



Agreed upon by the General Assembly on the 2nd June 2017

ENCOD INTERNAL BYLAWS

Terminology

In this document the following abbreviations are used:

EC = Executive Committee

1. Introduction.

Article 1. This document states the bylaws of the European Coalition for Just and Effective Drug Policies (here called "ENCOD"). It regulates the internal procedures of the association in so far the current law of the European Union and the Statutes of the association are not sufficient.

Article 2. This document can authorize more detailed bylaws for the internal regulation of the association. These can be protocols for the internal workings of ENCOD or comparable documents. The bylaws indicate explicitly what documents are involved in the corresponding section.

2. About the rights and duties of the members.

Article 3. The rights and duties that result from the current laws of the European Union, the ENCOD Statutes and these internal Bylaws.

Rights of members

Article 4. The General Assembly is the most important decision making body of the association, every member has a voice and one vote in this decision making body. The Executive Committee is the responsible entity for the execution of the decisions of the General Assembly. The terms 'Executive Committee' and 'Steering Committee' have been used until June 2017 both are the same entities.



Article 5. Every member has the right to be informed about ENCOD's activities, internal and external. Therefore, all the members should have ability to receive information about the accountability, the current projects and the political action of ENCOD, by the Bulletin or other ways of information.

Article 6. Every member has the right to present projects by the procedure designed for this purpose and following the official procedures of project funding (see "Seeds for Drug Peace").

Article 7. Every member has the right to participate in the different groups that have been created inside ENCOD, by the established procedure in the corresponding protocol.

Article 8. Every effective member has the right to present his candidacy to the Executive Committee. This can be done when the EC opens the timeframe to do so, in the establishing terms.

Article 8a. Both effective members and associated members (e.g. sponsors, members from outside Europe) have one vote per organisation/individual member.

Duties of members

Article 9. Supply ENCOD with the necessary information to facilitate members' membership as per our privacy policy.

Article 10. Every member has the duty to pay the membership fee in the agreed term according to the membership agreement. The Executive Committee can make an exception in situations where it is called for.

Article 11. The members are encouraged to contribute to ENCOD's projects by providing information, knowledge, time or other resources, depending on the project goals.

Suspension of member:

Article 12. A member can be suspended based on the following grounds.

- When the Executive Committee considers that an member of ENCOD deliberately has caused or is causing physical, material, psychological or moral damage to either another member or the association as such, the Executive Committee may decide to suspend his/her membership until the next General Assembly, in which the member is entitled to challenge this decision.
- During the suspension, the member is still required to pay his membership fee for the current year and is not allowed to represent ENCOD in any form.
- The Executive Committee has to inform the member of the decision to suspend him/her by letter or e-mail listing the arguments and indicating the details of the meeting in which the decision was taken.
- The decision has to be taken following a formal procedure that must include the collection of all information necessary to consider the case, including the possibility to



send one or more mediators to ensure that every effort has been made to avoid suspension.

- A suspended member's access to digital and physical assets of ENCOD (including, but not limited to: files, folders, email accounts, web accounts and offices) can be revoked if appropriate.
- an appeals committee can be formed in special cases if a member wants to re-enter as a member outside the GA

3. About the General Assembly.

Article 13. The General Assembly is composed by the members of ENCOD, each one representing an organisation or an individual member. This body is governed by the laws of the European Union, the Statutes of ENCOD and this document.

Article 14. As the Statutes say, the General Assembly will meet at least one time per year to decide on new projects and evaluate the procedures of the last year. The EC should try to organise the General Assembly in the first half of the year.

Article 15. The EC must prepare the following documents to the General Assembly:

- Report last year. (Statutes, article 10, part c ([EC responsible for] Preparing and submitting to the General Assembly a yearly progress report on the association's activities).
- Accountability last year. (Statutes, article 14, part c ([Secretariat is responsible for] submission of an annual financial report to the Executive Committee).
- Projects for the next year.

Article 16. The Executive Committee will create a Protocol describing how to present new projects at the General Assembly with the conditions for such a proposal.

Article 17. A member can delegate another member to vote for him/her by communicating this with to the Executive Committee in writing. A member can represent a maximum of three other members, having 4 votes in total.

Article 18. The Executive Committee can expel somebody from a part (session) or the whole of the General Assembly for the following reasons:

- If somebody is disrespectful to one or more members of the General Assembly.
- Or shows behaviour that can reasonably be argued to be disruptive of the General Assembly.

4. About the Executive Committee.

Article 19. The Executive Committee is governed by the laws of the European Union, the Statutes of ENCOD and this document.



Article 20. The Executive Committee is composed of at least 3 members who take the responsibility to execute the decisions the General Assembly entrusted to them, as recognised by the Statutes in article 9 and 10.

Article 21. Holacracy: The Executive Committee works in a horizontal structure where every EC member is equally represented and so each has the same weight in the decisions of the EC. Each EC member is responsible for clearly defined groups. These groups are described under chapter 5 of this document.

Modifications of the Executive Committee

Article 22. Following the statutes, the General Assembly can suspend or dismiss a member of the Executive Committee when it decides appropriate. This decision is taken by a 2/3 majority of votes of the General Assembly.

Article 22a. Outside the General Assembly a number of members (30 members or 15% of the membership) can initiate a vote of no confidence in a member of the EC. This initiates mediation and depending on the outcome an extraordinary assembly can be called upon.

Article 23. An EC member can be suspended based on the same conditions as mentioned in article 12.

5. General groups

Article 24. Each group is responsible for one of ENCOD's interest areas or one of its essential structures. Examples of area's are; Drug Policy, Activism, or Harm Reduction. Examples of essential structures are Administration, Fundraising, Treasury.

Article 25. The groups are approved by a member of the EC coordinating the group. The EC member receives the reports of the groups.

Inner Circle

Article 26. The Inner Circle is an Advisory Board to the organisation and can be consulted by the Executive Committee in relation to special matters.

6. How to change this document:

This document can be changed only by the absolute majority of the General Assembly. Proposed changes need to be made known to all members within a reasonable timeframe ahead of the General Assembly to assure members will have enough time to read the proposal.

