless it has provided written confirmation that the other group(s) in that organization have approved the delegate(s) exercising both votes. In either case, the women or people who do not identify as women in a mixed organization may instead nominate a proxy in accordance with Standing Orders.*

The proposed amendments to the ILGA World standing orders are as follows: -

**Underlined** – Added sections

**~~Crossed~~** – Removed Sections

*SO6.3 Every full member organization will have two votes, ~~but a mixed organization sending a delegation of only women or only members who do not identify as women, will have only one vote unless it has provided written confirmation that the other group(s) in that organization have approved the delegate(s) exercising both votes. In either case, the women or people who do not identify as women in a mixed organization may instead nominate a proxy in accordance with Standing Orders.~~*

## RESOLUTIONS

## **PROPOSAL MR1, NSW LGBTI Legal Forum, Australia, “Friends of ILGA”**

### PURPOSE

The purpose of this proposal is to empower the ILGA World board to brainstorm ways in which the ‘friend of ILGA’ membership category in the ILGA World constitution can become a functional asset of ILGA World again. This is a counter proposal to proposal 4B, whose contrary purpose is to abolish this membership category.

### BACKGROUND

There is a feeling within the ILGA membership that ILGA World still needs contact with its friends and allies. The retention of the ‘friend of ILGA’ membership in the constitution allows ILGA World to continue to recognise individuals as its friends and allies, even though they themselves are not member organisations. ILGA World has a history of individuals taking pride in their ‘friend of ILGA’ status, even introducing themselves as such when attending international events and embassy meetings, etc. There is a strong argument that ILGA would benefit from a resurgence in this tradition.

If organised correctly, a small token fee could be collected from people with this membership status. This could create a valuable source of revenue for ILGA World, or, if collected directly, or through the individual ILGA regions via the regional organisations. However, putting aside the income, the contacts gained by ILGA in each region could produce an invaluable network of LGBTI right advocates for ILGA.

In spite of this untapped potential, the ‘friend of ILGA’ membership category has become a shadow of its former usefulness. When the ILGA World constitution was amended to change the voting rights from individuals to organisations, in either the Vienna ILGA World conference (2006) or before, ILGA World stopped actively taking on people for the ‘friend of ILGA’ membership category. Today ILGA currently has no ‘friend of ILGA’ memberships. This is not helped by the fact that the ‘friend of ILGA’ membership has limited functionality in the ILGA World constitution, with no rights or duties. Over the past decade, ILGA World has not advertised the ‘friend of ILGA’ membership’s existence and no membership fee has been set.

The dormancy of the ‘friend of ILGA’ membership has been an ongoing problem. Whilst abolishing this membership category has been discussed, no solution has been formulated for making such an invaluable membership category functional. This proposal is designed to be a counter proposal to the abolition of the ‘friend of ILGA’ membership category, by empowering the ILGA World board to investigate ways in which this ‘friend of ILGA’ membership category can become functional again.

### FINANCIAL IMPACT

This proposal could amount to a valuable source of income for ILGA. The quantum of this income is dependent on both the membership fee set by ILGA for this ‘friend of ILGA’ membership category, and also how popular this category of membership ends up becoming.



## REQUIRED CHANGES

That the ILGA World Board shall workshop ways in which the ‘friend of ILGA’ membership category is to become fully functional by:-

- a) Setting a definite fee for the ‘friend of ILGA’ membership and establishing how this fee is to be collected.
- b) Advertising the existence of the ‘friend of ILGA’ membership fee, especially on the ILGA website.
- c) Brainstorming ways of allocating rights and responsibilities for the ‘friend of ILGA’ membership category, proposing ILGA World constitutional changes where necessary.
- d) Brainstorming other ways to make the ‘friend of ILGA’ membership category more useful and integral to ILGA World and the ILGA regions.

## **PROPOSAL MR2, NSW LGBTI Legal Forum, Australia, “Youth fee”**

### PURPOSE

The purpose of this proposal is to create a concession membership fee for youth organisations, including student groups, based in OECD countries.

### BACKGROUND

This proposal is aimed at realising the ILGA goals of protecting youth [*ILGA World Constitution*, C1.4] and those from low economic status [*ILGA World Constitution*, C1.5]. Solutions have been discussed at two past ILGA World conferences and one or two past ILGA World board meetings, without resolution.

Currently the ILGA membership fee is divided into one fee for LGBTI organisations in OECD countries and one lower fee for LGBTI organisations in non-OECD countries. This proposal recognises, and advocates for, the retention of the greater ILGA membership fee for organisations in OECD countries, but seeks to address an inequality experienced in this policy’s application to OECD youth organisations.

For youth-based organisations in OECD countries, the current fee structure has meant the lower income organisations in OECD countries have been presented with an often insurmountable obstacle to membership, even though the average incomes of individuals in those ILGA member organisations is comparable to non-OECD country levels. The result has been an ILGA membership fee structure which favours only LGBTI organisations in OECD countries with significant budgets and high income participants, whilst disenfranchising poorer LGBTI organisations in those OECD countries.

This proposal sets a fee for OECD youth and student organisation comparable the membership fee paid by non-OECD countries LGBTI organisations, but twice that amount. This lower fees takes into consideration that such organisation have members with traditionally low incomes, in spite of them being based in OECD countries, making the current maximum ILGA membership fee for OECD LGBTI organisations well beyond these organisation’s means. However, at the same time it recognises the need to keep all OECD country LGBTI organisation paying a higher fee then even wealthy LGBTI organisations in non-OECD countries.

## FINANCIAL IMPACT

It is anticipated that there will be an increase in ILGA membership revenue. There are very few OECD youth and student organisations who are currently members that are paying their ILGA Oceania membership fee. Therefore, whilst this proposal will reduce the individual income from the overall membership fees of these organisations, this factor will not be significant. The real impact of this policy is the predicted increase the total number of youth and students organisation joining ILGA, thereby increasing the overall membership fee revenue from this ILGA World membership category.

## REQUIRED CHANGES

That the ILGA World board is directed that, when dealing with ILGA members organisations that identifying themselves as solely representing, and/or having a membership comprising of, the following: -

- 1) youth (25 years old or below); and/or
- 2) students (in a secondary or tertiary educational institution)

that the ILGA World board is to offer OECD youth/student organisations a membership fee which is lower than the fee for OECD country member organisations, but higher than the membership fee for non-OECD country member organisations. For example:-

- 1) Non-OECD Country LGBTI Organisations – 30 euros
- 2) OECD Country Student/Youth LGBTI Organisations – 60 euros

### [PROPOSED]

- 3) OECD Countries LGBTI Organisations – 150 euros
- 4) Associate Member Organisations – 300 euros