

Dear Mr. Houghton-Clarke,

Please find below the positions adopted by the meeting on January 14th, 2021:

Resolution 1

Adopted by 79 in favour, 3 against, 7 abstentions, total 89 full members of APEEE

1. (a) The EGM calls on the Board to re-draft the confidentiality agreement, providing detailed guidance on what information is considered confidential - this to give legal certainty to Board members and the owners of the information. That re-drafted agreement is to be approved by an EGM to be held in due course. (b) The EGM calls on all parents, APEEE members, and the Board to refrain from any legal action, so as to avoid wasting resources and time. (c) The EGM calls for all Board members to be required to sign the confidentiality agreement that is agreed by the specific EGM.

2. The EGM instructs the Board to undo all restrictions imposed on Sanjee and Ana until such time as the new confidentiality agreement is adopted.

Resolution 2

Adopted by 62 in favour, 9 against, 17 abstentions, total 88 full members of APEEE

To achieve the objectives stated in the Article 3 of the APEEE Statutes, in particular those in the sub-clauses 1,2,3 and 6, the Association shall promote and enforce transparency at all times as part of good governance of the European Schools and that of any of its associated bodies. In this regard, the Association itself should lead by example and strive for full transparency. In particular, when acting vis-a-vis its members it should, in an open and timely fashion consult its members in forming positions and taking decisions. The freedom of the Members of the Administrative Board to consult the members of the Association in a direct and open way is critical to said objectives and to their ability to represent the voice of the Members of the Association and should not be unduly restricted.

The General Meeting has the sole authority to nominate the members of the Administrative Board and to define the terms of that mandate. Any restriction aiming to bind the Members of the Administrative Board by an act of another body of the Association is void. By demanding that all Members of the Administrative Body sign a Confidentiality Agreement, without this document being approved by the General Meeting, the Administrative Board and its Chairperson acted outside the scope of their Authority. Therefore, the requirement to sign said Confidentiality Agreement is void and non-binding.

As a general principle, transparency and openness shall be applied, with strict confidentiality only to be sought on a case-per-case basis and on explicitly justified grounds, unless the Statutes or Rules and procedures of the Association stipulate differently. The Association shall amend the Rules and procedures of the Association to assert any legitimate definition of and procedures for determining the confidentiality as the need may be, and in accordance to the principles stated above.

Resolution 3

Adopted by 58 in favour, 5 against, 13 abstentions, total 76 full members of APEEE

According to the meeting minutes, the Administrative Board has in its meeting of 04.11.2020 decided to severely limit the access to information for two of its members, Anna Yavorska and Sanjee Goonetilake. Said limitation includes denial of access to internal discussions, meeting documents, other proprietary documents, as well as information provided to them by the members of the Association via their official email during the entire period of their mandate. Access to their official email as Board Members has also been blocked. This denial of access to information is effectively making them unable to exercise the role the General Meeting has elected them to.

The Article 13.3. of the Statutes explicitly reserves the right of dismissal - and therefore sanctioning - of a member of the Administrative Body to be vested in the General Meeting, and is thus not exercisable by the Administrative Board. The General Meeting considers therefore the taken decision invalid and unlawful and against the explicit will of the General Meeting expressed by the votes of the full members of the Association in the election. The full rights of the said members shall be reinstated with immediate effect.

Brussels, January 18th, 2021

Yours respectfully,

Pim Gesquiere
Secretary to the meeting