



European Free Alliance Youth

STATUTES

The General Assembly, that took place on the 7th – 8th of March 2019 in Brussels, Flanders, modified the Statutes in their entirety in accordance with the law of 27th of June 1921. The old Statutes are cancelled and replaced by the following. The new text reads:

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CHAPTER I. NAME, REGISTERED OFFICE, PURPOSE AND DURATION

ARTICLE 1: Name and legal form

11. There shall be a non-profit association (ASBL) under the name "European Free Alliance Youth" and its literal translation into other languages, hereinafter will be EFAY or Federation.

12. The abbreviation used is EFAY.

13. EFAY is a federation of youth movements of political parties belonging to the European Free Alliance. Nevertheless, a youth political organization/ movement whose mother party is not a member of EFA can join EFAY, as long as the organization is in compliance with the objectives, values and rules of EFAY. The Federation is governed by the Belgian law of 27 June 1921.

ARTICLE 2: Registered office

2.1. The registered office of EFAY is based in Belgium, Boomkwekerijstraat, Number 1/4, 1000 Brussels. It is located in the judicial district of Brussels.

2.2. The registered office may be transferred to any other place in Belgium by decision of the General Assembly published within one month of its date in the Moniteur belge.

ARTICLE 3: Objectives

The Federation, devoid of profit motive, pursues the following objectives:

- the creation of a European Union based on the principles of subsidiarity and solidarity among their peoples and with the rest of the world, while developing a civic and democratic nationalism and regionalism,
- the pursuing of more ambitious policies that benefit young people and empowers them, allowing them to participate in their development and encouraging mobility and youth associations;
- the defence of all Human Rights, but especially focusing in the right to self-determination and the rights of nations and peoples;
- the fight against any discrimination based in origin, gender, sexual orientation, religious believes or of any other kind;
- the defense of real equality between men and women,
- the preservation of languages and cultures, especially the minority ones;
- the protection of the environment and the promotion of sustainable development;

- the creation of a fair society based on solidarity and redistribution of wealth, with policies which favour progress, social cohesion and equal opportunities for all citizens; -the construction of a society based in participatory democracy;

ARTICLE 4: Duration

The EFAY is created for an indefinite period. It may at any time be dissolved by a decision of the General Assembly or by a decision of the competent judge.

CHAPTER II. MEMBERS

ARTICLE 5: Membership Types

5.1. EFAY consists of member organizations. There are three types of members: Full Members, Observer Members and Friends of EFAY. The number of full members is unlimited, but must not be less than three.

5.2. When a member of the EFAY has no legal personality, it shall be represented by a person or entity acting as agent for and on behalf of this member on such terms and conditions as the member shall determine.

ARTICLE 6: Full Members

6.1 May apply for full membership organizations and/ or associations:

- a) that are structured;
- b) that conduct their main activities in an European territory. Are considered European territories all those that are geographically part of the European continent as well as those that are located outside the European continent but at the moment of their membership application they are comprised within the borders of an European State.
- c) that respect and follow EFAY's values, objectives and mission;
- d) that are active in political and social levels on the territory;
- e) that edit publications (at least one internal newsletter).

6.2. The Rights of the Full Members are:

- the right to attend General Assemblies;
- the right to vote (one vote per full member);
- the right to receive regular information from the Secretariat, to be supported in their activities and be informed of the political programs of other members;
- the right to use the name and logo of the organization;
- the right to social and political solidarity.

6.3 The Duties of Full Members are:

- to maintain regular contact with other members and the Federation;

- to make a financial contribution, as stipulated in the Regulations;
- to transmit the publications of the association and /or organization to the Secretariat; -to demonstrate political solidarity with the other members;

ARTICLE 7: Observer Members

7.1 Observer Members are organizations and/or associations that comply with the requirements stated in 6.1 and that are in the first stage of application as stated in 9.3. or organisations and/or associations that comply with the requirements stated in 6.1 except for 6.1 b). In this second case they will be called associated members.

7.2 The Rights of the Observer Members are:

- the right to attend and speak in the General Assembly;
- the right to receive regular information from the Secretariat,

7.3 The Duties of the Observer Members are:

- to maintain regular contact with the Federation;
- to make a financial contribution, as stipulated in the Regulations;
- to transmit the publications of the association and /or organization to the Secretariat;
- to demonstrate political solidarity with the other members;
- to send their activity plan to the Secretariat.

7.4 Observer members don't have a right to vote in the General Assembly.

7.5 Associated members can't apply for full membership.

ARTICLE 8: Friends of EFAY

8.1 The Friends of EFAY are individual citizens or organizations from European countries that subscribe to the general political program and statutes of EFAY.

8.2 The Rights of the Friends of EFAY are:

- the right to attend and speak in the General Assembly;
- the right to receive regular information from the Secretariat.

8.3 The Duties of the Friends of EFAY are:

- to maintain regular contact with the Federation;
- to make a financial contribution if they have committed to do so with the Federation;
- to transmit the publications of the association and /or organization to the Secretariat, if any; - to demonstrate political solidarity with the other members;

ARTICLE 9: Membership application

9.1. Full and Observer Members

9.1.1. Application Submission

- a) Any association or organization who wishes to join EFAY must submit a written request to the Secretariat.
- b) This application must be accompanied by a document setting out the political agenda and structure of the association and/ or organization.

9.1.2. Examination of application

- a) Any membership request will be presented in the next Bureau Meeting. If needed, the Bureau may ask for more information before taking a final decision. The membership application must be accepted by the Bureau unanimously. If positive, its decision will be then submitted for approval to the next General Assembly.
- b) If the General Assembly accepts the application, the candidate will be then granted the status of Observer with immediate effect. This decision must be made by a simple majority of Full Members present. Before becoming a full member, an association and/ or organization must have held observer status for at least a year.
- c) If the candidate organization shares its territorial field of activities with an organization that is already a Full Member, that Member has the right to veto its admission at any time of the procedure until the adoption of the agenda of the following General Assembly by sending a justified letter to the Secretariat. A third of the Full Members can overrule this veto in the second General Assembly after the veto has been presented by signing a motion which has to be also sent to the Secretariat. The relief of the veto has to be approved in the General Assembly following the motion by a two thirds majority of the Full Members present.

9.1.3. Full Member status

After having held the Observer status for a year (understood as the time between General Assemblies), an Observer Member (except associated members) can become Full Member. The General Assembly will make that decision by a simple majority of its full members present voting in a secret ballot.

9.2. Friends of EFAY

- a) To become a "friend of EFAY", the candidate must submit a written request to the Secretariat. In case of an organization, this application must be accompanied by a document setting out the political agenda and structure of the association and/ or organization.

- b) Any membership request will be presented in the next Bureau Meeting. If needed, the Bureau may ask for more information before taking a final decision. The membership application must be accepted by the Bureau unanimously. If accepted, the candidate will be granted the statute of Friend of EFAY.
- c) If a member organization opposes the decision of the Bureau, the application for membership will be examined by the General Assembly. The General Assembly makes the final decision by a two thirds majority of the Full Members present.

ARTICLE 10: Quitting, suspension and exclusion

10.1. Quitting

A Member may quit the Federation at any time after sending a letter to the Secretariat explaining the reasoning. After discussing it in the next Bureau Meeting, the Secretariat will have to inform about it to all the Members.

10.2. Suspension

Members can be suspended. The suspension entails the provisional lost of all membership rights stated on articles 6, 7 8, 9 or any other article of the present Statutes and Rules of Procedure. The suspension can be produced by:

- a) A decision made by the Bureau with the majority of its members. In this case the suspension is limited until the next General Assembly. This will have to consider the relief of the suspension or to prolong it. The suspension can only be prolonged for one year.
- b) The non-payment of its membership fee, as stipulated in the article 6.3 of this Statutes and in the Rules of Procedure. This suspension is permanent until all its overdone contributions have been settled.

10.3 Exclusion

- a) A suspended Member may be excluded. Such a decision must be made by the General Assembly on the basis of an opinion made by the Bureau or 25% of the Full Members. The decision must be made by a majority of two thirds of the Full Members present in the General Assembly and voting by secret ballot.
- b) The Friends of EFAY may be also excluded by the General Assembly by a majority of the Full Members present voting by secret ballot.
- c) Inactive Members may be also excluded. Those who fail to attend to four consecutive General Assemblies are considered inactive Members. Its continuity in the Federation will be assessed by the Bureau.
- d) The resigned, suspended or excluded members are no longer entitled to inspect the financial capital of EFAY.

CHAPTER III. INTERNAL GOVERNANCE

ARTICLE 11: Governing Bodies

The governing bodies of the Federation are: the General Assembly, the Bureau and the Secretariat.

ARTICLE 12: The General Assembly

12.1. The General Assembly is the supreme authority of EFAY. According to the the Article 4 of the Law of June 21, 1927, it takes all the decisions of the Federation Its competences are:

- a) to approve the management of the Bureau and the Annual Budget,
- b) to adopt the annual Working Plan and the Activity Report of the previous year;
- c) to elect the Bureau members and control its activity;
- d) to monitor the activities of the Federation and discuss the internal affairs;
- e) to admit new Members;
- f) to approve the criteria by which the annual contributions are calculated;
- g) to adopt and amend the Statutes and Rules of Procedure;
- h) to decide on the transformation, merger or dissolution of the Federation;
- i) any other competence foreseen by the present Statutes, the Rules of Procedure or by the law,

12.2 All Members of EFAY can attend the General Assembly but only Full Members have the right to vote. The Full Members will be represented and exercise their voting right through an Official Delegate appointed by their competent governing body. Each Full Member has one vote only.

An organisation can also send extra delegates, which will have the right to speak but not to vote. Its number could be constrained for logistic reasons.

12.3 The General Assembly shall be convened by the Bureau at least once a year. It may also be convened when one fifth of the Full Members request so. All members are invited to the General Assembly at least eight days before it. The agenda of the GA should be attached to the invitation. Any proposal signed by at least one twentieth of the Full Members is included in the agenda.

12.4 Decisions in the General Assembly will be made by simple majority of the Full Members present. For Statute changes, at least two thirds of the members should vote. In case of a modification of the purpose of the organization, a quorum of four-fifths should be achieved. The same number is applied in case of dissolution.

12.5 Every General Assembly is the subject of a report in the form of minutes signed by the Secretary General and recorded in a register specially designed for this purpose. This register is kept at the headquarters of the Federation and is send by email to all members and EFA Bureau. Third parties may consult the minutes by sending a request to the Bureau. The minutes will be approved at the beginning of the next General Assembly

12.6 Attendance to the General Assembly is required to all Members. The Bureau has to consider the continuity in the Federation of any Member that failed to attend to four consecutive General Assemblies.

ARTICLE 13: The Bureau

13.1. Functions

The Bureau is the governing body of EFAY, its members are the administrators of the Federation. It defines the policy and activities of EFAY determined within the political framework adopted by the General Assembly. It proposes the Annual Budget and designs the Working Plan. The Bureau also supervises the Secretariat and is the competent body for any issue related to staff.

The Bureau can resolve provisionally any question not considered in these Statutes or in the Rules of Procedure, which has to be reported in the following General Assembly.

13.2. Members

- a) The Bureau includes the President and five Vice-presidents. Only Full Member associations and/or organisations can have a representative in the Bureau. Each Full Member cannot have more than one representative.
- b) In its first Meeting, the Bureau will elect a Treasurer and a Secretary-General. These positions can be removed or reassigned by a vote of the Bureau which approves the change with the majority of its members present or represented. The role of Bureau member is incompatible with any other paid or unpaid position in EFAY.
- c) In order to reach a degree of equality within the Bureau, a minimum of two of the elected positions available will be reserved for women. This includes the position of President if only one woman presents herself for the position of Vice-President.
- d) Bureau members can serve a maximum of two terms (each term lasts two years).

13.2.1. The President

The President is the highest representative of EFAY. He or she leads the Federation and conveys its political line. The President is in charge of conducting the statutory meetings, coordinating the other Bureau members and ensuring the well functioning of the Federation, mediating in the case of conflict between Members. He or she is also responsible for the external representation of EFAY, whether to third-party organisations, public institutions or in legal procedures.

13.2.2. The Secretary General

The Secretary General is responsible for the organisation and internal management of EFAY, overseeing the execution of the decisions of the General Assembly and the Bureau. He or she supervises the Secretariat, organises the tasks in the Bureau, and ensures the observance of the Statutes and Rules of Procedure at all times.

13.2.3. The Treasurer

The Treasurer is in charge of controlling and inspecting the finances of the Federation and to supervise the Coordinator in his or her financial duties.

In order to adequately undertake his or her competences, the Treasurer can ask regular financial reports from the Coordinator and set up meetings with him or her to discuss the financial situation of the Federation.

13.3. Election

- a) The election of President is held by the General Assembly by secret ballot. Each association and/or organization (excepting Friends of EFAy) has the right to nominate maximum one candidate. Candidates for the Presidency should send their candidacy to the secretariat three weeks before the beginning of the General Assembly. Candidacies should be accompanied by a recommendation of the member organization they belong to, and by a CV.
- b) The Vice-presidents are elected by the General Assembly by secret ballot. Each association and/ or organization (excepting Friends of EFAy) has the right to nominate maximum one candidate. Candidates for the Presidency should send their candidacy to the secretariat three weeks before the beginning of the General Assembly. Candidacies should be accompanied by a recommendation of the member organization they belong to. The candidates receiving the greatest number of votes shall be elected Vice-presidents.
- c) In preparation for the General Assembly, the Secretariat shall send a list of all nominations to all the members of the General Assembly.
- d) If more than the minimum number of women put themselves forward for election, the two receiving the highest number of votes will be elected to the Bureau. If the quota of women is not reached before the closing date for nominations, the nominations will be reopened until a suitable candidate / suitable candidates have been proposed.

13.4. Competences of the Bureau

The Bureau is competent on every matter which is not assigned by the law or the Statutes to the General Assembly..

13.5. Bureau Meetings

- a) The Bureau will meet at least once every two months out of session of the General Assembly. The Bureau Meeting is convened by the Secretary General upon the initiative of the President or of a third of its members.
- b) The Bureau Meeting may be held with a quorum of the majority of members. Its decisions are taken by simple majority of those present, except in the cases already foreseen in the Statutes and Rules of Procedure that require a higher majority. In case of a tie vote, the President's voice is predominant.
- c) The President, the Vice-Presidents and the Secretary General have voting right in the Bureau Meetings.
- d) In absence of the President, one of the Vice-Presidents appointed by the Bureau will be the chair of the meetings He or she will also have predominant voice in case of a tie vote. At the end of the meeting he or she will have to report to the President the content of the meeting.

13.6. Accountability

The Bureau is accountable to the General Assembly.

13.7. Resignation, exclusion and votes of no confidence

13.7.1 Resignation

- a) A Bureau member may resign the Bureau at any time after sending a letter to the President and the Secretariat explaining the reasoning. After discussing it in the next Bureau Meeting, the Secretariat will have to inform about it to all the Members.
- b) If the President has the intention to resign, he or she shall convey a Bureau Meeting especially for that purpose in which an Acting President shall be elected among the Vice-Presidents. If he resigns unexpectedly, a Bureau Meeting shall be convened by the Secretary General for that purpose in the period of maximum two weeks after the resignation.
- c) If the Secretary General or the Treasurer resigns, the President shall appoint provisional ones until the next Bureau Meeting that shall elect new ones.
- d) If any Vice-President resigns, he or she shall be replaced by a substitute according to the provisions concerning that matter in the Rules of Procedure.

13.7.2. Exclusion

- a) After not attending to three consecutive Bureau Meetings (attending to less than 50 % of the meeting will be considered as an absence), the Bureau members can be excluded. This decision has to be taken in a Bureau Meeting with the majority of two thirds of the members present.
- b) If a Bureau member is excluded from his/her own organization, the Bureau may also decide by a majority of two thirds to remove him/her from the Bureau.

If that person is the President, he or she shall communicate that to the Members and in the time of one month after the exclusion, they can send a motion signed by at least 25% of the Full-Members to remove him, proposing a new candidate. The opinion will be discussed in the next General Assembly, with which a by majority of the two thirds of the Full-Members present, may remove him/her from the President post and appoint a new one. To present more than one motion is permitted, but each Full-Member can only support one candidate.

13.7.3. Vote of no confidence

The Bureau or any of its individual members can be subjected to a vote of no confidence initiated with a motion signed by at least 25% of the Full-Members send to the Secretariat at least three weeks before the General Assembly. The vote of no confidence, that has to propose a new candidate to replace the posts impeached, will be discussed in the following General Assembly. The decision to replace the Bureau members must be made by a majority of two thirds of the Full-Members present voting by secret ballot.

13.7.4. Substitutes

Every time there is a vacancy in the Bureau (either for resignation or exclusion), the Bureau members, can be replaced by a substitute according to the provisions concerning that matter in the Rules of Procedure. If there is no substitute, he or she shall be replaced at the next General Assembly with a by-election.

13.7.5 Communication

Every change in the composition of the Bureau shall be communicated to the Members within a week by the Secretariat.

ARTICLE 14: The Secretariat

14.1. The Secretariat is the administrative body that carries out the decisions of the Bureau and the General Assembly. It is composed by the Coordinator, who heads it, and any staff employed by the Federation.

14.2. Functions

The Secretariat assists the President and the Vice- Presidents in their functions, it plans and organises the statutory meetings and events and liaises with the Members, the press and the public.

14.3. Accountability

The Secretariat is accountable for its work to the Bureau, and most directly to the President and the Secretary General, and to the Treasurer when it comes on financial issues.

14.4. The Coordinator

- a) The Coordinator is responsible for the daily management of EFAY and the coordination of the Secretariat.
- b) Among his or her duties there is also to guard the Federation's documents and files and to guarantee the recording of minutes at all statutory meetings.

CHAPTER IV. COMMITTEES

ARTICLE 15: Creation

The Federation may create Committees to discuss a specific topic or to assist the Bureau in its competences. Three Full-Members or a third of the Bureau members can propose the creation of a Committee to the Secretariat, which will be discussed in the following Bureau Meeting. If accepted, the proposed Committee can function until the following General Assembly, where it will need to be ratified in order to continue its activities.

ARTICLE 16: Composition

The Committee can be composed by any legitimate member of any association or organisation Member of EFAY. Members of Observer Members, Friends of EFAY or Secretariat members can also be member of a Committee but without a voting right. The Committee can also invite individuals who are not part of a Member or Friends of EFAY without voting right. For logistic reasons, the Committee or the Bureau could decide by majority to constraint its membership.

In the case of a conflict concerning the legitimacy of a Committee member, the opinion of his or her Member organisation is predominant. Any other conflict shall be directed to the Bureau.

ARTICLE 17: Organisation

- a) The Committee has autonomy to be organised as their members decide, but any decision that it may take shall not be contrary to the present Statutes, the Rules of Procedure, the General Assembly or the Bureau.
- b) The Committee shall also elect a Chair for a renewable one-year term who will be responsible to convene its meetings, represent it and to be in regular contact with the Bureau. He or she shall also report the activities of the Committee once a year to the General Assembly.
- c) A member of a Committee shall resign at any time and can be also excluded by the Committee. The article 13.7.2 also applies for Committees, except for the provisions regarding the President. If the Chair resigns or is excluded, a member of the Committee shall communicate that to the Secretary General of the Federation, who will convene a new meeting in which the members will elect a new Chair.
- d) The articles 13.5 a) and b) also apply regarding meetings, except for what the quorum is concerned. The Committee meetings have no quorum.

ARTICLE 18: Accountability

The Committees are accountable to the General Assembly and the Bureau.

CHAPTER V. FINANCING

ARTICLE 19: Fiscal Year

The financial year of EFAY runs from 1st of January to 31st of December of that year.

ARTICLE 20: Contribution

The amount of contributions to be made by members will be set by the General Assembly and will not exceed 750 euro per year. The rest of the funding arrangements will be established in the Rules of Procedure.

ARTICLE 21: The Financial Control Commission

15.1. Functions

The Financial Control Commission (FCC) is the competent body for the control and supervision of EFAY finances. Its functions are the following:

- a. To oversee the budget and the treasury of the organization,
- b. To advise the treasurer,
- c. To inform the General Assembly.

15.2 Composition

The FCC is composed by three members elected by the full members.

15.3 Election

FCC members are be elected every two years in those General Assemblies where the bureau and the presidency of EFAY are not elected.

Candidacies must be sent three weeks before the start of the General Assembly to the Secretariat. They must include a letter of recommendation of the member organisations they belong to, and a CV.

CHAPTER VI. DISSOLUTION AND LIQUIDATION

In case of dissolution, the assets are transferred, after settlement of debts, to one or more association (s), foundation (s), institution (s) or organization (s) of any kind, designated (s) by the General Assembly. The receiving entity shall allocate the transferred assets to a disinterested purpose. The decision for the dissolution of the Federation will be taken in accordance with the Law of June 21, 1921.

CHAPTER VII. AMENDMENTS TO THE STATUTES

ARTICLE 22: Amendments of the Statutes

The present Statutes may be amended by the General Assembly. Full-Members and the Bureau can propose amendments that must be sent to the Secretariat. The Bureau shall include these amendments in the agenda of the following General Assembly, together with an opinion made by a majority of its members. The amendments to the Statutes shall be adopted by two thirds of the Full-Members.

ARTICLE 23: Matters not governed by the Statutes

The General Assembly shall decide on matters not regulated by the Statutes. These matters, including the publications in the Belgian Official Gazette, will be resolved in accordance with the Law of June 21, 1921.