

European Antibullying Network AISBL

STATUTE

Article 1 Designation

The body being established is an international non-profit-making association known as: **European Antibullying Network AISBL (Acronym: EAN)**

This association is governed by the legislation of Title III of the Belgian Law of 27th June 1921 relating to non-profit-making associations, international-non-profit-making associations and foundations.

Article 2 Address of Registered Office

The registered office of the association is established in **Brussels, Belgium, at: 123A, Chaussée de Charleroi, BE-1060.**

This office may be transferred to any other location in Belgium by decision of the Board of Directors which should be published in the Annexes of the Moniteur Belge and notified to the Federal Public Department of Justice within one month of being taken.

Article 3 Definitions

Any form of bullying and violence is judged as unacceptable and intolerable. The act of bullying takes place when someone tries repeatedly to hurt another person physically, emotionally, in his/her self-esteem, in terms of his/her reputation or his/her material possessions. The definition of bullying also covers individuals who aid or abet the perpetrator of bullying.

Within the scope of the European Antibullying Network, the terms bullying and school violence include all types of behaviour as referred in the following definitions:

- i) A student is being bullied or victimized when exposed, repeatedly and over time, to negative actions on the part of one or more persons (Olweus, 1986 and 1991).
- ii) Bullying involves a desire to hurt, a power imbalance, (typically) repetition, an unjust use of power, evident enjoyment by the aggressor and a sense of being oppressed on the part of the victim (Rigby, 2002)
- iii) Bullying is a multifaceted form of mistreatment, mostly seen in schools and the workplace. It is characterized by the repeated exposure of one person to physical and/or emotional aggression including teasing, name calling, mockery, threats, harassment, taunting, hazing, social exclusion or rumours (World Health Organisation)

Based on the approach that bullying and school violence are issues of violation of the Rights of the Child, EAN's work is based on the principles of the United Nations Convention on the Rights of the Child and more particularly on Articles 3, 6, 12, 13, 14, 16, 19, 28, 29, 34.

Article 4 Objectives

European Anti-bullying Network is the active network of organisations working in and across Europe to combat the phenomenon of bullying and school violence by bringing together stakeholders working in prevention and intervention.

The association has the following non-profit-making, internationally useful objectives:

- i) to produce, develop and share information on policies and good practices in relation to bullying and school violence
- ii) to enforce capacity building of its members through the exchange of good practices, sharing of expertise and implementation of trainings/workshops etc
- iii) to empower children and youth as well as parents and teachers on how to respond to the phenomena of bullying/school violence
- iv) to raise public awareness with regards to prevention and response to bullying/school violence
- v) to monitor and influence policies at national and European level by drafting recommendations to international institutions such as the European Commission, the European Parliament, the Council of Europe and the United Nations
- vi) to develop partnerships among members in European countries as well as partnerships with other European associations working at the relevant field

Article 5 Activities

The activities which the European Antibullying Network undertakes in order to achieve these objectives are the following:

- i) Launch of campaigns at national and European level for the achievement of the above objectives
- ii) Facilitation of meetings for the members at a bilateral and multilateral level in order to exchange information, good practices and experiences and enforce their capacity building
- iii) Creation of tools useful to the members as well as to the members' beneficiaries at a second level
- iv) Organization of international conferences, seminars, trainings and other events
- v) Creation of common advocacy at national, European and international level
- vi) Conducting research in fields related to bullying and school violence in cooperation with research institutions, educational centres or Universities

- vii) Obtain, collect and receive money and funds by way of contributions, fees, donations, subscriptions, legacies, grants and any other lawful methods
- viii) Take appropriate action as necessary for the above mentioned objectives such as employment of staff, leasing or purchasing office accommodation and equipment and other services as required

Nothing in these declared aims and objectives should be construed or implemented in such a way as to interfere with the statutes of member organisations.

Article 6

Membership – Conditions of admission

The association is composed of:

- Founding Members
- Full members/active-duty members
- Honorary Members
- Associate Members
- Affiliate Members

The Founding Members are the organizations that have signed this Statute. The Founding Members automatically become Full Members/active-duty members and enjoy the rights and assume the respective obligations.

Membership is open to national and European organisations with legal personality who can demonstrate that they are able to meet the criteria laid down by the Board of Directors and approved by the General Assembly. Individuals may also be accepted as honorary members. “EAN” is open to everyone, irrespective of nationality, race, language, sex, religion or ethnic origin.

Applications for admission are sent to the Board of Directors which evaluates the applications and informs the General Assembly for decision.

Membership status is lost:

- by death;
- by written notification at least six months before the end of the year to the Board of Directors;
- by exclusion decided by the Board of Directors for "just cause", with a right of appeal to the General Assembly. The appeal period is thirty days from the notification of the decision of the Board;
- by failure to pay membership fees for more than a year.

In all such cases the membership fee for the year is payable.

Resigning or excluded members have no right in the association's assets. The association's assets respond only to the commitments made in its name. Personal liability of its members is excluded.

Full Members shall include:

- i) Non-Governmental Organizations with a proven experience in implementing activities against bullying/school violence
- ii) Independent Agencies with an interest in the field of bullying/school violence and rights of children and young people in general
- iii) Academic and research institutions with an interest and respective experience in the field of bullying/school violence

- iv) Educational Community Entities and specifically Teacher's Associations with a national or European capacity.

Associate Members may include:

- i) Governmental Entities Independent Authorities (e.g Ombudsman for Children)
- ii) Private Foundations with a proven interest in funding activities related to bullying/school violence.

Affiliate Members may include primary and secondary education institutions both public and private.

Honorary Members may include any organisation or individual approved by the Board of Directors, concerned with furthering the objectives of the European Anti-bullying Network.

Article 7 Appointment, Resignation, Exclusion

Any organization (or individual in the case of honorary members) desiring admission as a full, associate, affiliate, or honorary member shall submit a written application in such form and manner as the Board of Directors may at the time prescribe. The rights and privileges of full all members shall not be transferable.

The admission of new members is subject to the recommendation of the Board of Directors according to specific criteria:

- i) The organization has proven experience in the field of bullying/school violence
- ii) The organization has a legal personality
- iii) The organization has its premises registered in any European country (according to the membership of the Council of Europe)
- iv) The organization agrees with the principles and objectives of the Network.

Full Members have full voting rights and are appointed following recommendation by the Board of Directors plus approval by the General Assembly.

Associate Members do not have voting rights and are appointed following recommendation by the Board of Directors with the approval of the General Assembly.

Affiliate Members do not have voting rights and are appointed following recommendation by the Board of Directors with the approval of the General Assembly.

Honorary Members do not have voting rights and are appointed following recommendation by the Board of Directors with the approval of the General Assembly.

Members of all categories may give notice of their resignation from the association at any time by written notice to Board of Directors.

Exclusion of members from the association may be put forward by the Board of Directors, after they have heard the defence of the party concerned and a majority of two thirds of the members present or represented at the General Assembly shall decide upon it. The Board of Directors may suspend the member in question until the General Assembly issues its decision.

Any member who ceases to be part of the association shall lose their right to the association's property.

Article 8 Subscriptions

Founding and Full Members shall pay an annual subscription of a minimum amount of 150 EUR. Membership fees will be set by the General Assembly on the recommendation of the Board of Directors.

Associate and Affiliate Members shall pay an annual subscription of a minimum amount of 20 EUR set by the General Assembly on the recommendation of the Board of Directors.

Honorary Members shall pay no annual subscription.

Article 9 General Assembly (GA)

9.1. Remit

The General Assembly is the supreme body of the association and the sovereign body of the network. It shall meet on an annual basis in an ordinary session.

As such, it is competent to decide the essential activities of the association and to decide on all matters for which the statutes have not assigned a particular skill to other organs of the association.

The General Assembly has the power to enable the full realization of the goals and activities of the "EAN".

Specifically, the General Assembly appoints the gathering of all the representatives of the members of the Network in order to make decisions on matters of action and areas that are exclusively in its jurisdiction.

The General Assembly:

- elects and dismisses / discharges the members of the Board of Directors and appoints at least one President, a Secretary and a Treasurer;
- decides on the admission or exclusion of members;
- set standards and requirements for admission by resolution;
- is notified on the reports and financial statements of the association and votes for their approval;
- approves the annual budget and financial management;
- is monitoring the activities of other bodies it may be revoked for proper reasons;
- appoints auditor (s) to the accounts;
- determines the amount of the annual membership fee;
- decides on any modification to the bylaws-statute;

- decides on the dissolution of the association;
- adopts the rules of procedure and internal procedures.

The General Assembly shall have complete power to allow the aims and activities of the association to be realised. In particular, the following fall exclusively within its scope of activity:

- i) amendment of statute;
- ii) appointment and dismissal of members of the Board of Directors (including the President, Secretary and Treasurer), members of the staff and auditors;
- iii) approval of annual budgets and accounts;
- iv) release of members of the Board of Directors, staff, and auditors;
- v) voluntary dissolution of the association;
- vi) exclusion of a member;
- vii) other competencies, e.g., the adoption of internal regulations and procedures.

9.2. Structure

The General Assembly shall consist of all its members. Only full members have the right to vote. Each full member has a single vote. Other categories of member (e.g., associate and honorary members) may be present in an advisory capacity.

9.3. Meetings and Invitations

The General Assembly shall be held in full under the direction of the President, every year, at the registered office or at a location indicated on the invitation. This invitation shall be made by the President and shall be sent by letter, fax, electronic mail or any other means of communication, a minimum of 15 days before the General Assembly and shall contain the agenda.

An extraordinary General Assembly may be convened by the President where it is essential to make a decision/s on matters that cannot wait until the General Assembly.

9.4. Decision-Making

The General Assembly may only take decisions on accurate and unambiguous questions. The issues that the General Assembly decides on must all be examined one by one.

The General Assembly will only be able to make valid deliberations if 50 % plus one of the members are present or duly represented or, if unable to be present or duly represented, are in contact by e-mail or tel. / fax during the course of the meeting to express their wishes and confirm those wishes with a duly signed fax the same day.

Decisions on amendments to the bylaws-statute and the dissolution of the association can not be taken by a majority of two thirds of the present members.

Each full member may be represented at the General Assembly by another effective member bearing a special power of proxy. However, each full member may not, however, hold more than one power of proxy.

Any item which is not on the agenda cannot be ruled upon.

The agenda of the Annual General Assembly Meeting, called ordinary session, necessarily includes:

- the approval of the minutes of the last General Assembly;
- the report of the Board of Directors on the activities of the association during the period;
- the cash reporting and auditing body;
- setting the membership fees;
- the adoption of the budget;
- the approval of reports and accounts;
- the election of the members of the Committee and of the statutory audit;
- the individual proposals.

The votes are held by a show of hands. At the request of at least five members, they will be held by secret ballots.

Postal ballots prior to the General Assembly can be organised for matters such as the election of members of the Board of Directors, and other resolutions, but must be ratified by the General Assembly.

Other than in exceptional circumstances provided for in the current statutes, resolutions shall be passed by a simple majority of effective members present or duly represented (or if, unable to be present or duly represented, are in contact by e-mail or tel. / fax during the course of the meeting and confirm their wishes with a duly signed fax the same day).

Decisions shall be brought to the attention of all members through a written minutes and sent by e-mail or post.

The resolutions of the General Assembly shall be recorded in the minutes of the meeting and signed by the President. They will be held by the Secretary General who shall make them available to all members at the association's registered office.

Article 10

Amendment of the statutes and dissolution of the international association

Without prejudice to articles 50 §3, 55 and 56 of the law relating to non-profit-making associations, international non-profit-making associations and foundations, any proposal with the aim of dissolving the association or modifying its statutes must come from the Board of Directors or from at least two thirds of the association's full members.

The Board of Directors must advise the association's members at least two months in advance of the date of the General Assembly which will rule on the proposal in question, as well as on any amendments put forward.

The General Assembly may only legitimately deliberate on the proposal only if it contains two thirds of those members of the association who hold voting rights, whether present or duly represented, (or if, unable to be present or duly represented,

are in contact by e-mail or tel. / fax during the course of the meeting and confirm their wishes with a duly signed fax the same day).

No decision shall be accepted if it is not passed by four fifths of the votes of members present or represented, or in contact by e-mail or tel. / fax during the meeting if they confirm their vote with a signed fax the same day.

However, if the General Assembly does not contain, or have contact with during the meeting, two thirds of the association's full members, a new meeting shall be convened to give a definitive and legitimate ruling on the proposal, to be passed with the same majority of four fifths of the votes, regardless of the number of members present or duly represented – at the earliest possible convenience in the two week period following the first meeting.

Amendments to the statutes will only take effect once approved by the competent authority, in accordance with article 50 § 3 of the law and after publication in the Annexes of the "Moniteur Belge", in accordance with article 51 §3 of the aforementioned law.

The General Assembly shall determine the method by which the association is dissolved and liquidated.

After liquidation has taken place, any potential net credit shall be allocated to a non-profit-making association which comes under private law and has a similar social objective or, failing this, to an unselfish end.

Article 11 Board of Directors

11.1. Remit

The Board of Directors is authorized to perform all acts that are related to the purpose of the association. It has the most extensive day-to-day management powers.

The Board of Directors has all powers of management and administration, subject to the remit of the General Assembly.

It may delegate the day-to-day running of the association to its President, and/or to one or a number of members of the Board of Directors or to one or a number of employees whose powers it shall clearly define.

11.2. Structure

The association shall be administered by a Board of Directors consisting of at least 7 members to a maximum of 9 members from different organizations-full members and at least 4 different countries.

The Board of Directors has the power to set up working groups and committees from the membership. The minutes from these groups will be sent to the Board of Directors.

The President, Secretary, Treasurer and other members of the Board of Directors shall be appointed by the General Assembly for a term of two (2) years renewable one (1)

time for one further term of two (2) years. A candidacy may be re-submitted 2 years after the end of the last term.

Membership of the Board of Directors shall be lost / forfeited:

- by death;
- by written notification of resignation at least six months before the end of term;
- the removal from the Board by the General Assembly;
- due to incapacity to perform the assigned duties by civil or legal incapacity or by placing under temporary administration;
- if he / she is declared (e) incapable by a Court;
- if it becomes bankrupt,
- by revocation pronounced by the General Assembly;
- by expiration of the term.

Members of the Board of Directors and decisions of the Board of Directors may be dismissed by decision of the General Assembly ruling on a two-thirds majority of full members of active-duty members present or duly represented by proxy and at the request of at least five full members.

If a position becomes vacant during a member of the Board of Directors' mandate, the General Assembly may appoint a temporary replacement who shall complete the mandate of the member of the Board of Directors he/she is replacing.

The other members of the Board may nevertheless continue to exercise their powers, provided that the number of remaining elected Board members shall constitute a quorum (i.e. constitute a majority of the Board members or the minimum number of Board members required at a meeting).

All records relating to the appointment, dismissal and cessation of functions of members of the Board of Directors, drawn up in accordance with the law, shall be sent to the Federal Public Department of Justice with a view to being included in the official file and shall be published, at the association's expense, in the Annexes of the "Moniteur Belge".

11.3. Meetings and Invitations

The Board of Directors shall meet at least twice a year, at the special invitation of the President. The invitation shall be sent by letter, fax, electronic mail or any other means of communication.

11.4. Decision-Making

The Board of Directors may only be able to make valid deliberations if at least three (3) of its members are present or duly represented.

A member of the Board of Directors may be represented by another member of the Board of Directors, who may not, however, hold more than one power of proxy.

Resolutions passed by the Board of Directors shall be taken on a majority of members present or represented. If a vote is tied, the President shall have the casting vote.

11.5. Board of Directors -Register of Resolutions

Resolutions shall be recorded in the minutes of the meeting, signed by the President and held by the Secretary General, who shall make it available to the members of the association at the registered office of the latter.

Article 12

Representation of the association with regard to third parties and the Law

The association shall be bound by the signature of the President of the Board of Directors or by the joint signatures of two (2) members of the Board of Directors or by one (1) member of the Board appointed specifically for this purpose together with the cumulative signature of the Secretary General.

Unless special powers are granted, all documents involving the "EAN", shall be signed either by the President of the Board, or cumulatively by two (2) members of the Board of Directors or by one (1) member of the Board of Directors, appointed specifically for this purpose, together with the cumulative signature of the Secretary General.

The association shall be legitimately and legally represented as either plaintiff or defendant by two members of the Board of Directors or by its President or by a member of the Board of Directors appointed specifically for this purpose or the Secretary General.

All records relating to the appointment, dismissal and cessation of functions of persons empowered to represent the international association, drawn up in accordance with the law, shall be sent to the Federal Public Department of Justice with a view to being included in the official file and shall be published, at the association's expense, in the Annexes of the "Moniteur Belge".

Article 13

Budgets and Accounts

The fiscal year shall start on 1st January and close on 31st December.

Account management is entrusted to the Treasurer of the association and reviewed annually by the (s) Auditor (s) duly appointed by the General Assembly.

In accordance with article 53 of the law, the accounts for the past fiscal year as well as the budget for the next fiscal year shall be set by the Board of Directors on an annual basis, and submitted to the next General Assembly for approval.

The accounts shall, in accordance with article 51 of the law, be forwarded to the Federal Public Department of Justice.

Article 14

General Provisions

Any other matter not provided for in the current statute and, in particular, the publications to be made in the Annexes of the "Moniteur Belge", shall be determined in accordance with Title III of the Belgian law of 27 June 1921 relating to non-profit-making associations, international non-profit-making associations and foundations.

This statute was approved and adopted by the Constituent General Meeting of the 13th of June 2014, in Athens, Greece.

On behalf of the European Anti-bullying Network (“EAN”),

The Founding Members:

« **The Smile of the Child** », Greece
Mr. Konstantinos Giannopoulos
Legal representative

« **Estonian Mental Health Society** », Estonia
Mr. Aleksei Norden
Duly authorised representative

« **COOSS Marche** », Italy
Ms. Franscesca Cesaroni
Duly authorised representative

« **Ellinogermaniki Agogi** », Greece
Mr. Stravros Savvas
Legal representative

« **Families for Life Long Learning** », Malta
Mr. Paul Dalli
Legal representative

« **Nadja Centre Foundation** », Bulgaria
Ms. Rossanka Venelinova
Legal representative

« **Asociata DIRECT** », Romania
Ms. Ioana Sandru
Legal representative

« **YES FORUM EWIV** », Germany
Ms. Annett Wiedermann
Legal representative

« **Child Youth Trust Phone** », Latvia
Mr. Martins Valters
Legal representative

« **Centro Studi ed Iniziative Europeo** », Italy
Mr. Vito La Fata
Legal representative

« **Merseyside Expanding Horizons Ltd** », United Kingdom
Ms. Nicola Daley
Legal representative

« **Child Line Lithuania** », Lithuania
Mr. Robertas Povilaitis
Legal representative

« **Baobab Association** », Spain
Mr. Fernando Calvo Adalid
Legal representative

« SOS Il Telefono Azzuro ONLUS », Italy
Ms. Matilde Taddei
Duly authorised representative

« Centro Studi e Formazione Villa Montesca scavi », Italy
Mr. Fabrizio Boldrini
Legal representative

« The BB Group », United Kingdom
Ms. Eugenia Marna
Duly authorised representative

« Centre for Missing and Exploited Children », Croatia
Ms. Tihana Vidacek
Legal representative

« Confederación Española de Centros de Enseñanza », Spain
Ms. Cristina Gaitan
Duly authorised representative