

# Statutes for MERA25 in the Netherlands



\*\*\*FINAL VERSION FOR AMV TEXT\*\*\*

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## **Preamble:**

MERA25 is the Dutch electoral wing of the transnational pan-European movement DiEM25. As part of DiEM25, MERA25 is a pan-European, transnational Dutch party striving for a deep democratisation of the European Union and all European countries.

Our aim is to unite people, regardless of nationality, status, origin, ethnicity, gender, sexual orientation, physical condition and religion, who wish to participate in the construction and development of a democratic rule of law within the framework of a European modern liberal social order, characterised by a spirit of social justice.

The bodies and representatives of MERA25 are committed to making their decisions in accordance with the will of the majority of the members of DiEM25.

## Section A: Basic principles

### § Name, registered office and area of activity

- (1) The association shall bear the name: MERA25.
- (2) MERA25 has its seat in the municipality of The Hague.
- (3) As part of DiEM25, MERA25 is committed to a democratic, socially and environmentally sustainable and peaceful Europe and, in particular, to the democratisation of the European Union.
- (4) The members organised in MERA25 are referred to gender-neutrally as members.

### § 2 Purpose

- (1) "MERA25" is a party and considers itself part of the European movement DiEM25. Its aim is to unite people, regardless of nationality, status, origin, ethnicity, gender, sexual orientation, physical condition and religious belief, who want to participate in the construction and development of a democratic rule of law within the framework of a European modern liberal social order, characterised by a spirit of social justice.
- (2) These principles shall be specified in a statement of principles adopted by the General Assembly.

### § 3 Membership

- (1) Membership of MERA25 shall be open to any human individual who has reached the age of 14 years, is a member of the DiEM25 Movement and accepts the DiEM25 Manifesto, the DiEM25 Organising Principles, and the Statutes of MERA25. The Party Board may reject a request without giving reasons. The applicant may appeal the rejection of a request to the General Assembly if the appeal is supported by at least three members. The appeal shall be decided by a simple majority of votes.
- (2) Only natural persons can be members of MERA25. MERA25 maintains a central register of members.
- (3) Members of MERA25 cannot be members of another political party or electoral organisation at the same time.
- (4) Members of another electoral wing of DiEM25 can become members of the Dutch electoral wing "MERA25".

### § 4 Acquisition of membership

(1) Membership commences as soon as the first membership fee is paid. In individual cases, the Party Board may grant early admission.

(2) If membership is established in accordance with § 3(4), no membership fee shall be payable.

#### § 5 Members' rights and obligations

(1) Every member of MERA25 has the right and duty to promote the objectives of MERA25 and to participate in the political and organisational work of MERA25 within the framework of these bylaws.

(2) All members in MERA25 have equal voting rights.

(3) Voting rights can only be exercised if the member is not more than three months in arrears with the payment of their membership fees. At General Meetings and digital meetings, voting rights can only be exercised if all membership fees have been paid. Without prejudice to sentences 1 and 2, every member has the right to vote for the nomination of candidates.

(4) Any member has the right to terminate their membership of MERA25 at any time (written notice required).

#### § 6 Termination of membership

(1) Membership ends by death, termination, cancellation, loss or deprivation of the right to stand or vote, exclusion from the party or exclusion from the DiEM25 movement.

(2) There is no right to refund of membership fees.

#### § 7 Disciplinary measures

(1) Disciplinary measures shall in principle be pronounced by the competent arbitration committee.

(2) Against a member,

(a) that violates the statutes of the party "MERA25" or the manifesto of the movement DiEM25

(b) or otherwise affects the reputation of the party or movement to an extent that does not yet warrant expulsion, may be given:

1. warning,

2. removal from a party position or disqualification from holding office for a period not exceeding two years,

3. temporary suspension of membership rights for up to 2 years.

(3) A member who

1. deliberately violates the statutes or seriously violates the principles of the party or the manifesto of the DiEM25 movement and thereby causes serious damage to the party and/or the movement

2. or is 12 months or more in arrears in the payment of his membership fees,

3. may be expelled from the party. The expelled member has the right to appeal an expulsion decision with the arbitration committee.

(4) In urgent and serious cases requiring immediate action, the Party Board or the local branch leadership responsible for the member may exclude a member from exercising their rights until the arbitration committee has made a decision. In this case, the Party Board shall at the same time initiate proceedings for exclusion from the Party before the competent arbitration committee. If the measure is not confirmed by the competent arbitration committee within three months, it loses its effect after the expiry of this period.

(5) The following may be imposed on local collectives or organs of the party which ignore provisions of the statutes, in particular which fail to implement decisions of higher party organs, or which refuse to take up well-founded complaints and bring them to the attention of an arbitration committee, or which act against the political objectives of the party in essential matters:

1. a reprimand, possibly accompanied by a requirement to take specific action within the specified time limit,
2. the resignation of members of the (divisional) executive committee or individual members thereof; in this case, the arbitration committee, on the proposal of the national or local party executive committee, may appoint one or more party members to temporarily take over the duties of the (divisional) executive committee until the immediate election of a new (divisional) executive committee in accordance with the statutes,
3. the dissolution of the local collective, if requested by the Party Board.

#### § 8 Structure

(1) The party "MERA25" sees itself as part of the European movement DiEM25. MERA25 is structured from the bottom up. Within the party, there are sections called 'local groups'. Their geographical scope can be based on political boundaries. It is also possible to form collectives outside political borders.

(2) All local groups, without exception, are grounded in full adoption of the DiEM25 Manifesto, the DiEM25 Organising Principles, the MERA25 programme and these bylaws.

(3) Election programmes for elections held exclusively within the national working area shall be independently adopted at the transnational level through an All Member Vote of DiEM25.

(4) Candidate lists for public elections held exclusively in a local ward's area of operation shall be prepared independently by the relevant local ward.

(5) Proposals for cooperation and joint electoral lists with other movements, organisations or democratic parties at the local level should be submitted to the Party Board for decision. At the request of the Party Board of the national party, the consent of the members of the DiEM25 movement (All Member Vote; AMV) must be obtained.

(6) Proposals for cooperation and joint electoral lists with other movements, organisations and democratic parties at the national level are also submitted to all members of the DiEM25 movement for decision (AMV).

#### § 9 Organs of MERA25

(1) The organs are the Party Board and the General Assembly.

(2) MERA25 has an arbitration committee consisting of at least three members, elected by the General Assembly.

#### § 10 The Party Board

(1) The Party Board of MERA25 is elected by the members at the General Assembly, in accordance with the election rules.

(2) The Party Board consists of two chairmen and three other board members.

(3) The Party Board shall determine which member of the Party Board is responsible for finances (treasurer).

(4) If a board member leaves the Party Board, their appointed substitute takes over the office. If there are areas of responsibility for which no substitute has been appointed, the areas of responsibility shall be redistributed within the Party Board.

(5) The executive committee carries out its work on the basis of the resolutions of MERA25 and its bodies. The Party Executive Board is collegially organised and takes its decisions jointly, unless otherwise provided for in the Rules of Procedure.

(6) In addition to article 10.1, four members are elected by the General Assembly to be the expression of the entire DiEM25 movement in the Party Board. These four have the same full prerogatives of the other five board members, e.g. discussion, control, proposal; except for the voting right.

(7) The Party Board represents MERA25 in and out of court, both internally and externally.

(8) Members of the Party Board are elected by the General Assembly at least every two calendar years. The Party Board remains in office until the election of a new Party Board. If a seat on the Party Board is vacant due to resignation or election, the General Assembly may fill the vacancy for the remaining period by election.

(9) The Party Board shall meet at least twice a year. It may meet online.

(10) At the request of one-tenth of the members, the Party Board may be summoned to meet and deal with pending business.

(11) The Party Board decides all issues in accordance with the resolutions, the General Assembly and the programme.

(12) The Party Board shall report its activities to the General Assembly in writing.

(13) The Party Board shall be deemed unable to act if it:

1. has fewer than three able-bodied members, or
2. declares itself incapacitated by simple majority.

If the Party Board is unable to act, an extraordinary General Assembly shall be convened without delay and a temporary replacement shall be appointed by the remaining Party Board to continue its work. This ends with the election of a new Party Board.

(14) Dismissal of the Party Board shall be by resolution of the General Assembly.

## § 11 The General Assembly

(1) The General Assembly is a meeting of the members of MERA25. It may adopt rules of procedure.

(2) The General Assembly shall meet at least once a year. It is convened on the basis of a decision of the Party Executive Board or if requested by one-tenth of the members. The Executive Board shall invite each member at least six weeks in advance; the invitation shall be in text form or by publication on the MERA25 website. The invitation shall include information on the place and time of commencement of the meeting, the provisional agenda and an indication of where further, up-to-date information will be published. At least two weeks before the General Assembly, the agenda in its current version, the planned duration of the meeting and all motions submitted to the Party Board at that time shall be published in their wording.

(3) If these requirements are not met, a General Meeting may nevertheless be held, provided that all information required under this rule is provided in writing, usually by e-mail, at least 14 days before the meeting. If 10% of the members object no later than the 7th day after the notice (day of the notice is day one for this purpose), the meeting cannot be held. The notice must state the right to object and the deadline to be observed.

(4) If the Party Board is unable to take a decision, an extraordinary General Meeting may be convened. This shall be done subject to two weeks' notice specifying the agenda and venue of the meeting.

(5) The General Assembly receives the report on the work of the Party Board and then decides on its discharge.

(6) The General Assembly also decides on the Financial Regulations, which form part of these Articles of Association.

(7) Minutes of the General Assembly, resolutions and elections shall be drawn up and signed by the minute taker, the chairman of the meeting and the newly elected chairman or vice-chairman. The minutes of the elections shall be signed by the election officer and at least two election assistants and attached to the minutes.

(8) The General Meeting shall elect at least two commissioners. These commissioners are in charge of the preparatory examination of the report on financial activities for the next General Meeting and of the preparatory examination of compliance with the financial regulations. They are entitled to inspect all financially relevant documents at short notice, which must then be handed over to them in full. They must carry out the final preliminary audit of the finances about two weeks before the General Meeting. The commissioners' term of office coincides with the term of office of the members of the Party Executive Committee.

(9) Resolutions of the General Assembly shall be passed by a simple majority of the valid votes cast. In the event of a tied vote, a motion shall be deemed rejected. Abstentions shall be counted as invalid votes.

(10) General Meetings may also be held without members being present on site, and members' rights may be exercised using electronic means of communication. Members may cast their votes in writing, even without attending the General Meeting, before the General Meeting is held. A resolution passed without a members' meeting is valid if, within one month of the draft resolution being communicated to all members, at least half of the members have cast their votes in text form and the resolution has been adopted with the required majority.

#### § 12 Nomination of candidates for elections

(1) The provisions of the Electoral Regulations shall apply to the nomination of candidates for elections.

#### § 13 Amendment of the Statutes and Programme

(1) Amendments to the Statutes may be adopted by a General Meeting only by a 3/4 majority of the votes validly cast. If there is an urgent need to amend the Statutes between two General Meetings, the Statutes may also be amended if at least 3/4 of the members agree in writing to the proposal(s) for amendment.

(2) A proposal to amend the Statutes at a General Meeting can only be voted on if the Party Board has received the proposal at least four weeks before the start of the General Meeting and if five members of MERA25 have requested it in writing.

(3) The programme shall be adopted by the General Assembly.

(4) Any proposal may be amended at the General Meeting before the vote by one of the proposers or their proxy. Individual words and phrases may be amended, sections of text may be deleted or added. The fundamental intention of the motion may not be changed.

(5) The General Assembly shall decide by simple majority whether to vote on the original or the amended proposal.

(6) In all other matters concerning the submission of motions in the General Assembly, the Rules of Procedure and/or the Election Rules shall apply. These are implemented by the Party Board and may be amended by simple majority with effect from the next General Assembly. An amendment requires the support of at least five members.

(7) The Party Board should implement an electronic voting instrument that allows virtual polling between physical General Assemblies. It is important to point out that voting must

meet the requirements of the principles of equality, comprehensibility and sufficient secrecy. Care should also be taken to ensure that this tool is as accessible and barrier-free as possible.

#### § 14 Dissolution and merger

(1) Dissolution of the party or merger with another party or constituency may be decided only by a resolution of the General Assembly passed by a majority of 3/4 of those entitled to vote at the General Assembly.

(2) A motion for dissolution or merger can only be voted on if it is received by the Party Board at least four weeks before the start of the General Assembly.

(3) A resolution for dissolution or merger must be confirmed by a vote of the members. Members shall make their will known in writing in connection with the vote.

(4) The use of the surplus balance after a resolution to dissolve shall be determined by the Party Board.

#### § 15 Officers and functions within MERA25

Non-professional functions and activities in MERA25 are honorary functions until further notice. Notwithstanding § 13(1), an amendment to § 15 requires only a 2/3 majority. Remuneration is paid only in justified exceptional cases and applies only to employees, but in no case to members of the Party Board, and requires a decision of the Party Board.

### Section B: Financial Regulations

#### A. MEMBERSHIP FEE

##### § 16 Amount of membership fee

(1) Each member determines the level of their membership contribution in accordance with their income. There are the regular contribution levels of 72.- euro, 48.- euro and 36.- euro per year, which can be chosen individually. Membership fees can be paid annually or pro rata monthly.

(2) The General Assembly may set different amounts of membership fees for certain groups.

(3) The Party Board must be notified annually of the existence of a reason for the reduction. Notwithstanding this, the Party Board may, in justified individual cases, agree to a reduction for several years with the member in justified individual cases.

#### B. DONATIONS

##### § 17 Collection

(1) Members of the Party Board and those responsible for collection have the right to accept donations.

(2) Inheritances and legacies are accepted without limitation.

##### § 18 Disclosure

(1) Donations from a single donor with a total value of more than EUR 10,000 per year shall be included in the statement of accounts, which shall be open to public scrutiny, showing the name and address of the donor.

(2) All individual donations in excess of EUR 1,000 shall be made public without delay, indicating the name of the donor, the amount and, where appropriate, the purpose of the donation.

## C. BUDGET

### § 19 Budget

(1) The member of the Party Board responsible for finance (Treasurer) shall prepare a budget in advance each calendar year, which shall be adopted by the Party Board. If it is foreseeable that the budget will not be sufficient, the member of the Party Board responsible for finance shall immediately submit a supplementary budget.

(2) The member of the Party Board in charge of finance shall be bound by the principles of provisional budget management until the budget is adopted.

### § 20 Award

An expenditure decided upon must also be possible through a corresponding budgetary title. Decisions which have financial implications and for which no corresponding budgetary title is provided can only be implemented by redeployment from other budget items.

### § 21 Exceedance

If the approved budget is not complied with, the budget for the following year must be reduced by the same amount of expenditure through an estimate or a budget freeze.

## D. ECONOMIC MANAGEMENT

### § 22 Economic operations

Individual members of MERA25 are not allowed to open or maintain a commercial enterprise on their own authority in the name of MERA25. The management of business activities will be in the hands of a representative appointed by the Party Board and its staff.