

FOUNDING STATEMENT OF ASIJKI

DECRIMINALISATION OF SEX WORK COALITION



1. Name

- 1.1 The Coalition hereby founded will be named Asijiki Decriminalisation of Sex Work Coalition (hereinafter referred to as the Coalition).
- 1.2 Its shortened name will be Asijiki.
- 1.3 Asijiki is a group of sex workers, activists, advocates and human rights defenders who advocate for law reform for the decriminalisation of sex work in South Africa. Becoming a supporter is open to organisations and individuals and targeted at members of civil society from all sectors including gender, women's rights, human rights, legal and public health.

2. Objectives

- 2.1 The Coalition's main objective is to work together with the aim of obtaining law reform for the full decriminalization of sex work in South Africa through advocacy and litigation.
- 2.2 The Coalition's secondary objectives include:
 - 2.2.1 Conduct advocacy to highlight the impact of criminalisation on sex workers health, human rights and limited access to services;
 - 2.2.2 Advocate for the decriminalisation of sex work in South Africa;
 - 2.2.3 Promote, protect and defend the human rights of sex workers in South Africa;
 - 2.2.4 Support strategic impact litigation instituted by supporter organisations, that advances and enforces sex workers human rights;
 - 2.2.5 Challenge the negative stereotypes of sex workers and build the capacity of sex worker's to advocate for human rights and the decriminalisation of sex work in South Africa; and

2.2.6 Garner support of community members and the state by networking and raising awareness of the benefits of the decriminalisation of sex work.

3. Steering Committee

3.1 A steering committee shall be made up of no more than six (6) and no fewer than three (3) members.

3.2 The standing steering committee entities are Sex Workers Education and Advocacy Taskforce (SWEAT), The Women's Legal Centre (WLC), Sonke Gender Justice (Sonke), Sisonke, and two sex workers appointed from within the four member organizations.

3.3 Standing members will remain on the steering committee unless they no longer have a dedicated sex work decriminalization project that receives funding.

3.4 Each entity will have one standing member who attends all meetings.

3.5 In addition to the standing member, each organization will have an additional rotating member who attends some meetings. The standing member has the responsibility to brief the rotating member before each meeting.

3.6 For a new entity to be added to the steering committee, that organization must have dedicated, funded work committed to the decriminalisation of sex work.

3.7 The current steering committee entities must pass a unanimous vote for a new entity to be added to the steering committee.

3.8 The steering committee has the right to form sub-committees (working groups). The decisions that sub-committees take must be given to the

steering committee. The steering committee must decide whether to agree to them or not at its next meeting. The meeting should take place soon after the sub-committee's meeting. By agreeing to decisions the steering committee ratifies them.

3.9 Sub-committees may be comprised of the coalition's broader supporters.

3.10 Sub-committees will be advertised in the communiqué to ensure wide distribution.

3.11 All members of the Coalition have to abide by decisions that are taken by the steering committee.

4. Meetings

4.1 The steering committee will meet once a month.

4.2 At any meeting the number of members required to constitute a quorum shall be 75% of the organisations who make up the steering committee.

4.3 In the event that a meeting is not quorate and the decisions are made, the Chairperson of that meeting may request that the steering committee votes on the decisions via email. If there are no objections to the decisions within 5 working days then the decisions are binding. The Chairperson will be required to confirm the decisions to all Steering Committee members.

4.4 Rotating members can make decisions on behalf of the standing members.

4.5 The steering committee will host an annual coalition meeting inviting the Coalition's supporters.

4.6 Minutes will be taken at every meeting to record the steering committee's decisions. The minutes of each meeting will be given to steering committee members at least two weeks before the next meeting. The minutes shall be

confirmed as a true record of proceedings, by the next meeting of the steering committee.

5. Inviting Others to Meetings

5.1 Specialists may be invited to meetings to provide their expertise on a particular issue.

5.2 Specialists invited to the meeting will be present for a certain time slot and will not be present for the whole meeting.

5.3 Specialists must abide by the confidentiality of the meeting.

6. Voting

6.1 As stated in clause 4.1, the steering committee must have at least 1 meeting per month. **Seventy-five percent (75%) of the steering committee entities need to be at the meeting to make decisions that are allowed to be carried forward. This constitutes a quorum.**

6.2 **Each entity is accorded one vote.**

7. Powers of the steering committee

7.1 The steering committee should take on the power and authority that it believes it needs to be able to achieve the objectives that are stated in Clause 2 of this Founding Statement. The Steering Committee's power and authority will be confirmed and agreed upon by all the supporters at an AGM.

7.2 The steering committee has the power and authority to raise funds or to invite and receive contributions.

7.3 The steering committee has the right to develop protocols for proper management, including procedure for application, approval and termination of steering committee and supporter membership.

8. Confidentiality and Organizational Accountability

8.1 Items identified as confidential at steering committee meetings must remain confidential.

8.2 Steering committee members and specialists are bound by this confidentiality agreement.

8.3 Summaries of meetings and steering committee decisions will be circulated to the broader supporters through the communiqué.

9. Finances

9.1 SWEAT will fundraise and administer the money dedicated to the Coalition. SWEAT's financial office will be in charge of these funds.

9.2 The Coalition and SWEAT will be responsible for Coalition salaries.

9.3 The other entities may fundraise for, and administer and account for funds for work they are doing in relation to decriminalization and the work of the Coalition.

10. Decision Making

10.1 There are two types of decisions that Asijiki Steering Committee members need to distinguish:

10.1.1 Strategic Decisions

a. Relates to strategic direction and vision of Asijiki, as well as its values;

- b. These decisions will be taken by **formal consensus** structure as set out in Founding Document

10.1.2.1 Operational Decisions

- c. Relates to practical, logistical and operational issues such as transport, venue, facilitator, printing etc.
- d. Where appropriate, the Steering Committee will provide a Brief to the person/s delegated a specific task, and the delegated person will execute in line with his/her organisational policies and parameters. See procurement policy below.

11. Procurement policy

Procurement of Goods or Services

- 11.1 In order to advance the economic development of previously disadvantaged groups, the Asijiki will give preference to black persons and persons with disabilities or business entities owned by previously disadvantaged groups, in the procurement of goods and services.

11 Changes to the Founding Document

- 12.1 The Founding Statement can be changed by a resolution. The resolutions have to be agreed upon and passed by 75% of the supporters who are at the annual general meeting or special general meeting. Supporters must vote at this meeting to change the Founding Statement.
- 12.2 Seventy – Five per cent (75%) of the supporters shall be present at a meeting (“the quorum”) before a decision to change the constitution is taken. Any annual general meeting may vote upon such a notion, if the details of the changes are shared with supporters prior to the meeting.
- 12.3 A written notice must go out not less than fourteen (14) days before the meeting at which the changes to the Founding Statement are going to be

proposed. The notice must indicate the proposed changes to the Founding Statement that will be discussed at the meeting.

12.4 No amendments may be made which would have the effect of making the Coalition cease to exist.

13 Annual general meetings

13.1 The annual general meeting must be held once every year.

13.2 The supporters should deal with the following business, amongst others, at its annual general meeting:

- 13.2.1 Agree to the items to be discussed on the agenda;
- 13.2.2 Write down who is there and who has sent apologies because they cannot attend;
- 13.2.3 Read and confirm the previous meeting's minutes with matters arising;
- 13.2.4 Steering Committee's report;
- 13.2.5 Changes to the Founding Statement that supporters want to make;
- 13.2.6 Elect new members of the steering committee (if needed);
- 13.2.7 Discussion and update on activities conducted;
- 13.2.8 Discussion concerning strategic activities for the following year;
- 13.2.9 Financial report of monies given to Asijiki from organisations; and
- 13.2.10 Close the meeting.

14. Communication

14.1 Communication between the steering committee to be made during the performance of their duties shall be via face-to-face meetings, telephone, electronic mail and written correspondence.

14.2 To ensure that the steering committee functions effectively, email communication is important.

Internal Communications:

14.3 The Coordinator will maintain and disseminate an updated Steering Committee member email distribution list.

14.4 All communications will be emailed to the entire Steering Committee Subcommittee correspondence will be sent to every member of the Subcommittee with addresses listed in the “cc” line.

14.5 Meeting minutes will be maintained and distributed to all Steering Committee members following meetings.

14.6 All requests for input or “opt in’s” will be made to the entire Steering Committee with a clear deadline for responses. It will be the responsibility of Steering Committee members to respond promptly to email requests.

14.7 No email response by members will be interpreted as “no feedback” or “approval” of the proposal presented. In the case of an “opt in” request, no response will be interpreted as a desire not to opt in.

15. Dissolution

15.1 The Coalition may cease to exist if at least 75% of the supporters present and voting at a meeting convened for the purpose of considering such matter, are in favour of closing down.

SIGNED BY THE MEMBERS OF THE STEERING COMMITTEE :

Women's Legal Centre

Print Name: _____

Signature: _____

Date: _____

SWEAT

Print Name: _____

Signature: _____

Date: _____

Sisonke

Print Name: _____

Signature: _____

Date: _____

Sonke Gender Justice

Print Name: _____

Signature: _____

Date: _____

**This Founding Statement was approved and accepted by supporters of
Asijiki Decriminalisation of Sex Work Coalition**

At a annual general meeting held on _____