# Annex 1 Constitutional review summary report from the survey

**Report for March Board meeting**

[Introduction 1](#_Toc1242894506)

[Development and administration of the survey 1](#_Toc1836151256)

[How many, and which members participated in the survey? 1](#_Toc957738793)

[What did our members tell us? 2](#_Toc868729929)

# Introduction

In 2022, the EDF (European Disability Forum) AGA (Annual General Assembly) adopted a resolution to initiate a constitutional review. It called for the establishment of a Constitutional Working Group to lead the reflections on EDF statutes. The Constitutional Working Group terms of reference were agreed in a consultative process with the newly elected Board, as was the group's membership. The Group presented its first reflections and proposals to the Board in Dublin in November. The Board proposed, and it was agreed, to undertake a membership survey to gather input from members on their views of the EDF constitution with a focus on the priorities outlined in the AGA resolution.

# Development and administration of the survey

The survey was developed in a participatory process within the Constitutional Working Group, through an online meeting and testing/giving feedback on the survey. The survey was designed to:

* Ask each member about the items raised in the AGA Resolution
* Give input and suggestions for EDF
* Give feedback on what they do in their own organisation, so we can learn and be inspired
* Ask open questions to allow for diverse voices and perspectives in the process and understand not only which views our members held, but also why the held them

The survey was revised, tested, and finalised and sent to all EDF members direct contacts on December 15th, with a deadline of January 26th to complete. The Board was informed about the survey on a few occasions via email, and it was communicated in the members mailing also. Members who did not receive the form were asked to contact Catherine/Loredana. Catherine and Loredana also provided technical support to any members who had difficulty with the form and provided a word version to those that needed it. Some members asked for an extension to January 20th, which was of course granted. The form remained open and every member which expressed an interest in filling it in, had tha chance to do so.

# How many, and which members participated in the survey?

There are 36 responses to the survey; only 4 of these organisations are registered in Belgium. The rest are spread widely in Europe covering 19 countries.

This table shows the membership category of the respondents: full member national councils, 16, Full ENGO (European non-governmental organisations) 13, 2 ordinary and 2 observer members, and 3 associate members. They were all filled by senior staff or Board members, and all filled by contacts known by EDF.

|  |  |
| --- | --- |
| Full member- national council | 16 |
| Full member- ENGO | 13 |
| Ordinary member | 2 |
| Observer member | 2 |
| Associate member | 3 |

Of the organisations responding, 23 are currently represented in the Board of EDF, 6 were represented in the past and 7 organisations were never part of the EDF board. This will include the 5 associate and observer members who do not have the possibility to be part of the EDF Board.

# What did our members tell us?

The results of the survey presented here with very few comments (expect where needed for clarity). However, the organisation names are generally removed, as this was part of the introduction in the survey. The responses were rich and informative and not all included here. However, keep points for the constitutional review are of course all included. We also include reflection points that EDF should include in our future discussions. Not all points of feedback will lead us towards constitutional change, but can also inspire new ways of working in order to be a diverse, inclusive future facing organisation.

**What are the key issues in the EDF constitutional review?**

The first question aimed to get an overview of what all members wished EDF to focus on. These were already identified in the AGA resolution and assessed further by the Board, and this was the opportunity to get feedback from each members individually . This question was to see which of the issues were most important to deal with now, from the members perspective. Members were asked to rate each pre-identified issue as

* Not important at this point
* Quite important
* Very important
* The most important issue

The issues they rated were:

* Youth representation
* Gender equality
* Term limits- limiting the number of times an individual can hold elected office
* Criteria for membership in the ENGO category
* Other forms of diversity such as race ethnicity or LGBTIQ identity

The issue with the highest priority for members is term limits, followed by youth representation, and then gender equality. Criteria for ENGO membership, and other forms of diversity were deemed less important at this point.

**Do you want to see other issues reviewed in the EDF statutes?**

Sixty seven percent of members **did not** wish to see other issues reviewed in EDF statutes.

For reflection: members who asked for examination of these other issues:

* Balance of different disabilities in the Board and avoiding having representatives from the same disability group or same country
* Ensuring EDF representatives represent the interest of the whole movement
* Bringing the language up to date with the CRPD- disabled people/ persons with disabilities and removal of all mentions of ‘unable to represent themselves,’ or the parity given to parents are representatives of their children
* Restrictions on number of candidacies
* Rules for representation at AGA (which currently favour incumbents)
* Transparency and open nomination to committees (editors note: this already exists)
* Disability representation: all members of the executive should be persons with disabilities

It was noted in the CWG that issues of CRPD language are critical- we expect policy makers to adopt CRPD language and so we must do it ourselves.

**On electoral committees: Does your organization have a body appointed to find potential candidates for the Board or seek candidates for different offices such as the president, vice presidents, etc?**

10 organizations have such a committee, 26 do not.

**Do you think EDF should consider including an electoral committee in its constitution?**

The membership is divided on this question: 19 believe EDF should have, and 17 believe it should not have. It should be noted here that the CWG (Constitutional Working Group) debated this proposal in detail and were against such a committee for a variety of reasons. Mostly based on the specific voting structure of EDF. EDF members nominate from within their own constituencies, with their own selection processes. Establishing a committee in addition to this would risk reducing the independence and the responsibility members have to nominate their own candidates, and the risk of filtering candidates by a small number. Within EDF no extra committee would have the knowledge of all the activists and potential members across Europe, and if they did, would such a committee have the right to tell members whom they should nominate? Members pointed out that it could give the impression EDF was trying to pre-select candidates and would naturally not favour less well-known disability leaders and activists. It was also pointed out by members that the elections preparation is already very thorough.

For now, neither the survey, nor the Constitutional Working Group points EDF in the direction of establishing such a committee. However, members feel that there needs to be more information and encouragement provided to ensure new and diverse candidates within the EDF governing bodies.

**Do you allow the co-optation of individuals in your governing bodies such as the board?**

19 members have co-optation, and 17 do not.

Reflection: co-optation is already possible by the EDF Board, to the Board. The Board can, and does, co-opt members from non-represented disability groups. Additional co-optation would not seem indicated in EDF at this time as there are currently adequate candidates for all roles.

**How do you secure leadership and political influence in the governing bodies of your organisation?**

There are a variety of means members use:

* Organisations nominate their strongest candidates, people with disabilities with experience in their movement
* The Board members are individuals nominated by each member, with significant background and experience as leaders in their own organisations. For example, president is always a president of one of the member organisations
* Direct elections, by the members of the organisation
* All candidates need to share a CV and letter of motivation which is shared with all members.
* There is training foreseen for already elected members of the board or for the president for the fulfilment of certain tasks (whenever needed)
* The organization is composed of different membership categories and therefore represents a mixture of interests:
* It is made clear in the statutes that people in the Board shall not represent the interests of their own organization, but rather work as individuals for the good of our organisation
* We have the provisions on conflict of interest, which spells out actions if a person holds a political position. It also specifies how decisions are made in complex advocacy campaigns.
* We secure it by dialogue and a maximum of clarity in the decision process. All decisions are based on proper notes with due evaluation of advantages and disadvantages of the proposed decision or decisions. The Board members fulfil their duties within the frame set by the yearly General assembly. All important decisions are submitted to the “contact person” of all the member organizations, with a due delay for answer (except when the Board is forced to work in a short delay due to requests coming from EU level or from National government. The key role of the President is to lead the debate ensuring that every member fully understands and can express his or her point of view. Leadership is not received when acquiring a title such as “president.” Leadership is when the members accept to follow the way proposed by a president.
* We approach individuals who we believe might be good candidates; they are typically leaders from the disability community. We do not allow disabled people to be represented by parents in the governing bodies, as that is not necessarily in line with the CRPD/General Comment 7
* We are composed of leaders and influencers mainly on the national level in their countries and they put this to the service of the organisation based on their time, interest and knowledge of the subject being advocated for.
* We guarantee that all member organisations are represented in our governing bodies. Unity and consensus are the core values to secure our political influence These are the rules we apply : 1.- Under the principle of parity democracy, we will strive to seek gender balance in the provision of social positions and in the composition of the Association's Governing Bodies until parity is achieved. 2.- Board of Directors: Each of the founding members will have two representatives (with equal participation of men and women); the ordinary members, seven; the associate members, three; and the regional bodies, four.

**Do you have a process for persons who want to run for president, vice – presidents, treasurer, secretary general etc. to be trained in advance? For instance, as president elect before becoming president?**

33 organisations have no such process, 3 have such a process.

**Do you think EDF should have such a process?**

Again, this response is divided. 20 members think EDF should have this, and 16 do not.

None of the responses to this question called for changes in EDF statutes; However, there is a clear message. We may not need to have training posts, like’ president elect’, but there should be processes in place to train and support new Board, Executive members, and elected officers.

**EDF holds full elections every four years. How often do you think EDF should hold full elections?**

Currently EDF has elections each 4 years:

* 27 members wish to keep it at 4 years
* 3 feel 5 years is better
* 3 think every 3 years

Reflection: there is no reason to review the mandate length as a large majority support 4-year terms.

**Currently, each elected official in EDF can be nominated and run for office to the governing bodies without any term limits. Do you think EDF should introduce term limits for individuals holding office. This would mean that an individual could hold a certain office for a limited number of terms.**

* 27 responding members think EDF should introduce term limits (75%)
* 4 think EDF should not
* 5 have no clear opinion

Reflection: The Constitutional Working group believes there is clear support for the introduction of limits to consecutive terms served.

**You answered yes, you believe there should be term limits. How many terms do you think an elected official in EDF should serve, meaning, how many times can they run consecutively for election for the same role?**

* 13 believe 3 terms
* 13 respondents think 2 terms
* 0 think only 1 term

Responses are either 2 or 3 terms, meaning either 8 or 12 years consecutively can be served.

Reflection: Managing a European wide network requires expertise, but also stability and mutual trust at the leadership level. The CWG and the Executive committee have discussed this issue in detail, and the two principles of renewal within the leadership, and stability within the organisation should be carefully balanced. Therefore the proposal presented is for 3 consecutive terms.

**Does your organisation have term limits?**

14 members responding have terms limits, 22 do not.

**Does your organisation have rules or practices to ensure self-representation of persons with disabilities?**

26 have rules, 10 do not.

**You said your organisation has rules to or practices to ensure self-representation of persons with disabilities- can you describe the rules or practices which you have?**

Here is a summary of the practices in our membership:

* Board and assembly members are persons with disabilities or their parents (some have this as a majority of the Board, some as all board members)
* Leadership roles are kept only for persons with disabilities.
* Specific self-advocacy working groups
* Only organizations representing people with disabilities and/or their families can be accepted as full members. Other organizations can be accepted as "associate members", without voting rights.
* Individual members, representing themselves and not organisations are included in the assembly
* Our representative in EDF and his/her substitute as well as must be persons with disabilities or family members of people with disabilities; most elected members of the Board must be made up of people with disabilities or family members of people with disabilities.

**Does your organisation have rules or practices to ensure gender equality in your governing bodies?**

14 members have, 22 do not have process to ensure gender equality.

Reflection: this is considered a high priority by EDF members. However, currently in the Board and Executive there is gender parity, so it did not seem to be an urgent issue to address right now in our statutes. However, safeguarding gender parity is important and measures in the constitution are possible, to ensure this.

**You said that your organisation has rules or practices to ensure gender equality in its governing bodies, can you describe them?**

Here are some of the means members have in pace to ensure gender equality:

* % of each gender in working groups
* Gathering data on gender balance in each governing body and committee
* Most responding organisations have statements of intent, rather than quotas which would ensure gender balance

**Does your organisation have rules or practices to ensure youth participation in its governing bodies**

5 have measures to enhance youth participation, 20 do not have.

Reflection: youth participation is a top priority for the EDF constitutional review so the ideas and reflections of members is important on this.

**You said your organisation has rules or practices to ensure youth participation in your governing bodies. Can you describe the rules or practices in place to ensure youth participation?**

Here are the practices reported in the survey:

* Youth organisation as observer in the executive or Board
* Sending youth candidates to EDF Youth committee
* Having an active youth committee internally
* Having a youth task force
* Having a full pace for a youth member in the Board

**Does your organisation have rules or practices to ensure other kinds of diversity, such as increasing representation from persons with disabilities from racial or ethnic minorities, LGBTIQ communities:**

3 members say that they do. The measures included commitments and policies to non-discrimination on a range of grounds.

**Do you see other barriers which may hinder organisations putting forward candidates in EDF elections?**

Barriers mentioned included

* Lack of awareness of the process of election
* Lack of turnover in the leadership, meaning less space for new candidates to be elected
* Language barrier- the need for English
* The technicality of the diverse issues the person needs to work on
* Level of interest in EU work
* Confidence to work on EU issues
* Cognitive accessibility of governance
* Time constraints and lack of human resources in the organisation to support
* The responsibility of representing the diversity of the EDF membership, both in terms of disabilities and geographic representation.
* Being President requires a deep investment that no one could afford: their organization would not have one of their workers spending so much time for the EDF…
* Current AGA rules favour incumbents
* Not enough information of what the position requires
* Believing they are not qualified,
* Not wanting to work alongside parents that 'represent' disabled people.
* To the extent possible, member organisations should always be represented by a person with a disability themselves as often employees of the organisation and family members take over this role.
* Social class: Most disabled people live in poverty, without good access to education, without the chance to ever learn English -- their social class is rarely represented on international DPO (Disabled People s Organisations) Boards.

**Do you have ideas on how to promote and facilitate organisations to put forward candidates in EDF elections?**

Here are the ideas presented:

* Promoting the importance of EDF and its work- not everyone knows the impact of EU legislation on their lives
* Making it easier for young people to contribute
* plain language documents
* accessible events highlighting the participation of existing members, and the ways they are being supported
* Ensuring members do not perceive that their candidates are not strong enough, informed enough of EU issues, etc
* Leadership and governance training for members ; keeping in touch with training alumni
* Election committee
* actively approach people of diverse backgrounds
* If there are not enough candidates, extend the deadline or ensure that more candidates apply in time.

**Are there developments in governance you would like to see in your own organisation in the future?**

Members would like to enhance their:

* Youth participation
* Training and support for their leaders
* Technical expertise in different fields – limited also due to lack of funding
* Improving the legal framework for NGOs in their country
* Gender equality measures
* Increasing diversity

**Do you have other points you would like EDF to take into consideration for the constitutional review?**

**Here are the remaining points mentioned:**

* a change to article 13.1. when it comes to ENGOs (European Non-Governmental Organisations) to also allow organisations of "parents AND CARERS of disabled people unable to represent themselves" to become full members and to not limit this only to "parents"
* How to be more inclusive with regard to cognitive disability
* Increasing the involvement of national councils in EDFs work
* Ensuring that all members have a chance to input to al EDF positions
* Strengthen the emphasis on CRPD compliance
* Strengthen disability self representation
* Ensure all voting for elections if by closed ballot
* Make gender equality a guarentee , rather than a recommendation
* Reconsider the involvement of members outside the European Free Trade Area
* Make reference to working for the full implementation of the UN CRPD and Sustainable Development Goals in all aspects of the organisation, as well as references to relevant EU legislation (Article 3 of the Internal Rules is outdated and limited to "the implementation of the UN Standard Rules and EU legislative instruments on equalisation of opportunities and non-discrimination for people with disabilities, notably the Treaty on the European Union".