



STATUTES

of the EUROPEAN NETWORK OF (EX-)USERS AND SURVIVORS OF PSYCHIATRY

approved by the General Assembly held 12 December 2014 in Hillerød, Denmark

Article 1 - Name, Official address, Duration

The Federation shall be called: European Network of (Ex-)Users and Survivors of Psychiatry or “ENUSP” in abbreviated form (hereinafter referred to as “ENUSP” or the “Federation”).

The Federation shall be registered and recognized as a Non-Governmental Organization (NGO) in Denmark and its official address shall be in Copenhagen, Denmark. The country of registration and the official address of the Federation may be changed by way of a majority vote of the Board and shall be submitted to the next General Assembly for approval. As required by law, the Board shall be responsible for registering the Federation and filing any documents required regardless of the country of registration or the location of the Federation’s official address in order for ENUSP to be recognized at all times as a European NGO in good standing.

The Federation is hereby established for an unlimited period.

Article 2 - Purpose, Aims, Mission, Activities and Vision

2.1. Purpose

The purpose of ENUSP is to constitute a European forum for and voice of (ex-)users and survivors of psychiatry to promote, defend and protect our rights and interests.

2.2. Aims and Mission

The aims and mission of ENUSP are to be an independent and genuine voice of (ex-)users and survivors of psychiatry all over Europe and to define, promote, advocate for and improve the full human rights and self-determination of users and survivors in forums that decide about our lives. ENUSP supports the self-representation of users/survivors, the development of user/survivor organisations, the production and exchange of user/survivor knowledge and the full implementation of the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD) throughout all of Europe.

2.3. ENUSP's Philosophy and long-term vision

ENUSP is opposed to any unilateral approach to and stigmatisation of mental and emotional distress, madness, human suffering and unconventional behaviour.

ENUSP is working towards a Europe where:

- all people are free to be themselves, are valued equally and treated with dignity,
- all people have the power to make their own life choices and to speak for themselves,
- all people have access to a range of supports which respect their autonomy and dignity,
- all people are protected from poverty and have an equal chance to live their lives to their full potential,
- human crisis is seen in its social context; it is not medically labelled or feared, but is embraced as an opportunity for individual and community growth,
- the knowledge of people who have experienced extreme crisis is valued, cultivated and informs systems of support,
- the above conditions are equally true everywhere in Europe.

2.4. Activities

In order to achieve the above-mentioned aims, ENUSP will, among other activities:

- support the autonomy of (ex-)users and survivors of psychiatry and their responsibility in making their own decisions by supporting the mutual exchange of experiences and by providing relevant training sessions and consultations and promoting good practices, such as peer-advocacy, personal ombudspersons, self-help groups, advanced directives, etc.);
- offer (ex-)users and survivors of psychiatry a means to communicate with one another by way of newsletters, a web site, on-line forums, social networks and directories of relevant organisations, as well as the organisation of and participation in conferences and congresses, so that they may exchange opinions, perspectives and experiences and so that they can support each other more effectively in their personal, political and social struggle against isolation, injustice and stigma;
- challenge and fight against any kind of stigma and discrimination against people who are, or who have been subject to the psychiatric system, for example by publishing position papers, press releases and submitting amicus briefs, cooperating with anti-discrimination and equal opportunity programmes of the European Union or other European bodies and by cooperating with other non-profit organisations;
- support the creation and the development of organisations of (ex-)users and survivors of psychiatry in all European countries through the mutual exchange of experiences and by providing support and advice to their members;
- create and support new alternative programs to the conventional psychiatric system, by among other activities, supporting the mutual exchange of experiences of organisations which run alternative programs to the conventional psychiatric system and by dissemination of the benefit of alternative programs on a European level;
- promote full implementation of the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD) and influence policy-making institutions at the European level, with an emphasis on legislation, human rights issues, de-medicalizing psychiatry and supporting alternatives to conventional psychiatric treatment.

Article 3 - Definitions

Whenever the term “(ex-)user and survivor of psychiatry” is used, it shall refer to people who are or who have been recipients of psychiatric services. The terms "ex-user", "user" and "survivor" of psychiatry shall be used and understood based on each person's own definition.

Whenever the term “(ex-)user / survivor of psychiatry organisation” is used, it shall refer to those organisations run entirely by (ex-)users or survivors or where the majority of members and people in a governance role are (ex-)users or survivors.

Article 4 - Non-profit making status

ENUSP is designed and intended to be a non-profit organisation regardless of where its official address may be located or its country of registration.

All funds and assets owned by ENUSP shall be used strictly for the purposes provided for in these Statutes.

Article 5 - Membership

5.1 Member Organisations

European, national, regional and local organisations of (ex-)users and survivors of psychiatry with their headquarters in Europe may apply for membership, as well as hybrid organisations when a majority of their members are (ex-)users and survivors of psychiatry and on the condition the majority of members and people in a governance role are (ex-)users or survivors.

5.2 Individual Members

Individual (ex-)users and survivors of psychiatry residing in Europe may also become members.

5.3 Representation and decision-making

ENUSP Member organisations must appoint only (ex-)users and survivors of psychiatry who are members of their organisations to represent them within ENUSP.

Only (ex-)users and survivors of psychiatry are entitled to influence the policy of ENUSP, particularly by way of voting rights, both when they represent member organisations and themselves as individual members.

Article 6 - Admission

Applications for membership shall be considered for approval by the next meeting of the Board held after the application is received. The Board may consult similar organisations and individuals of the region concerned before approving/disapproving the application.

The application form and procedure may be covered in more detail in the Internal Rules of ENUSP, the main condition being a high-level of democracy within the organisation and that the majority of members and people in a governance role are (ex-)users or survivors.

The Board shall communicate its decision to accept or reject an application for membership to all current members within one week of its decision. Members shall have one month to inform the Board if they disagree with the Board decision and provide grounds for any objections. The Board shall reconsider for approval the membership at the next Board meeting and communicate its decision to all members. If an applicant is refused, but still wishes to appeal the Board's decision, the membership application shall be submitted to a decision of the next General Assembly pursuant to Article 8 below.

The amount of annual membership fees shall be decided by the General Assembly. Member organisations and individual members experiencing financial difficulties may apply for a reduction or a waiver of membership fees by sending a written request to the Board.

Article 7 - Termination of Membership

Membership comes to an end:

- due to the liquidation of the member organisation;
- due to the death of a member;
- due to the resignation of a member from the Federation;
- upon the decision of the Board, due to failure to pay membership fees for two consecutive years, unless the member has requested and been granted a reduced membership fee or such fees have been waived;
- upon a decision of the Board to terminate membership at any time. This may occur if the member does not abide by the Statutes, rules or decisions of ENUSP, does not meet obligations agreed to or harms the Federation. In this case, ENUSP cannot reasonably be expected to continue the membership. The member shall be promptly notified of the decision of the Board to terminate membership in the form of a written statement describing the reasons for termination. The member shall have the opportunity to appeal the decision at the next General Assembly, which will vote to either uphold or overrule the decision. For the time between the termination by the Board and the decision of the General Assembly, the member shall be suspended from membership. If the membership terminates in the course of the year, full annual membership fees remain due.

Article 8 - General Assembly

8.1 - Composition and voting rights

The General Assembly is the highest authority of the Federation and represents all members.

Representatives of all member organisations and all individual members are invited to attend the General Assembly at their own expense. If financial resources are available to cover the cost for a certain number of members to attend the General Assembly, the Board may limit the number of paid invitations to attend at its own discretion.

The Board may invite non-member guests or persons who are not (ex-)users or survivors of psychiatry, on the condition their presence is approved by the General Assembly at the time the meeting is opened.

Member organisations, individual members or Board Members who have been suspended or dismissed pursuant to a decision of the Board may attend the next General Assembly and appeal this decision. In the event a Board member is dismissed from the Board, this person shall have the right to remain a member and represent or continue to represent a member organisation.

Regardless of the number of members attending the General Assembly from each country, voting rights shall be held by a maximum of three delegates per ENUSP member country who are elected from among those persons from each ENUSP member country present or represented at the General Assembly.

The members of each country are responsible for ensuring their voting delegates are selected in a democratic way. As mentioned above, only (ex-)users or survivors of psychiatry shall be voting delegates. The Secretary must be informed of the identity of these three voting delegates before voting starts at the General Assembly.

8.2 - Quorum

The quorum for the General Assembly to pass valid decisions shall be one-third of all member organisations.

8.3 - Frequency and Notice of Ordinary General Assemblies

Ordinary General Assemblies are called by the Board at least every three years if financially feasible and are held as a part of a European Congress that shall include a conference or seminar. Written notice of the General Assembly must be sent by the Secretary to all members (according to the list of members as of that date) as much in advance as possible and at least two months before the date scheduled for the General Assembly. The agenda for the Assembly and the resolutions up for vote shall be sent within a minimum of

two weeks prior to the date of the General Assembly to all members. Members may subsequently submit additional agenda items to the Secretary if possible in advance in writing and at the latest when the General Assembly is opened and the agenda approved.

Ordinary General Assemblies may also be called at the written request of at least ten percent of the members. If no action is taken by the Board to convene a General Assembly within two weeks, the members calling for the Assembly may proceed to convene the Assembly themselves according to the procedure described above.

In the event a quorum is not obtained, a second meeting will be convened and held within four weeks after the first in which a decision on the resolutions can be validly taken regardless of the number of members present or represented, provided that the decision is passed with a majority of at least two-thirds of the votes.

8.4 - Proxies

The principle of a proxy system for ENUSP is to ensure the maximum representation of members possible at General Assemblies. Several cases must be taken into consideration and are further detailed in the Internal Rules.

When there are over three ENUSP members in a given country, Member organisations which cannot send delegates to attend the General Assembly in person may be represented by giving a proxy to a delegate from another ENUSP member organisation from their country or to an individual member from their country in order to participate in the election of the three voting delegates provided for per country.

If there are less than three ENUSP members in a given country and none or only some of them are present at the General Assembly, the members who are absent shall be invited to either give a proxy to any another ENUSP member present or shall be invited to send their vote on the resolutions up for vote in writing in advance or via a remote voting system when possible.

Each member may hold a maximum of two proxies.

8.5 - Powers and responsibilities of the General Assembly

The ordinary meeting of the General Assembly has the authority to:

- approve or disapprove the reports given on ENUSP's activities and finances since the last General Assembly and grant the Board members discharge for their liability;
- decide on the aims, work plan and direction of ENUSP activities until the next Assembly;
- organise regional meetings prior to the General Assembly in order to nominate one or more candidates to the Board from each region;
- elect new Board members, Deputy Board members, the Chair, the Deputy Chair, the Treasurer and the Secretary of ENUSP if their terms of office have expired;
- ratify or reject the decisions of the Board to approve or refuse membership to organisations or individuals;
- approve any amendments to the Internal Rules of the Federation proposed by the Board;
- establish committees and task forces to execute special tasks. In this case, the Board or the General Assembly shall appoint a survivor or (ex-)user of psychiatry to co-ordinate each committee or task force;
- overrule any decisions taken previously by the Board;
- decide any changes to the ENUSP Regions in which the countries represented are divided;
- fix the annual membership fees for the next three years at the proposal of the Board.

8.6 - Proceedings

The Chair or a person appointed by the Board for this purpose shall chair the General Assembly.

Unless provided for otherwise, decisions shall be made by way of a simple majority vote of delegates present or represented with voting rights. Abstentions shall not be taken into account.

All votes shall take place by a show of hands, unless the Chair or any of the voting delegates request the vote take place by way of secret ballot.

In the event there are an equal number of votes for the approval of a motion or for the election of Board members, the Chair of the Board shall have a casting vote.

Article 9 - Extraordinary General Assembly

An Extraordinary General Assembly may be called by the Board at any time to consider urgent business that requires a decision before the next ordinary General Assembly, in particular, to amend the Statutes or to dissolve the Federation.

Written notice of the Extraordinary General Assembly must be sent by the Secretary to all members (according to the list of members as of that date) at least one month before the date scheduled for the General Assembly. The agenda for the Assembly and the resolutions up for vote shall be sent within a minimum of two weeks prior to the date of the Extraordinary General Assembly to all members. Members may subsequently submit additional agenda items to the Secretary if possible in writing in advance and at the latest when the General Assembly is opened and the agenda approved.

An Extraordinary General Assembly may also be called at the written request of at least ten percent of the members. If no action is taken by the Board to convene an Extraordinary General Assembly within two weeks, the members calling for the Assembly may proceed to convene the Assembly themselves according to the procedure described above.

The quorum required for an Extraordinary General Assembly to validly take decisions shall be over one-half of ENUSP members. All decisions made by the Extraordinary General Assembly require a vote in favour of at least two-thirds of the voting delegates present or represented at the Assembly.

In the event a quorum is not obtained, a second meeting will be convened and held within four weeks after the first in which a decision on the resolutions can be validly taken regardless of the number of members present or represented, provided that the decision is passed with a majority of at least two-thirds of the votes.

The Statutes as amended pursuant to the decision of the General Assembly shall be printed and signed by the Chair and a Board member and sent to all ENUSP members within one month after the Extraordinary General Assembly is held. As required by law, the amended Statutes shall be filed with the authorities in the country of registration.

Article 10 - Board

10.1 Composition and Term of Office

The Board is composed of:

- the Chair of the Board,
- six Board Members representing each ENUSP Region (who also act as the Vice Chair, Treasurer and Secretary),
- six Deputy Board Members representing each ENUSP Region acting in a support capacity and called on to substitute or replace the relevant Board Member if necessary.

These persons shall be elected directly by the voting delegates present or represented at the General Assembly and may be based on nominations for Board and Deputy Board Members put forward pursuant to Regional meetings held prior to the elections taking place during the General Assembly.

If, at a General Assembly, an ENUSP Region is unable to decide on its candidates for Board member and/or Deputy Board member to put forward at the General Assembly, then all delegates with voting rights at the General Assembly shall elect that Region's Board member and Deputy Board member from among all candidates from that Region.

If there are no nominations for a Board and/or Deputy Board member from a Region, the Board shall subsequently contact all members in that Region and ask them to elect these Board members to represent them within one month, failing which the Board will make its best efforts to co-opt these Board members from that Region until the next General Assembly.

The current ENUSP Regions are:

Northern Region: Denmark, Finland, Faroe Islands, Greenland, Iceland, Norway, Sweden

North East Region: Belarus, Estonia, Latvia, Lithuania, Russia, Ukraine

North West Region: Germany, Ireland, Netherlands, England, Northern Ireland, Scotland, Wales

Central Region: Austria, Czech Republic, Hungary, Liechtenstein, Moldova, Poland, Romania, Slovakia

South West Region: Andorra, Belgium, France, Italy, Luxembourg, Portugal, San Marino, Spain, Switzerland

South East Region: Albania, Armenia, Azerbaijan, Bosnia & Herzegovina, Bulgaria, Croatia, Cyprus, Georgia, Greece, Israel, Former Yugoslav Republic of Macedonia (FYROM), Malta, Montenegro, Serbia, Slovenia, Turkey

Only (ex-)users and survivors of psychiatry who are at least 18 years old are eligible to be Board members. Board members may serve a maximum of two consecutive terms and may be re-elected after one three-year term has passed.

Board Members shall be elected by the General Assembly by way of simple majority vote for a three-year term of office or until the next Ordinary General Assembly.

In the event a lack of financial resources makes it impossible to hold a General Assembly after a three-year period, the Board shall meet and each member shall be asked to state whether or not they are willing to continue their term of office until the next General Assembly can be held. If Board members are willing to remain in office until the next General Assembly, they shall remain in office. However, if certain Board members are unwilling to continue their term of office, they shall contact the ENUSP members in their Region and ask them to submit their candidacies to the Board to fill the seat within one month. The members in that Region shall be responsible for electing a new Board or Deputy Board member to represent them within one month of the date they are notified of their Regional Board member's resignation, failing which the Board may co-opt a new member from that Region to fill the seat until the next General Assembly. The Chair, Vice Chair, Treasurer and Secretary of the Board shall also be asked whether or not they are willing to remain in office and if they agree, they shall remain in office. If not, they shall be elected by the newly composed Board to act in the interim until the next General Assembly.

In both the nomination and the election process, every effort shall be made to achieve a gender balance.

10.2 Powers and responsibilities of the Board

Reserve made for the limitations provided for in the Statutes, the Board shall be responsible for managing the Federation and the realization of the aims and work programme as decided by the General Assembly.

Among other tasks which may be described in more detail in the Internal Rules, the Board is responsible for sending a written notification of the General Assembly to all members, together with the agenda, as well as the subsequent minutes drawn up of the proceedings. The Board is also responsible for selecting and hiring employees, approving or refusing new members and suspending or dismissing members. The Board may also make decisions concerning agreements to obtain, to alienate and to encumber assets of the Federation. However, the Board may not contract any guarantees on behalf of third parties.

Board members shall not receive salaries or any remuneration for their work. They may receive expense allowances to accomplish their activities subject to presentation of receipts of expenditures. Any payment or reimbursement of expenses shall be approved by way of a unanimous decision of the Board.

10.3 Board structure

The Board is composed of six Regional Board members and six Regional Deputy Board members, together with a Chair elected by the General Assembly. A Deputy Chair, Treasurer and Secretary shall be elected from among the Board members. The detailed responsibilities of these persons holding a term of office of three years are described in more detail in the Internal Rules.

Chair

The Chair of the Board shall be elected directly by the voting delegates at the time of the General Assembly.

The Chair is responsible for calling the General Assembly and Board meetings and chairing Board meetings. The Chair is authorized to sign agreements and be a spokesperson on behalf of ENUSP.

Deputy Chair

The Deputy Chair shall be elected directly from among the Regional Board members by the voting delegates at the time of the General Assembly upon nomination of the Board. The Deputy Chair shall be responsible for supporting and replacing the Chair when necessary.

Treasurer

The Treasurer shall be elected directly by the voting delegates at the time of the General Assembly upon nomination of the Board. The Treasurer shall be responsible for monitoring expenditures, ensuring the accounts are in order and for financial reports to the Board and the General Assembly.

Secretary

The Secretary shall be elected directly by the voting delegates at the time of the General Assembly upon nomination of the Board. The Secretary shall support the Board by ensuring oversight and assistance with meetings, administrative duties, reports, correspondence, etc. The Secretary shall be responsible for keeping all records of the Federation.

10.4 Deputy Board Members

A Deputy Board Member for each Region shall be elected directly by the voting delegates present or represented at the General Assembly and may be based on nominations for Deputy Board Members put forward pursuant to Regional meetings held prior to the General Assembly and in accordance with Article 10.1 above. Their role is to support and replace the Board member from their Region if necessary. Deputy Board Members shall be invited to attend all meetings of the Board, but shall only have voting rights if the relevant Regional Board Member cannot attend the meeting.

10.5 Vacancy on the Board

If for any reason a seat on the Board falls vacant, the Deputy Board member shall replace the missing Board member for that person's remaining term of office until the next General Assembly.

In order to replace this Deputy Board member, the Board shall subsequently contact all members in that Region and ask them to elect a Deputy Board member to represent them within one month, failing which the Board will make its best efforts to co-opt this Deputy Board member from that Region until the next General Assembly.

If the number of voting Board members drops to under seven, the Board shall remain competent. However, the vacancy must be filled as soon as possible.

10.6 End of Board membership, suspension, dismissal

Any Board member, including when co-opted due to a vacancy, may be dismissed by the General Assembly or suspended by way of a majority vote of the Board. This may be the case, in particular, if a Board member does not attend Board meetings for a period of six months.

Membership on the Board comes to an end:

- upon expiration of the term of office for which the Board member was elected;
- due to resignation of the Board member;
- as a result of suspension by the Board or dismissal by the General Assembly;
- in the event the organisation they represent is liquidated;
- due to the member's death.

Suspensions, dismissals and resignations must be notified in writing.

10.7 Board Meetings

The Board shall meet regularly, at least once a month by electronic means or in person.

The Chair or at least two other Board members may call a meeting. The Chair or the Board members concerned shall convene the Board meeting by giving a minimum of seven days' advance notice in writing, including the date and the agenda for the meeting. The Board may invite other relevant persons and experts to attend all or part of its meetings as guests.

If Board members are unable to attend, they shall be asked in any event to express their opinions in writing, and their Deputies shall replace them. If a Deputy Board member is also unable to attend, the Board member shall give a proxy to any other Board member. A maximum of one proxy may be held by each Board member.

In urgent cases, a Board meeting may be called with less than seven days' advance notice, on the condition 2/3 of the Board members are present or represented. If 2/3 of the Board members are not present or represented, the Chair shall initiate a vote via e-mail requesting Board members to vote on the case within 24 hours. The decision shall be made by way of simple majority of the Board members who vote within this time limit.

The Chair of the Board shall chair the Board meetings. When absent, the Deputy Chair or another Board member appointed for this purpose shall chair the meeting.

The Secretary of the Board or a person designated by the Chair shall record the minutes of meetings. These minutes must be sent to Board members within one month of the date of the meeting and subsequently approved by the Board members and confirmed as a true record of the proceedings.

10.8 Quorum and decision-making

The Board may only make valid decisions if the majority of the Board Members (or their Deputies) are present. If the quorum is not filled, the members of the Board who are present may decide to convene a new meeting no later than fourteen days after the date scheduled for the first meeting. At this second meeting, if the quorum is still not filled, decisions will only be valid if passed by at least two-thirds of the members present who are entitled to vote.

If the Statutes do not stipulate otherwise, the Board shall take its decisions by way of a simple majority vote.

Outside of Board meetings, the Board may take decisions. However, such decisions shall only be valid when the simple majority of the Board members vote in favour of the decision using any form of written communication.

10.9 Legal Representation

ENUSP may be represented in and outside a court of law by:

- A Board member holding a power of attorney signed by the Chair for a specific purpose;
- the Chair, together with another Board member.

The Board may also give a general or a special power of attorney to a competent individual to represent ENUSP for these purposes.

Article 11 - Annual Report and Accounting

The financial year of the Federation shall be from 1st January until 31st December.

The Board is obligated to maintain updated accounting records of its property and assets in such a way that its rights and obligations are transparent.

An annual report shall be drawn up within six months of the last financial year. It shall contain a report of ENUSP activities, a financial report and if applicable, the accountant's report. A copy of this report shall be made available to all members.

Article 12 - Assets of the Federation

The assets of the ENUSP may, among other things, consist of:

- donations, grants, subsidies, legacies and bequests;
- membership fees;
- revenues generated by the Federation's activities to pursue its aims;
- revenues generated by the assets themselves.

The Federation is responsible for good stewardship of the assets.

Article 13 - Internal Rules

The Board may draw up Internal Rules providing details on how ENUSP will operate and in particular, the responsibilities of the Board and potential committees and task forces. The Internal Rules and any amendments thereto shall be approved by the General Assembly.

Article 14 - Stipulation of Non-Discrimination

ENUSP shall not discriminate for reasons related to race, age, nationality, minority group, general or personal circumstances, and must not express opinions, believe in or carry out actions, implement policies or otherwise, which indicate a preference for any form of sexuality. The Federation shall not co-operate with people or organisations, whose objectives whether in policy or in practice, endorse or cause such discrimination.

Article 15 - Dissolution

The Federation may only be dissolved by way of a two-thirds majority vote of the Extraordinary General Assembly.

After a decision is taken to dissolve the Federation, the Board shall liquidate the property and assets of the Federation, unless the General Assembly has appointed other persons to perform this duty.

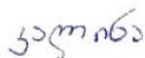
Any surplus assets remaining shall be distributed to non-profit organisation(s) with compatible aims as decided by the General Assembly.

Signed in Hilleröd, Denmark in three original copies

On December 12, 2014

By:

Chair /Olga Kalina/



Board member / Guadalupe Morales Cano/

