



# UNION EUROPÉENNE DES MÉDECINS SPÉCIALISTES EUROPEAN UNION OF MEDICAL SPECIALISTS

*Association internationale sans but lucratif*

*International non-profit organisation*

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## **UEMS Working Group on Future Structure**

### **Working Group Document Version 5, 05.09.2016**

**Professor Vassilios Papalois**

**UEMS Secretary General on behalf of the Working Group**

#### **1. Introduction:**

The UEMS Working Group (WG) on the Future Structure of the organisation was established by the UEMS Extended Executive Committee (EEC) upon the recommendation of the UEMS Council that took place in Warsaw on the 16<sup>th</sup> and 17<sup>th</sup> of October 2015.

Based on the decision made at the Council meeting in Warsaw, the UEMS EEC initiated and internal consultation asking all UEMS Bodies [National Medical Associations (NMAs)-Full UEMS Members called from now on in this document NMAs and UEMS Internal Structures: Sections, Multidisciplinary Joint Committees (MJsCs) and Thematic Federations (TFs)] to offer their views regarding the overall participation of Sections, MJsCs and TFs in the decision making process in the UEMS. This was in clear recognition of the increasingly important role that Sections, MJsCs and TFs have in the overall work and function of the UEMS.

There were two letters sent in November 2015 and January 2016 asking for UEMS Bodies to express their views. In addition, all UEMS Bodies were asked to propose Colleagues who could represent them in the WG.

Following this process and based on the recommendations put forward, the WG was structured as follows aiming to offer a balanced representation of all the elements of the organisation:

3 representatives of EEC: - Romuald Krajewski, UEMS President

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PRESIDENT: DR ROMUALD KRAJEWSKI  
TREASURER: DR BERNARD MAILLET

SECRETARY-GENERAL: PROF VASSILIOS PAPALOIS  
LIAISON OFFICER: DR ZLATKO FRAS

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- Vassilios Papalois, UEMS Secretary General  
as Chairman of the WG
- Marc Hermans, UEMS Vice-President

- 3 representatives of NMAs:
- Helena Alves, Portugal
  - Piero Bergamo, Italy
  - Nicolas Christodoulou, Cyprus

- 3 representatives of Sections
- Gerasimos Krassas for Grouping I
  - Joseph Weerts for Grouping II
  - David Williams for Grouping III

- 2 Ex Officio
- Thomas Holzgruber, legal advisor
  - Bertrand Daval, UEMS CEO

A structured document produced by the UEMS CEO with all views expressed by the UEMS Bodies, was forwarded to the WG for their review. The mandate of the WG was to produce credible proposals for consideration by all UEMS Bodies prior to the Council meeting and at the Council meeting.

## **2. Historical aspects and general principles:**

**2.1** The WG recognized that over the last years important steps have been taken to enhance the participation of the Sections, MJC's and TFs in the overall decision making process of the UEMS:

- Formal participation of the Sections, MJC's and TFs in the Council meeting.
- Plenary session at the Council meeting dedicated to issues related to the work of the Sections, MJC's and TFs in the context of the overall work of the UEMS.
- Formation of the three Groupings of Sections with dedicated time at the Council meeting for discussion of issues related to their work as well as the issues discussed at the plenary session.

**2.2** The following principles were accepted by the WG:

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- Keeping the participation of the Sections, MJC's and TFs in the overall decision making process in the UEMS at the present level is not an option; there was a clear mandate by the Council meeting to proceed with constructive proposals.
- The proposals by the WG will not aim to change the character of the UEMS as it is clearly defined in the UEMS Statutes.
- The proposals will aim for an evolution within the organisation.
- The UEMS operates under Belgian law and any proposals have to be in accordance with the requirements of the Belgian law. It is in the hands of the UEMS to change its Statutes and Rules of Procedure (ROPs) but it is most certainly not in the hands of the UEMS to change the Belgian law.

### **3. Proposals:**

The WG has formed the following proposals aiming at further enhancing participation of the Sections in the UEMS management and policy making:

- 3.1** The elected Chairs of the three Groupings of Sections will become de facto members of the UEMS EEC; their title will be: Chair of Grouping (I, II, III) and representative of Grouping (I, II, III) in the UEMS EEC.

Since the remit of duties and responsibilities of the Chairs of the Groupings (as well as the Secretaries of the Groupings as their designated deputies) is going to be significantly enhanced, clear and transparent terms of reference are needed for their election. For the same reason, if this proposal is accepted, an election must take place for the re-appointment of the Chairs and Secretaries of the Groupings.

The following principles should be followed by each Grouping regarding the election of the Chair and the Secretary:

- The election of the Chair and the Secretary of a Grouping will take place during a UEMS Council meeting.
- An Election Committee will oversee the election process; the members of this committee will be the UEMS Secretary General and two of the UEMS Vice-Presidents.

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- The election will be announced at least 6 weeks prior to the Council meeting by the UEMS Secretary General.
- The Chair and the Secretary of each Grouping can only be elected out of the Presidents and Secretaries of the Sections of this Grouping who actually hold the respective position in the Section.
- The nomination of an individual for the position of the Chair of a Grouping can be a self-nomination or she/he can be nominated by another President of a Section of the same Grouping. This has to be done with a formal letter to the UEMS Secretary General along with a short statement regarding their work and contribution to the UEMS and their plans for the future. The nomination should take place at the latest two weeks before the first day of the Council meeting.
- The Chair of a Grouping will be elected by the Presidents of the Sections of this Grouping present at the Grouping meeting. The election is legitimate only if 2/3 of the Sections of the Grouping are present at the meeting. If the President of a Section cannot attend the Council meeting, the Secretary of the Section can vote as long as a formal proxy is issued by the Section's President.
- A majority of 50% +1 of the votes cast is needed to be elected. If no one obtained 50%+1 of the votes in the first ballot, then the two who got the highest number of votes, will go to a second ballot where a majority of 50%+1 of the votes cast is needed to be elected.
- The term in office of a Grouping's Chair is 4 years. She/he has the right to be re-elected for another term of 4 years.
- An individual can hold the office of Chair of Grouping as long as she/he is President of her/his Section. At the end of term as the Section's President she/he has to step down as Chair of Grouping at the next UEMS Council meeting. A successor will then be elected during that meeting. If the term of office as the Section's President was ended due to inability to execute presidential duties (health reasons being one example) or disciplinary proceedings, then the term of office as Chair of Grouping immediately ends. The Secretary of the Grouping will then further represent the Grouping in the EEC until an election for a new Chair of Grouping takes place during the next Grouping meeting.

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- A Secretary of Grouping is elected following the same procedure and holds this position according to the same terms as a Chair of Grouping.
- Chairs and Secretaries of Groupings keep their positions as Presidents and Secretaries of their Section.

## **3.2 Establishment of the UEMS Advisory Board**

The proposal is to establish a UEMS Advisory Board (AB). The members of the AB will be all UEMS Sections represented by their President and Secretary. UEMS MJsCs and TFs have the right to participate in all discussions but without voting rights. The rationale for this is that MJsCs and TFs mostly are UEMS collaboration platforms of different Sections. If they would have voting rights in the AB, Sections represented in them will be practically exercising more voting rights than Sections not participating in these MJsCs and TFs.

For the AB to be legitimately constituted at least 2/3 of the UEMS Sections have to be present or represented. The work and any meetings of the AB will be coordinated by the Chairs of the three Groupings. They will chair the AB in rotation, changing at every Council meeting, the other two serving as deputies.

The AB will have a preliminary meeting the day before the UEMS Council meeting at the time currently allocated to the plenary session of the UEMS Sections prior to the individual meeting of the three Groupings. The AB will discuss matters figuring on the agenda of the upcoming UEMS Council meeting. The agenda of the UEMS Council meeting will be announced and circulated 4 weeks ahead of the meeting date in order to allow consideration and consultation by the AB. The UEMS EEC together with the Chairs of the Groupings will set up the agenda of the AB. Individual Sections, MJsCs and TFs can also propose AB's agenda items. Indicatively, topics for discussion by the AB will be matters related to the status, work, function, finances, ETRs and other projects of the Sections, establishment of MJsCs, TFs and other platforms of collaboration within the UEMS, utilisation of UEMS resources etc. Once the agenda is set, Presidents and Secretaries of the Sections, MJsCs and TFs need to consult with their members to ensure that the views that they will express at the AB are as representative as possible.

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After discussion by the delegates of all UEMS bodies (NMAs, Sections, MJs, TFs) during the UEMS Council meeting, two votes will take place. The members of the AB will vote first. Each Section will be entitled to one vote that can be cast by the Section's President or the Secretary as designated deputy. For a topic to be considered as approved or rejected by the AB, a 66%+1 votes of the Sections present at the meeting will be needed (abstentions will not count) in favour or against respectively. This is followed by a vote by the NMAs.

### **3.3** Influence of the voting of the AB on the decision making process by the NMAs at the UEMS Council meeting.

The WG proposes to the UEMS bodies two potential ways as to how the voting of the AB can influence voting of the NMAs. Based on these proposals, Sections do not actually vote directly. This could create major problems with the Belgian law since only full members of a non-profit organisation can vote; in the UEMS only the NMAs are the members. However, UEMS internally can change in this way the rules for approval or rejection of a topic so that the views of the Sections are taken into account.

**3.3.1** The vote of the AB will not be binding for the NMAs but it will carry very significant value and weight that NMAs need to consider when they cast their votes.

**3.3.2** If the outcome of the voting of the NMAs for a specific topic with simple or qualified majority as currently defined in the UEMS Statutes and ROPs, is the opposite to the vote of the AB, then the matter will not be considered closed. It's then up to the UEMS Executive to lead constructive work and lead discussions aiming to achieve consensus to be approved on the next Council meeting. The voting of the AB and the NMAs for this item at the next Council meeting will take place as in the previous one. However, the vote of the NMAs this time will be the definitive one.

For matters of truly great urgency for which there is discordance of the voting of the NMA and the AB, the UEMS Executive can facilitate urgent consultations aiming to reach consensus and will facilitate a second and definitive vote during the same Council meeting. The second voting of the AB and the NMAs for this urgent matter will take place as in the first one. However, the vote of the NMAs this time will be the definitive one.

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## **4. Next steps**

- 4.1** The proposals of the current document was discussed and finalised by the WG and the UEMS Extended Executive Committee.
- 4.2** Legal advice (including legal advice in Belgium) was provided for the final proposals.
- 4.3** The proposals will be distributed to the UEMS Bodies for their review one month ahead of the Council meeting.
- 4.4** The proposals will be discussed at the Council meeting in Brussels, 20-22 October 2016 and a final draft will be approved.
- 4.5** The time between the Council meeting in October of 2016 and the one in April 2017 will be used to take the necessary steps for the implementation of the approved proposals.

## **5. Implementation and review**

The WG members are aware of the fact that the actual proposal may be but an intermediate step in the evolution of an active and prosperous UEMS. They consider it a reasonable one, easy to implement and without changing the UEMS Statutes. It is a plan that can nourish fruitful discussions and allows for further improvement.

Hence the WG proposes that upon agreement by the UEMS Council of this proposal, the WG prepares the implementation into the ROPs. After two years, an evaluation will then take place of the Sections' representation in EEC and Council. The review report of the experience gained during that time will take place aiming to identify areas and ways of potential improvement.