

# STATUTES

## EUROPEAN DEMOCRATIC PARTY

### STATUTES

Adopted on 13 July 2004

Modified by the Congress of Brussels, on 11 December 2014

Modified by the Council of Ljubljana, on 12 April 2019

Modified by the Council of Paris, on 29 November 2019

Modified by the online Council, on 09 December 2020

#### PREFACE

On the basis,

- of a commitment for a Europe that is more and more politically integrated, and of the construction of a democratic Union that is free and united,
- of a joint will to construct a politically clear vision for a common future with the final goal of creating a political Europe that shall also be a “Europe based on Solidarity”,
- of the essential support of the European institutions as the key instrument for shaping the future of the European Union,
- of a plan for a peaceful and prosperous Europe, founded on values of peace, freedom, democracy, solidarity and education,

we establish the European Democratic Party.

By this agreement, the political parties of the countries, of the historical nations and of the regions of the European Union that share the common values and the principles indicated in this preface, make up “the European Democratic Party (EDP)”.

# STATUTES

## STATUTES OF THE EUROPEAN DEMOCRATIC PARTY

### TITLE I Name, Registered Office, Aims, Duration

#### *Article 1: Name*

A non-profit international association is established by the signatories under the name “European Democratic Party”.

The association reserves the right to use the abbreviated name “EDP” or “PDE” for all acts, invoices, announcements, publications and other documents issued by the association, these abbreviations being used in their own right.

This Association shall be governed by the dispositions of title III of the Belgian law of 27 June 1921 on non-profit making Associations, international non-profit making Associations and foundations.

#### *Article 2: Registered Office*

The registered office of the association is based in Brussels; rue Montoyer 25, in the judicial district of Brussels.

The Council may transfer the registered office to another location.

#### *Article 3: Official Languages*

The official languages of the European Democratic Party are all the official languages of the member parties. The three working languages are French, Italian, English and German. Official documents are translated into the three working languages.

#### *Article 4: Aims*

As non-profit making, the association has as its sole aims:

- to assure a close and lasting collaboration between its members with the intention of meeting their objectives;
- to promote and organise initiatives at European level with the participation of its members;

- to support and coordinate the actions of party members at the time of European Parliament elections;
- to develop close working relations between and among party members, their parliamentary, European, national and regional groups, groups in the parliamentary assemblies and parties which have the same political platform outside the European Union;
- to carry out its actions with the aim of federal unification and integration of Europe;
- to fully support the representation of regional and local interests and relevant application of the principle of subsidiarity, including in the framework of each member state.

The European Democratic Party initiates actions and carries out its work, both in Belgium and abroad, in order to promote or increase promotion of, directly or indirectly, its aims and objectives.

The EDP seeks a common position amongst its members on all important subjects concerning the European Union. In addition, it informs public opinion and involves it in the creation of a united Europe.

Through their regional and national actions, party members support the positions defended by the EDP in the framework of the European Union. In the context of national and regional actions, party members may maintain their name, their identity and their autonomy.

With a view to realising its goals, the association may, either free of charge or for a fee, receive or sell, freehold or otherwise, any immovable property.

It may carry out any action related either directly or indirectly to its aims, in particular:

- take any action necessary for the administration of its capital in accordance with its aims;
- contribute and take interest in all activities in accordance with its aims.

### *Article 5: Relationship with group(s) at the European Parliament.*

The European Democratic Party may form an alliance with other European parties in order to establish one or more group(s) to effectively promote its values within the European Parliament and within the other institutions or European bodies.

In this respect,

all delegates representing member parties or individual members must sit in the group(s) specified by the competent bodies;

the heads of delegations of the different member parties will establish close relations and have regular meetings in order to decide common positions and assure the coherence of the positions of the EDP within the parliamentary group(s).



## *Article 6: Duration*

The association is formed for an undetermined period of time.



## TITLE II

## Affiliation

### *Article 7: Members*

The number of members is unlimited but may not be less than three.

Founding members of the association are those present at the constituent act.

Members of the association are the members who are appointed by the Council.

Members of the Association are divided into seven categories: member parties, individual members, affiliated members, observer members, natural persons, the Young Democrats for Europe and legal persons.

1. Member parties are national and/or regional parties established within the member States, historical nationalities and the regions of the European Union, which have signed the statutes and share the aims and objectives of the EDP. These are either founding members or admitted members to the party after its establishment, in compliance with the rules imposed by these statutes.
2. Individual members are members of the European institutions and bodies provided for by the Treaties, members of national Parliaments and of regional and local assemblies. These are either founding members or members admitted to the party after its establishment, in compliance with the rules imposed by these statutes.
3. The statute of affiliated member may be given to European parties of countries that are not members of the European Union, but which share the objectives of the EDP as well as its manifesto.
4. The statute of observer member may be given to parties of non-member states of the European Union which share the objectives of the EDP as well as their manifesto.
5. Ex officio members are natural persons adherent to member parties and former individual members who no longer hold office for European institutions and bodies provided for by the Treaties, members of national Parliaments and of regional and local assemblies. Any other natural person who is not adherent to a national political party, a regional or local member of another party or group at the European Parliament and has paid a membership fee fixed by the Presidency shall be a member after admission by the Council. They are either founding members or members admitted to the party after its establishment, in accordance with the rules laid down in these statutes.
6. The International non-profit association Young Democrats for Europe who has paid a membership fee agreed by the Presidency is member after admission by the Council.

7. Non-profit associations who have paid a membership fee agreed by the Presidency are members after admission by the Council.

Members of the European Parliament adhering to the EDP who are not affiliated to a national member party of the EDP may form a non-profit association under the jurisdiction of a Member State of the European Union in order to adhere in accordance with Article 8.

Members commit themselves to not take any action contrary to the social aims of the association, nor to do anything that might be prejudicial to the association's interests in any way.

### *Article 8: Admission*

The parties, persons and associations established in accordance with Article 7 who wish to join the EDP and who meet the conditions set out in these statutes must present their candidacy to the Presidency.

The Presidency drafts a report on the eligibility of the party or person and makes recommendations to the Council which deliberates on the admission by rule of a two-thirds majority.

### *Article 9: Death, Resignation, Exclusion*

The death of a member for a natural person, or dissolution if a legal person, will result in the automatic loss of membership.

Membership will also be terminated in the event of a written resignation being presented to the Council. Membership will likewise end if the Council decides to exclude a member with a majority of two-thirds of the votes on the recommendations of the Presidency.

Members may be excluded from the party for one of the following reasons:

- when they do not respect the statutes of the EDP or the internal regulations;
- when they do not respect the decisions made under the authority of the EDP, in accordance with these statutes;
- when they no longer meet the conditions of eligibility;
- when they act in a way that is detrimental to the interests and values of the European Democratic Party.

A natural or legal person who has lost the status of member, or the heirs or beneficiaries of a deceased member, as far as a physical person is concerned, or of a dissolved member for a legal person, have no right whatsoever to the association's assets.

They cannot claim nor request statements, rendering of accounts, the affixing of seals or inventories.



## *Article 10: Membership Fee*

Members are asked to pay a membership fee, the amount of which is set by the Presidency.

## *Article 11: The Institute of European Democrats*

The Institute of European Democrats (IED) is the political foundation at European level affiliated to the EDP. In compliance with the goals and fundamental values pursued by the European Union, it supports and complements the objectives of the EDP. The IED has a separate legal personality of the EDP.

## *Article 12: The Young Democrats for Europe*

The Young Democrats for Europe (YDE) are the young organization officially recognized by the EDP. They work closely to achieve the political goals of the EDP. The YDE appoint their autonomous bodies in accordance with their statutes.



## TITLE III

## Bodies

### *Article 13*

The bodies of the European Democratic Party are:

- the Council;
- the Presidency

### *I. THE COUNCIL or General Assembly*

### *Article 14: Composition*

The Council includes the following members:

- the delegates of the member parties;
- the individual members;
- the delegates of affiliated members;
- the delegates of observers;
- the members of the Presidency.

The distribution of the delegates is determined by the Presidency with the aim of a fair representation of the EDP members.

### *Article 15: Powers*

The Council has the most extensive powers to achieve the purpose of the association.

Moreover, the Council has powers that are specifically conferred on it by the present statutes. It:

- is responsible for the global coherence of policies in order to put into place the political programme of the EDP;
- appoints and dismisses the members of the Presidency;
- decides on the rules of admission and on the status of observers;
- approves the membership and exclusion, on the report of the Presidency;
- adopts and modifies internal regulations, on the proposal of the President(s);
- approves the budget and the annual accounts;
- approves the statutory amendments and may order the voluntary dissolution of the association.





## *Article 16: Convocation and execution of meetings*

The Council is convened by the Presidency at least two times per year or each time it is in the interests of the association to do so.

An extraordinary session of Council may be convened on the request of a simple majority of member parties of the EDP.

The delegates of the member parties, affiliated members and individual members have one vote each. Council decisions and deliberations are valid when at least one-third of the members are present. Decisions are taken with a simple majority of the delegates present and participating in the vote, unless otherwise specified by the statutes.

When less than one-third of the delegates are present, the Council may, with a simple majority of members present, convene a second meeting that must take place at the earliest two weeks later. The quorum is not required for the decisions adopted at a second such meeting.

A Council member may be represented by another member of the Council; however, the latter may not hold more than one proxy at a time.

The resolutions are recorded in a register signed by the President of the Council and one other member, and is kept at the head office of the association.

## *Article 17: The Convention*

Before the European elections, the Council meets in a Convention. This sets the main directions and political program of the EDP.

The Convention adopts the election manifesto and designates the candidate for Presidency of the European Commission.

## *II. THE PRESIDENCY*

### *Article 18: Composition*

The Presidency is composed of:

- The President(s)
- The Honorary President(s)
- The Vice-President(s)

- One representative per national delegation represented by at least one member in the European Parliament
- The Treasurer
- The Secretary(ies) General
- The Delegate General
- The Deputy Secretary(ies) General
- Two representatives of the European Assemblies chosen by the Council.

The members of the Presidency are elected by the Council for a term of two years, their mandate may be renewed.

### *Article 19: Mission*

The association is managed by a Presidency that meets each time it is in the interests of the association to do so. It has the most extensive powers for the administration and the management of the association.

It may make decisions and take action on all matters necessary or useful for the realisation of the aims of the association, with the exception of those powers under the exclusive jurisdiction of the Council.

It can in particular, and without the following being exhaustive:

- take all measures necessary for the implementation of the political agenda of the EDP;
- make decisions on all operations relating to the association's objectives;
- prepare and enter into all contracts, reach settlements, make compromise agreements, purchase, exchange or sell any moveable or fixed asset, mortgage, borrow, take out leases of long duration, accept bequests, subsidies, donations and transfers, relinquish all real or other rights;
- receive and withdraw any sums and amounts deposited or not, open any accounts at financial institutions, carry out any transactions on the aforementioned accounts, specifically withdrawal of funds by cheque, make bank drafts or transfers or other forms of payment, rent safe deposit boxes, pay any amounts owed by the association.

The Presidency represents the association in all judicial and extrajudicial acts. Represented by the President(s), it acts as plaintiff or defendant in all judicial proceedings and decides whether or not to use the right to appeal.

For those actions which commit the association, other than those of day-to-day management, the Council is represented – barring special delegation – by the President(s), who does not need to justify his/her/their authority to a third party.

The President(s) has the power to make special delegations.

Presidency members may be dismissed at any time by the Council with a majority of two-thirds of those members present or represented. In the case of dismissal, resignation or death of a member, the Council must be convened, where appropriate, to appoint a new member of the Presidency from the candidates nominated by member party(ies) or affiliated party(ies), to which the former member belonged.

### *Article 20: The President*

One or more Presidents may be appointed. His/her/their mandate lasts two years, and is renewable.

Without prejudice to the provisions of article 20 of the statutes, the President(s)

- represent(s) the party, both internally and externally;
- preside(s) over the Council and the Presidency. In the event of other commitments, the President(s) delegate(s) this job to one of his/her/their Vice-Presidents;
- may create any position necessary for the proper functioning of the association and delegate his/her/their own powers in the framework of his/her/their tasks without this delegation being general.

### *Article 21: The Secretary General*

One or more Secretaries General may be appointed. He/she/they will act on the instruction of the President(s). The mandate of the Secretary(ies) General is two years, renewable.

He/she/they oversee(s) day-to-day operations and implement decisions made by the bodies of the party.

The Secretary(ies) General:

- draft(s) the agendas of the meetings of the party bodies, which are decided by the President(s);
- oversee(s) the meetings, their preparation and the drafting of the minutes;
- draft(s), at the beginning of each year, a report of all their activities and he/she/they prepare(s) the programme for the coming year;
- sign(s) the daily correspondence;
- may appoint, dismiss or remove any official or employee of the association on the proposal of the Presidency;

The Presidency may propose to the Council to nominate other members of the EDP or a third party to the position of Vice-Secretary General.

## *Article 22: The Delegate General*

A Delegate General may be appointed by the Council on a proposal from the Presidency.

He/she assists the Secretary General in achieving the program goals of the EDP, coordinating thematic working groups or committees and the drafting of the program and the political manifesto.

## *Article 23: The Treasurer*

The Treasurer is responsible for the day-to-day management of the association with respect to the European Community and Member State standards as far as party funding is concerned.

Day-to-day management pertains to routine business, in particular:

- to have signed, in the name of the association, all contracts with the exception of those that involve property disposal or constitution of real property rights and those concerning loans;
- to accept and receive from the National Bank, the Belgian Treasury, from any public funds and administration, company or person, all sums or amounts owed to the association, the principal, the interest and incidental costs; for whatever reason, to withdraw any sums and amounts deposited or received, to formally acknowledge receipt and give discharge in the name of the association; to pay the principal, the interest and incidental costs of any amounts that the association owes;
- to open bank or postal accounts in the name of the association;
- to sign, negotiate, endorse all types of payment, money orders, cheques, bank drafts, promissory notes, money transfers and other essential documents, to accept and guarantee all banks drafts, to defer payment of outstanding drafts or bills; to introduce and accept any compensation; to accept and consent to all acts of subrogation;
- on behalf of the association, to collect from the post office, from the customs office, from transportation and rail businesses or to receive at his/her residence, letters, boxes, packages, parcels, be it registered or not, and declared-value post; to take delivery of any deposits, to present bills of lading, consignment notes and other necessary documents, to sign all documents and discharges;
- to make all the inventories of any assets and stock belonging to the association;
- to determine wages, deductions, salaries, bonuses of all officials and employees of the association, or any other requirements relating to their recruitment and departure;
- as part of his duties, to represent the association before any public or private administration;
- to confer certain powers that he decides on and for how long to one or two delegates (proxies) in certain parties. The Treasurer is, in addition, authorised to bind the association by his signature in matters relating to daily administration.

The accounting period ends the thirty-first of December of each year.

The Treasurer prepares the budget, drafts the annual report covering all the principle activities, the expenses and the revenue of the association; it also establishes the annual accounts of the last financial year.

The President(s) propose(s) the budget at the end of each year.

The Presidency may propose to the Council to establish a financial committee to assist the Treasurer with his work.



## TITLE IV

## Control of the association

### *Article 24: Financial control*

If so required by law, a control of the finances of the association, of the annual accounts and of the accuracy of the information contained in the annual accounts, is entrusted to one or several auditors.

The auditors are appointed by the Council from amongst the members, be they natural persons or legal persons, of the Institut des réviseurs d'Entreprise (Institute of Certified Auditors). The auditors are appointed for a period of three years, renewable. Their remuneration is determined at the time of their appointment and for the duration of their mandate.

### *Article 25: Conflict of interests*

If a director directly or indirectly has a conflicting financial or non-financial interest in a decision or operation to be decided by the Board of Directors, he must inform the other members of the Board before they deliberate.

The director with a conflicting interest may not participate in the Board's deliberations on the transactions or decisions in question or vote on these issues.



## TITLE V      TRANSPARENCY - PRIVACY AND PERSONAL DATA PROTECTION

### *Article 26: Transparency*

The EDP ensures the highest level of transparency with the purpose of pursuing its sole aim as in its organization and its funding, in accordance with the provisions of regulation No 1141/2014 of the Council and the European Parliament of 22nd of October 2014, as well as to those of title III under the Law of 27th of June 1921 on non-profit associations, international non-profit associations and on foundations.

The decisions of the Presidency shall be sent to the members.

The decisions of the Council shall be sent to the members and published on the EDP website. The annual accounts, any verifications and the association's annual budget are published on the EDP website.

### *Article 27: Privacy and personal data protection*

The EDP undertakes to comply with the applicable national laws and the EU-regulations concerning data protection and will collect only data that are absolutely necessary, relevant and updated and shall have recourse to adequate controls in order to ensure that the information is protected.



## TITLE VI

## Dissolution and Liquidation

### *Article 28*

The association may be dissolved voluntarily by a decision of Council with a majority vote of four-fifths, in accordance with the provisions of law or by judicial decision.

### *Article 29*

In the case of voluntary dissolution, the General Assembly will appoint one or several liquidators, determine their powers and fees and the procedures for the liquidation of the debts and realisation of assets.

### *Article 30*

In the case of voluntary or judicial dissolution, at any time or for whatever reason, the remaining net assets of the association, after payment of debts and liabilities, will be allocated to an initiative having the same aims and objectives as the present association, decided unanimously by the members present in Council. In the absence of a unanimous decision by the General Assembly in this respect in the three months following the dissolution, this allocation will be carried out as far as possible, within the limits of the aims and objectives as indicated above.





## TITLE VII

## General Provision

### *Article 31*

Anything not covered in the present statutes is referred to in the internal regulations or law.



## TITLE VIII

## Transitional and Final Provisions

### Article 32

The fiscal year begins the first of January and ends the thirty-first of December of each year.

Exceptionally, the first fiscal year begins this day and will end the thirty-first of December, two thousand and four.

### Article 33

It falls to the Presidents, having heard the legal representatives of the member parties, to decide on the respective financial obligations of the different member parties.

THIS ACT

Drawn up and executed in Brussels, date as above,

And having read in full and made comments, those present signed before me, the Notary.

Annexes:

List of members

Logo