

**YES Statutes**  
**Approved by the 13<sup>th</sup> Congress in Duisburg**  
**8<sup>th</sup> April 2017**

Non-profit association  
« Young European Socialists »

Article 1. NAME, SEAT

1.1 The association is named « Young European Socialists », abbreviated “YES”.

1.2 Its seat is established in Brussels. It can be moved to any place in Belgium by simple decision of the Bureau which should be published within a month in the Annexes to the “Moniteur Belge”. It is currently established at 1040 Etterbeek (Brussels) at rue Guimard 10-12, Belgium.

Article 2. AIMS & DEFINITIONS

2.1. YES is an international political association consisting of socialist and social democratic Young people organisations throughout Europe. YES is the youth structure of PES – Party of European Socialists, the S&D and PES Groups and the Foundation for European Progressive Studies (FEPS).

2.2. The aims of YES are:

- a) to promote and contribute to the socialist and social democratic values;
- b) to contribute towards the construction of a democratic European state;
- c) to defend the interests of young people in the Europe;
- d) to integrate our member organisations at the European level;
- e) to promote European citizenship amongst progressive young people in Europe.
- f) to strongly advocate our values and interests to PES and the S&D Group.
- g) to work with our member organisations to advocate our values and interests across Europe

2.3. The following terms are defined below. Anywhere that they occur in these statutes the following definitions should be used for interpretation.

Term of **office** – A term of office for an individual is the period from their election until the next ordinary congress. This can be no more than the length of time in the period between two Congresses.

**First semester** - the period from 1st January – 30th June inclusive

**Second semester** - the period from 1st July – 31st December inclusive

**Simple majority** – one more vote in favour than votes against (i.e. excluding any abstentions)

**2/3 majority** – one more vote in favour than double the votes against (i.e. excluding any abstentions)

**Position Paper** - The document which sets out the political position of the organisation.

**Declarations & Resolutions** – Policy documents proposed by Member Organisations, which are discussed by the YES congress, the YES Bureau, the working groups or, if the issue is urgent and none of these bodies meet in the appropriate time, the YES presidium. These can request action, mandate activity, and set policy positions, providing they are in line with other

rules in the statutes. The positions laid out in these texts are to be followed and represented by YES presidium. All decisions by YES Presidium and Working Groups need to be confirmed by the Bureau.

**Minority statement** - A statement from an individual or member organisation expressing dissent from an agreed position taken by YES. Though these can be made at any time it would be normal for this to happen immediately after a vote on an issue.

**Open vote** - A non-secret vote held in public where all participants are able to see how each person has voted.

**Secret vote** - held where participants votes on ballot paper so their vote is not held public

**Submitted** - Submitted means communicated in written form, with proof of delivery (e.g. registered post, acknowledgement from the Secretariat)

**YES Secretariat** - All staff members of YES, including the Secretary General who leads the Secretariat.

**Voting rights** - The ability to vote on any topic where a vote is called that conforms to the rules set out in the statutes.

**Right to speak** - The right to speak allows an organisation to speak on statutory and policy matters in statutory bodies.

**Participated** - An organisation has participated if they have nominated someone to attend an event, that person has travelled to the event, and made a contribution at event

**Paid** - An organisation has paid when the YES Secretariat confirms receipt of funds. Evidence of making a payment is insufficient.

**Written form** - Document sent via post, via email, or had delivered.

**Quorum** - The number of votes required to be present, regardless of how they are cast, for a valid decision to be taken

**Gender-balanced delegation** - a delegation is defined as gender balanced when at least half of the members are women\*. In case of uneven number of participants the next smaller even number is considered as half.

## Article 3. MEMBERS

### 3.1. MEMBERSHIP

3.1.1. The association is composed of full members, observer members, fraternal organisations and passive members. They accept the statutes of the association and its political orientation as expressed through the position paper adopted in Congress and through its resolutions and declarations. Organisations with candidate status are not members.

3.1.2. Every organisation is a full member of the association when it:

- a) accepts the Position Paper, Declarations and Resolutions with the possibility of minority statements mentioned in the statutes of YES
- b) undertakes to cooperate to achieve the aims of YES
- c) is a member organisation of IUSY and / or is the recognised youth organisation of a political party, which is a member of PES - Party of European Socialists, or is a student organisation attached to the above mentioned.

- d) is accepted as full member in the way mentioned in these statutes;
- e) pays its membership fee. The Control Commission will be in charge of the evaluation of the fulfilment of this requirement.
- f) Maintains the required criteria during its life in YES - Young European Socialists. The Control Commission will be in charge of evaluation of the fulfilment of this requirement.

3.1.3. Every youth organisation is an observer member of YES when it:

- a) accepts the Policy Paper, Declarations and Resolutions with minority statements mentioned in the statutes, and the statutes of YES
- b) undertakes to cooperate to achieve the aims
- c) is accepted as observer member in the way mentioned in the statutes
- d) pays its membership fee. The Control Commission is in charge of the evaluation of the fulfilment of this requirement.
- e) maintains the required criteria during its life in YES - Young European Socialists. The Control Commission is in charge of the evaluation of the fulfilment of this requirement.

3.1.4. IUSY - International Union of Socialist Youth and IFM-SEI – International Falcon Movement - Socialist Education International are fraternal organisations of YES - Young European Socialists.

3.1.5. Every member of a YES full and observer member organisation can choose to be considered as a direct member of YES. Direct members of YES have the right to participate in YES activities only if nominated by their organisation.

3.1.6 Every youth organisation receives the "candidate status" of YES – Young European Socialists through the following process:

- a) An organisation willing to become either full or observer member has to apply accordingly to the procedure set in Rules and Regulations for applicant organisations.
- b) After the completed application has been submitted to the YES Secretariat and Control Commission, the organisation can receive the status of "candidate member" if such a recommendation is approved by YES Bureau. If the Bureau decides not to approve the recommendation of the Control Commission about membership status, the organisation can appeal against the decision at the next YES Congress.
- c) The "candidate status" is granted for two years by the Bureau and expires automatically once this period is over with the adoption or not of the organisation to a category of full or observer members.

3.1.7 Applications for full, observer membership and candidate status have to be submitted to the YES Secretariat and YES Control Commission. Serious deliberation should be taken with the other organisations of the country in which the organisation searching application is established. The Bureau is empowered to accept full, observer members or grant the candidate status preliminarily with at least 2/3 majority and in an open vote system. These decisions must be taken by the next Congress for ratification in an open vote system and decided with at least 2/3 majority.

## 3.2. MEMBERS' RIGHTS

3.2.1. Full members have the right to participate in the Congress with the right to speak and the right to vote. Observer members and organisations granted a candidate status have the right to participate in the Congress with the right to speak. Passive members and fraternal organisations are invited to the Congress.

3.2.2. If either a full or observer member organisation ceases to be a member of IUSY or the political party ceases to be a member of PES - Party of European Socialists of which it is the recognised youth organisation or a student organisation attached to the above mentioned, the member organisation's status in YES shall automatically be considered by the next Congress or Bureau meeting. The Control Commission is obliged to give its opinion prior to the decision

and any change of status made by a Bureau meeting must be ratified by the next Congress.

3.2.3. Apart from the non-payment of the fee and the situation mentioned in the previous paragraph, membership can be terminated:

- a) by a 2/3 majority of the Congress;
- b) by decision of the statutorily empowered body of the member organisation, which has been communicated to the Secretary General in written form. The organisation concerned has the right to be heard by the Congress before a decision on the termination of its membership is taken.

3.2.4 Organisations with the "candidate status" are invited for activities of YES - Young European Socialists apart from the Bureau, Control Commission and Presidium Meetings. They do not have any voting rights.

### 3.3. TURNING TO PASSIVE MEMBERS AND EXPELLING MEMBER ORGANISATIONS

3.3.1. A full member organisation or an observer member organisation can be expelled from YES or its membership can be turned into passive membership. The decision to expel or turn a member passive removes all rights which they were accorded as a member, including any speaking or voting rights.

3.3.2. A 2/3 majority of the Congress is necessary for expelling an organisation or turning its status to a passive membership. The vote in both cases has to be an open vote.

3.3.3. A decision to make a member organisation passive or to expel a member organisation can only be made by a congress after a report and evaluation from the Control Commission has been presented.

3.3.4. The Control Commission can propose an organisation be turned passive in case the organisation meets the following criteria:

- a) the organisation is not represented by more than one person in all YES activities during the mandate
- b) the organisation has not paid its membership fee during the last two years according to the evaluation of the Control Commission

3.3.5. An organisation can be expelled from YES if:

- a) an organisation has not participated in the last two years in any YES - Young European Socialists activity according to the evaluation of Control Commission, and if the organisation has not paid either its membership fee during the last two years according to the evaluation of the Control Commission
- b) It becomes evident that an organisation or major parts of an organisation does not follow the political guidelines of YES - Young European Socialists as set in Position Paper, Declarations and Resolutions.
- c) There is a decision by the statutory empowered body of a member organisation to withdraw from YES - Young European Socialists, which decision has been communicated to the Secretary General in a written form.
- d) In any case, the concerned organisation has a right to be heard before the starting of the voting.

### Article 4. MEMBERSHIP FEE

4.1. The membership fee is decided by the Bureau

4.2. The right to vote of an organisation in the Congress and the Bureau is automatically suspended, based on the proposal of the Control Commission and of the Secretary General in case proof of payment of the membership fee of the previous years has not been shown to the YES Secretariat by the opening of the Congress and the Bureau.

## Article 5. YES BODIES

The bodies of YES are the Congress, the Bureau, the Presidium, the Control Commission and the Secretary General.

### 5.1. THE CONGRESS

5.1.1 The Congress must be understood as the general assembly according to the law regarding non-profit associations. It is the sovereign body of the association.

5.1.2. The Congress controls the activities of the other association's bodies. It determines the guidelines of the association policy and activities within the framework of these statutes. It is notably responsible for:

- a) the adoption of budgets and accounts;
- b) the election and dismissal of Presidium members;
- c) the modification of the statutes;
- d) the adoption of the activity plan for the period until the next Congress;
- e) the election and dismissal of the President and the members of Control Commission;
- f) the adoption of the position paper, composed of the programme of principles
- g) and policy position paper; the adoption of resolutions and declarations;
- h) the dissolution of the association.

5.1.3. The Congress meets every second year during the first semester. The Bureau convenes it during the second semester of the preceding year at the date and place specified in the notification letter. The Bureau proposes an agenda for the Congress. Extraordinary Congresses are convened when the Bureau or 1/2 of all full member organisations propose to do so. The congress is run following the guidelines of a separate Congress Rules and Regulations adopted at the last Bureau before the congress.

5.1.4. There are 12 votes per country. If several full member organisations are from the same country, the votes should be divided among the member organisations by agreement of the member organisations. The division does not necessarily need to be equal and the agreement on the division of votes can be changed by written agreement of all member organisations in the country at any time. If in the case of the accession of a new full member organisation the organisations in the country in question cannot agree on a vote division, the Control Commission will make the decision on their behalf. Failure to gender balance a delegation will result in the loss of half of an organisation's votes. Each delegate can cast any number of votes for her/his organisation. Congress decisions are only valid when half of the valid votes in the organisation are present or represented.

5.1.5. The under mentioned have the right to participate as observers in the Congress:

- a) the Bureau
- b) the Presidium
- c) the Secretary General
- d) the Control Commission
- e) the representatives of the fraternal organisations
- f) representatives from observer member organisations and organisations with candidate status with the maximum of representatives determined by the Bureau.

5.1.6. The Congress ratifies the Bureau members proposed by the member organisations. The Congress elects the President, Secretary General, the President of the Control Commission, Vice-Presidents and the members of the Control Commission.

5.1.7. The undermentioned decisions shall be taken by a 2/3 majority of the Congress:

- a) amendments to the Statutes (in accordance with Art. 8.3)
- b) dissolution of YES (in accordance with Art. 7.1).
- c) decisions on membership.
- d) approval of accounts and budgets.

5.1.8. The Position Paper must be debated at every congress.

5.1.9. The Congress must include the following items in the agenda, which must be discussed in the order set out below, though other items may be added at any point to the agenda.

- a) The Position Paper
- b) Resolutions
- c) Other policy documents for discussion
- d) Elections
- e) Decisions on membership issues

## 5.2. THE BUREAU

5.2.1. The Bureau is elected for the period until the Congress according to the procedure specified under Art. 5.1.6. of these Statutes. It includes a minimum of three members, one of which must be Belgian to comply with Belgian law. The Bureau can be convened as the general assembly of the association. Its decisions so taken need to be ratified by the Congress.

5.2.2. Any decision or action taken by the Bureau can be overruled by the Congress.

5.2.3. Each full member organisation of YES is entitled to select one representative as a full Bureau Member who shall not serve more than two terms of office. There shall be one full Bureau Member who is elected by the Bureau, or in case of an intermediate vacancy the Bureau, to represent the observer members and organisations with candidate status. One representative from each fraternal organisation is invited to the Bureau without voting rights. Other observer members can be invited to the Bureau as observers without voting rights. All full Bureau members must be elected by The Congress or, in case of an intermediate vacancy, The Bureau.

5.2.4. If a Bureau member ceases to be member of her/his organisation, if she/he resigns as a Bureau member or if her/his organisation withdraws her/him as a Bureau member, she/he can be replaced by a member of the same organisation who should be accepted by the Bureau. A bureau member or his/her representative can only represent one member organization at a time

5.2.5. If a full member organisation of YES ceases to have full membership, the organisation's Bureau Member will cease to be a full Bureau Member. If the full Bureau Member for observer members and candidate member's organisation ceases to be an observer member or candidate member then they will cease to be a Bureau Member.

5.2.6. There are 12 votes per country in the Bureau. If several Bureau members represent organisations from a same country, they should share votes. If in the case of the accession of a new full member organisation the organisations in the country in question cannot agree on a vote division, the Control Commission will make the decision on their behalf.

5.2.7. The representative of the observer members and organisations with candidate status holds also twelve votes.

5.2.8. A Bureau member can be represented by a member of his/her organisation, if notified in advance by his/her organisation to the YES Secretariat. The rule applies to the Bureau member representing the observers. The nominated replacement has to be chosen among the observers. The substitute holds the voting rights (12 votes) only if his/her organisation paid the membership fee for the current year.

5.2.9. Half of the valid votes in the organisation constitute a quorum.

5.2.10. All votes require a simple majority to pass and 1/3 of the total votes to be in favour

unless otherwise stated.

5.2.11. The Presidium members and president of the Control Commission are members of the Bureau without the right to vote.

5.2.12. The Bureau assembles at least twice a year, at least in the first and second semester. An extraordinary Bureau meeting can be called by a decision of the Presidium or at least half of the Bureau members.

5.2.13. The Bureau and the Presidium can invite member organisations not represented in the Bureau, other organisations and individuals to participate in the Bureau.

5.2.14. The Bureau determines and implements YES policy and activities within the framework of the guidelines adopted by the Congress.

5.2.15. Political decisions can be taken by the Bureau with a simple majority if they are in accordance with YES policy as decided by the Congress.

5.2.16. The Bureau establishes four permanent networks: Feminist, Queer, Education, Democracy and Right Wing Extremism. The Bureau will elect one coordinator for each permanent network or working group to coordinate the permanent network. The Bureau can also elect one coordinator who is a member of any YES member organisation and who has applied for the position in writing for an ad-hoc network or working group that will be established for the remainder of the mandate. The Bureau can ask the Secretariat to organise events and other activities in line with the budget it agrees. The Bureau may also give a Bureau member any general or specific mandate to act on its behalf.

5.2.17. Bureau meetings must have an agenda and minutes must be taken recording attendees, the chair, and any decisions taken. The agenda should be produced by the President, however a simple majority of Bureau members can amend the agenda as they see fit.

### 5.3. THE PRESIDIUM

5.3.1. The Presidium is composed of:

- a) the President;
- b) the Secretary General;
- c) ten Vice-Presidents;
- d) the president of Control Commission

5.3.2. The Presidium should be gender balanced, meaning that there should be an equal representation of women among the elected members. At least 40% of the Vice-Presidents should be women.

5.3.3. The President, Secretary General and ten Vice-Presidents are elected by the Congress for the period until next Congress. The age limit for Presidium members is 35. The Presidium members can be elected for maximum of two consecutive terms of office for the same position. They will be members of a full member organisation of YES but independent from their organisation.

5.3.4. Position of the President, Secretary General, President of the Control Commission or Vice-President or membership of the Control Commission cannot be combined with Bureau membership of YES. The Bureau can dismiss the President and/or one or more elected Vice-Presidents with a 2/3 majority. In case the President or an elected Vice-President resigns or is dismissed, the Bureau elects a new President or Vice-President until the end of the mandate. Such an election shall be held using the same voting system as the previous congress. Immediately after the dismissal or resignation of a presidium member the Secretary General shall open the call for an election. There shall be a period of not less than 20 working days

where candidates can declare their intention to run and seek nominations and at least 10 working days notice to the Bureau before any election can take place. Therefore there must be a minimum of 30 working days between dismissal/resignation and the election of a new presidium member.

5.3.5. The President is the leader of YES. The President leads the political processes and represents YES externally to partners, where responsibility has not specifically been allocated to other Presidium members, and oversees the work of the whole organisation. The President responds to Congress and Bureau on his/her work and is required to report on the work as well as on the progress on the Work Plan regularly to the Bureau. President and Secretary General will together formulate the draft agenda and themes for the Presidium, Bureau and other YES meetings and events, as well as set together the schedules for the work of the organisation.

5.3.6. If a Vice-President fails to attend three consecutive statutory meetings without any comprehensible reason the question of dismissal of the Vice-President goes automatically to the agenda of the next Bureau meeting. This provision applies only to meetings of which the Vice-President has been notified at least 30 working days in advance by the Secretary General.

5.3.7. If at least two Bureau members from two different countries declare they have no confidence in a member of the presidium, then a vote of dismissal shall be considered by the next Bureau meeting. Any declaration of no-confidence must be made at least 10 working days before a Bureau meeting. Any declaration made after this point will result in the vote of dismissal being considered at the Bureau meeting following the Bureau meeting which is about to be held.

5.3.8. The Presidium is elected at the Congress on the basis of the orientation and proposals adopted by the Congress. Should the Congress fail to fill all necessary posts, the next Bureau has a mandate to elect representatives from YES full member organisations to fill the vacancies.

5.3.9. The quorum for the Presidium is half of the total valid votes.

5.3.10. Political decisions taken by the Presidium must be ratified by the Bureau to become policy of YES.

5.3.11. The President and ten Vice-Presidents hold one vote each in the Presidium.

5.3.12. Membership of the Presidium is strictly personal. A representative of the member is not admitted to the meetings; except in the event of a serious personal psychological or physical difficulty occurring to the member: in agreement with the Presidium, she/he can nominate, in accordance with her/his organisation of origin, a person to represent her/him for a temporary period of time without any right of vote.

5.3.13. At the first meeting, the Presidium will adopt its Working Methods, which include definitions of the roles of all Presidium members including the President and the Secretary General and provisions regarding the voting procedures within the Presidium. Within the Working Methods of the Presidium the general rules for representation in communication and activities with Third Parties should be agreed upon.

5.3.14. The Working Methods of the Presidium will also include the division of portfolios between members of Presidium. The portfolios are distributed in agreement between members of Presidium and according to policy preferences stated by the members in the election process. Members of the Presidium must work closely with the network co-ordinators responsible for area covered by their portfolio and vice-versa.

5.3.15. The Network and/or Working Group Coordinators can be invited to participate in the Presidium, without voting right, whenever the Presidium decides on its need and utility. The same financial rules must be applied as for the Presidium Members.



## 5.4. THE SECRETARY GENERAL

5.4.1. The Secretary General is elected for two years by the Congress. She/he must be a member of a full member organisation of YES.

5.4.2. She/he may not be elected more than twice consecutively.

5.4.3. The Secretary General represents YES and is independent from her/his member organisation.

5.4.4. The Secretary General coordinates the work of the Bureau and Presidium and implements their decisions.

5.4.5. The Secretary General manages the association and runs it daily.

5.4.6. The Secretary General shall work out a political, organisational and financial report which is presented to the Bureau for approval. The report shall then be presented to the Congress.

5.4.7. The Secretary General is responsible to the Bureau. The Bureau can dismiss the Secretary General with a 2/3 majority in a meeting specially convened for this purpose.

5.4.8. If the Secretary General resigns or is dismissed, the Bureau appoints a new Secretary General until the end of the mandate using the same procedure as is set out in 5.3.4.

## 5.5 THE CONTROL COMMISSION

5.5.1. The Control Commission is made up of five members, including the president, elected by the Congress. These members cannot be members of the Presidium or the Bureau. The Control Commission must be gender balanced, meaning there should be an equal representation of women among the elected members.

5.5.2. The Control Commission has to control the execution of the decisions of the statutory bodies and the Secretary General. The Control Commission is to be consulted on financial matters and agreements.

5.5.3. The Control Commission will also have any kind of task set by the Regulatory texts of YES.

5.5.4. The members of the Control Commission have to be members of a full member organisation of YES. Should a member of the Control Commission cease to belong to a full member organisation during her/his time of office, or if a member of the Control Commission resigns, the Bureau elects a new member, following a proposal of the Presidium. The president of the Control Commission is permanently invited to the Presidium and Bureau meetings.

5.5.5 The Control Commission must meet at least twice a year.

5.5.6 Between Congresses the Control Commission is the only body which can interpret the Statutes.

## Article 6. FINANCES

6.1. The Bureau in its entity is responsible to the Congress for the finances of YES and is therefore eligible to perform scrutiny.

6.2. The financial year begins on January 1 and ends on December 31 of every year.

6.3. An external audit must be performed each year.

6.4. Further provisions on managing the finances are regulated in the General Financial Regulations adopted by the Bureau.

#### Article 7. DISSOLUTION

7.1. The association can only be dissolved by a decision of a specially called Congress. The decision to dissolve the organisation requires a 2/3 Majority of all votes in the organisation, regardless of how many votes are present at the specially called congress. Full member organisations must, in accordance with the law and YES' status as a non-profit association, decide on how the organisation will be wound up after it is dissolved, including the distribution of any remaining assets.

#### Article 8. FINAL PROVISIONS

8.1. Congress and Bureau decisions shall be recorded in a register that shall be signed by the Secretary General and made available to all members. All policy documents shall be made available on the YES website within 10 working days of their adoption.

8.2. Except under a special power of attorney, all acts that bind the association are signed by the Secretary General, who will not have to justify the powers conferred for this purpose to third parties.

8.3. All legal action, be it as plaintiff, claimant or defendant, shall be taken by the Bureau, represented by the Secretary General or a member of the Bureau appointed for this purpose by the Bureau.

8.4. Amendments to the Statutes shall only come into effect after approval by Royal Decree and after fulfilment of the formalities of legal publicity stipulated in Article 3 of the law of 25 October 1919.

8.5. All that is not stipulated in these statutes, and especially the formalities of legal publicity to be made in the Annex of the Belgian State Gazette, shall be settled according to the provisions of the law of 27 June 1921 on non profit associations.

#### Article 9. TRANSITIONAL PROVISIONS

The Congress of this day, 8<sup>th</sup> of April 2017 in Duisburg, Germany, elected:

President: Joao Duarte Albuquerque

Secretary General: Arjaliisa Tuulia Pitkänen

Vice-President: Mikkel Mejling Andersen

Vice-President: Dimitris Byritis

Vice-President: Linus Love Glanzelius

Vice-President: Renata Jajoska

Vice-President: Jovana Majstorovic

Vice-President: Michelle Rauschkolb

Vice-President: Catalina Stefanescu

Vice-President: Philipp Tzaferis

Vice-President: Kasper Vanpoucke

Vice-President: Neil Warner

President of the Control Commission: Enric Lopez Jurado