

# Europeiska unionens officiella tidning

C 364



Svensk utgåva

Meddelanden och upplysningar

sextionde årgången

27 oktober 2017

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<sup>(1)</sup> Text av betydelse för EES.



## II

*(Meddelanden)*MEDDELANDEN FRÅN EUROPEISKA UNIONENS INSTITUTIONER, BYRÅER  
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## EUROPEISKA KOMMISSIONEN

**Beslut om att inte göra invändningar mot en anmäld koncentration****(Ärende M.8650 – LGP/CPA)****(Text av betydelse för EES)**

(2017/C 364/01)

Kommissionen beslutade den 20 oktober 2017 att inte göra invändningar mot den anmälda koncentrationen ovan och att förklara den förenlig med den inre marknaden. Beslutet grundar sig på artikel 6.1 b i rådets förordning (EG) nr 139/2004<sup>(1)</sup>. Beslutet i sin helhet finns bara på engelska och kommer att offentliggöras efter det att eventuella affärshemligheter har tagits bort. Det kommer att finnas

- under rubriken koncentrationer på kommissionens webbplats för konkurrens (<http://ec.europa.eu/competition/mergers/cases/>). Denna webbplats gör det möjligt att hitta enskilda beslut i koncentrationsärenden, uppgifter om företag, ärendenummer, datum och sektorer,
- i elektronisk form på webbplatsen EUR-Lex (<http://eur-lex.europa.eu/homepage.html?locale=sv>) under Celexnummer 32017M8650. EUR-Lex ger tillgång till unionslagstiftningen via internet.

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<sup>(1)</sup> EUT L 24, 29.1.2004, s. 1.

## IV

(Upplysningar)

UPPLYSNINGAR FRÅN EUROPEISKA UNIONENS INSTITUTIONER, BYRÅER  
OCH ORGAN

## EUROPEISKA KOMMISSIONEN

**Eurons växelkurs <sup>(1)</sup>****26 oktober 2017**

(2017/C 364/02)

**1 euro =**

Valuta			Kurs		
USD	US-dollar	1,1753	CAD	kanadensisk dollar	1,5041
JPY	japansk yen	133,75	HKD	Hongkongdollar	9,1701
DKK	dansk krona	7,4432	NZD	nyzeeländsk dollar	1,7118
GBP	pund sterling	0,89010	SGD	singaporiensk dollar	1,6010
SEK	svensk krona	9,7218	KRW	sydkoreansk won	1 320,41
CHF	schweizisk franc	1,1678	ZAR	sydafrikansk rand	16,7390
ISK	isländsk krona		CNY	kinesisk yuan renminbi	7,8003
NOK	norsk krona	9,4865	HRK	kroatisk kuna	7,5155
BGN	bulgarisk lev	1,9558	IDR	indonesisk rupiah	15 981,73
CZK	tjeckisk koruna	25,589	MYR	malaysisk ringgit	4,9762
HUF	ungersk forint	310,32	PHP	filippinsk peso	60,939
PLN	polsk zloty	4,2350	RUB	ryske rubel	67,7597
RON	rumänsk leu	4,5983	THB	thailändsk baht	38,973
TRY	turkisk lira	4,4338	BRL	brasiliansk real	3,8030
AUD	australisk dollar	1,5248	MXN	mexikansk peso	22,3684
			INR	indisk rupie	76,2300

<sup>(1)</sup> Källa: Referensväxelkurs offentliggjord av Europeiska centralbanken.

**KOMMISSIONENS BESLUT****av den 23 oktober 2017****om meddelande till Socialistiska republiken Vietnam om möjligheten att landet kommer att identifieras som ett icke-samarbetande tredjeland när det gäller bekämpning av olagligt, orapporterat och oreglerat fiske**

(2017/C 364/03)

EUROPEISKA KOMMISSIONEN HAR BESLUTAT FÖLJANDE

med beaktande av fördraget om Europeiska unionens funktionssätt,

med beaktande av rådets förordning (EG) nr 1005/2008 av den 29 september 2008 om upprättande av ett gemenskapssystem för att förebygga, motverka och undanröja olagligt, orapporterat och oreglerat fiske och om ändring av förordningarna (EEG) nr 2847/93, (EG) nr 1936/2001 och (EG) nr 601/2004 samt om upphävande av förordningarna (EG) nr 1093/94 och (EG) nr 1447/1999<sup>(1)</sup>, särskilt artikel 32, och

av följande skäl:

**1. INLEDNING**

- (1) Genom förordning (EG) nr 1005/2008 (nedan kallad *IUU-förordningen*) upprättas ett unionssystem för att förebygga, motverka och undanröja olagligt, orapporterat och oreglerat fiske (IUU-fiske).
- (2) I kapitel VI i IUU-förordningen fastställs förfarandet för identifiering av icke-samarbetande tredjeländer, åtgärderna med avseende på dessa länder, upprättandet av en förteckning över dessa länder, avförandet från förteckningen, offentliggörandet av förteckningen och eventuella nödgärder.
- (3) Enligt artikel 31 i IUU-förordningen ska kommissionen identifiera de länder den anser vara icke-samarbetande tredjeländer när det gäller bekämpning av IUU-fiske. Ett tredjeland identifieras som ett icke-samarbetande tredjeland om det inte fullgör sina skyldigheter enligt internationell rätt att som flagg-, hamn-, kust- eller marknadsstat vidta åtgärder i syfte att förebygga, motverka och undanröja IUU-fiske.
- (4) Innan kommissionen identifierar tredjeländer som icke-samarbetande tredjeländer i enlighet med artikel 31 i IUU-förordningen, måste den meddela tredjeländerna att de kan komma att identifieras som icke-samarbetande tredjeländer i enlighet med artikel 32 i den förordningen. Ett sådant meddelande är av preliminär karaktär. Meddelandet bör baseras på kriterierna i artikel 31 i IUU-förordningen. Kommissionen bör också ta hänsyn till alla åtgärder som anges i artikel 32 i den förordningen med avseende på de tredjeländer som meddelandet är riktat till. Kommissionen bör i meddelandet i synnerhet redogöra för de huvudsakliga faktauppgifterna och motiveringarna bakom en sådan identifiering och ge länderna möjlighet att svara och inkomma med bevis som vederlägger identifieringen eller, vid behov, en handlingsplan för att förbättra situationen och information om åtgärder som vidtagits för att rätta till situationen. Kommissionen måste ge de berörda tredjeländerna tillräcklig tid för att besvara meddelandet och rimlig tid för att rätta till situationen.
- (5) Identifieringen av icke-samarbetande tredjeländer i enlighet med artikel 31 i IUU-förordningen bör bygga på en genomgång av all information som avses i artikel 31.2 i den förordningen.
- (6) Enligt artikel 33 i IUU-förordningen ska rådet upprätta en förteckning över icke-samarbetande länder. De åtgärder som anges bland annat i artikel 38 i IUU-förordningen gäller för dessa länder.
- (7) För att fångstintyg som godkänts av flaggstater som är tredjeländer ska accepteras måste dessa flaggstater, enligt artikel 20.1 i IUU-förordningen, underrätta kommissionen om förfarandena för genomförande, kontroll och tillsyn av lagar, förordningar och bevarande- och förvaltningsåtgärder som deras fiskefartyg måste följa.
- (8) Enligt artikel 20.4 i IUU-förordningen ska kommissionen samarbeta administrativt med tredjeländer när det gäller genomförandet av bestämmelserna om fångstintyg i den förordningen.

<sup>(1)</sup> EUT L 286, 29.10.2008, s. 1.

## 2. FÖRFARANDE FÖR SOCIALISTISKA REPUBLIKEN VIETNAM

- (9) Flaggsstatsmeddelande från Socialistiska republiken Vietnam (nedan kallad *Vietnam*) inkom till kommissionen i enlighet med artikel 20 i IUU-förordningen den 27 oktober 2009.
- (10) Till följd av detta meddelande inledde kommissionen ett förfarande för administrativt samarbete med myndigheterna i Vietnam i enlighet med artikel 20.4 i IUU-förordningen. Samarbetet omfattade frågor rörande nationella förfaranden för kontroll av fångstintyg och genomförande, kontroll och tillsyn av lagar och förordningar samt bevarande- och förvaltningsåtgärder som landets fiskefartyg måste följa och utföra. Det innebar även att muntliga och skriftliga synpunkter utbyttes samt att det gjordes fyra besök i Vietnam den 17–21 september 2012, 26–30 november 2012, 21–24 juni 2016 och 15–19 maj 2017, då kommissionen inhämtade och kontrollerade alla uppgifter som den ansåg nödvändiga angående de åtgärder som Vietnam vidtagit för att fullgöra sina skyldigheter när det gäller bekämpning av IUU-fiske.
- (11) När det gäller Kommissionen för fiskbestånd i västra och mellersta Stilla havet (WCPFC) är Vietnam samarbetsande icke-medlem. Vietnam har ratificerat FN:s havsrättskonvention från 1982 (Unclos) <sup>(1)</sup>.
- (12) För att utvärdera hur Vietnam fullgör sina internationella skyldigheter som flagg-, hamn-, kust- eller marknadsstat enligt de internationella avtal som avses i skäl (11), och som har fastställts av de berörda regionala fiskeriförvaltningsorganisationerna, har kommissionen efterfrågat, samlat in och analyserat all information som behövs för utvärderingen.

## 3. MÖJLIGHETEN ATT VIETNAM IDENTIFIERAS SOM ETT ICKE-SAMARBETANDE TREDJELAND

- (13) I enlighet med artikel 31.3 i IUU-förordningen har kommissionen analyserat Vietnams skyldigheter som flagg-, hamn-, kust- eller marknadsstat. Vid analysen har kommissionen tagit hänsyn till kriterierna i artikel 31.4–31.7 i IUU-förordningen.

### 3.1 Åtgärder som vidtagits när det gäller återkommande IUU-fiske och IUU-handel (artikel 31.4 i IUU-förordningen)

- (14) I enlighet med artikel 31.4 a undersökte kommissionen de åtgärder som Vietnam har vidtagit när det gäller det återkommande IUU-fiske som har bedrivits eller fått stöd av fiskefartyg som för landets flagg eller av dess medborgare, eller av fiskefartyg som verkar i landets marina vatten eller använder dess hamnar.
- (15) På grundval av uppgifter i skriftliga bekräftelser från berörda kuststatstredjeländer fastställde kommissionen att under 2015–2017 hade minst åtta fartyg som för vietnamesisk flagg begått allvarliga IUU-överträdelser inom angränsande länders exklusiva ekonomiska zoner och i arkipelagvatten tillhörande små östater under utveckling i centrala och västra Stilla havet.
- (16) På grundval av dessa uppgifter anses nämnda fartyg som för vietnamesisk flagg ha begått nedanstående allvarliga överträdelser i strid med de bevarande- och förvaltningsåtgärder som vidtagits av de berörda kuststaterna inom fiskeområden i vatten under deras nationella jurisdiktion. De fartyg som för vietnamesisk flagg har fiskat utan giltig licens, godkännande eller tillstånd utfärdat av flaggstaten och kuststaten i fråga och har hindrat kuststatens inspektörer från att utföra sina arbetsuppgifter vid kontroll av efterlevnaden av gällande bevarande- och förvaltningsåtgärder, bland annat när det gäller arter som är föremål för ett fullständigt fångstförbud, t.ex. sjögurkor och revlevande fiskar. De berörda kuststaterna rapporterade utan dröjsmål den olagliga verksamhet som bedrivits av vietnamesiska fartyg till myndigheterna i Vietnam, men dessa gav inte något stöd för att lagföra fallen och rättsligt pröva de vietnamesiska medborgare som anhöllits. Allt inhämtat underlag lades fram för de vietnamesiska myndigheterna under besöket den 15–19 maj 2017.
- (17) Miljövärdet av målarterna och det särskilda skydd som kuststaternas bevarande- och förvaltningsåtgärder ger genom förbud mot att fånga dessa arter utgör ytterligare indikationer på hur allvarliga överträdelserna är.
- (18) Kuststaternas bristande efterlevnad av lagstadgade krav på att genomföra förbudsperioder för fiske efter sjögurkor äventyrar särskilt hållbarheten hos fiskeresurserna i de berörda kuststaterna under utveckling och försämrar lokalbefolkningens försörjningsmöjligheter.

<sup>(1)</sup> <https://treaties.un.org/>

- (19) Kommissionen ansåg att man vid fastställandet av allvaret i situationen skulle ta hänsyn till beteendemönstret hos dessa fartyg som för vietnamesisk flagg. I detta avseende förstärkte de vietnamesiska fartygens konstanta samarbetsvilja allvaret i överträdelserna.
- (20) På grundval av insamlad information drog kommissionen slutsatsen att Vietnam inte fullgör sina skyldigheter som flaggstat att förhindra sin flotta från att bedriva IUU-verksamhet på det fria havet eller i tredjeländers vatten. Detta strider mot artikel 94.1 och 94.2 i FN:s havsrättskonvention, där det föreskrivs att varje stat ska utöva faktisk jurisdiktion och kontroll över fartyg som för dess flagg. Det är inte heller i överensstämmelse med punkt 24 i FAO:s (FN:s livsmedels- och jordbruksorganisation) internationella handlingsplan för att förebygga, motverka och undanröja olagligt, orapporterat och oreglerat fiske (IPOA IUU) <sup>(1)</sup>, där det fastställs en skyldighet att utöva omfattande och verkningfull kontroll av fiskeverksamheten. Agerandet från de vietnamesiska medborgare som ansvarar för driften av denna flotta är också i strid med artikel 62.4 i FN:s havsrättskonvention, där det föreskrivs att andra staters medborgare som fiskar i den exklusiva ekonomiska zonen ska rätta sig efter beståndsbevarande åtgärder samt övriga villkor och bestämmelser i kuststatens lagar och andra författningar. Vietnams uppenbara ovilja att samarbeta med myndigheterna i berörda kuststater undergrävd dessutom deras möjligheter att vidta verkningfulla tillsynsåtgärder.
- (21) I enlighet med artikel 31.4 b i IUU-förordningen granskade kommissionen de åtgärder som Vietnam hade vidtagit beträffande fiskeriprodukter från IUU-fiske som förekommer på landets marknad.
- (22) Av de skäl som anges nedan och i avsnitt 3.2 förefaller Vietnams rättsliga ram gällande fiskeriförvaltning, som framför allt grundar sig på 2003 års fiskerilag och dekret nr 103/2013/ND-CP om administrativa sanktioner inom fisket, inte innehålla åtgärder för en verkningfull kontroll av landningarna i Vietnams hamnar av fisk och fiskeriprodukter från fiskefartyg som för vietnamesisk flagg och fartyg från tredjeland.
- (23) Kommissionen har analyserat dokumentationen och andra uppgifter om övervaknings- och kontrollförfaranden för både fisk och fiskeriprodukter från fiskeverksamhet som bedrivs av fiskefartyg som för vietnamesisk flagg och för fisk och fiskeriprodukter som importeras till Vietnam. På grundval av denna bedömning, anser kommissionen att Vietnam inte kan garantera att fisk och fiskeriprodukter som förs in på landets marknad eller till beredningsanläggningar via nationella hamnar inte kommer från IUU-fiske. De vietnamesiska myndigheterna har inte kunnat visa att de förfogar över all nödvändig information för att styrka att importerade och beredda produkter avsedda för Europeiska unionen och dess marknad är lagliga.
- (24) Den 13 januari 2016 landades ett parti på 179 ton antarktisk tandnoting i hamnen i Haiphong i Vietnam från fartyget Asian Warrior. Detta fartyg, även kallat Kunlun och Taishan, finns upptaget i Antarktiskommissionens (CCAMLR) förteckning över IUU-fartyg sedan 2013 och omfattas av ett "Purple Notice" från Interpol sedan den 13 januari 2015. Enligt den information som lämnats av de vietnamesiska myndigheterna beslagtogs fångsten och släpptes ut på marknaden.
- (25) Att döma av de uppgifter som inhämtades av kommissionen i juni 2017, försökte en ekonomisk aktör sälja ett parti på 320 ton antarktisk tandnoting som lagrats i Vietnam till Europeiska unionen. I de tillgängliga uppgifterna finns det indikationer på att de berörda produkterna hade fångats i delområdena 88.1 och 88.2 inom det område som förvaltas av CCAMLR, efter det att fiskesäsongen för denna art i områdena hade avslutats.
- (26) De vietnamesiska myndigheterna kunde inte lämna någon utförlig information som visar att de har vidtagit nödvändiga korrigerande åtgärder för att förhindra att antarktisk tandnoting från IUU-fiske förs in till landets territorium. Detta stämmer inte överens med punkt 66 i FAO:s IPOA IUU, enligt vilken staterna bör vidta alla nödvändiga åtgärder, i enlighet med internationell rätt, för att förhindra att fisk säljs eller importeras till deras territorium om den fångats av fartyg som av relevanta regionala fiskeriförvaltningsorganisationer har identifierats som fartyg som bedrivit IUU-fiske.
- (27) Vid det senaste besöket, i maj 2017, konstaterades dessutom att fiskerimyndigheterna inte kontrollerade landningar av fiskeriprodukter avsedda för beredning, saluföring och/eller export från fartyg som för tredjestaters flagg. Vietnam kan därför inte garantera spårbarheten när det gäller fiskeriprodukter och verkar således inte beakta punkt 71 i IPOA IUU, där staterna rekommenderas att vidta åtgärder för att öka öppenheten på sina marknader i syfte att säkerställa spårbarheten för fisk och fiskeriprodukter.

<sup>(1)</sup> International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, FN:s livsmedels- och jordbruksorganisation, 2001.

- (28) Inför besöket i maj 2017 analyserade Europeiska fiskerikontrollbyrån ett stickprov av fångstintyg och beredningsdokument som presenterats vid unionens gränser för partier med ursprung i Vietnam. Fångstintygen och beredningsdokumenten hade godkänts av de vietnamesiska fiskerimyndigheterna på grundval enbart av information från aktörerna utan ytterligare kontroller.
- (29) Analysen av fångstintygen visade att det förekom ett antal inkonsekvenser när det gäller vikt, art, varubeskrivning och godkännandedatum och att föråldrade modeller använts. Dessutom visade mötena med de behöriga myndigheterna under besöket i maj 2017 att fiskefartygens verksamhet inte kontrolleras på något omfattande sätt innan fångstintygen godkänns. Beredningen av produkter med fångstintyg som innehåller uppenbara fel visar att Vietnam inte samarbetat med andra stater och regionala fiskerioorganisationer för att anta lämpliga marknadsrelaterade åtgärder som förebygger, motverkar eller undanröjer IUU-fiske, i enlighet med punkterna 68 och 72 i IPOA IUU.
- (30) Vad gäller beredningsdokument visade den analys som nämns i det föregående skälet, och som styrkts av underlag som samlades in under besöket i maj 2017, att det inte genomförs kontroller av importen av fiskråvaror och att det saknas omräkningsfaktorer för att kontrollera om den beredda vikt som deklarerats av det exporterande företaget är förenlig med den tillgängliga råvarans vikt och typen av beredning som utförs vid de berörda beredningsanläggningarna.
- (31) Informationen i detta avsnitt visar att fiskeriprodukter som beretts i Vietnam eller som är föremål för handel via landet inte är förenliga med reglerna för hållbarhet efter fångst som beskrivs i artikel 11 i FAO:s uppförandekod. Vietnam har dessutom underlåtit att införa regler för att garantera ett lämpligt samarbete med flaggstater som är tredjeländer när det gäller fisk och fiskeriprodukter från deras fiskeverksamhet i enlighet med åtgärder som garanterar öppenhet och spårbarhet för importerade fiskprodukter i hela marknadskedjan, så som föreskrivs i punkterna 67–69 och 71–72 i den nationella handlingsplanen mot olagligt, orapporterat och oreglerat fiske.
- (32) Mot bakgrund av vad som anförts i detta avsnitt, alla fakta som kommissionen har samlat in och alla förklaringar som de behöriga myndigheterna i Vietnam har lämnat kan det, i enlighet med artikel 31.3, 31.4 a och 31.4 b i IUU-förordningen, fastställas att Vietnam inte fullgör sina skyldigheter enligt internationell rätt som flagg-, hamn-, kust- och marknadsstat när det gäller IUU-fartyg och IUU-fiske som bedrivs eller stöds av fartyg som för landets flagg eller av landets medborgare och att landet inte förhindrar att produkter från IUU-fiske får tillträde till landets marknad.

### 3.2 Underlåtenhet att samarbeta och sköta tillsyn (artikel 31.5 i IUU-förordningen)

- (33) I enlighet med artikel 31.5 a i IUU-förordningen har kommissionen analyserat sitt samarbete med Vietnam för att se om landet effektivt samarbetat genom att besvara förfrågningar, komma med synpunkter och utreda frågor rörande IUU-fiske och verksamhet i samband med sådant fiske.
- (34) De vietnamesiska myndigheterna har visserligen i allmänhet varit samarbetsvilliga när det gäller att svara på förfrågningar om information och lämna synpunkter, men tillförlitligheten och korrektheten i deras svar undergrävs av den föråldrade rättsliga ramen, som inte förefaller vara förenlig med landets internationella rättsliga skyldigheter, och av de bristande systemen för övervakning och kontroll, som beskrivs i skälen 42 och 43.
- (35) 2003 års fiskerilag tvingar inte fiskefartyg att rapportera sina fångster med hjälp av loggböcker eller att lämna in en landningsdeklaration. Vietnam har således misslyckats med att fullgöra sitt ansvar som kuststat att säkerställa ett optimalt utnyttjande av fiskeresurserna i landets exklusiva ekonomiska zon på grundval av de vetenskapliga, miljömässiga och ekonomiska faktorer som föreskrivs i artiklarna 61 och 62 i FN:s havsrättskonvention.
- (36) 2003 års fiskerilag behandlar inte heller den fiskeverksamhet som bedrivs av vietnamesiska fartyg och medborgare på det fria havet och i tredjeländers vatten. Detta kryphål i tillämpningsområdet för fiskerilagen när det gäller fiskeverksamhet utanför Vietnams exklusiva ekonomiska zon undergräver de behöriga myndigheternas förmåga att förhindra IUU-fiske i dessa områden.
- (37) Vietnams rättsliga ram innehåller endast begränsade bevarande- och förvaltningsåtgärder i territorialvattnen. De nationella bestämmelser och kontrollsystem som införts för att säkerställa efterlevnaden av bevarande- och förvaltningsåtgärder verkar inte vara tillräckliga. Detta strider mot artikel 61.2 i FN:s havsrättskonvention, enligt vilken kuststaterna, genom lämpliga åtgärder för bevarande och förvaltning, ska säkerställa att de levande tillgångarnas fortbestånd i den exklusiva ekonomiska zonen inte äventyras genom överexploatering.



- (38) I enlighet med artikel 31.5 b analyserade kommissionen befintliga tillsynsåtgärder för att förebygga, motverka och undanröja IUU-fiske i Vietnam.
- (39) Det nuvarande sanktionssystemet har upprättats genom dekret nr 103/2013/ND-CP om administrativa sanktioner när det gäller fiskeverksamhet. De definitioner av IUU-fiske och allvarliga överträdelser som fastställs i fiskerilagen och nämnda dekret är dock inte förenliga med internationell rätt. De sanktionsnivåer som föreskrivs i den rättsliga ramen garanterar därför inte att sanktionssystemet är avskräckande och återspeglar inte punkt 21 i IPOA IUU, där stater rekommenderas att se till att de sanktioner som utdöms för IUU-fiske som bedrivs av fartyg och, i största möjliga utsträckning, av medborgare under dess jurisdiktion, är tillräckligt hårda för att beröva lagöverträdarna den vinning som härrör från sådant fiske.
- (40) Efter sitt besök i juni 2016 tog kommissionen upp dessa frågor, och uppmanade de vietnamesiska myndigheterna att samarbeta med kommissionen i detta avseende. I april 2017 lämnade de vietnamesiska myndigheterna slutligen in ett förslag till ny fiskerilag, som dock inte kommer att innebära att Vietnam uppfyller sina internationella skyldigheter.
- (41) I enlighet med artikel 31.5 c har kommissionen analyserat omfattningen och allvaret av det IUU-fiske som bedrivs av fartyg som för vietnamesisk flagg eller av fiskefartyg som bedriver verksamhet i marina vatten eller hamnar i Vietnam.
- (42) De besök som kommissionen gjorde visade att Vietnam inte har de resurser som krävs för att garantera en lämplig kontroll av de fartyg som för dess flagg, bland annat se till att fisket inte bedrivs på det fria havet och i tredjeländers vatten. Vietnam tillåter inte sina fartyg att bedriva verksamhet på det fria havet och i tredjeländers vatten, men såsom anges i skälen 14–19 har det konstaterats att vietnamesiska fartyg fortfarande bedriver sådan olaglig verksamhet i tredjeländers vatten<sup>(1)</sup>.
- (43) Enligt uppgifter från de vietnamesiska myndigheterna, består den vietnamesiska fiskeflottan av 109 000 fartyg, varav 33 000 är verksamma inom Vietnams exklusiva ekonomiska zon, längre ut än 24 nautiska mil från baslinjen. De vietnamesiska myndigheterna medgav att endast 10 % av de 33 000 fartyg som fiskar i området längre ut än 24 nautiska mil från baslinjen är utrustade med VMS och det finns ingen rättslig skyldighet för dem att aktivera utrustningen. Det senaste besöket vid centrumet för fiskerikontroll, i maj 2017, visade också att den personal som ansvarar för kontroll och övervakning inte var bekanta med de tillgängliga verktygen och att de grundläggande brister som konstaterats redan vid det föregående besöket i juni 2016 inte hade åtgärdats. Under besöket visade dessutom VMS-spårningen på skärmarna vid centrumet för fiskerikontroll att två vietnamesiska fiskefartyg befann sig utanför vietnamesiskt vatten, och centrumets personal medgav att inga åtgärder hade vidtagits. Otillräckliga loggbokskrav och avsaknaden av ett riskbaserat system för inspektioner i hamn och till havs undergräver ytterligare myndigheternas möjligheter att kontrollera den maritima verksamheten.
- (44) De fakta som beskrivs i detta avsnitt visar att även om den gällande fiskerilagstiftningen behöver ses över för att garantera att den nationella rätten överensstämmer med internationella regler, har Vietnam underlåtit att på ett verkningsfullt sätt samarbeta med kommissionen för att anpassa sin lagstiftning till relevanta internationella rättsliga instrument. Detta innebär en överträdelse av artikel 94 i FN:s havsrättskonvention, enligt vilken flaggstaten ska åta sig jurisdiktion enligt nationell rätt över varje fartyg som för dess flagg samt över dess befälhavare, övrigt befäl och manskap. Vietnam förefaller även ha underlåtit att genomföra rekommendationerna i punkt 24 i IPOA IUU, där flaggstaterna rekommenderas att säkerställa omfattande och verkningsfull kontroll och övervakning av fisket, från fångst till landningsplats och slutdestination, bland annat genom att använda VMS ombord på fiskefartyg i enlighet med relevanta nationella, regionala och internationella standarder.
- (45) Mot bakgrund av vad som anförts i detta avsnitt, alla fakta som kommissionen har samlat in och alla förklaringar som de vietnamesiska myndigheterna har lämnat kan det, i enlighet med artikel 31.3 och 31.5 i IUU-förordningen, fastställas att Vietnam inte har fullgjort sina skyldigheter enligt internationell rätt vad gäller samarbete och tillsyn.

<sup>(1)</sup> Den olagliga verksamhet som bedrivs av vietnamesiska så kallade "blå båtar" har fått stor uppmärksamhet i media i Stillehavsområdet: <https://www.undercurrentnews.com/2016/03/29/australia-captures-vietnamese-vessels-suspected-of-iuu/>  
<http://nationalpost.com/news/world/tiny-island-nation-of-palau-very-publicly-burns-vietnamese-boats-caught-fishing-illegally>  
<http://www.themalaymailonline.com/malaysia/article/mmea-detains-vietnamese-fishermen-for-illegal-fishing#UEtd7edz4ez9IRch.97>  
<https://www.solomonstarnews.com/news/national/12655-blue-boats-seized>  
<http://e.vnexpress.net/news/news/malaysia-detains-another-40-vietnamese-for-illegal-fishing-3616922.html>

### 3.3 Underlåtenhet att tillämpa internationella regler (artikel 31.6 i IUU-förordningen)

- (46) I enlighet med artikel 31.6 a och b i IUU-förordningen undersökte kommissionen Vietnams ratificering av eller anslutning till relevanta internationella fiskeriinstrument och landets ställning som avtalspart i regionala fiskeriförvaltningsorganisationer eller dess samtycke till att tillämpa de bevarande- och förvaltningsåtgärder som har vidtagits av sådana organisationer.
- (47) Vietnam ratificerade Förenta nationernas havsrättskonvention 1994 och är samarbetande icke-medlem i Kommissionen för bevarande och förvaltning av långvandrande fiskbestånd i västra och mellersta Stilla havet.
- (48) Med undantag av FN:s havsrättskonvention har Vietnam inte ratificerat några internationella rättsliga instrument för fiskeriförvaltning. Vietnams agerande när det gäller genomförandet av internationella instrument är inte i överensstämmelse med rekommendationerna i punkt 11 i IPOA IUU, där staterna uppmanas att prioritera att ratificera, godta eller ansluta sig till avtalet om genomförande av bestämmelserna i Förenta nationernas havsrättskonvention om bevarande och förvaltning av gränsöverskridande och långvandrande fiskbestånd (Unfsa) och FAO:s iakttagandeavtal. Detta strider också mot punkt 14 i IPOA IUU, enligt vilken staterna till fullo och på ett ändamålsenligt sätt bör genomföra uppförandekoden med därtill hörande internationella handlingsplaner.
- (49) Vietnam har inte ratificerat FAO:s avtal om hamnstatsåtgärder från 2009. Det innebär också, såsom anges i skäl (27), att Vietnam inte genomför några hamnkontroller av landningar från utländska fiskefartyg, trots den betydande mängd fisk och fiskeriprodukter som importeras till landet för att förse beredningsindustrin.
- (50) Vietnams rättsliga ram och tillsynsåtgärder verkar också vara i strid med de grundläggande kraven i artiklarna 62 och 117–119 i FN:s havsrättskonvention som avser optimalt nyttjande av levande tillgångar, staternas skyldighet att med avseende på sina medborgare vidta åtgärder för bevarande av de levande tillgångarna i det fria havet, skyldigheten till samarbete för bevarande och förvaltning av levande tillgångar och skyldigheten att bevara de levande tillgångarna i det fria havet.
- (51) I enlighet med artikel 31.6 c har kommissionen analyserat om Vietnam kan ha varit ansvarigt för några åtgärder eller försummelser som kan ha minskat verkan av tillämpliga lagar, förordningar och internationella bevarande- och förvaltningsåtgärder.
- (52) Kommissionen noterar att Antarktiskommissionens (CCAMLR) årliga möte identifierat Vietnam som en icke-avtalslutande part som möjligen deltagit i fångst och landning av och/eller handel med tandnoting, men att landet inte samarbetat med det fångstdokumentationssystem som infördes år 2000 för att spåra dessa arter från landningsplatsen och vidare genom hela handelskedjan.
- (53) Mot bakgrund av vad som anförts i detta avsnitt, alla fakta som kommissionen har samlat in och alla förklaringar som Vietnam har lämnat kan det, i enlighet med artikel 31.3 och 31.6 i IUU-förordningen, fastställas att Vietnam inte har fullgjort sina skyldigheter enligt internationell rätt i fråga om internationella regler och förordningar samt bevarande- och förvaltningsåtgärder.

### 3.4 Särskilda svårigheter för utvecklingsländer (artikel 31.7 i IUU-förordningen)

- (54) Enligt FN:s index för mänsklig utveckling<sup>(1)</sup> bedömdes Vietnam 2015 vara ett land med medelhög mänsklig utveckling (rankat som 115 av 188 länder).
- (55) Mot bakgrund av den rankning som Vietnam ges enligt FN:s index för mänsklig utveckling och konstateranden under besöken under 2012–2017 finns det inget som tyder på att Vietnams underlåtenhet att fullgöra sina skyldigheter enligt internationell rätt skulle bero på en låg utvecklingsnivå. Några konkreta bevis finns inte för att bristerna i lagstiftning, övervakning och kontroll och spårbarhetssystem på fiskeriområdet har ett samband med bristande kapacitet och infrastruktur. Kommissionen har godkänt Vietnams begäran från maj 2017 om stöd vid översynen av fiskerilagstiftningen.
- (56) Mot bakgrund av vad som anförts i detta avsnitt, alla fakta som kommissionen har samlat in och alla förklaringar som landet lämnat, kan det, i enlighet med artikel 31.7 i IUU-förordningen, fastställas att Vietnams utvecklingsstatus och samlade agerande på området fiskeriförvaltning inte har begränsats av landets utvecklingsnivå.

<sup>(1)</sup> Uppgifterna har hämtats från <http://hdr.undp.org/en/data>

#### 4. SLUTSATS OM MÖJLIGHETEN ATT VIETNAM IDENTIFIERAS SOM ETT ICKE-SAMARBETANDE TREDJELAND

- (57) Mot bakgrund av slutsatserna att Vietnam har underlåtit att fullgöra sina skyldigheter enligt internationell rätt som flagg-, hamn-, kust- eller marknadsstat och att vidta åtgärder för att förebygga, motverka och undanröja IUU-fiske, bör Vietnam, i enlighet med artikel 32 i IUU-förordningen, meddelas att kommissionen kan komma att identifiera landet som ett icke-samarbetande tredjeland när det gäller bekämpning av IUU-fiske.
- (58) Kommissionen bör också vidta alla åtgärder som beskrivs i artikel 32 i IUU-förordningen med avseende på Vietnam. Enligt god förvaltningssed bör det fastställas en period inom vilken landet skriftligen kan besvara meddelandet och rätta till situationen.
- (59) Meddelandet till Vietnam om möjligheten att landet kommer att identifieras av kommissionen som ett icke-samarbetande tredjeland enligt detta beslut varken utesluter eller medför automatiskt att kommissionen eller rådet senare vidtar ytterligare åtgärder för att identifiera icke-samarbetande tredjeländer och upprätta en förteckning över dem.

HÄRIGENOM FÖRESKRIVS FÖLJANDE.

#### *Enda artikel*

Vietnam ska meddelas att det finns en möjlighet att landet kommer att identifieras av kommissionen som ett icke-samarbetande tredjeland när det gäller bekämpning av olagligt, orapporterat och oreglerat fiske.

Utfärdat i Bryssel den 23 oktober 2017.

*På kommissionens vägnar*

Karmenu VELLA

*Ledamot av kommissionen*

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# MYNDIGHETEN FÖR EUROPEISKA POLITISKA PARTIER OCH EUROPEISKA POLITISKA STIFTELSE

**Beslut av myndigheten för europeiska politiska partier och europeiska politiska stiftelser**

**av den 20 juli 2017**

**om registrering av Europeiska gröna partiet**

**(Endast den engelska texten är giltig)**

**(2017/C 364/04)**

MYNDIGHETEN FÖR EUROPEISKA POLITISKA PARTIER OCH EUROPEISKA POLITISKA STIFTELSE HAR ANTAGIT DETTA BESLUT

med beaktande av fördraget om Europeiska unionens funktionssätt,

med beaktande av Europaparlamentets och rådets förordning (EU, Euratom) nr 1141/2014 av den 22 oktober 2014 om stadgar för och finansiering av europeiska politiska partier och europeiska politiska stiftelser <sup>(1)</sup>, särskilt artikel 9,

med beaktande av ansökan från Europeiska gröna partiet, och

av följande skäl:

- (1) Myndigheten för europeiska politiska partier och europeiska politiska stiftelser (nedan kallad *myndigheten*) mottog den 7 juni 2017 en ansökan från Europeiska gröna partiet (nedan kallad *sökanden*) om registrering som europeiskt politiskt parti i enlighet med artikel 8.1 i förordning (EU, Euratom) nr 1141/2014 samt den 13 juni 2017, 11 juli 2017, 13 juli 2017 och 18 juli 2017 inlagor som kompletterar denna ansökan.
- (2) Sökanden har lämnat in handlingar som styrker att sökanden uppfyller villkoren i artikel 3 i förordning (EU, Euratom) nr 1141/2014, förklaringen i det formulär som anges i bilagan till förordningen samt sökandens stadgar, som innehåller de bestämmelser som krävs enligt artikel 4 i förordningen.
- (3) Ansökan underbyggs vidare av ett meddelande från notarie Anton Van Bael i enlighet med artikel 15.2 i förordning (EU, Euratom) nr 1141/2014, i vilket intygas att sökanden har sitt säte i Belgien och att sökandens stadgar är förenliga med tillämpliga bestämmelser i nationell lagstiftning.
- (4) Sökanden har lämnat in kompletterande handlingar i enlighet med artiklarna 1 och 2 i kommissionens delegerade förordning (EU, Euratom) 2015/2401 <sup>(2)</sup>.
- (5) Myndigheten har prövat ansökan och de styrkande handlingarna i enlighet med artikel 9 i förordning (EU, Euratom) nr 1141/2014 och anser att sökanden uppfyller villkoren för registrering enligt artikel 3 i förordningen och att stadgarna innehåller de bestämmelser som krävs enligt artikel 4 i förordningen.

HÄRIGENOM FÖRESKRIVS FÖLJANDE.

## Artikel 1

Europeiska gröna partiet registreras härmed som europeiskt politiskt parti.

Det ska få ställning som europeisk juridisk person från och med den dag då detta beslut offentliggörs i *Europeiska unionens officiella tidning*.

<sup>(1)</sup> EUT L 317, 4.11.2014, s. 1.

<sup>(2)</sup> Kommissionens delegerade förordning (EU, Euratom) 2015/2401 av den 2 oktober 2015 om innehåll och funktionssätt för registret över europeiska politiska partier och stiftelser (EUT L 333, 19.12.2015, s. 50).

*Artikel 2*

Detta beslut får verkan samma dag som det delges.

*Artikel 3*

Detta beslut riktar sig till

Europeiska gröna partiet  
Rue Wiertz/Wiertzstraat 31  
1050 Bryssel  
BELGIEN

Utfärdat i Bryssel den 20 juli 2017.

*För myndigheten för europeiska politiska partier och europeiska  
politiska stiftelser*

M. ADAM

*Direktör*

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## BILAGA

**STATUTES**  
**of the**  
**EUROPEAN GREEN PARTY**  
**European Political Party (PPEU)**

adopted at the EGP Council, 12.11.2011, Paris

amended at the EGP Council, 20-22 May 2016, Utrecht

amended at the EGP Council, 2-4 December 2016, Glasgow

amended at the EGP Council, 31 March 2017, Liverpool

**Preamble**

The European Green Party represents Green Parties from all over Europe, and we are part of the Global Green family. We stand proudly for sustainable development and respect of human rights, built on the values of environmental responsibility, equality, freedom, justice, diversity and peace. Greens face the challenges of the 21st century by seeking to shape society in an innovative way. We propose policies for social solidarity and coherence compatible with sound economic and financial governance and which guarantee sustainability within our changing societies. For us and for generations to come.

These Statutes replace and supersede the previous Statutes of the European Green Party published in the Moniteur Belge on 19/09/2013.

Article 1

**Definitions**

- 1.1. 'Full Members' means those members specified in Article 4.3.1.
- 1.2. 'Members' means the entire membership of the European Green Party as specified in Article 4.
- 1.3. 'Allocated Votes' means the total number of votes assigned at each Council meeting to Full Members, determined according to their size and other criteria under a formula detailed in the Rule Book, and to the Green Group in the European Parliament and the Federation of Young European Greens as specified in Article 5.3 and further detailed in the Rule Book.
- 1.4. 'Rule Book' means the detailed rules for the functioning, management and operations of the European Green Party and the composition of its bodies adopted in accordance with these Statutes.
- 1.5. 'Europe' means the territory within the outer borders set by the Council of Europe.
- 1.6. 'Parties' means political parties registered or recognised as such in their home country.

Article 2

**Name, Logo and Seat**

- 2.1. Through the present statutes the Full Members set up a European Political Party (Parti Politique Européen, PPEU), governed by the dispositions of Title III and IIIter of the Belgian law of 27 June 1921 on non-profit associations, foundations and European political parties and foundations.
- 2.2. The Full Members form the European Political Party 'European Green Party', also called 'the European Greens'. The name may be abbreviated as necessary to 'EGP'.

- 2.3. The logo of the European Green Party is a green rectangle with a stylized sunflower — consisting of twelve yellow petals – slightly tilted to the right, and with the words ‘European Green Party’ in white letters (font: Jaldi) positioned on the right of it.



Alternatively, the words ‘European Greens’ can be used. For official documents, the logo with ‘European Green Party’ will be used.



- 2.4. The seat of the European Green Party is situated at rue Wiertz 31, in 1050 Brussels, Belgium.
- 2.5. The Committee may move the seat anywhere in Belgium by simple majority vote. The move must be published in the Moniteur Belge in accordance with the Belgian law.
- 2.6. The European Green Party, acting through the Committee, shall keep detailed financial accounts and shall report at least once a year to the Full Members on the state of the finances. The financial year of the organisation shall be from 1st January to 31st December.

### Article 3

#### **Aims and Objectives**

##### The European Green Party

- 3.1. is a European political party within the terms of EU Regulation (EC) No 1141/2014 on the regulations governing political parties at European level and the rules regarding their funding,
- 3.2. takes as its principles the Charter of the European Greens (further described as the Green Charter) annexed hereto (Annex A),
- 3.3. is open to political parties and other groups with a green agenda, from within and outside the European Union, which can subscribe to the Green Charter and which fulfil the membership criteria as laid down in these Statutes and further elaborated in the Rule Book,
- 3.4. stimulates and organises initiatives and activities on a European level in order to accomplish a common green political agenda and, to ensure close and permanent cooperation among all its Members, contributes to forming European awareness and seeks to express the political will of the citizens of the European Union as well as to realise the full potential of green political representation at all political levels,

- 3.5. works in close cooperation with the Green Group in the European Parliament (GGEP), the Green European Foundation (GEF), and the Federation of Young European Greens (FYEG),
- 3.6. acts as the European partner within the structure of the Global Greens movement and subscribes to the Global Greens Charter annexed hereto (Annex C).
- 3.7. applies the principle of gender-balance in all its elected and appointed bodies and external representation.

#### Article 4

##### **Membership**

- 4.1. The European Green Party consists of Green parties and is open to green organisations and movements.
- 4.2. Parties from within Europe can be accepted as Full or Candidate Members. Associate Members may be from outside these borders.
- 4.3. There are four membership categories:

- 4.3.1. **Full Member:**

Full Members are Green parties from within Europe, as defined in Article 1.5, which have been duly approved by the Council and which fulfil the membership criteria as defined in the Rule Book.

- 4.3.2. **Candidate Member:**

Green parties, which wish to become Full Members and which meet the application criteria as defined in the Rule Book, can become Candidate Members on approval by the Council and may subsequently apply to become Full Members after a minimum period of two years.

- 4.3.3. **Associate Member:**

Associate Members are:

- a) Parties that are close to the European Green family;
- b) Parties that are closely related to Europe but geographically are not European Parties;
- c) green non-governmental organisations, movements or groups that are not yet parties due to the specific political situation of that country;

which meet the membership criteria specified in the Rule Book and which have been duly approved by the Council.

- 4.3.4. **Special Category Membership**

Elected Members of the European Parliament ('MEPs') who are part of the GGEP and who belong to an EGP member party are automatically granted special category membership in accordance with the regulations governing political parties at European level and the rules regarding their funding.

Elected Members of the European Parliament who are part of the GGEP but who do not belong to a European Green Party Full, Candidate or Associate Member can be granted special category membership by a decision of the Council.

All such MEPs exercise their membership collectively and exclusively through the GGEP delegation.

- 4.4. The admission of Members and any subsequent suspension or withdrawal of Membership shall be decided by the Council and requires in each case a three-quarters majority of the Allocated Votes.



- 4.4.1. Membership applications are submitted to the Committee of the European Green Party in English, including a confirmation of its consent to the Green Charter, Global Green Charter, the EGP Statutes and Rule Book, as well as an English version of its own political programme and statutes and information about the number of registered members, political representatives, budget and accounts.
- 4.4.2. Having examined the Statutes, the political programme, the budget and any other relevant materials, the Committee decides whether to proceed with the application by organising a fact-finding visit to the country, in the course of which meetings are held with the applicant party and with relevant NGOs and other organisations or bodies.
- 4.4.3. On the basis of the report of the fact-finding mission, the Committee makes a recommendation on the application to the Council at least six weeks ahead of the Council meeting where a vote on the application is to take place.
- 4.4.4. Where there is an existing Full Member in the same country or politico-geographic region as the applicant, that Member shall be consulted on the application and its views included in the documentation.
- 4.4.5. Candidate Members may apply for Full membership after a minimum two-year period as Candidate.
- 4.4.6. Where an applicant has MEPs, or is likely to, the Committee shall consult the GGEP and inform the Council of their views.
- 4.4.7. Any Member may request the Council to change its membership category by means of a letter addressed to the Council and sent to the European Green Party office, setting out the grounds for the proposed change. The Committee will then make a recommendation to the Council.
- 4.4.8. Further, the Committee is responsible for informing the Council when it assesses developments within parties that can harm the European Green Party and/or its reputation. If the Committee considers a party to be in breach of any of its terms of Membership, the Committee shall discuss this with the Member concerned and bring forward its assessment to the Council, accompanied by its recommendations for an action plan to address the problems thus identified and any necessary disciplinary measures. Council shall be asked to approve these recommendations. If a problem persists, the Committee may recommend (further) disciplinary action be taken as provided for in Article 4.4.11.
- 4.4.9. Members which fail to meet the specified membership criteria or other obligations or which act in such a way as to bring the European Green Party into disrepute may be subject to disciplinary measures unless or until the situation is resolved.
- 4.4.10. The Committee is responsible for evaluating any such alleged failures or acts and shall inform the Council delegates of the problem and any such disciplinary measures as they consider appropriate. An overview of any disciplinary measures proposed shall be presented at the beginning of each Council meeting.
- 4.4.11. The Committee may propose to the Council the following disciplinary measures to be adopted for a specified period:
- withdrawal of speaking rights in EGP meetings, including Council meetings;
  - withdrawal of voting rights in EGP meetings, including Council meetings;
  - withdrawal of participation in EGP meetings, including Council meetings;
  - withdrawal of access to information;
  - suspension or withdrawal of Membership.
- 4.4.12. The Council shall vote on each such proposal by a two-thirds majority of the Allocated Votes with the exception of the suspension or withdrawal of Membership which requires a three-quarters majority of the Allocated Votes.

- 4.4.13. In the case of non-payment of Membership Fees, the Committee, acting on the advice of the Treasurer, is authorised to withdraw voting rights of that Member prior to the opening of each voting session at the Council.
- 4.4.14. Proposals for withdrawal and suspension of Membership are announced to the Council three months ahead of the Council.
- 4.4.15. At the Council, the Committee presents its proposal for the proposed measure. The concerned party has the right of explanation and presentation of its point of view.
- 4.4.16. The Council, following a proposal by the Committee or at the request of 1/3 of the Full Members, may decide to withdraw the membership of any Member by a three-quarters majority of the Allocated Votes, after hearing the defence of the concerned Member.
- 4.4.17. The Member must be informed in writing at least three months in advance of the next Council meeting.
- 4.4.18. The proposal by the Committee to the Council to withdraw the membership of a Member can be appealed to the Conciliation Panel in writing at least two months before the Council. No further requests can be submitted to the Conciliation Panel concerning such membership issue.
- 4.4.19. The Council may withdraw Full, Candidate or Associate Membership either temporarily or permanently. Any temporary exclusion may be lifted by a subsequent decision of the Council by a three-quarters majority of the Allocated Votes.
- 4.4.20. Members of the European Green Party may themselves request a restriction or suspension of their membership rights for a temporary period or may withdraw their EGP membership at any time by sending a registered letter to the Committee.
- 4.4.21. A list of the Member Parties of the European Green Party is attached to these Statutes as Annex B.

#### 4.5. **Rights and Duties of the Members**

- 4.5.1. Full Members of the European Green Party have the right to:
- participate in the political discussions;
  - participate in the development of the political agenda;
  - participate in the decision making process;
  - table resolutions and amendments as well as contribute other items to the agenda of Council meetings;
  - participate in common campaigns;
  - appoint delegates and to vote at Council and Congress meetings under procedures detailed in Article 6.3.6 and 6.4.2 of these Statutes;
  - have access to use of the European Green Party logo and other representational devices;
  - have access to the membership platform, regular information by the Office as well as access to knowledge and network databases and platforms;
  - have access to internal reports of other Full, Candidate and Associate Members to the EGP with the obligation of confidentiality;
  - participate in training and knowledge exchange programmes and platforms.

4.5.2. Candidate Members of the European Green Party have the right to:

- participate in the political discussions;
- table resolutions and amendments as well as contribute other items to the agenda of Council meetings subject to the endorsement of four other signatures of those who are eligible to table draft Resolutions;
- participate in common campaigns;
- apply for Full Membership after a minimum period of two years as Candidate Member;
- have access to and participate in knowledge and network platforms;
- use the European Green Party logo endorsed with a notice that states clearly 'Candidate Member';
- participate in any special training programme designated for them.

4.5.3. Associate Members of the European Green Party have the right to:

- participate in the political discussions and be welcome to attend all European Green Party meetings;
- have access to and participate in knowledge and network platforms;
- participate in common campaigns;
- use the European Green Party logo endorsed with a notice that states clearly 'Associate Member'.

4.5.4. Special Members exercise their membership rights exclusively through the GGEP delegation.

4.5.5. Full and Candidate Members of the European Green Party have the duty to:

- be established as a political party in a country, state or politico-geographic region of Europe;
- promote Green politics which are ecological, social, democratic and progressive;
- maintain a democratic political base and a democratic internal structure;
- participate actively in political life and in elections at a credible level;
- endorse the Green Charter of the European Green Party and the Global Greens Charter;
- accept the Statutes and Rule Book of the European Green Party;
- apply gender balance principles in their party structures;
- regularly attend European Green Party Council meetings;
- participate in the political discussion and decisions of the European Green Party;
- send their yearly accounts and election results to the European Green Party if not publicly accessible on their party website;
- conduct their financial organisation in a transparent and accountable manner;
- pay their designated fee as Full or Candidate Members in a timely manner;
- not be under any legal or other restraint on their activities;
- report every two years to the European Green Party on party and policy developments.

- 4.5.6. Candidate Members shall demonstrate progress on the implementation of any Action Plan specified by the European Green Party Committee in response to their application by reporting at least annually to the European Green Party.
- 4.5.7. Associate Members of the European Green Party have the duty to:
- attend European Green Party Council meetings as often as possible, given their circumstances;
  - submit reports every two years to inform the European Green Party of their projects, progress and plans as part of their Green Agenda;
  - pay their designated fee as Associate Members in a timely manner;
  - maintain a democratic internal structure;
  - respect the values in the Green Charter of the European Green Party and the Global Greens Charter;
  - accept the Statutes and Rule Book of the European Green Party;
  - report every two years to the European Green Party on party and policy developments.

#### Article 5

##### **Relations with the Green Group in the European Parliament ('GGEP'), the Federation of Young European Greens ('FYEG'), the Green European Foundation ('GEF') and the Global Greens ('GG')**

- 5.1. The European Green Party is exclusively represented in the European Parliament by the GGEP or its successors and the GGEP in turn represents the special category (MEP) members within the EGP.
- 5.2. The European Green Party has as its youth organisation the Federation of Young European Greens (FYEG).
- 5.3. Both the GGEP and the FYEG are entitled to appoint delegates to meetings of the European Green Party, including Council meetings, and to vote thereat.
- 5.4. GEF is the affiliated political foundation of the EGP.
- 5.4.1. GEF is the exclusive partner of the EGP at the European level as regards European Foundations. The GEF is responsible for the promotion of the European-wide political debate. GEF and EGP should work closely together to make sure that their programmes are mutually supportive and that functions are assumed by the more appropriate and effective partner, given the mutual interest in Green activities.
- 5.4.2. The coordination between the bodies is guaranteed at executive level by mutual representation of the Secretaries-General at respectively the European Green Party Committee and the Green European Foundation's Board.
- 5.4.3. The Green European Foundation may nominate representatives to and participate in the working groups and networks of the European Green Party.
- 5.4.4. The European Green Party has the right to a delegation of four members to the General Assembly of the Green European Foundation.
- 5.5. The European Green Party acts as the European partner within the structure of the Global Greens, which encompasses Green parties and associates at a global level.

#### Article 6

##### **Structure and Bodies of the European Green Party**

- 6.1. The bodies of the European Green Party are:
- 6.1.1. the Council;
- 6.1.2. the enlarged Council called the Congress;

- 6.1.3. the Committee;
- 6.1.4. the Finance Advisory Board;
- 6.1.5. the Conciliation Panel;
- 6.1.6. any other body as determined by the Council by a three-quarters majority vote.
- 6.3. **Council**
  - 6.3.1. The Council is the highest decision-making body of the European Green Party. It is convened by the Committee and must meet at least once a year in person. Council meetings may be held in person or by telecommunication means under conditions laid down in the Rule Book.
  - 6.3.2. An extraordinary meeting of the Council may be convened by request of at least one-third of the Full Members.
  - 6.3.3. Council meetings are normally open to the public unless the Council itself decides otherwise for all or part of its proceedings.
  - 6.3.4. The Council shall consist of delegates representing Full Members, GGEP and FYEG determined according to the Rules for the allocation of delegates and votes as provided for in Article 6.3.6. Non-voting representatives of Candidate and Associate members, the Committee, EGP Office staff, and elected members of other EGP bodies can participate as well.
  - 6.3.5. The Council shall, inter alia:
    - 6.3.5.1. decide on the common political agenda;
    - 6.3.5.2. approve the annual Activities plan, budget reports and accounts and financial regulations after hearing the Finance Advisory Board;
    - 6.3.5.3. promote the development of common campaigns;
    - 6.3.5.4. elect and remove the Committee and other internal bodies;
    - 6.3.5.5. support and evaluate the Committee's activities;
    - 6.3.5.6. decide on the application, regulation and termination of all categories of membership;
    - 6.3.5.7. set up and review working groups and networks;
    - 6.3.5.8. decide on changes to the Green Charter, the Statutes and the Rule Book;
    - 6.3.5.9. coordinate initiatives and activities consistent with the Green Charter and the Global Greens Charter, agreed common policy and the Statutes of the European Green Party;
    - 6.3.5.10. be responsible for the political agenda of the European Green Party and adopt policy papers and resolutions;
    - 6.3.5.11. elect the Committee and other representatives of the European Green Party, such as the Finance Advisory Board; the Conciliation Panel; the European Green Party representatives to the Global Greens Coordination; the European Green Party representatives to the GEF General Assembly;
    - 6.3.5.12. advise the Green Group in the European Parliament on their decisions on the admission of MEPs who do not belong to a Member of the European Green Party, after consultation with the national Green party concerned;
    - 6.3.5.13. decide on the liquidation of the European Green Party;
    - 6.3.5.14. decide the place and date of Congresses.

- 6.3.6. All Members have the right to participate in the political discussions of the Council of the European Green Party.
- 6.3.6.1. Each Full Member has a minimum entitlement of one vote at the Council.
- 6.3.6.2. The Full Member is entitled to one additional vote for each of the following thresholds reached during the last National or European elections: 150 000 votes; 400 000 votes; 800 000 votes; 1 200 000 votes; 1 600 000 votes; 2 000 000 votes and every additional million votes.
- 6.3.6.3. The Full Member is entitled to a supplementary vote for each of the following thresholds reached during the last National or European elections: 4 %, 8 %, 12 %, 16 % and 20 %.
- 6.3.6.4. Each Full Member has a minimum entitlement of two delegates to achieve gender balanced participation.
- 6.3.6.5. Full Members are entitled to 2 additional delegates if their total number of votes is 4 or more or to 4 additional delegates if their total number of votes is 8 or more.
- 6.3.6.6. Allocation of votes and delegates for Multiple Full Members
- 6.3.6.6.1. For those countries with more than one Full Member in the European Green Party, the rules of article 6.3.6.1 to 6.3.6.5 are applied as follows:
- Election results for regional parliaments are not used for the allocation system in the European Green Party.
  - The additional voting rights based on absolute numbers of votes as allocated under article 6.3.6.1 to 6.3.6.3 apply to each Full Member.
- 6.3.6.6.2. For the additional voting rights based on National and European % election results, the following system is used to give effect to the provisions of article 6.3.6.1 to 6.3.6.5:
- the highest national or European % election result of both Members are calculated together and that sum is used for the allocation system. The additional voting rights are distributed to the Full Member with the highest % electoral result.
  - in the case of Full Members which are regional parties these additional voting rights are proportionally distributed among those Members based on the highest % electoral results those Members have in the area where they run respectively.
- 6.3.6.7. Where Full Members participate in an electoral alliance or coalition, their votes will be calculated in proportion to the Green votes in the total votes of the alliance/coalition based on the seats gained respectively by the alliance and the Full Member.
- 6.3.6.8. Adjustments to the number of delegates and votes shall be made immediately following elections, whose results change them.
- 6.3.6.9. The highest result reached in the last national or European elections is used for calculating the number of votes and delegates.
- 6.3.6.10. In addition to Full Members, the Green Group in the European Parliament and the FYEG have the right to four delegates each and to four votes each within the Council.
- 6.3.7. A quorum of a simple majority of the Allocated Votes shall be present before each voting session can take place.
- 6.3.8. Voting shall be by two-thirds majority vote of the votes cast with the exception of:
- changes to the Rule Book, withdrawal of speaking, voting or participation rights in EGP meetings, withdrawal of access to information, which shall require a two-thirds majority of the Allocated Votes; and
  - admission of members, suspension and expulsion of members, changes to the Articles 6.5 and 6.6 of the Rule Book, changes to the EGP Statutes, liquidation of the EGP, which shall require a three-quarters majority of the Allocated Votes.

- amendments to resolutions and to other documents, election of Committee members, which shall require a simple majority of the votes cast.

6.3.9. Where EU provisions for the European political parties require decisions to be made only by Member Parties in the EU countries, the European Green Party will comply by consulting all Members and then taking a decision by vote of those Full Members in the EU countries.

6.3.10. All delegates from one Member or from the GGEP or the FYEG constitute a delegation.

#### 6.4. **Congress**

6.4.1. The Congress is an enlarged meeting of the Council, which shall be convened by a decision of the Council and which meets at least once every 5 years.

6.4.2. The composition of delegations for Congress meetings is based on the principle of a minimum of four delegates per Member. The allocation of votes for Full Members is based on their size and other criteria. In addition, GGEP and FYEG have the right to appoint six delegates each to Congress and have the right to six votes each.

6.4.2.1. Allocation of Congress delegates shall be as follows:

- The Congress consists of 400 delegates allocated proportionally.
- Each Member shall have at least four delegates.
- The delegates will be allocated according to two principles:
  - 50 % of the 400 delegates are proportionally divided according to the highest number of votes which the Member gained in the last national or last European elections. Votes above 2 million are divided by 4 for this calculation;
  - the other 50 % of the 400 delegates are proportionally divided according to the highest percentage reached in the last national or last European elections.

6.4.2.2. Where Members participate in an alliance or coalition their votes will be calculated in proportion to the Green votes in the total votes based on the seats gained respectively by the alliance and the EGP Member.

6.4.2.3. Members which do not qualify for a minimum of four seats via the proportionally allocated delegates shall be allocated additional seats (above the 400).

6.4.3. The rules regarding the conduct and proceedings of the Congress are to be voted on at the Council preceding the Congress in so-called Congress regulations. Furthermore, the preceding Council shall vote on the proposed allocation of delegates. Each Congress the Committee will appoint several experienced party members into a Congress Presidium which will be responsible for the correct proceedings and regulations during the Congress and which will allocate the speaking time in cooperation with the Chair and the Co-Chair. The Committee will propose the Congress Presidium to the Council preceding the Congress.

6.4.4. With regards to voting, the quorum and voting rules are applied in the same way as in Council, the Congress being an enlarged Council.

#### 6.5. **Committee**

6.5.1. The Committee is responsible for the permanent political representation of the European Green Party, it is entitled to make political statements on behalf of the European Green Party based on the Council's decisions and the political agenda of the European Green Party and is politically responsible to the Council.

The Committee is responsible for the execution of the Council's decisions, the activities of the European Green Party office, the day to day management of the European Green Party and its finances within the budget and the guidelines approved by the Council.

6.5.2. The Committee consists of nine members elected by Council:

6.5.2.1. one female Co-Chair,

- 6.5.2.2. one male Co-Chair,
- 6.5.2.3. the Secretary-General,
- 6.5.2.4. the Treasurer,
- 6.5.2.5. five further persons.
- 6.5.3. The Committee meets at least 6 times per year in person or by telecommunication means. It works in a consensual way and takes decisions by a simple majority vote.
- 6.5.4. On the proposal of one-third of the Full Members, any member of the Committee can be suspended or dismissed by the Council by a two thirds majority of the votes cast after debate in Council where the member is given adequate opportunity to present her/his case
- 6.5.5. In case of resignation or of dismissal of a member of the Committee, an election to replace the member will take place at the following Council meeting. The person elected will stay in office for the period coinciding with the end of term of all the other Committee members. This period does not count towards the cumulative period of their mandate.
- 6.5.6. In the case of resignation or incapacity of the Secretary-General, the Committee shall appoint (from its body) a Secretary-General ad interim within one month. This replacement shall continue in place until the election of a new Secretary-General at a subsequent Council meeting or until the Secretary-General is able to resume her/his duties. In the case of resignation, the timetable for election shall be advertised by the Committee within six weeks. The Council must make its decision within six months of the resignation/death/incapacity of the Secretary-General.
- 6.5.7. Committee members have no voting rights at the Council.
- 6.5.8. Each candidate must be nominated by a Full Member and supported by at least two other Full Members.
- 6.5.9. All nominations must specify the particular post for which the candidate is being proposed (i.e. Secretary-General, Co-Chair, Treasurer or a Committee Member). Each Full Member may nominate and support several candidates. Nominations shall be accompanied by a brief introduction of the candidate which will be distributed to the Members with the final list of candidates.
- 6.5.10. All nominations, letters of support and any additional material must reach the Secretariat two months prior to the meeting at which the election takes place.
- 6.5.11. All posts will be voted on separately.
- 6.5.12. If one candidate gains more than 50 % of the votes cast in the first round, the person is elected. Should no candidate gain more than 50 % of the first round vote, a second round will be run between the two highest scoring candidates. The candidate who receives more than 50 % of the votes cast in the second round is elected.
- 6.5.13. The order of voting:
  - 1. female Co-Chair
  - 2. male Co-Chair
  - 3. Secretary-General
  - 4. Treasurer
  - 5, 6, 7, 8, 9 further Committee Members



- 6.5.14. Unsuccessful candidates for the designated posts in rounds 1-4 may present themselves for election as further Committee Members in rounds 5-9. If so, their candidacy must be renewed by their main nominating Full Member, supported by two other Full Members, before voting in round 5 begins. In rounds 6 and subsequently all previously unsuccessful candidates will be automatically entered in the elections for the remaining positions unless withdrawn by the candidate her/himself.
- 6.5.15. The gender balance will be monitored after each vote, and the Chair will inform the Council on the gender balance requirement in the remaining posts.
- 6.5.16. Geographical balance of Member Parties in the Committee is recommended.

#### Article 7

##### **The Finance Advisory Board (FAB)**

- 7.1. The Council shall elect a Finance Advisory Board of 3 persons to work with the Treasurer and the Committee to supervise the financial management of the European Green Party, including its accountability and financial transparency and to give advice to the Council and the Committee of the European Green Party as well as to its Members on these matters. The Board shall also report to Council annually on whether the European Green Party has acted in accordance with the Statutes and Rule Book.
- 7.2. The composition of and regulations for the Finance Advisory Board are further defined in the Rule Book.

#### Article 8

##### **The Conciliation Panel**

- 8.1. The Council shall elect a Conciliation Panel consisting of a minimum of 5 persons to assist in settling disputes between Members, persons and/or bodies of the EGP on issues relating to the interpretation of these Statutes or the Rule Book or other operational matters. The Panel shall report to Council with recommendations and Council shall determine the appropriate course of action. All persons and bodies of the European Green Party shall be bound by the outcome of this process.
- 8.2. The composition of and regulations for the Conciliation Panel are further defined in the Rule Book.

#### Article 9

##### **Accounts and Budget**

- 9.1. Annually, the Treasurer shall prepare the annual accounts and the budget; and present these to the Committee and the Finance Advisory Board in order to finalize them. The finalized annual accounts and budget will be submitted to the Council for approval. In this respect, the Council will hear the Finance Advisory Board. The annual accounts are audited by an auditor that is mandated by the European Parliament. The audit report will be communicated to the subsequent Council.
- 9.2. The bookkeeping is conducted in accordance with the international accounting standards defined in Article 2 of Regulation (EC) No 1606/2002.

#### Article 10

##### **Donation Policy**

- 10.1. The EGP will publish a list annually, specifying both donor and donation, for all donations exceeding 1 000 EUR per donor or per online donation, except during election campaigns to the European Parliament or for donations exceeding 3 500 EUR, where publication will take place immediately on the EGP website.
- 10.2. European Green Party does not accept:
- Anonymous donations or contributions including from companies without transparent ownership.
  - Donations exceeding 18 000 EUR per donor per annum.
  - Donations from the budgets of political groups in the European Parliament.

- Donations from any undertaking over which the public authorities may exercise directly or indirectly a dominant influence by virtue of their ownership of it, their financial participation therein, or the rules which govern it.
- Donations from any public authority from a third country, including any undertaking over which the public authorities may exercise directly or indirectly a dominant influence by virtue of their ownership of it, their financial participation therein, or the rules which govern it.

10.3. Any donation that is not permitted under Regulation of the European Parliament and of the Council on the statute and funding of European political parties and European political foundations will, within 30 days following the date it is received by the European political party or the European political foundation:

- Be returned to the donor or any person acting on the donor's behalf, or,
- Be reported to the European Parliament and entered as general revenue in the European Parliament section of the Budget, when it is not possible to return it.

#### Article 11

##### **Privacy and Protection of Personal Data**

11.1. The European Green Party processes personal data of supporters and participants on the basis of their consent under the Directive 1995/46/EC as well as the Belgian Privacy Act of 8 December 1992. Personal data is securely stored and not shared or disclosed to third parties without the consent of the data subject, unless this is necessary for the compliance with a legal obligation. The name and function of donors who donate over 1 000 EUR per year and of participants of the EGP Council meetings will be published. Data subjects have in particular the right to access their data and to request erasure or rectification.

#### Article 12

##### **Legal liability and representation**

- 12.1. The Committee is legally liable for actions of the European Green Party within the limits of the laws of the country where the official seat of the European Green Party is situated in accordance with Article 2 hereof.
- 12.2. Contracts on behalf of the European Green Party normally require a single signature of a Co-Chair, the Secretary-General or the Treasurer.
- 12.3. The persons specified in Article 9.2 hereof may represent the European Green Party and defend its interests in court and act as its legal representatives in any jurisdiction.
- 12.4. The European Green Party may appoint a special proxy holder, and is legally bound by acts of such person within the limits of their power of attorney.

#### Article 13

##### **Liquidation**

- 13.1. Upon a proposal to the Council by the Committee or by a minimum of one third of the Full Members, the Council may decide upon the dissolution and liquidation of the European Green Party provided the proper proceedings have been complied with. The decision by the Council to liquidate the European Green Party must be made by a three-quarters majority of the Allocated Votes.
- 13.2. As from the moment the decision of dissolution is taken, the European Green Party is required to mention at all times that it is 'in dissolution'.
- 13.3. Upon dissolution, the Council shall decide on (i) the appointment, the powers and the remuneration of the liquidator(s), (ii) the methods and procedures of the liquidation. All such decisions have to be duly filed at the clerk's office of the competent Commercial Court and published in the Annexes to the Moniteur Belge in line with the applicable legislation.
- 13.4. In the event that European legislation provides for a different legal status for political parties and the Council of the European Green Party decides to adopt such a status, the financial and other assets of the European Green Party shall be transferred to the new legal entity.

- 13.5. In the event of the final liquidation of the European Green Party, after the settlement of contractual obligations to staff and other obligations, the remaining financial and other assets shall be transferred to the Green European Foundation.

Article 14

**Additional Provisions and changes to the Statutes**

- 14.1. The Council shall adopt a Rule Book containing detailed rules for the functioning, management and operations of the European Green Party and the composition of its bodies in accordance with these Statutes.
- 14.2. Changes to these Statutes may only be made by Council voting with a three-quarters majority of the Allocated Votes. Changes to the Rule Book may only be made by Council voting with a two-thirds majority of the Allocated Votes with the exception of the Articles 6.5 and 6.6, which require a three-quarters majority of the Allocated Votes.
- 14.3. All changes to the present Statutes must be formalised in accordance with the provisions of Title III of the Belgian law of 27 June 1921 on non-profit associations, foundations and European political parties and foundations.
- 14.4. Any omissions to the present Statutes are covered by the law of 27 June 1921 governing non-profit associations, foundations and European political parties and foundations.
- 14.5. Matters related to the application of the present Statutes shall be determined by the courts of Brussels or by arbitration and the laws of Belgium shall apply.
- 14.6. In the event of divergence or of doubt between these statutes in French and the original version in English, the English language version prevails.
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*Annex A***The Charter of the European Greens**

## European Green Party Guiding Principles

Adopted at 2nd EGP Congress, Geneva, 13-14 October 2006

**Who we are**

The European Greens proudly stand for the sustainable development of humanity on planet Earth, a mode of development respectful of human rights and built upon the values of environmental responsibility, freedom, justice, diversity and non-violence.

Green political movements emerged in Europe while the continent was divided by the Cold War and amidst the energy crises of the mid-seventies. At that time, it became clear that the pattern of economic development was unsustainable and was putting the planet and its inhabitants in grave environmental, social and economic dangers. Existing political parties were incapable of dealing with this challenge.

Our origins lie in many social movements: environmentalists and anti-nuclear activists concerned with the growing damages to our planet; non-violent peace activists promoting alternative ways to resolve conflicts; feminists, struggling for real equality between women and men; freedom and human rights movements fighting against dictatorial and authoritarian regimes; third-world solidarity movements supporting the end of colonization and more economically balanced relations between the North and the South of our planet; activists campaigning against poverty and for social justice within our own societies.

From these origins, European Greens have come together to form our own political family. We stand for a free, democratic and social Europe in a peaceful, equitable and environmentally sustainable world. We defend values like justice, human and citizen's rights, solidarity, sustainability and the right of each individual to lead their own lives, free from fear.

From the beginning, Greens have advocated thinking globally and acting locally. To develop cooperation at European level, a coordination body was founded in 1984, transforming itself in 1993 into the European Federation of Green Parties. In 2004, underlining the objective of a deeper cooperation, the Federation was transformed again into the European Green Party. European Greens are part of a thriving global Green movement.

**Guiding principles**

The guiding principles which provide the framework to the political actions by the member parties of the European Green Party can be defined as follows:

**I. Environmental Responsibility**

Taking responsibility for our biosphere is a central tenet of Green values. Society depends on the ecological resources and the health and resilience of the planet, and we bear an over-riding obligation to future generations to protect this inheritance.

We advocate strongly the need to live within our ecological means. We must maintain biological diversity and combat global warming through sustainable use of renewable resources and the careful husbandry of non-renewable resources. The responsible use of bio-diversity is of critical importance for meeting the food, health and other needs of the growing world population. But beyond any notion of utility, Greens believe that each of the diverse species of life on our planet has an intrinsic value and beauty and therefore deserves to be protected.

Our European pattern of production, consumption and commerce are contributing to the continued poverty of the majority of the planet's inhabitants and causing severe environmental degradation and climatic instability. Industrialised and industrialising countries can no longer postpone action to respond to these challenges. The urgent need to change these patterns necessarily means a profound adjustment process if we are to reverse this damaging exploitation of our common home.

The political challenge facing us is the task to restructure the global agenda so that economic and trade policies serve social and environmental objectives and not just economic indices. Our answer is sustainable development, which integrates environmental, social and economic objectives for the benefit of all. Sustainable development can only be achieved through global cooperation to overcome the economic contradictions between the developing countries, the emerging economies and the industrialised world. Every citizen of the world has the same right to a fair share of the world's resources and also bears the same obligation to ensure that future generations can enjoy the same benefits.

Greens always seek to apply the precautionary principle. We will not support measures which present potential threats to human health or environmental well-being. But neither will we accept delay in implementation of new precautionary measures solely on the ground that scientific studies are not sufficiently numerous. Whatever the domain, - peace, energy, food and agriculture, life sciences, transport, technology, medicine, - decisions and action must systematically follow the least harmful option.

Specifically as regards nuclear energy, Greens stand for a nuclear-free Europe, because of the civil and military threats it poses, because of the burden it puts onto the future generations and because of the security apparatus it needs. For Greens, the priority is to develop decentralized and renewable alternative energies.

## **II. Freedom through Self-Determination:**

### **Individual autonomy**

We Greens believe all human beings — regardless of sex, age, sexual orientation or identity, ethnic origin or disability- have the right to make their own choices, to express themselves freely and to shape their own lives. This freedom is not exclusively about material possessions; it includes the social, cultural, intellectual and spiritual dimensions of human life.

These inalienable rights should be guaranteed by law and taught in schools as basic foundations of our societies. They should be fulfilled by empowerment of the people, by the opportunity for all women and men to make a living for themselves and their families and, where necessary, by social and material support, sufficient to lead a dignified life and to fully participate in society. Where these rights are lacking, we Greens will fight for them, proposing solidarity, education, development cooperation and protection from violence, oppression, and discrimination.

### **Inclusive democracy**

Our belief in democracy is founded upon the mutual recognition of all individuals as equals. To encourage a maximum level of commitment, the political and decision-making processes have to be democratic, inclusive, transparent and fully accessible in a way comprehensible to ordinary citizens. The radical changes needed for sustainable development require that all take a common responsibility and a fair share of the burden. Elected representatives have the duty to consult and fully inform their constituents throughout the whole decision making process.

We must always think globally, even whilst acting locally. To ensure the highest level of citizens' involvement and benefit, the authority to decide should be vested in the lowest effective level. Conversely, whenever a problem requires action on a higher level, the consequences for the lower levels should be taken into account and differences respected. Minority interests must be given adequate attention and protection.

We are committed to strengthening democracy throughout Europe, at local, regional, national and supra-national levels. We want to strengthen the democratic responsibility and accountability of multi-lateral institutions.

## **III. Extending Justice:**

Green policies are based on the principle of justice. This demands a fair distribution of society's goods and this, in turn, requires special attention to the needs of the weakest. Attention to the weakest is especially of importance at the global level, where Europe has a specific responsibility to stimulate economic growth in the developing countries. Because we have to address the problems of a changing world, our notion of justice goes far beyond traditional redistribution policies. Greens stand for social justice, for gender equity, for justice between generations, and for justice at the global level. Despite the practical conflicts arising between them, these dimensions of justice must not be played off against each other.

**Social justice** ensures that everyone has access to vital societal resources: education, work and democratic participation. Fair access must be defended in the face of existing social imbalances, and needs to be institutionally safeguarded. Education is a decisive factor in the ability to shape one's own life. Using our labour skills enables us to bear the fruits of our abilities and thus defines a key part of our identity. Democratic participation is a basic requirement for becoming involved in society and helping to shape it.

**Gender equity.** Justice is also gender equity. Women and men should enjoy the same power to define how society will develop. Moreover, they should be able to live their lives free from violence. We Greens want to develop the institutional framework which guarantees women equality at home, at work, in public office and in other positions of influence. We want to facilitate the harmonisation of family and professional life for both genders.

**Justice between the generations.** The motto 'We have only borrowed the world from our children' is more appropriate today than ever before. Today, our children's future is at risk. Justice between generations means an obligation for the older generation to hand down our environmental, social and cultural heritage to the younger ones in a sustainable way. It also includes an obligation for the younger generations to care for the elder population. It should be ensured that all generations can participate fully in society.

**Global justice.** Justice is also our yardstick on the international level. As the global economy connects people and increases our interdependence, this moral obligation also becomes a practical imperative. Worldwide sustainable development and universal human rights are at the core of our concept of global justice. These must be underpinned by an independent institutional monitoring framework for corporate social responsibility and fair trade.

Justice requires solidarity, non-discrimination and citizens' involvement. Solidarity helps create self-confident individuals — it strengthens citizens instead of patronising them. All public authorities should work in partnership with citizens to create and defend institutions that enhance solidarity. For this reason we also want to invest in networks and communities, which, with state encouragement, practice mutual support.

#### IV. Diversity, an Indispensable Condition

The richness of civilisations, societies, and cultures has developed through diversification. We Greens are ourselves the result of the merging of a host of social movements, and we believe diversity is a condition for success, survival even, in almost every field of activity. Diversity increases the resilience of organisations and groups whenever they are confronted with unexpected changes. It is a safeguard against intolerance, extremism and totalitarianism. And it is an indispensable source of inspiration and renewal.

Human diversity has many dimensions: gender, social, cultural, spiritual, philosophical, religious, linguistic, economic, ethnic, sexual, regional. These may be expressed by individuals or by social groups. We cherish this diversity. It should however never be used as a pretext for questioning universal rights.

Where people share the same limited space, differences may easily be perceived as threats. Even in the smallest community, the strong tend to make use of their dominant role whereas the weak often find themselves pushed to conform. Safeguarding diversity therefore requires recognition, mutual understanding and respect – and, only too often, active protection.

#### V. Non-Violence

Non-violence forms a key part of the philosophical background of Green theories and conditions our approach to all problems. No lasting solution to any conflict between individuals, social groups or States can be imposed by force. A basic green principle is that the means used to achieve an objective must be compatible with the objective itself. So the political search for justice and peace cannot be achieved by violent means.

Violence is not just physical. Human actions and global economic structures can deprive people of their human rights and exacerbate social injustice. Poverty is perhaps the most insidious form of violence. To eliminate poverty, we promote international bodies that aim at economic equity and put people's livelihoods and security first, as well as binding global rules for the protection of human rights.

Insofar as armed conflicts are concerned, we are convinced that the use of army or police forces as an isolated strategy cannot be successful in the long run. Greens want to see less military intervention and the implementation of the concept of a civil foreign and security policy. This requires the development of powerful tools for conflict prevention and civil conflict management.

Nevertheless Greens recognise that military means may be called upon by the international community as a last resort. Where there is a threat of mass violence against civilians, deployment of peace-keeping military forces may be justified as a deterrent. When preventative measures have failed, armed intervention may be necessary. Recourse to military means will be subject to the rule of international law and is only legitimate if the following conditions are met:

- the existence of an explicit mandate of the UN Security Council;
- the agreement to the primary objective of intervening in order to save and protect lives through preventing violence;
- the existence of a political strategy defining how such military intervention should end and a peaceful and stable situation be established.

#### VI. To sum it up, Sustainable Development

Greens recognize that the values of environmental responsibility, freedom, justice, diversity and non-violence can be – and are to some extent – shared by other political families. What defines Greens is that we consider these values as interdependent and inseparable. As a whole, they determine all our actions directed towards the sustainable social, cultural, environmental and economic development of our societies on planet Earth. We apply them not only to our external policies but to our own political conduct as well as to the organisation of our own party.

Europeans were the pioneers of the process of industrialization which is at the heart of some of our worst global problems. As citizens of one of the wealthiest continents on Earth, we Europeans carry a major responsibility for the reversal of the destructive trends it has generated and for initiating an alternative and sustainable development model. The scope of the issues at stake is such that it is beyond the powers of any single state to achieve this aim. Therefore we need cooperation in which all of Europe — from Dublin to Tbilisi, from Helsinki to Lisbon, from Ankara to Reykjavik — will be able to participate.

The European Union is well placed to facilitate this cooperation, providing that:

- a) it remains open for further enlargements;
  - b) it restructures itself into a truly democratic institution,
  - c) it reorients its priorities towards an environmentally and socially sustainable model of development and
  - d) it assumes its global responsibilities, under the United Nations, and in cooperation with other valuable institutions such as the OSCE and the Council of Europe, for a peaceful and sustainable world.
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## Annex B

**Membership List**List of the **Full Members** of the EGP – 31 March 2017

Country	Party	Status
Albania	Partia e Gjelber	Full Member since 2008
Andorra	Verds D'Andorra	Full Member since 2010
Austria	Die Grünen	Full Member since 1993
Belgium	Ecolo	Full Member since 1993
Belgium	Groen	Full Member since 1993
Bulgaria	Zelena Partija Bulgaria	Full Member since 1993
Bulgaria	Zelenite	Full Member since 2013
Cyprus	Cyprus Green Party	Full Member since 1998
Czech Republic	Strana Zelenych	Full Member since 1997
Denmark	Socialistisk Folkeparti/SF	Full Member since 2014
Estonia	Eestimaa Rohelised	Full Member since 1993
Finland	Vihreät — De Gröna	Full Member since 1993
France	Europe Ecologie — Les Verts/EELV	Full Member since 1993
Georgia	Sakartvelo's mtsvaneta partia	Full Member since 1993
Germany	Bündnis 90/Die Grünen	Full Member since 1993
Greece	Oicologoi-Prasinoi/Ecologist Greens	Full Member since 1994
Hungary	Lehet Más a Politika/LMP	Full Member since 2011
Ireland	Comhaontas Glas	Full Member since 1993
Italy	Federazione dei Verdi	Full Member since 1993
Latvia	Latvijas Zala Partija/LZP	Full Member since 2001
Luxembourg	déi gréng	Full Member since 1993
Malta	Alternattiva Demokratika – the Green Party	Full Member since 1993
Moldova	Partidul Verde Ecologist	Full Member since 2008
Netherlands	De Groenen	Full Member since 1993
Netherlands	GroenLinks	Full Member since 1993
Norway	Miljøpartiet De Grønne	Full Member since 1993
Poland	Zieloni	Full Member since 2005
Portugal	Partido Ecologista – Os Verdes	Full Member since 1993



Country	Party	Status
Romania	Partidul Verde	Full Member since 1999
Slovenia	Stranka mladih — Zeleni Evrope/SMS-Zeleni	Full Member since 2006
Spain	Iniciativa per Catalunya Verds/ICV	Full Member since 2006
Spain	EQUO	Full Member since 2016
Sweden	Miljöpartiet de gröna	Full Member since 1993
Switzerland	Grüne/Les Verts/I Verdi	Full Member since 1993
Ukraine	Partija Zelenykh Ukrainy/PZU	Full Member since 1993
United Kingdom	Green Party of England and Wales	Full Member since 1993
United Kingdom	Scottish Green Party	Full Member since 1994

List of **Associate Members** – 31 March 2017

Country	Party	Status
Azerbaijan	Azərbaycan Yaşıllar Partiyası	Associate member since November 2012
Belarus	Беларуская Партыя 'Зіялонье'	Associate member since May 2013
Russia	Зеленая Россия/Green Russia	Associate member since May 2013
Russia	GROZA	Associate Member since December 2016

List of **Candidate Members** – 31 March 2017

Country	Party	Status
Croatia	ORaH	Candidate member since November 2014
Macedonia	Democratic Renewal of Macedonia (DOM)	Candidate member since November 2015
Turkey	Yeşiller ve Sol Gelecek Partisi	Candidate member since November 2012

List of **Special Members** – 31 March 2017**AUT – Die Grünen, AUSTRIA (3)**

Ulrike LUNACEK (indirect)

Michel REIMON (indirect)

Monika VANA (indirect)

**BEL – Groen and ECOLO, BELGIUM (2)**

Philippe LAMBERTS, ECOLO (indirect)

Bart STAES, Groen (indirect)

**DEU – Bündnis 90/Die Grünen, GERMANY (11)**

Jan Philipp ALBRECHT (indirect)

Reinhard BÜTIKOFER (indirect)

Michael CRAMER (indirect)

Sven GIEGOLD (indirect)

Rebecca HARMS (indirect)

Martin HÄUSLING (indirect)

Maria HEUBUCH (indirect)

Barbara LOCHBIHLER (indirect)

Ska KELLER (indirect)

Terry REINTKE (indirect)

Helga TRÜPEL (indirect)

**DNK – SF – DENMARK (1)**

Margrete AUKEN (indirect)

**ESP – Iniciativa Catalunya-Verds and EQUO — SPAIN (2)**

Ernest URTASUN, Iniciativa Catalunya Verds (indirect)

Florent MARCELLESI, EQUO (indirect)

**FIN – Vihreät – De Gröna — FINLAND (1)**

Heidi HAUTALA (indirect)

**FRA – Europe Ecologie — Les Verts (EELV) - FRANCE (6)**

José BOVÉ (indirect)

Karima DELLI (indirect)

Pascal DURAND (indirect)

Yannick JADOT (indirect)

Eva JOLY (indirect)

Michèle RIVASI (indirect)

**GBR – The Green Party, England and Wales — UNITED KINGDOM (3)**

Jean LAMBERT (indirect)

Molly SCOTT CATO (indirect)

Keith TAYLOR (indirect)

**HRV – Independent – CROATIA (1)**

Davor ŠKRLEC (direct)

**HUN – Lehet Más a Politika and Párbeszéd Magyarországért – HUNGARY (2)**

Tamas MESZERICS, Lehet Más a Politika (indirect)

Benedek JÁVOR, Párbeszéd Magyarországért (direct)

**ITA – Independent – ITALY (1)**

Marco AFFRONTI (direct)

**LTU – Lietuvos valstiečių ir žaliųjų sąjunga – LITHUANIA (1)**

Bronis ROPE (direct)

**LUX – Déi gréng — LUXEMBOURG (1)**

Claude TURMES (indirect)

**NLD – GroenLinks – NETHERLANDS (2)**

Bas EICKHOUT (indirect)

Judith SARGENTINI (indirect)

**SVN – Party Verjamem – SLOVENIA (1)**

Igor ŠOLTES (direct)

**SWE – Miljöpartiet de gröna — SWEDEN (4)**

Max ANDERSSON (indirect)

Bodil VALERO (indirect)

Linnéa ENGSTRÖM (indirect)

Jakop DALUNDE (indirect)

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## Annex C



## Charter of the global Greens

As adopted in Canberra 2001 and updated in Dakar 2012

The Global Greens is the international network of Green parties and political movements

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## Preamble

**We, as citizens of the planet and members of the Global Greens,**

*United* in our awareness that we depend on the Earth's vitality, diversity and beauty, and that it is our responsibility to pass them on, undiminished or even improved, to the next generation

*Recognising* that the dominant patterns of human production and consumption, based on the dogma of economic growth at any cost and the excessive and wasteful use of natural resources without considering Earth's carrying capacity, are causing extreme deterioration in the environment and a massive extinction of species

*Acknowledging* that injustice, racism, poverty, ignorance, corruption, crime and violence, armed conflict and the search for maximum short term profit are causing widespread human suffering

*Accepting* that developed countries through their pursuit of economic and political goals have contributed to the degradation of the environment and of human dignity

*Understanding* that many of the world's peoples and nations have been impoverished by the long centuries of colonisation and exploitation, creating an ecological debt owed by the rich nations to those that have been impoverished

*Committed* to closing the gap between rich and poor and building a citizenship based on equal rights for all individuals in all spheres of social, economic, political and cultural life

*Recognising* that without equality between men and women, no real democracy can be achieved

*Concerned* for the dignity of humanity and the value of cultural heritage

*Recognising* the rights of indigenous people and their contribution to the common heritage, as well as the right of all minorities and oppressed peoples to their culture, religion, economic and cultural life

*Convinced* that cooperation rather than competition is a pre-requisite for ensuring the guarantee of such human rights as nutritious food, comfortable shelter, health, education, fair labour, free speech, clean air, potable water and an unspoilt natural environment

*Recognising* that the environment ignores borders between countries

and

*Building* on the Declaration of the Global Gathering of Greens at Rio in 1992

**Assert** the need for fundamental changes in people's attitudes, values, and ways of producing and living

**Declare** that the new millennium provides a defining point to begin that transformation

**Resolve** to promote a comprehensive concept of sustainability which

- protects and restores the integrity of the Earth's ecosystems, with special concern for biodiversity and the natural processes that sustain life
- acknowledges the interrelatedness of all ecological, social and economic processes
- balances individual interests with the common good
- harmonises freedom with responsibility
- welcomes diversity within unity
- reconciles short term objectives with long term goals
- ensures that future generations have the same right as the present generation to natural and cultural benefits

**Affirm** our responsibility to one another, to the greater community of life, and to future generations

**Commit** ourselves as Green parties and political movements from around the world to implement these interrelated principles and to create a global partnership in support of their fulfillment

## Principles

### **The policies of the Global Greens are founded upon the principles of**

#### ***Ecological Wisdom***

We acknowledge that human beings are part of the natural world and we respect the specific values of all forms of life, including non-human species.

We acknowledge the wisdom of the indigenous peoples of the world, as custodians of the land and its resources.

We acknowledge that human society depends on the ecological resources of the planet, and must ensure the integrity of ecosystems and preserve biodiversity and the resilience of life supporting systems.

This requires

- that we learn to live within the ecological and resource limits of the planet
- that we protect animal and plant life, and life itself that is sustained by the natural elements: earth, water, air and sun
- where knowledge is limited, that we take the path of caution, in order to secure the continued abundance of the resources of the planet for present and future generations.

#### ***Social Justice***

We assert that the key to social justice is the equitable distribution of social and natural resources, both locally and globally, to meet basic human needs unconditionally, and to ensure that all citizens have full opportunities for personal and social development.

We declare that there is no social justice without environmental justice, and no environmental justice without social justice.

This requires

- a just organization of the world and a stable world economy which will close the widening gap between rich and poor, both within and between countries; balance the flow of resources from South to North; and lift the burden of debt on poor countries which prevents their development.
- the eradication of poverty, as an ethical, social, economic, and ecological imperative
- the elimination of illiteracy
- a new vision of citizenship built on equal rights for all individuals regardless of gender, race, age, religion, class, ethnic or national origin, sexual orientation, disability, wealth or health

#### ***Participatory Democracy***

We strive for a democracy in which all citizens have the right to express their views, and are able to directly participate in the environmental, economic, social and political decisions which affect their lives; so that power and responsibility are concentrated in local and regional communities, and devolved only where essential to higher tiers of governance.

This requires

- individual empowerment through access to all the relevant information required for any decision, and access to education to enable all to participate
- breaking down inequalities of wealth and power that inhibit participation
- building grassroots institutions that enable decisions to be made directly at the appropriate level by those affected, based on systems which encourage civic vitality, voluntary action and community responsibility
- strong support for giving young people a voice through educating, encouraging and assisting youth involvement in every aspect of political life including their participation in all decision making bodies.

- that all elected representatives are committed to the principles of transparency, truthfulness, and accountability in governance.
- that all electoral systems are transparent and democratic, and that this is enforced by law
- that in all electoral systems, each adult has an equal vote
- that all electoral systems are based on proportional representation, and all elections are publicly funded with strict limits on, and full transparency of, corporate and private donations.
- that all citizens have the right to be a member of the political party of their choice within a multi-party system

### **Nonviolence**

We declare our commitment to nonviolence and strive for a culture of peace and cooperation between states, inside societies and between individuals, as the basis of global security.

We believe that security should not rest mainly on military strength but on cooperation, sound economic and social development, environmental safety, and respect for human rights.

This requires

- a comprehensive concept of global security, which gives priority to social, economic, ecological, psychological and cultural aspects of conflict, instead of a concept based primarily on military balances of power
- a global security system capable of the prevention, management and resolution of conflicts
- removing the causes of war by understanding and respecting other cultures, eradicating racism, promoting freedom and democracy, and ending global poverty
- pursuing general and complete disarmament including international agreements to ensure a complete and definitive ban of nuclear, biological and chemical arms, anti-personnel mines and depleted uranium weapons
- strengthening the United Nations (UN) as the global organisation of conflict management and peacekeeping
- pursuing a rigorous code of conduct on arms exports to countries where human rights are being violated.

### **Sustainability**

We recognise the limited scope for the material expansion of human society within the biosphere, and the need to maintain biodiversity through sustainable use of renewable resources and responsible use of non-renewable resources.

We believe that to achieve sustainability, and in order to provide for the needs of present and future generations within the finite resources of the earth, continuing growth in global consumption, population and material inequity must be halted and reversed.

We recognise that sustainability will not be possible as long as poverty persists.

This requires

- ensuring that the rich limit their consumption to allow the poor their fair share of the earth's resources
- redefining the concept of wealth, to focus on quality of life rather than capacity for over-consumption
- creating a world economy which aims to satisfy the needs of all, not the greed of a few; and enables those presently living to meet their own needs, without jeopardising the ability of future generations to meet theirs
- eliminating the causes of population growth by ensuring economic security, and providing access to basic education and health, for all; giving both men and women greater control over their fertility
- redefining the roles and responsibilities of trans-national corporations in order to support the principles of sustainable development

- implementing mechanisms to tax, as well as regulating, speculative financial flows
- ensuring that market prices of goods and services fully incorporate the environmental costs of their production and consumption
- achieving greater resource and energy efficiency and development and use of environmentally sustainable technologies
- encouraging local self-reliance to the greatest practical extent to create worthwhile, satisfying communities
- recognising the key role of youth culture and encouraging an ethic of sustainability within that culture.

### ***Respect for Diversity***

We honour cultural, linguistic, ethnic, sexual, religious and spiritual diversity within the context of individual responsibility toward all beings.

We defend the right of all persons, without discrimination, to an environment supportive of their dignity, bodily health, and spiritual well-being

We promote the building of respectful, positive and responsible relationships across lines of division in the spirit of a multi-cultural society.

This requires

- recognition of the rights of indigenous peoples to the basic means of their survival, both economic and cultural, including rights to land and to self determination; and acknowledgment of their contribution to the common heritage of national and global culture
- recognition of the rights of ethnic minorities to develop their culture, religion and language without discrimination, and to full legal, social and cultural participation in the democratic process
- recognition of and respect for sexual minorities
- equality between women and men in all spheres of social, economic, political and cultural life
- significant involvement of youth culture as a valuable contribution to our Green vision, and recognition that young people have distinct needs and modes of expression.

### **Political Action**

#### **1. *Democracy***

- 1.0. The majority of the world's people live in countries with undemocratic regimes where corruption is rampant and human rights abuses and press censorship are commonplace. Developed democracies suffer less apparent forms of corruption through media concentration, corporate political funding, systematic exclusion of racial, ethnic, national and religious communities, and electoral systems that discriminate against alternative ideas and new and small parties.

The Greens -

- 1.1. Have as a priority the encouragement and support of grassroots movements and other organisations of civil society working for democratic, transparent and accountable government, at all levels.
- 1.2. Actively support giving young people a voice through educating, encouraging and assisting youth participation in every aspect of political action.
- 1.3. Will strive for the democratisation of gender relations by promoting appropriate mediations to enable women and men equally to take part in the economic, political, social sphere.
- 1.4. Support the Organisation for Economic Cooperation and Development (OECD) Convention on Combating Bribery of Foreign Public Officials in International Business and urge non-parties to sign and ratify without further delay



- 1.5. Uphold the right of citizens to have access to official information and to free and independent media.
- 1.6. Will work for universal access to electronic communications and information technology, as minimum, through radio, community-based internet and email. We will also work to make access to these technologies as cheap as possible.
- 1.7. Uphold a just secular legal system that ensures the right of defence and practices proportionality between crime and punishment.
- 1.8. Support the public funding of elections, and measures to ensure all donations are fully transparent and accountable and are free from undue influence, whether perceived or otherwise.
- 1.9. Will challenge corporate domination of government, especially where citizens are deprived of their right to political participation.
- 1.10. Support the separation of powers between the executive, legislative and judicial systems, and the separation of state and religion.
- 1.11. Support the development and strengthening of local government.
- 1.12. Support the restructuring of state institutions to democratise and make them more transparent and efficient in serving the goal of citizens' power and sustainable development.
- 1.13. Support global governance based on the democratic principle of one person — one vote — one value, rather than by unelected corporate interests.

## 2. **Equity**

- 2.0. The differences in living standards and opportunities in the world today are intolerable. Third world debt is at an all time high of US\$3,7 trillion while Organisation of Economic Cooperation and Development (OECD) countries give just 0,31 % of GNP in aid. The richest 20 % of the world's population has 83 % of global income while the poorest 20 %, including nearly 50 % of the world's young people, share barely 1 % and 2,6 billion people live on less than US\$2 a day. 60 % of the world's poor are women. 130 million children never attend school while 800 million adults can neither read nor write, two-thirds of them women. Population growth has slowed but world population is projected to grow from 6,1 billion in 2000 to 8,9 billion in 2050, an increase of 47 %. Human Immunodeficiency Virus (HIV) and tuberculosis (TB) infections remain severe problems.

## The Greens -

- 2.1. Will work to increase government aid to developing countries, and support aid funding being directed to the poorest of the poor, with the priorities being determined through working with local communities.
- 2.2. Will work to improve the rights, status, education and political participation of women.
- 2.3. Commit ourselves to the goal of making high quality primary education universal by 2015 financed through increased aid and debt relief.
- 2.4. Will work towards cancellation of developing country debt especially in the poorest countries, and support the use of incentives to ensure that savings from debt relief are channelled into poverty reduction and environment conservation, and that transparent and accountable processes are in place with participation from affected communities.
- 2.5. See concerted action to combat the great pandemics including HIV-Aids, TB and malaria as a priority, especially in Africa, where a twofold effort is needed to allow general access to low cost and efficient therapies, and to restore economic progress, especially through education.
- 2.6. Recognise the right to compensation of those people that lose access to their natural resources through displacement by environmental destruction or human intervention such as colonisation and migration.
- 2.7. Will review the relationship between exclusive ownership of property and exclusive use of its resources, with a view to curbing environmental abuse and extending access for basic livelihood to all, especially indigenous communities.

- 2.8. Will work to ensure that all men, women and children can achieve economic security, without recourse to personally damaging activities such as pornography, prostitution or the sale of organs.
- 2.9. Will commit to work for more equal allocation of welfare and for creation of equal opportunities inside all our societies, recognising that there is a growing number of poor and marginalised people in developed countries also.
- 2.10. Understand that the current form of financialised neo-liberal capitalism aids the rich and is crisis prone. It contributes to growing inequality and dispossession of poor people
- 2.11. Will defend and promote the human, social and environmental rights of people of colour.

### 3. ***Climate change and energy***

- 3.0. The climate crisis is both greatest challenge facing the global community and the greatest opportunity for humanity to rethink how we live, in a way that is socially just and within the Earth's ecological limits. The Greens are committed to limiting global temperature rise to no more than 1,5 degrees above pre-industrial levels. Global emissions will need to peak well before 2020 to have a chance to stay within this temperature limit.

The Greens -

- 3.1. Adopt the target of limiting CO<sub>2</sub> levels in the atmosphere to 450 ppm in the shortest period possible.
- 3.2. Will work to support a rapid transition to zero carbon economies around the world.
- 3.3. Will work to establish an international emissions reporting framework for trans-national corporations, linked to global carbon taxes and global environmental loads.
- 3.4. Will work hard to ensure that developing countries have access to the most efficient, sustainable and appropriate technology, with a strong focus on renewable energy, and that they agree to Climate Change Conventions to ensure that actions are comprehensive and worldwide. The equity principle must be at the core of climate change negotiations and measures.
- 3.5. Oppose any expansion of nuclear power and will work to phase it out rapidly.
- 3.6. Will support a call for a moratorium on new fossil fuel exploration and development
- 3.7. Will work to stop deforestation and degradation of natural forests by 2020, noting that they are the most carbon rich ecosystems on the planet, vital to indigenous people, rich in plants and animals, and irreplaceable in any human time scale.
- 3.8. Promote tree planting of diverse species but not monocultures, as a short-term measure for carbon sequestration, with other benefits for the environment.
- 3.9. Promote the levying of taxes on non-renewable energy and support the use of funds raised to promote energy efficiency and renewable energy.
- 3.10. Support research into the use of sustainable energy sources and the technical development of ecological power production
- 3.11. Promote transfer of energy efficient technologies and green power infrastructure between and within countries and economies on a no-costs or minimal costs basis. This is one of the economic costs of the emissions to date by western countries.

### 4. ***Biodiversity***

- 4.0. Healthy ecosystems are essential to human life, yet we seem to have forgotten the relationship between nature and society. Extinction rates are 100 to 1000 times higher than in pre-human times. Only 20 % of the Earth's original forests remain relatively undisturbed. 80 % of fish stocks are already depleted or in danger of being overfished. Invasions by non-native plants, animals and diseases are growing rapidly. Habitat destruction and species extinction are driven by industrial and agricultural development that also exacerbates climate change, global inequity and the destruction of indigenous cultures and livelihoods. Agricultural monoculture, promoted by agribusiness and accelerated by genetic modification and patenting of nature, threatens the diversity of crop and domestic animal species, radically increasing vulnerability to disease.

## The Greens -

- 4.1. Will vigorously oppose environmentally destructive agricultural and industrial development and give primary effort to protecting native plants and animals in their natural habitat, and wherever possible in large tracts.
- 4.2. Will work to remove subsidies for environmentally destructive activities, including logging, fossil fuel exploitation, dam construction, mining, genetic engineering and agricultural monoculture.
- 4.3. Will promote ecological purchasing policies, for products such as wood, based only on the most rigorous definition of sustainability backed by credible labelling.
- 4.4. Support the concept of 'debt for nature' swaps, subject to the agreement of affected indigenous and local communities.
- 4.5. Will promote the repair of degraded natural environments, and the cleanup of toxic sites of former and existing military and industrial zones around the world.
- 4.6. Note that reducing the transport of goods around the world, in line with a preference for local production where possible, will have the added benefit of reducing 'bio-invasions', as well as reducing fossil fuel consumption and greenhouse gas emissions.
- 4.7. Commit to promote a global ecology curriculum for all levels of education.
- 4.8. Will work towards establishing an international court of justice specifically for environmental destruction and the loss of biodiversity where cases can be heard against corporations, national, states and individuals.
- 4.9. Will refuse to accept the patenting and merchandising of life.

5. ***Governing economic globalisation by sustainability principles***

- 5.0. Fifty-three of the 100 biggest economies in the world today are corporations. With the collusion of governments, they have created a legal system that puts unfettered economic activity above the public good, protects corporate welfare but attacks social welfare, and makes national economies subservient to a global financial casino that turns over \$US3 trillion per day in speculative transactions. The Global Financial Crisis has increased volatility and insecurity in all economies, with the most significant impact on poorer individuals, groups and countries. The IMF and the World Bank have contributed to this crisis rather than been part of the solution; the prerequisites on which they are based are not fit to create a global, sustainable and just economic system.

## The Greens -

- 5.1. Affirm that essentials of life, such as water, must remain publicly owned and controlled; and that culture, basic access to food, social and public health, education, and a free media are not 'commodities' to be subjected to international market agreements.
- 5.2. Support the creation of a World Environment Organisation by combining the United Nations Environment Program (UNEP), the United Nations Development Program (UNDP), and the Global Environment Facility (GEF) into a single institution with funding and power to impose sanctions to promote global sustainable development. The World Trade Organisation (WTO) should be subject to the decisions of this body.
- 5.3. Support serious reform of the World Bank and IMF so that their membership and decision-making are democratic, and their operations subservient to sustainability principles and to all international conventions on human and labour rights, and environmental protection.
- 5.4. Support serious reform of the WTO to make sustainability its central goal, supported by transparent and democratic processes and the participation of representatives from affected communities. In addition there must be separation of powers to remove the disputes settlement mechanism from the exclusive competence of the WTO. A sustainability impact assessment of earlier Negotiation Rounds is required before any new steps are taken.
- 5.5. Will work to prevent the implementation of new regional or hemispheric trade and investment agreements under the WTO rules but support countries' integration processes that assure people's welfare and environmental sustainability.

- 5.6. Will create a world environment where financial and economic institutions and organisations will nurture and protect environmentally sustainable projects that will sustain communities at all levels (local, regional, national and international).
- 5.7. Demand that international agreements on the environment, labour conditions and health should take precedence over any international rules on trade.
- 5.8. Will work to implement a Tobin-Henderson or Financial Transactions Tax and other instruments to curb speculative international currency transactions and help encourage investment in the real economy, and to create funds to promote equity in global development.
- 5.9. Will work to require corporations to abide by the environmental, labour and social laws of their own country and of the country in which they are operating, whichever are the more stringent
- 5.10. Will work to ensure that all global organizations, especially those with significant capacity to define the rules of international trade, firmly adhere to principles of sustainable development and pursue a training program of cultural change to fully realise this goal.
- 5.11. Want corporate welfare made transparent and subject to the same level of accountability as social welfare, with subsidies to environmentally and socially destructive activities phased out altogether.
- 5.12. Endorse the development of civic entrepreneurship to promote a community based economy as a way of combating social exclusion caused by economic globalisation.

## 6. **Human rights**

- 6.0. Denial of human rights and freedoms goes hand in hand with poverty and political powerlessness. Millions suffer discrimination, intimidation, arbitrary detention, violence and death. Three-quarters of the world's governments have used torture in the last three years.

### The Greens -

- 6.1. Endorse the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, International Labour Organisation (ILO) conventions, and other international instruments for the protection of rights and freedoms. We believe that these rights are universal and indivisible and that national governments are responsible for upholding them.
- 6.2. Condemn all dictatorships and regimes which deny human rights, regardless of their political claims
- 6.3. Will work with local communities to promote awareness of human rights, and to ensure that the UN Commission for Human Rights and other treaty bodies are adequately resourced.
- 6.4. Call for the Universal Declaration of Human Rights to be amended to include rights to a healthy natural environment and intergenerational rights to natural and cultural resources.
- 6.5. Uphold the right of women to make their own decisions, including the control of their fertility by the means they deem appropriate, free from discrimination or coercion; support the Convention on the Elimination of Discrimination Against Women (CEDAW); urge non-signatories to sign and ratify without further delay; and urge existing signatories to remove all reservations.
- 6.6. Support the right of indigenous peoples to self-determination, land rights, and access to traditional hunting and fishing rights for their own subsistence, using humane and ecologically sustainable techniques; and support moves for indigenous people to set up and work through their own international bodies.
- 6.7. Support the UN Declaration on the Rights of Indigenous Peoples as the minimum standard of protection accepted by indigenous peoples, and support moves for indigenous people to set up and work through their own international bodies.
- 6.8. Demand that torturers are held accountable, and will campaign for them to be brought to justice, in their own countries or elsewhere, before an international panel of judges serving under the auspices of the International Criminal Court.

- 6.9. Oppose any violation of the physical integrity of the individual by torture, punishment or any other practices including traditional and religious mutilation.
- 6.10. Demand that the death penalty be abolished worldwide.
- 6.11. Call for governments to ensure that all asylum-seekers, whether they are victims of state violence or independent armed groups, are correctly treated in accordance with the 1951 Geneva Convention on the Rights to Asylum; have access to fair processes; are not arbitrarily detained; and are not returned to a country where they might suffer violations of their fundamental human rights, or face the risk of death, torture, or other inhuman treatment.
- 6.12. Call for the prohibition of collective expulsion.
- 6.13. Uphold the right of all workers to safe, fairly remunerated employment, with the freedom to unionise.
- 6.14. Support the right of children to grow up free from the need to work, and the establishment of a lower age limit for working children/adolescents.
- 6.15. Demand decriminalisation of homosexuality, and support the right of gay and lesbian people to their lifestyle, and the equal rights of homosexual relationships.
- 6.16. Will work to improve the opportunities of disabled people to live and work equally in society, including true political participation.
- 6.17. Support the right of linguistic minorities to use their own language.

## 7. **Food and water**

- 7.0. Hundreds of millions of people remain undernourished, not because there is insufficient food but because of unequal access to land, water, credit and markets. Genetically modified organisms (GMOs) are not the solution, because the immediate problem is not production but distribution. Moreover, GMOs pose unacceptable risks to the environment, independent smaller farmers, and consumers, as well as to the biodiversity that is our best insurance against agricultural disaster. Water shortages loom, both in above-ground systems and subterranean aquifers. Deforestation of catchments takes a devastating toll in landslides and floods, while desertification and degradation rapidly are expanding. One bright spot is the rapid growth of organic agriculture.

## The Greens -

- 7.1. Consider that access to clean water for basic needs is a fundamental right and oppose the privatisation of water resources and infrastructure.
- 7.2. Will work to eliminate water subsidies, other than social subsidies, and to make water use more efficient.
- 7.3. Will work to ensure that fresh water and underground water resources are conserved in quality and quantity and appropriately priced to ensure these resources are adequately protected from depletion
- 7.4. Consider that the stability of catchments and the health of river systems is paramount, and will work with the people directly affected to stop the degradation of rivers, including new large dams and irrigation projects, and deforestation of catchments.
- 7.5. Will work with local communities in arid and semi-arid regions, where climate is dominated by uncertainty, to reduce land degradation.
- 7.6. Express their concern for countries that have been hard hit by desertification and deforestation, and ask the countries that have not yet done so to ratify the UN Convention of Desertification, and make the necessary resources available to enact this Convention.
- 7.7. Will support and promote organic agriculture.
- 7.8. Call for a worldwide ban on the commercial growing of genetically modified crops.
- 7.9. Will work to ensure that food is safe, with stringent regulations on production, storage and sale.

- 7.10. Will work to ensure that scientific research is conducted ethically and applied in accordance with the precautionary principle.
- 7.11. Call for a phase out of all persistent and bio-accumulative man-made chemicals and to work to eliminate all releases to the environment of hazardous chemicals.
- 7.12. Will work to ensure that animal growth hormones are banned, and stringent regulations governing the use of antibiotics on animals are enforced.
- 7.13. Will work to ensure the humane treatment of all animals during breeding, transport and slaughter and will ensure animal welfare.
- 7.14. Will work towards ensuring the effect of erosion, floods and other environmental hazards are ameliorated and that appropriate adaptation measures are implemented.

#### 8. ***Sustainable planning***

- 8.0. Consumption in industrialised countries is excessive by any measure, and largely responsible for environmental decline. Newly industrialising countries are also increasing their consumption, which will add significantly to the ecological pressure. Changing to a green economy — which mimics ecological processes, eliminates waste by re-using and recycling materials, and emphasises activities that enhance the quality of life and relationships rather than the consumption of goods — brings a promise of new jobs, industries with less pollution, better work environments and a higher quality of life.

#### The Greens -

- 8.1. Promote measures of well-being rather than GDP to measure progress, and recognise the ecological limits to material growth and consumption.
- 8.2. Consider that citizens of countries affected by a development project have the right to participate in decisions about it, regardless of national boundaries.
- 8.3. Will work to ensure that those who profit from exploiting any common and/or natural resources should pay the full market rent for the use of these resources, and for any damage they do to any other common resources.
- 8.4. Recognise that the impact of continuing urban growth (sprawl) onto agricultural land and the natural environment must be limited and ultimately stopped
- 8.5. Recognise that the process of urbanisation due to rural poverty must be slowed and reversed through appropriate rural development programs which protect the character and ecology of the rural landscape.
- 8.6. Support local planning for ecologically sustainable business, housing, transport, waste management, parks, city forests, public spaces; and will establish links between Greens at local and regional level around the planet to exchange information and support.
- 8.7. Will work to reduce vehicle based urban pollution by opposing ever-expanding freeways; encouraging the use of energy efficient vehicles; integrating land use planning with public transport, bicycling and walking; prioritising mass transit planning and funding over private auto infrastructure; and eliminating tax policies that favour auto-centric development.
- 8.8. Will work to create socially responsible economic strategies, using taxes and public finance to maximise incentives for fair distribution of wealth, and eco-taxes to provide incentives to avoid waste and pollution.
- 8.9. Demand that corporations and communities reduce, reuse and recycle waste, aiming for a zero waste economy which replicates a natural ecosystem.
- 8.10. Will support all policies that allow countries to increase job creation through economic activities that add value, or through recycling of resources, the production of durable goods, organic agriculture, renewable energy and environmental protection.
- 8.11. Promote socially responsible investment and ecological marketing so that consumers can make positive choices based on reliable information.

- 8.12. Recognise the value of traditional and local knowledge and beliefs, and support its incorporation into planning and projects.

9. ***Peace and security***

- 9.0. We understand peace as being more than the absence of war. To strive for peace has always been at the core of the Green agenda. The causes of conflict are changing. The impacts of climate change, competition for water, food and resources will become increasingly significant. The distinctions between war, organised crime and deliberate large-scale abuses of human rights are becoming progressively blurred. Since 2001 the war on 'terror' has also led to the erosion of human rights in the name of security. The arms trade is growing and globalising, nourished by a unique exemption from WTO rules against subsidies. As a global network, we have a vital role to play in strengthening the links between community organisations working for human rights and peace, and supporting and shaping the emerging concepts and institutions of global governance.

The Greens -

- 9.1. Support strengthening the role of the UN as a global organisation of conflict management and peacekeeping, while, noting that, where prevention fails and in situations of structural and massive violations of human rights and/or genocide, the use of force may be justified if it is the only means of preventing further human rights violations and suffering, provided that it is used under a mandate from the UN. Nonetheless, individual countries have the right not to support or to cooperate with the action.
- 9.2. Will campaign for greater power for countries of the South in the UN, by working to abolish the veto power in the Security Council, to remove the category of permanent membership of it, and to increase the number of states with membership.
- 9.3. Support the International Criminal Court. In war crimes, sexualised violence such as mass rape should be regarded as a war crime, as should environmental crimes in times of conflict.
- 9.4. Seek to curtail the power of the military-industrial-financial complex in order to radically reduce the trade in armaments, ensure transparency of manufacturing and remove hidden subsidies that benefit the military industries.
- 9.5. Will work to regulate and reduce, with the long term aim of eliminating, the international arms trade (including banning nuclear, biological and chemical arms, depleted uranium weapons and anti-personnel mines) and bring it within the ambit of the UN.
- 9.6. Will help strengthen existing peace programmes and forge new programmes that address all aspects of building a culture of peace. Programmes will include analysis of the roots of violence, including inter-familial violence, and the issue of mutual respect between genders; and support training in non-violent conflict resolution at all levels.
- 9.7. Will seek to amend the international rules of military engagement to ensure that natural resources are adequately protected in conflicts.
- 9.8. Will fight against any National Missile Defence Project, and work towards the demilitarisation and de-nuclearisation of space.
10. ***Acting globally***
- 10.0. The Global Greens are independent organisations from diverse cultures and backgrounds who share a common purpose and recognise that, to achieve it, we must act globally as well as locally.

The Greens -

- 10.1. Will work cooperatively to implement the Global Greens Charter by taking action together on issues of global consequence whenever needed.
- 10.2. Will support the development of Green parties, political movements and youth networks around the world.

- 10.3. Will assist, at their request, other Green parties and movements including by
    - providing observers at elections to help ensure that they are free and fair;
    - encouraging voters to enrol and vote Green in their home countries.
  - 10.4. Will adopt and put into practice in our own organisations the democratic principles we seek in broader society.
  - 10.5. Will act as a model of participatory democracy in our own internal organisation at all levels.
  - 10.6. Will encourage cooperation between the global Green parties to ensure that member parties are consulted, educated and have equal capacity to influence global positions of the Greens.
  - 10.7. Will encourage Green parties and green political movements to show leadership in establishing policies guaranteeing transparent and decentralised structures, so that political power and opportunity is extended to all members; and in developing new political models which better meet the challenges of sustainable development and grassroots democracy.
  - 10.8. Will avoid sources of finance that conflict with our vision and values.
  - 10.9. Will avoid cooperation with dictatorships, sects, or criminal organisations and with their dependent organisations, particularly in matters of democracy and human rights.
  - 10.10. Will strengthen our links with like-minded community organisations, and with civil society organisations; we are one part, with them, of the growing consciousness that respect for the environment, for social and human rights, and for democracy, has to prevail on the economic organisation of the world.
  - 10.11. Will support each other personally and politically with friendship, optimism and good humour, and not forget to enjoy ourselves in the process!
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