



DI-102

CONSTITUTION
OF THE
INTERNATIONAL FEDERATION
OF L'ARCHE COMMUNITIES

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CONSTITUTION OF THE INTERNATIONAL FEDERATION OF L'ARCHE COMMUNITIES

*Association governed by the law passed on 1 July 1901(France)
Registered in Compiègne, France under number W 603000606 and published in the official Journal on 9 August 1997*

Chapter I: Definition, Purpose and Principles

Article 1: Form of Incorporation

The association "International Federation of L'Arche Communities" is governed by a French law passed on July 1, 1901. This Constitution serves as the by-laws registered in the Sous-préfecture of Compiègne, Oise, France.

Article 2: Name

The association is named: ***"International Federation of L'Arche Communities"***

Article 3: Length of Term

The Federation is constituted for an unlimited period.

Article 4: Registered Office

The registered office of the Federation is in Trosly-Breuil, France. A decision to apply for change can be made by the International Stewardship Board.

Article 5: Purpose

L'Arche, founded by Jean Vanier, is an organisation of people with and without intellectual disabilities sharing life together in Communities based on mutual relationships and trust in God. The mission of L'Arche is to reveal the value of each person and to work towards a more human society.

The Communities of L'Arche in the world form the International Federation of L'Arche Communities (the "Federation").

The purpose of the Federation is:

- ⤴ to unite Communities, and all those engaged in L'Arche, in a common vision and spirit as declared in the Charter of the Communities of L'Arche and the Identity and Mission Statement
- ⤴ to embody the mission of L'Arche in very diverse cultural, religious, administrative contexts, and at the international level
- ⤴ to foster solidarity among the Communities and Countries.

This Constitution establishes the basis for membership in the Federation and the framework for structures of authority and participation in the Federation.

Article 6: Principles

Fundamental to L'Arche are the following principles. They apply to all members and structures in L'Arche:

- ⤴ **Servant Leadership:** Roles and structures of the Federation are at the service of the mission. People are called to leadership for limited terms after discernment processes. Those in authority gain wisdom through listening and taking counsel.
- ⤴ **Partnership:** Trust and collaboration operate freely within L'Arche. The structures are to foster that dynamic and embrace the partnerships among the spiritual, legal, financial, and communal elements.
- ⤴ **Subsidiarity:** Matters affecting L'Arche are dealt at the most appropriate level closest to the people affected and only when they cannot be solved there are referred to another level.
- ⤴ **Accountability:** When given a responsibility in L'Arche and the authority to go with it, accountability is to report back to those who gave the authority. Accountability is about being responsible and being linked to the wider body. It is also about taking responsibility for the consequences of one's actions.
- ⤴ **Participation:** Effective communication is essential in L'Arche. Processes are defined, published, and open. They include people with and without intellectual disability.
- ⤴ **Inculturation:** L'Arche Communities live in different cultures. L'Arche embraces this diversity while engaging in an ongoing process of reciprocal and critical interaction, adaptation, and challenge.
- ⤴ **Solidarity:** All in L'Arche share a common humanity and a fundamental equality. We have a shared responsibility for each other and are committed to the common good.

Chapter II: Members

Article 7: Membership Categories

Members of the Federation include Communities and Individual Members:

7.1 Communities:

Community is the fundamental basis of the Federation.

A community becomes a member of the Federation after a process and when it fulfils the criteria for membership. The documents setting out the criteria and conditions for acceptance and removal of membership are included in the "Federation Regulations". The process involves different bodies and includes approval by the International Stewardship Board. The final decision rests with the International Leadership Team, this decision requires approval by 2/3 majority vote.

There are two types of community membership, according to the development of the community: Probationary and Confirmed. All members are subject to an ongoing evaluation of their membership. Confirmed members have the right to vote at the Federation Assembly. Probationary members participate fully in the Federation, but do not have the right to vote at the Federation Assembly.

Most communities are organised in Countries. Criteria for Country status is described in the Federation Regulations. Membership agreements between the Federation, Countries, and Communities set out the rights and responsibilities of membership. These rights and responsibilities are described in the Federation Regulations.

7.2 Individual Members:

People with certain roles in the Federation automatically have Individual Membership:

- ⌘ International Leader and Vice-International Leader
- ⌘ Chair and six other members of the International Stewardship Board
- ⌘ National Board Chairs, National and Vice National Leaders, International Delegates, International Envoys, Regional and Vice Regional Leaders
- ⌘ Federation Council members, without the right to vote at the Federation Assembly Meeting
- ⌘ Pastoral Ministers when mandated by a Country, without the right to vote at the Federation Assembly Meeting

The International Leader and Vice International leader are hereinafter referred to as International Leaders.

Article 8: Dues

Communities and Individual Members of the Federation pay dues. The formula is approved by the International Stewardship Board.

Article 9: Loss of Membership

Membership of the Federation ceases by:

- ⌘ A decision of the member to resign and notification to the Federation
- ⌘ Removal of Community Membership under the conditions defined in the Federation Regulations
- ⌘ Dissolution of a Community
- ⌘ Completion of a term in or removal from a role
- ⌘ Death

There can be no claim whatsoever on the Federation after the loss of membership.

Chapter III: Federation Assembly

Article 10: Purpose of the Federation Assembly

Ultimate authority in the Federation rests with the Federation Assembly.

The role of the Federation Assembly is to determine the vision of the Federation, reflecting the experience and concerns of the Communities:

- ⌘ Adopt, review, and amend the Federation's Charter, Constitution, Identity and Mission statement, and recommendations of the Federation
- ⌘ Approve the "Mandate for the Federation" which describes the priorities of the Federation. These priorities determine the way in which the mission will be lived in the Federation for the following five years.

The Federation Assembly appoints the International Leader, Vice International Leader, International Stewardship Board Chair and other six members of the International Stewardship Board.

The Federation Assembly ratifies the appointment of the members of the Nomination Committee and of the Federation Council.

The Federation Assembly receives and approves reports of the International Leaders, International Stewardship Board Chair and Treasurer.

The Federation Assembly delegates to the International Stewardship Board the authority to determine the working conditions and remuneration of the International Leaders

Article 11: Meetings of the Federation Assembly

The composition of the Federation Assembly includes delegates from the Member Communities and the Individual Members. The International Leader chairs the meeting of the Federation Assembly. The Federation Assembly meets every five years.

The vote of each Confirmed Community counts as two and the vote of each Individual Member counts as one. Probationary Communities, Pastoral Ministers and Federation Council members participate in the Federation Assembly but do not have the right to vote.

Adoption and amendments of the Charter of the Communities of L'Arche, Constitution, Identity and Mission statements, and appointment or removal of the International Leader, Vice-International Leader, and of the International Stewardship Board Chair, require a two thirds majority of the votes cast. All other decisions require a simple majority of the votes cast.

When necessary, an electronic vote can be held between the meetings of the Federation Assembly.

A quorum for all meetings or electronic votes of the Federation Assembly is two thirds of the voting members. There are no proxy votes permitted.

Article 12: Nomination Committee

The Nomination Committee facilitates nominations through discernment processes. The Committee identifies and recommends:

- ⤴ to the Federation Assembly: individuals to be appointed as International Leader, Vice International Leader, Chair and members of the International Stewardship Board
- ⤴ to the International Leaders: individuals to be appointed as members of the International Reflection Council.

The members of the Nomination Committee are appointed by the International Leaders, the International Leadership Team and International Stewardship Board and ratified by the Federation Assembly. Each Committee member is appointed for a five year term, renewable once.

Details of the Nomination Committee are described in the Federation Regulations.

Chapter IV: Governing the Federation

Article 13: System of Governance

In between meetings, the Federation Assembly delegates authority to the International Leaders and to the International Stewardship Board. This authority is exercised through their specific and complementary roles at the service of the mission. They work in close collaboration and partnership. In order to support each other in their particular areas of responsibility, they bring to each other their insights, questions and challenges, from their particular area of expertise. They carry their roles in accordance with French law.

The International Leader and Vice International Leader form the "Directoire"¹. They are assisted by Leaders at other levels of the Federation, and receive counsel from the Federation Council and the International Reflection Council, including persons with and without intellectual disabilities, actively engaged in community life.

Article 14: International Leaders: International Leader and Vice International Leader

14.1 The International Leader and the Vice International Leader lead the Federation and have authority for the mission of L'Arche. They call the Federation to live and grow in accordance with the Charter of the Communities of L'Arche and the Identity & Mission of L'Arche, and to adapt to an ever-changing world. They foster unity in the Federation, and lead the implementation of the Mandate of the Federation, as approved by the Federation Assembly.

The International Leaders:

- ^ Represent the Federation at the international level.
- ^ Ensure the proper functioning and development of the Federation and that all appropriate policies, processes and procedures are in place and followed.
- ^ Are responsible for the nomination processes for National Leaders and National Board Chairs, for International Delegates and Envoys.
- ^ Are responsible for the financial management of the Federation.

The role descriptions for the International Leader and Vice International Leader are described in the Federation Regulations.

14.2 The International Leaders are appointed by the Federation Assembly, for a term of five years, renewable once in the same position with a maximum of three terms. They are accountable to and can only be removed by the Federation Assembly. Evaluations of the International Leaders take place at mid-term, according to a process as described in the Federation Regulations.

In between meetings of the Federation Assembly, the International Leaders are accountable to the International Stewardship Board for the legal and fiscal integrity of the Federation. They report regularly to the International Stewardship Board on the progress of the Mandate and the state of the Federation.

14.3 In the event of resignation, removal or death of the International Leader, the Vice International Leader assumes the authority of the International Leader on an interim basis. Following a process as defined in the Federation Regulations, the Nomination Committee presents a special resolution, within 6 months, to replace the International Leader to the voting members of the Federation Assembly by electronic vote. In the event of resignation, removal or death of the Vice International

¹ Directoire : In France, the term which describes the body that shares governance with a "Conseil de Surveillance" (defined in our Constitution as Stewardship Board)

Leader, following a process as defined in the Federation Regulations, the Nomination Committee presents a special resolution, within 6 months, to replace the Vice International Leader to the voting members of the Federation Assembly by an electronic vote. In both cases, approval of this resolution requires a 2/3 majority vote of the votes cast of the Federation Assembly.

Article 15: International Stewardship Board

15.1 The International Stewardship Board has authority for legal and financial matters. It participates in the implementation of the Mandate of the Federation and the fulfilment of the mission by checking consistency of the work of the International Leaders with the decisions of the Federation Assembly, compliance with appropriate laws, and assuring the fiscal integrity of the Federation.

The International Stewardship Board:

- ⤴ Receives reports on a regular basis from the International Leaders, deliberates on these reports and gives an opinion.
- ⤴ Determines working conditions and remuneration of the International Leaders, in accordance with the International compensation policy, as described in the Federation Regulations, and in compliance with the French law².
- ⤴ Develops and approves policies and procedures to ensure compliance with matters of public interest including use of public funds and private donations within the Federation.
- ⤴ Approves dues formulae and the annual budget for the Federation.
- ⤴ Appoints an auditor from the official register of auditors. The auditor provides an annual audit report of the accounts of the Federation. This report is made available to all Leaders, National Board Chairs and Member Communities.

15.2 The role of the **International Stewardship Board Chair** is to ensure the integrity of the work of the International Stewardship Board. By delegation from the International Stewardship Board s/he works in close collaboration with the International Leaders particularly in relation to legal and financial implications of decisions. S/he chairs meetings of the International Stewardship Board and sets the agenda with the International Leaders. The Chair participates in meetings of the Federation Council.

The International Stewardship Board Chair is appointed by the Federation Assembly for a term of five years renewable once. S/he can be appointed to the International Stewardship Board for a maximum of three terms. S/he is accountable to and can only be removed by the Federation Assembly.

The role description for the International Stewardship Board Chair is described in the Federation Regulations.

15.3 The International Stewardship Board is composed of the Chair and six other members. They are appointed by the Federation Assembly for a term of five years, renewable once. The International Stewardship Board is accountable to the Federation Assembly. It acts as a collegial body. Unless otherwise stated in this Constitution, decisions of the International Stewardship Board are made by simple majority. The International Leaders participate at every meeting, without the right to vote. Evaluations of the International Stewardship Board Chair and Stewardship Board take place at mid-term, according to a process as described in the Federation Regulations.

15.4 The International Stewardship Board elects, from among its members, a Vice Chair, Treasurer and Secretary. These roles are described in the Federation Regulations.

15.5 The International Stewardship Board meets at least twice each year.

² The French law requires this clause concerning remuneration of members of a "Directoire" who do not have an employment status.

15.6 In the event of resignation, removal or death of the International Stewardship Board Chair, the Vice Chair assumes the role on an interim basis. After a process, as defined in the Federation Regulations, the Nomination Committee presents a special resolution to replace the International Stewardship Board Chair to the voting members of the Federation Assembly by electronic vote. Approval of this resolution requires a 2/3 majority vote of the votes cast. In the event of the resignation or death of a Stewardship Board Member, after due process, the Nomination Committee presents, within 6 months, a special resolution to replace the member to the members of Stewardship Board and International Leadership Team. Approval of this resolution requires a 2/3 majority vote.

Article 16: International Leadership Team

The International Leadership Team assists the International Leaders in leading the Federation.

The International Leadership Team approves or ratifies membership of Communities in the Federation. It appoints members to the Federation Council and develops documents and policies for the Federation.

The International Leadership Team is composed of the International Leader, as Chair, the Vice International Leader, National Leaders of some Countries and the International Delegates, as described in the Federation Regulations.

The International Leadership Team meets at least twice a year.

Article 17: International Delegates and International Envoys

The Federation directly supports and oversees Communities that are not grouped together in a Country through an International Delegate. This delegate may be assisted by International Envoys to provide guidance, support, orientation and direction to these Communities and their Boards.

The Federation provides support and guidance to some Countries through an International Delegate.

International Delegates and International Envoys carry the authority of the Federation in their respective countries or communities.

They are appointed for a limited term by the International Leaders, and are accountable to them.

Grouping of communities are described in the Federation Regulations.

Article 18: National and Regional Leaders

When communities are grouped together in a Country, the country is led by a National Leader. In some cases, the National Leader is assisted by a Vice National Leader. These Leaders lead and represent L'Arche and carry the authority of the Federation in their particular Country. They provide guidance, support, orientation and direction to the Communities and their Boards.

National Leaders and Vice National Leaders are appointed according to national policy, following a process overseen by the International Leaders or their delegate.

In some Countries, Communities are organized by Region. In these Countries, the National Leader is assisted by Regional and Vice Regional Leaders. They represent L'Arche and carry the authority of the Federation in their particular Region. Regional and Vice Regional Leaders are appointed according to national policy.

Article 19: Councils

Community life is fundamental to the Federation. Councils are a place for persons with and without intellectual disabilities, who are actively engaged in community life, to offer their wisdom and experience to the International Leaders.

The **Federation Council** is a place to take counsel on the progress of the Mandate of the Federation at mid-term. It allows for new emerging themes to be articulated.

The **International Reflection Council** reflects on the fundamentals of L'Arche, emerging questions and situations, to understand them from a theological and spiritual perspective.

Both Councils are attentive to the signs of the Spirit as experienced in the daily lives of the communities.

These Councils are chaired by the International Leaders. The composition, nomination process, appointment of members, and frequency of meetings are described in the Federation Regulations.

Article 20: Meetings of the Federation Leadership, International Stewardship Board and National Chairs

In order to develop and maintain a common vision, foster solidarity, process new developments and questions, and ensure coherence across the Federation, the International Leaders bring together, on a regular basis, all Leaders, the International Stewardship Board and National Board Chairs, as described below.

The International Leaders meet annually with National Leaders, International Delegates and Envoys.

They meet with National and Regional Leaders, International Delegates and Envoys, the International Stewardship Board and National Board Chairs at least twice during each term.

In years when both meetings occur, they are scheduled consecutively.

Chapter V: Other Legal and Fiscal Provisions

Article 21: Arbitration Committee

In case of serious conflict between the International Leaders and the International Stewardship Board, the Conflict Resolution Policy is applied, as described in the Federation Regulations. When, at the end of the process, the conflict remains unresolved, the Arbitration Committee is called to investigate the situation and recommend a resolution. This process is initiated by at least five members of either the International Stewardship Board and/or the International Leadership Team. If the Committee determines that removal from office is warranted, they present a special resolution to the Federation Assembly by an electronic vote. In the event of a resolution to remove both International Leaders or the entire International Stewardship Board, the Committee will recommend an interim Leadership or Board. The same procedure applies in case of serious incapacity or misconduct.

The Arbitration Committee is composed of three people from amongst former International Leaders or International Board Chairs still active in L'Arche. At the beginning of their term the International Leadership Team and the International Stewardship Board together name the three Committee members. These members exercise their role for the length of the term.

Article 22: Interpretation of the Constitution

Should questions arise on the interpretation of any section or sections of this Constitution, the matter should go to the International Leaders and International Stewardship Board for interpretation. Decisions on the interpretation need approval of both International Leaders and the International Stewardship Board.

Article 23: Income of the Federation

The income of the Federation consists of:

- ⤴ Members' dues
- ⤴ Donations
- ⤴ Grants
- ⤴ Income earned on the assets of the Association
- ⤴ Any income not forbidden by the law

Article 24: Representation

In legal and fiscal matters, the International Stewardship Board decides who represents the Federation in consultation with the International Leaders. In all other matters, the International Leaders represent the Federation.

The Federation assumes no legal liability for disputes between its members or its members and third parties.

Article 25: Dissolution

Only a special meeting of the Federation Assembly may decide to dissolve the Federation by a vote of 3/4 of the voters present. That Federation Assembly shall make arrangements for the liquidation of the assets of the Federation. The Federation Assembly names a receiver to transfer the assets of the Federation to one or more associations whose purpose is to serve persons with intellectual disabilities, with first priority being given to other L'Arche Associations or associations with the same spirit.

Article 26: Federation Regulations

In addition to the provisions of this Constitution, there are Federation Regulations. These Federation Regulations are approved and can be amended by joint agreement with the International Leaders, the International Stewardship Board and the International Leadership Team. Each Regulation can be modified individually.