

General assembly of FSFE

Residencia La Cristalera
Carretera Rascafria, km 10
28792 Miraflores de la Sierra
Madrid - Spain

Saturday, June 20th 2009.

16:40 Opening by the Chair.

By invitation sent on May 8th 2009 we have come together for the general assembly in Miraflores on Saturday June 20th, 2009.

Members attending the Assembly:

Georg Greve [Chair]
Matthias Kirschner
Reinhard Müller
Bernhard Reiter
Torsten Grote
Pablo Machón

Members not attending:

Werner Koch (Werner Koch assigned his vote to Bernhard Reiter by signed email to the President)
Shane Coughlan (Shane Coughlan assigned his vote to Matthias Kirschner by signed email to the President)
Henrik Sandklef (Henrik Sandklef assigned his vote to Bernhard Reiter by signed email to the President)
Patrick Ohnewein (Patrick Ohnewein assigned his vote to Georg Greve by signed email to the President)
Gareth Bowker
Jonas Öberg

Guests:

Thomas Jensch
Fernanda Weiden
Adriaan de Groot
Karsten Gerloff

Christian Holz [Minutes]

Agenda:

1. Greeting
2. Determination of resolutionability
3. Approval of minutes of general assembly held Saturday, June 7th 2008 at Free Software Foundation Europe, Sumatrastrasse 25, 8006 Zuerich, Switzerland
4. Approval of minutes of the extraordinary general assembly held Saturday, October 23rd 2008 at Free Software Foundation Europe, Sumatrastrasse 25, 8006 Zuerich, Switzerland
5. Welcome of elected Fellowship representative
6. Membership confirmation of new member(s):

Pablo Machon
Patrick Ohnewein
7. Membership of:

Karsten Gerloff
Adriaan de Groot
Fernanda Weiden

8. Constitutional changes

CHANGING CURRENT VERSION:

ENGLISH:

(3) The General Assembly of the members decides on the application for membership with three quarters of all members, that are natural people. The President can grant the application for membership passing; the application for membership must then be confirmed by the next members assembly. In case of refusal of the request no obligation exists to communicate the reasons to the applicant.

(5) Unless stated otherwise in the statute, the General Assembly passes decisions with simple majority of the delivered valid voices; abstentions are therefore left out of the consideration. Changes of the statute require a majority of three quarters of (the delivered valid) voices, dissolution of the FSFE requires four fifths of the voices of all members. Changing the purpose of the FSFE can only be decided with unanimous agreement of all members. The written agreement of the members not present in the General Assembly can be explained only within one month vis-a-vis the President.

GERMAN:

(3) Die Mitgliederversammlung entscheidet ueber den Aufnahmeantrag mit drei Vierteln amtlicher Mitglieder, die natuerliche Personen sind. Der Praesident kann dem Aufnahmeantrag voruebergehend stattgeben; der Aufnahmeantrag muss dann bei der naechsten ordentlichen Mitgliederversammlung bestaetigt werden. Bei Ablehnung des Antrages besteht keine Verpflichtung, dem Antragsteller die Gruende mitzuteilen.

(5) Soweit nicht in der Satzung etwas anderes bestimmt ist, fasst die Mitgliederversammlung Beschluesse mit einfacher Mehrheit der abgegebenen gueltigen Stimmen; Stimmenenthaltungen bleiben daher ausser Betracht. Zur Aenderung der Satzung ist jedoch eine Mehrheit von drei Vierteln der (abgegebenen gueltigen) Stimmen saemtlicher Mitglieder, zur Aufloesung der FSFE eine solche von vier Fuenfteln der Stimmen aller Mitglieder erforderlich. Eine Aenderung des Zwecks der FSFE kann nur mit Zustimmung aller Mitglieder beschlossen werden. Die schriftliche Zustimmung der in der Mitgliederversammlung nicht erschienenen Mitglieder kann nur innerhalb eines Monats gegenueber dem Praesidenten erklaert werden.

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counted. Dissolution of the FSFE requires four fifths of the voices of all members of the association. Changing the purpose of the FSFE can only be decided with unanimous agreement of all members. Members not present at the General Assembly can submit their agreement in writing to the president within one month.

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9. Report of Executive Council

10. Exoneration of

Georg Greve (President 2007-2009)
Jonas Oeberg (Vice-President 2007-2008)
Pablo Machon (Vice-President 2007-2008)
Reinhard Mueller (Head of Office 2007-2008)
(Financial Officer 2008-2009)

11. Election of new President, Vice President, Financial Officer

12. Appointment of Executive Director

13. Approval of budget 2009-2010

14. Miscellaneous

15. Closing

Re 1. Greeting

The Chair welcomes all to the GA.

Re 2. Determination of resolutionability

6 of 12 members are present.

Werner Koch has assigned his vote to Bernhard Mueller.
Shane Coughlan has assigned his vote to Matthias Kischner.
Henrik Sandklef has assigned his vote to Bernhard Reiter.
Patrick Ohnewein has assigned his vote to Georg Greve.

The Chair notes that the invitation has been sent in time and that 10 of 12 members are represented. The Chair declares the general assembly to be resolutionable.

The Chair asks for changes to the Agenda, none are requested.

The Agenda is thus adopted and #2 is closed.

Re 3. Approval of minutes of General Assembly held Saturday, June 7th 2008 at Free Software Foundation Europe, Sumatrastrasse 25, 8006 Zuerich, Switzerland

The Chair reads out the minutes of the previous General Assembly for confirmation and asks the General Assembly to approve them through vote.

No secret vote is requested.

Result: 7 for, 0 against, 0 abstention.

The Chair determines that the minutes of the previous General Assembly are approved.

Re 4. Approval of minutes of the extraordinary General Assembly held Saturday, October 23rd 2008 at Free Software Foundation Europe, Sumatrastrasse 25, 8006 Zuerich, Switzerland

The Chair reads out the minutes of the previous extraordinary General Assembly for confirmation and asks the General Assembly to approve them through vote.

No secret vote is requested.

Result: 3 for, 0 against, 7 abstention.

At 17.06 Thomas Jensch leaves the room

Re 5. Welcome of elected Fellowship representative

The Chair welcomes the elected Fellowship Representative, Thorsten Grote, to the General Assembly. The Fellowship Representative thanks the Chair.

At 17.11 Thomas Jensch returns to the room.

Re 6. Membership confirmation of new members:

The Chair notes that Pablo Machón and Patrick Ohnewein applied for membership. The application was passingly granted and requires confirmation by the General Assembly.

The chair puts the membership application of Pablo Machón to the vote:

No secret vote is requested.

Result: 9 for, 0 against, 0 abstention.

The Chair declares Pablo Machón confirmed as a member of FSFE and once more welcomes him to the general assembly.

The Chair puts the membership application of Patrick Ohnewein to the vote:

No secret vote is requested.

Result: 9 for, 0 against, 0 abstention.

The Chair declares Patrick Ohnewein confirmed as a member of FSFE.

Re 7. Membership of:

Karsten Gerloff
Adriaan de Groot
Fernanda Weiden

The Chair proposes acceptance of Karsten Gerloff, Adriaan de Groot and Fernanda Weiden as regular members of FSFE.

The Chair puts the membership of Karsten Gerloff to the vote:

No secret vote is requested.

Result: 10 for, 0 against, 0 abstentions.

The Chair declares Karsten Gerloff confirmed as a member of FSFE and welcomes him as a member of FSFE. Karsten Gerloff is applauded by the GA.

The Chair puts the membership of Adriaan de Groot to the vote:

No secret vote is requested.

Result: 11 for, 0 against, 0 abstentions.

The Chair declares Adriaan de Groot confirmed as a member of FSFE and welcomes him as a member of FSFE. Adriaan de Groot is applauded by the GA.

The chair puts the membership of Fernanda Weiden to the vote:

No secret vote is requested.

Result: 12 for, 0 against, 0 abstentions.

The Chair declares Fernanda Weiden confirmed as a member of FSFE and welcomes her as a member of FSFE. Fernanda Weiden is applauded by the GA.

The Chair states that FSFE now has 15 members out of which 13 are represented in this General Assembly.

Re. 8. Constitutional changes

The Chair explains the agenda item and notes that the proposed changes have been sent to the members of the General Assembly in German and English together with the invitation to this General Assembly. The Chair points out that the English translation was certified by FSFE's legal counsel Dr. Till Jaeger.

The president proceeds to read the proposed changes to the General Assembly (in English only).

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(5) Soweit nicht in der Satzung etwas anderes bestimmt ist, fasst die Mitgliederversammlung Beschluesse mit einfacher Mehrheit

der abgegebenen gueltigen Stimmen; Stimmenenthaltungen bleiben daher ausser Betracht. Zur Aenderung der Satzung ist jedoch eine Mehrheit von drei Vierteln der (abgegebenen gueltigen) Stimmen saemtlicher Mitglieder, zur Aufloesung der FSFE eine solche von vier Fuenfteln der Stimmen aller Mitglieder erforderlich. Eine Aenderung des Zwecks der FSFE kann nur mit Zustimmung aller Mitglieder beschlossen werden. Die schriftliche Zustimmung der in der Mitgliederversammlung nicht erschienenen Mitglieder kann nur innerhalb eines Monats gegenueber dem Praesidenten erklart werden.

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The Chair puts the proposed changes to the vote.

No secret vote is requested.

Result: 13 for, 0 against, 0 abstentions

The Chair declares the changes to be adopted and the constitution changed.

Re 9. Report of Executive Committee

The Chair notes that in the previous year, FSFE has matured according to the parameters and expectations set by the 2008 General Assembly in Zurich. All planned changes, such as the election and inclusion of a Fellowship Representative and the hiring of an Executive Director have been implemented.

Furthermore, the Chair notes that a new executive team has been identified to carry forward the work of the FSFE.

The Chair continues to note the significant accomplishments of the previous year as follows:

The Fellowship has grown and continues to gain in significance for FSFE.

The PDFreaders campaign was very successful and driven through the Fellowship.

Document Freedom Day was successfully organised through the Serbian Team.

Shane Coughlan has turned many conceptual ideas surrounding the FTF into actions as described in the FTF Project Plan.

The Chair notes that good work was done on different Policy issues as follows:

The Chair highlights FSFEs contribution to the adoption of the development agenda at the World Intellectual Property Organization. FSFE managed to put the issues of Software Patents and Standardisation and the connection of the two on the agenda and significant progress has been made in the discussions. The Chair further comments that WIPO has a new director General, Mr. Francis Gurry from Australia who is currently making several structural and personal changes to the organisation in the scope of its reform. FSFE has been a part of this process and it is expected that the organisation can continue to shape and drive its relevant issues.

The Chair further points out that the local (country) teams have become more active.

The Financial Officer points out that during the previous year, monthly updates on the organisations' finances have been provided to the members of the General Assembly via signed email.

In the course of the preparation for this General Assembly, the Financial Officer presented the members with an aggregated financial statement and notes the following points:

Finances have remained stable during the previous year

The task of the new executive team will be to keep Finances stable and increase reserves

The Chair asks the members if there are any other questions and it is determined that agenda item 9 is completed.

10. Exoneration of

Georg Greve (President 2007-2009)

Jonas Öberg (Vice-President 2007-2008)

Pablo Machón (Vice-President 2007-2008)

Reinhard Müller (Head of Office 2007-2008)

(Financial Officer 2008-2009)

The Chair puts the exoneration of Georg Greve for his role as president of FSFE from 2007-2009 to the vote.

No secret vote is requested.

Result: 12 for, 0 against, 1 abstention

The Chair notes that Georg Greve has been duly exonerated.

The Chair puts the exoneration of Jonas Öberg for his role as Vice-president of FSFE from 2007-2008 to the vote.

No secret vote is requested.

Result: 11 for, 0 against, 2 abstentions

The Chair notes that Jonas Öberg has been duly exonerated.

The Chair puts the exoneration of Pablo Machón for his role as Vice-president of FSFE from 2008-2009 to

the vote.

No secret vote is requested.

Result: 12 for, 0 against, 1 abstention

The Chair notes that Pablo Manchón has been duly exonerated.

The Chair puts the exoneration of Reinhard Müller for his role as Head of Office of FSFE from 2007-2008 and Financial Officer of FSFE from 2008-2009 to the vote.

No secret vote is requested.

Result: 12 for, 0 against, 1 abstention

The Chair notes that Reinhard Müller has been duly exonerated.

The Chair notes that all executive of the FSFE have been duly exonerated.

Bernhard Reiter notes that Georg Greve has done a great job in his role as president and congratulates him as the outgoing president.

Re 11. Election of new President, Vice President, Financial Officer

The Chair explains the constitutional voting process for this election.

Georg Greve nominates Karsten Gerloff for the office of President of the FSFE and asks for other nominations from the GA. No other nominations are proposed and the candidate is put to the vote.

No secret vote was requested.

Result: 12 for, 0 against, 0 abstentions

The Chair asks Karsten Gerloff if he accepts the office.

Karsten Gerloff expresses his acceptance.

The Chair welcomes Karsten Gerloff as FSFE's new president and expresses his gratitude that Karsten Gerloff accepts the office.

The Chair opens the floor for nominations for the role of Vice President of the FSFE.

Bernhard Reiter nominates Fernanda Weiden for the office of Vice President. No other nominations are noted.

The Chair puts the candidate to the vote.

No secret vote was requested.

Result: 9 for/ 1 against/ 3 abstentions

The Chair asks Fernanda Weiden if she accepts the office.

Fernanda Weiden expresses that she accepts the office.

The Chair thanks and congratulates Fernanda Weiden as the new Vice President of FSFE.

The Chair opens the floor for nominations for the position of Financial Officer.

Matthias Kirscher nominates Reinhard Müller for the position of Financial Officer. No other nominations are proposed.

The Chair puts the candidate to the vote.

No secret vote requested.

Result: 11 for, 0 against, 2 abstentions.

The Chair asks Reinhard Müller if he accepts the office of Financial Officer.

Reinhard Müller expresses his acceptance.

The Chair congratulates Reinhard Müller and expresses his gratitude for once more accepting the office of Financial Officer.

Re 12. Appointment of Executive Director

The Chair notes that Christian Holz has been acting under a temporary contract as Executive Director for FSFE in the month leading up to the General Assembly and that this contract expires on this day unless it is extended through the GA.

The Chair moves the notion to confirm the Executive Director and extend his engagement.

No secret vote requested.

Result: 11 for, 0 against, 2 abstentions

The Chair asks Christian Holz if he accepts the continuation of his engagement.

Christian Holz agrees.

The Chair expresses his gratitude.

Re 13. Approval of budget 2009-2010

In preparation of the General Assembly, the Financial Officer has presented the proposed budget for the remainder of 2009. The budget has been discussed by the members of the General Assembly. It is agreed that the Executive Council prepares and presents the budget for first half of 2010 by the end of November 2009. The proposed budget will be provided to the GA via signed email.

The Chair puts the proposed budget to the vote:

No secret vote is requested.

Result: 11 for, 0 against, 2 abstentions.

The Chair notes that the proposed budget has been approved.

Re 14. Miscellaneous

The Chair notes the motion to hire Adriaan de Groot in a paid position as the FTF Coordinator. Adriaan de Groot expresses his willingness to accept this position pending contractual negotiations.

The Chair puts this motion to the vote.

No secret vote is requested.

Result: 9 for, 0 against, 4 abstentions.

The president elect thanks the General Assembly for its trust and states that he looks forward to his work with the new executive team and the FTF Coordinator to further the cause of Free Software.

The Chair asks for other miscellaneous items. None are proposed.

Agenda item #14 is declared completed.

Re 15. Closing

The GA is officially closed at 18:13.

Christian Holz
[minutes]

Georg C. F. Greve
[chair]