

## Meeting of the Extraordinary General Assembly of the AER

Agenda ref.

original in French

FOR ADOPTION

### Draft minutes of the Extraordinary General Assembly of the Assembly of European Regions in Belfort (26/11/2009)

#### I) Opening

**Michèle Sabban**, the President of the Assembly of European Regions, invited Pierre Meyer to join the assembly because he and his team had been tasked with working on the rewording of the statutes.

#### II) **The draft agenda is adopted.**

#### III) Rewording of the AER statutes

**Pierre Meyer** recalled that the statutes are the organisation's constitution, while the rules of procedure detail its method of operation; they can be changed much more flexibly. He reminded those present that the Assembly of European Regions is a declared association registered with the court in Strasbourg, and is covered not by French law but by the special terms under the German law of 1908 which remained in force after 1918 in Alsace and Moselle. The statutes have to be modified by an extraordinary general assembly, whereas the rules of procedure have to be adopted by the bureau.

He listed the regions which had participated in the rewording process, and thanked the interns and the students working at the AER because they had helped in the work.

He explained that choices had had to be made from among the proposals, with some being difficult to incorporate and being at odds with the initial statutes.

**Pierre Meyer** and his team had also contributed some new elements such as "*There shall be formed, by all the authorities adhering to the present statutes, an association known as the 'ASSEMBLY OF EUROPEAN REGIONS'*".

They had also added the notion of a standing committee, as it had been decided: the committees on the one hand, and the standing committees on the other, which are slightly different. He then outlined the modifications highlighted in red in the statutes, recalling that the reference text was in French.

With regard to the working languages, he indicated that the official language was the language of the statutes and that any legal dispute must be submitted in French. Michèle Sabban had proposed that the Standing Committee Monitoring and Evaluation should

explore the issue in order to determine what it was essential to translate into as many languages as possible.

As to the prospects and complements, Article 2.5 stipulated *inter alia* the conditions for withdrawal. Yet if the Vice-President Treasurer wants to draw up a budget, he needs to know long enough ahead how much budget he has at his disposal.

Article 1.7, while associations other than the AER are pursuing the same objectives, it is possible to conclude agreements to share the work; this is cooperation.

Article 12 of the rules of procedure sets out the rules proposed the previous year. They were applied in Tampere and are now up for adoption.

A lexicon would be offered to avoid any misunderstanding.

**Michèle Sabban** thanked Pierre Meyer again for his help.

**Catarina Segersten Larsson** (Värmland, S) thought that these proposed statutes were far better than the previous version, particularly in terms of the electoral procedure. She asked a question on Article 6, *The highest authority*, and the French legislation. The matter of languages should not be part of the amendments.

**Pierre Meyer** noted the questions raised repeatedly. He took the view that the term *'the highest authority'* was somewhat overblown and replaced it by *'superior'*; this is the person representing the Assembly of European Regions externally.

**The region of Värmland** felt that a reading of the statutes did not make it possible to understand what was meant by the highest authority, and proposed pursuing the work in terms of languages.

**Kalevi Olin** (Central Finland, FI) could go along with the proposal for modified statutes, and felt that three official languages was a good solution. He suggested agreeing this proposal as a single package.

**M.-D. Allegrini-Simonetti** (Corsica, F) agreed about the creation of a committee to look into the language problem.

**David Kirk** (Hampshire, UK) suggested removing the word 'strictly' from Article 5.5 in English, explaining that if there were no elected member representing parity in that country, there could be difficulties.

**Constantin Ostaficiuc** (Timis, RO) regretted that there was no Romanian translation. He fully supported the proposal for a committee to look into the language problem. He could not understand the distinction between a committee and a standing committee, and said that he had carefully read the statutes, but not all the changes were for the better.

**Michèle Sabban** expressed the hope that the negative vibrations from Constantin Ostaficiuc about the statutes would very quickly be dissipated. She recalled that the AER was not an institution, but a democratic assembly.

**Pierre Meyer** and his team took note of the observations and comments. They would be particularly alive to the meaning of certain terms in one language compared to another.

**Michèle Sabban** was counting on Pierre Meyer to convene the committee on languages, so that the work could be monitored and the information circulated among all the AER members to enable everyone to have systematically the same level of information.

~~The modified statutes were adopted with the reservations entered.~~

After the discussions it was decided to adopt the statutes as proposed with exception of the regulations concerning languages. The matter of languages is to be discussed in the Standing Committee "Monitoring & Evaluation", also regarding the financial implications

linked to the use of the languages. The amended “Statutes of the Assembly of the European Regions” and the “Rules of Procedure” are adopted with 5 abstentions.

**IV) Any other business. No topic is being raised.**

After thanking Pierre Meyer and his team, Michèle Sabban closed the Extraordinary General Assembly.