

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

Modified by the online Council, on 10 December 2021

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, Purpose, Duration

Article 1: Name

In accordance with the provisions of the Code of Companies and Associations, an international non-profit association, abbreviated to AISBL, called "European Democratic Party", abbreviated to "PDE" or "EDP", is established.

All acts, invoices, announcements, publications and other documents issued by the association must mention the name immediately preceded or followed by the words "parti politique européen/Europese politieke partij, European political party" or the acronym "PPEU/EUPP/EUPP", as well as the address of the association's registered office.

Article 2 - Registered Office

The registered office of the association is located in the Brussels-Capital Region.

It may be transferred anywhere else in Belgium by simple decision of the governing body, provided that such a transfer does not require the modification of the language of the statutes by virtue of the applicable language regulations. This transfer will be published in the Annexes to the Moniteur belge

If, however, the registered office is transferred to another Region, the decision taken by the governing body shall amend the Statutes and shall be authenticated by a notarial act. If, as a result of the relocation of the registered office, the language of the statutes has to be changed, only the general assembly has the power to take this decision, which will be authenticated by a notarial act, subject to compliance with the rules on amendments to the statutes.

Administrative offices may be created, in Belgium or abroad, by decision of the governing body.

Article 3: Official Languages

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

Article 4: Purpose

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.

Any change in the purpose of the association and/or the activities that constitute its purpose must be approved by the King.

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).

Members of the European Parliament who are members of the European Democratic Party coordinate their positions in meetings of the EDP parliamentary delegation. Its meetings are chaired by the Secretary General or, if the Secretary General is not an MEP, by one of the members of the parliamentary delegation elected by his or her peers.

Article 6 – Duration

The association is established for an undetermined period of time. It may be dissolved at any time.

TITLE II – Members

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 Congress, except for registered supporter members who are admitted by the Presidency.

Members of the Association are divided into six categories: (1.) member parties, (2.) individual members, and (3.) affiliated members, that are voting members, (4.) observer members, (5.) registered supporter members, and (6.) natural persons, that are non-voting members.

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. Affiliated members are political organisations and non-profit associations based in the European Union but which are not recognised parties, ~~but~~ which share the objectives of the EDP as well as its manifesto. Jeunes Démocrates européens aisbl is an affiliate member.

4. Observer members which share the objectives of the EDP as well as its manifesto are national and/or regional parties from non-EU European countries (countries that have applied for EU membership as well as European countries that are members of the Council of Europe) and national and/or regional parties from EU

member states, historical nationalities and regions that wish to enter into a partnership with the EDP.

5. Registered supporter members are natural persons elected to local, regional or national executive bodies, or leaders of associative movements who are not members of a member party, whose admission is determined by the Presidency.

6. 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. They are either founding members or members admitted to the party after its establishment, in accordance with the rules laid down in these statutes.

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 Congress which deliberates on the admission by rule of a two-thirds majority, except in the case of registered supporter members whose admission is decided by the Presidency by 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 Congress. Membership will likewise end if the Congress 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. They have the right to participate in Congress and Convention meetings, to express their opinions and to vote.

TITLE III – Bodies

Article 13

The bodies of the European Democratic Party are:

- the Congress or General Assembly;
- the Presidency

I. The Congress or General Assembly

Article 14: Composition

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

Moreover, the Congress 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 adhesion 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 Congress 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 Congress 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. Congress 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 Congress 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 Congress member may be represented by another member of the Congress; 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 Congress and one other member, and is kept at the office of the association.

Article 17: The Convention

Before the European elections, the Congress 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 Congress.

The members of the Presidency are elected by the Congress 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 Congress.

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 purpose;
- 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 Presidency 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 Congress with a majority of two-thirds of those members present or represented. In the case of dismissal, resignation or death of a member, the Congress 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 Congress, the Convention 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 Congress 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 Congress 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 Union 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 principal activities, the expenses and the revenue of the association; it also establishes the annual accounts of the last financial year.

The Treasurer proposes the budget at the end of each year.

The Presidency may propose to the Congress 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 Congress 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 Presidency, he must inform the other members of the Presidency before they deliberate.

The director with a conflicting interest may not participate in the Presidency'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 Congress shall be sent to the members and 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 – Amendment to the statutes - Dissolution

Article 28 - Amendments to the Statutes

The Statutes may be amended at any time by decision of the Congress.

The Congress may only validly deliberate and decide on a modification of the Statutes if the convocation contains the agenda of the proposed modifications and if at least two thirds (2/3) of the full members are present or represented.

If this quorum is not reached, a second meeting shall be convened, with the same agenda and under the same conditions as the first, which shall deliberate validly whatever the number of effective members present or represented. The second meeting may not be held less than fifteen (15) days nor more than six (6) weeks after the first meeting.

An amendment to the Statutes shall only be adopted if it receives a two-thirds (2/3) majority of the votes.

However, an amendment concerning the purpose(s) of the association may only be adopted by a four-fifths (4/5ths) majority of the votes of the members present or represented.

Any modification of the non-profit purpose that the international non-profit association pursues as well as of the activities that constitute its object, must be approved by the King.

Amendments to the articles of association relating to the items referred to in Article 2:10, § 2, 6°, 8° and 9° of the Companies and Associations Code must be authenticated by a notarial act.

Article 29 - Dissolution

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



Article 30

In the case of voluntary dissolution, the Congress 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 31

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 Congress. In the absence of a unanimous decision by the Congress 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 32

Anything not covered in the present statutes is referred to in the internal regulations or the Code of Companies and Associations, and clauses contrary to the mandatory provisions shall be deemed not to be written.



TITLE VIII – Final Provisions

Article 33

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

Article 34

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