

# Working Document

## ASSEMBLY OF EUROPEAN REGIONS

### AER

### STATUTES

Adopted by the Constitutive General Assembly of 14th June 1985 and revised by the Extraordinary General Assemblies of 21st November 1987, 28th November 1989, 5th December 1990, 5th February 1992, 3rd July 1992, 2nd December 1993, 1st December 1994, 4<sup>th</sup> December 1996, 7<sup>th</sup> December 2000 **and 28<sup>th</sup> November 2002, Naples (I).**

This version was adopted by the Extraordinary General Assembly which met in **Belfort (F) on 26<sup>th</sup> November 2009.**

#### **APPELLATION AND TERM**

**Between all the authorities adhering to the present statutes is formed an association named “Assembly of European Regions”. The association is formed for an unlimited term.**

#### **CHAPTER 1**

#### **ARTICLE 1 - AIMS AND OBJECTIVES**

The aim of the Assembly of European Regions (AER) is to act as the political voice of the Regions of Europe with in particular the following objectives:

1- To organise and develop dialogue, consultation and cooperation between all Regions of Europe, while respecting the Constitutions, laws and regulations, and treaties in force in the States, as well as respecting and promoting cultural **diversity** within Europe. **This will notably be demonstrated by all documents being produced in three languages – French, German and English;**

2- To promote regionalisation in Europe and encourage the application of the principles of subsidiarity and complementarity between the local, regional, national and European Institutional levels. **To ensure that these objectives will be fulfilled in the long-run, the greater involvement of young people needs to be fostered. Therefore AER supports efforts and networking of regional youth parliaments, councils and organisations under the responsibility of AER.**

3- To promote the institutional participation of Regions in the decision making processes and thereby increase their active role in the construction of Europe, especially in the work of the

Council of Europe, of the Organisation for Security and Cooperation in Europe and of the European Union;

4- To cooperate with the European associations representing local **& regional** authorities;

5- To cooperate with and support activities within Interregional Association or Organisations;

6- To run its own programmes or participate in programmes organised by third parties in order to realise or pursue its **own** objectives.

**7- To sign agreements with organisations sharing interests with the AER, they have to be approved by the Bureau and ratified by the General Assembly.**

## CHAPTER 2

### ARTICLE 2 – MEMBERSHIP AND WITHDRAWAL CRITERIA

1- The following may become members of the Association :

- a) As Full Members, Regions of the member states of the Council of Europe as well as other European Regions under the condition that they respect the basic fundamental principles of the Council of Europe.  
Groups of Regions within a State may also become full members, unless all members of such a group already belong to the AER on an individual basis.
- b) As consultative members: **the founding organisations of AER**, the Interregional Associations of European Regions **who so desire**.
- c) As observers: territorial entities which are in the process of regionalisation, **European** Regions or regional associations, non-European Regions or associations of Regions who so desire, for a limited time.
- d) **Methods** are fixed by the Rules of Procedure.

2- The term "Region" covers in principle local authorities immediately below the level of central government, with a political power of representation embodied by an elected regional Assembly. The same territory may be directly represented in the AER by one entity only.

3- The Bureau decides to accept new members. In its decision, the Bureau shall take into account, as appropriate, the internal particularities of each state, in accordance with the measures set out in paragraph 2 of this article.

4- The General Assembly decides upon the proposal of the Bureau whether membership of the regions, groups of regions within a state or interregional associations, shall be revoked and on the type of membership. The General Assembly ratifies the Bureau's decision concerning the admission of new members. Whilst waiting for the ratification of the General Assembly, the Regions, groups of Regions within a state or interregional associations who are candidates may participate in the work of the AER as observers.

5- Any member of the Assembly of European Regions may withdraw by notifying the AER President of its decision **at least** six months **before** the General Assembly, by registered letter and with signature upon delivery, signed by the head of the regional executive authority. Notification will take effect at the end of the current financial year. **If the notification is received less than six months before the General Assembly, notification will take effect at the end of the following financial year.**

### ARTICLE 3 – DUES

Membership of the Association shall be continued on the payment of an annual **subscription fee**. This **fee** shall be paid directly to the AER by the members-



## CHAPTER 3

### ARTICLE 4 – THE GENERAL ASSEMBLY

1- The General Assembly convenes the most senior representatives of all its members, as specified in article 2 of the current Statute. Each Region is responsible for the composition of its delegation.

2- Each member has a maximum of two seats at the General Assembly. Delegates sitting at the General Assembly must be members of a Government or a **regional or local authority**, or representatives with a mandate.

3- Each full member of the AER, as specified in article 2.1a of the current Statutes, after paying the membership dues for the past or current calendar year, has one vote at the General Assembly.

4- The General Assembly is convened at least once a year by the Bureau. If the Bureau, or a quarter of the full members so request, the President is bound to convene an Extraordinary General Assembly. Particulars are stipulated in the Rules of Procedure.

5- The General Assembly, in the presence of at least a third of the full members as specified in article 2 1.a of the current Statute, and by a simple majority, discharges its responsibility for the accounts of the previous year, fixes the current year and approves, upon the Bureau's suggestion, the draft budget for the following year.

6- The General Assembly may make decisions on its own initiative.

7- The General Assembly, by the simple majority and in the presence of at least a quarter of the full members discusses and adopts reports from the President, the Bureau, the Committee Presidents and Presidents from other AER bodies. The General Assembly ratifies the Bureau's decisions concerning the admission of new members.

8- The General Assembly decides, upon proposal by the Bureau, by a simple majority and in the presence of at least a quarter of the full members,

- whether members be ejected and also decides on their type of membership,
- on the creation or abolition of Committees,
- on the annual reports of the Committee Presidents, according to article 8, and also their programmes of work,
- on the resolutions relating to the political strategy of the AER,
- on the adoption and modification of the Rules of Procedure

9- The General Assembly elects, separately, for a mandate of 2 years, the President, the two Vice-Presidents and the Vice-President Treasurer at the first round and by absolute majority of the full members of the AER. **A balance of men and women is advised wherever possible.** If a second or subsequent rounds are necessary, the majority required is that of a third of the full members of the AER. They may be re-elected for a second **consecutive** mandate. **Only two consecutive mandates are possible.**

10- The General Assembly elects, all together, on the suggestion of the Regions of the different states represented in the AER, the other members of the Bureau. They have a two year mandate. They may be re-elected immediately for a second mandate. Upon proposal by the Regions of within a State, they can have a following third mandate.

- 11- Only members of a regional government or **a local or regional authority** can be elected.
- 12- The Secretary General is **ratified** by the General Assembly on the proposal of the Bureau.
- 13- The General Assembly **confirms** study **projects**, adopts recommendations, and examines projects for interregional cooperation in political, economic, social, cultural, educational, health and other areas to the extent it feels appropriate.
- 14- Minutes shall be taken of the proceedings in the General Assembly. The minutes shall be signed by the President, entered in a register kept for this purpose **and sent to members.**

## ARTICLE 5 - THE BUREAU

- 1- The Bureau forms the executive body of the AER. **It ensures the management of the AER.** It represents the interests of the members of the AER. It implements the decisions of the General Assembly and makes the necessary decisions between General Assemblies
- 2- The Bureau
  - a) **Manages the coordination of** the activities carried out by the Committees and other subsidiary bodies;
  - b) puts its recommendations to the General Assembly on the setting up or disbanding of the Committees and **Standing Committees and** decides on the creation of ad hoc working groups to assist in its activities;
  - c) prepares decisions for conventions, declarations and decisions which are submitted to the General Assembly;
  - d) initiates and **asks for** studies and reports concerning themes that are relevant to the AER's objectives and, if necessary, transmits its recommendations to the General Assembly;
  - e) can organise a General Conference to deliberate on topics of general interest;
  - f) **works in cooperation** with international, interregional, regional and municipal organisations whenever these deal with matters within the AER's competence.
- 3- The Bureau is responsible for the preparation of decisions to be submitted at the General Assembly. **It charges the General Secretary to** organise and coordinate the work of the General Assembly and the other bodies of the AER.
- 4- The Bureau makes its decisions by a simple majority vote of the full members present. When there is an equal number of votes for and against, the President has the casting vote.
- 5- The Bureau is made up of the President, the two Vice-Presidents, and other Vice-Presidents including the Treasurer and other members.

Presidents of the Committees **and Standing Committees** are automatically AER Vice-Presidents.

The Presidents of the Committee of the Regions (CoR) (**European Union**), the Congress of Local and Regional Authorities of Europe (CLRAE) (**Council of Europe**), the Chamber of Regions of the CLRAE and the member Interregional organisations are automatically invited to the meetings of the Bureau and General Assembly as well as members of the AER holding the highest position

within the CoR, the CLRAE and its Chamber of Regions.

The outgoing Presidents of the AER, who have held two mandates, are also members of the Bureau on a strictly personal basis and which is totally independent of their nationality. They remain members of the Bureau for as long as they hold a regional mandate in their country.

The Bureau comprises at least one regional representative per State represented within the AER. The composition of the Bureau must be proportionally adjusted according to the Regions. The number of seats per State represented within the AER is calculated by taking account of the number of inhabitants per State and the number of AER member Regions within each State compared to the number of Regions which exist. This method of calculation is shown in a document drawn-up by the Bureau and submitted to the General Assembly before the elections. This document is up-dated every two years **by the Secretary General** in order to take account of the evolution in the number of member Regions. **The AER encourages the Regions to strictly apply the principle of equality between men and women regarding their representation in the Bureau.**

In case of absence, members of the Bureau can nominate (formally) an alternate who can replace them, speak and vote on their behalf, and this for the duration of the mandate.

6- When a member of the Bureau loses his/her political mandate, a by-election is organised during the following General Assembly. In the interim period, his/her alternate or successor in the regional mandate is admitted to take his/her place at the Bureau.

7- The Bureau meets at least twice a year.

8- The Bureau may entrust precise mandates, with limited time scales to external sources in order to achieve objectives which the Bureau will have specified. These sources must have proved their competences and be well known in the field of the designated objective.

9- The President and the Vice-Presidents constitute the Presidium. In the interim period between Bureau meetings, and by delegation, the Presidium is authorised to meet and to make decisions in accordance with the association's statutory objectives or useful to its smooth-running.

Decisions made in this way are submitted to the Bureau at its following meeting.

## **ARTICLE 6 - THE PRESIDENT**

1- The President is the **highest authority** of the AER, which he or she represents in all external relations. He/she chairs the meeting of the AER bodies and has the power to make all necessary decisions concerning the implementation of the decisions of the said bodies.

As AER representative, the President is automatically entitled to represent the AER in justice, in its name and on its behalf. However, he/she may delegate his/her ability to act in justice to a representative of his/her choice, through a duly signed and dated written document.

2- In agreement with the Bureau, the President may delegate certain tasks to the Vice-Presidents. The Vice-Presidents may represent the President. Should the President lose his/her regional mandate, one of the Vice-Presidents acts as substitute in his/her office until the end of his/her current mandate, unless during the interim period, an Extraordinary General Assembly is convened to this end.

## **ARTICLE 7 - THE VICE-PRESIDENTS**

One of the Vice-Presidents substitutes the President in his/her office in the case of vacation, absence or illness.

## ARTICLE 8 - THE COMMITTEES AND STANDING COMMITTEES

- 1- The Committees are open to all members of the AER;
- 2- At the Bureau's request, the General Assembly decides on the setting up and the competences of Committees and Standing Committees or, if necessary, their abolition.
- 3- Each Committee and Standing Committee is run by a President. Committee Presidents are elected by the Bureau, at the proposal of the respective Committee or Standing Committee, which may submit several candidates. The nominated Committee and Standing Committees Presidents automatically become AER Vice-Presidents. The nationality of Committee Presidents is not taken into account when calculating the number of seats per country on the Bureau. Their task is to prepare the actions and standpoints and to carry out specific AER programmes. The Bureau or the General Assembly decide on the recommendations of the Committees.
- 4- After each Committee and Standing Committee meeting, working group or programme, minutes must be drawn up and distributed within 30 days.**
- 5- Details are fixed in the Rules of Procedure.

## ARTICLE 9 - THE TREASURER

The Treasurer is responsible for the administration of finances. **In** particular, he/she is in charge of the management of assets and the supervision of receipts and expenses which he/she shall report to the Bureau and the General Assembly. The President is still fully responsible overall.

## ARTICLE 10 – SECRETARY GENERAL

- 1- The Secretary General is **ratified** by the General Assembly upon proposals by the Bureau. Upon proposals put forward by the Bureau, the General Assembly may dismiss him/her by a 2/3 majority vote of the members present. His/her mandate runs for 5 years. The Secretary General may resign, but has to respect six month's notice.
- 2- The Secretary General is **in charge of** the General Secretariat and is responsible for **implementing the decisions of the official AER bodies. He manages the personnel of the General Secretariat.** He/she organises the AER meetings and ensures that the day to day work is carried out. Within this framework, he/she represents the AER in all external relations, **with the agreement of the President.** He/she presents a yearly report before the General Assembly.
- 3- The Secretary General is entitled to take part in the meetings of all the authorities of the AER. He/she does not have the right to vote.
- 4- He/ she must submit details of special missions and, if needed, the composition of the group to the President and to the Vice-President Treasurer for approval. He/she must submit a written report of each of these actions within 30 days.**
- 5- The Secretary General's remits are practised within the limits of his mandate that exclude an employment relationship. The mandate will be remunerated within the bounds of a contract concluded between the Secretary General and the AER Presidium.

## CHAPTER 4

### ARTICLE 11 – FINANCE

- 1- The financial year of the AER corresponds to the calendar year. A forecast statement and a closing balance sheet are drawn-up for each financial year.
- 2- The financial resources of the AER break-down as follows:
  - membership dues in accordance with Article 3,
  - grants from public and private institutions, **donations and legacies**,
  - income from its own activities,
  - income generated by its own assets,
  - all resources authorised by law.
- 3- The AER meets its financial commitments by means of its assets. The full members of the AER are also jointly held liable for the commitments undertaken through the AER.
- 4- The amount of annual membership dues is set each year in the budget. **The amount of the membership fee is fixed according to the number of citizens.**

### ARTICLE 12 - RULES OF PROCEDURE

At the proposal of the President, the Bureau adopts Rules of Procedure which, within the framework of the Statutes, specifies the rules and procedures for voting **as well as the general rules of administrative, financial and technical procedure.** The text of the Rules of Procedure, adopted by the Bureau, shall be submitted for ratification to the General Assembly next following. The Rules of Procedure can be modified using the same procedures.

### ARTICLE 13 - AMENDMENT OF THE STATUTE

- 1- This Statute can only be amended by an Extraordinary General Assembly. In this event, the agenda for the General Assembly must refer expressly to such amendment.
- 2- Decisions amending the Statute can only be taken by a majority of the full members of the AER.

### ARTICLE 14 - DISSOLUTION AND LIQUIDATION

- 1- The dissolution of the Association may only be decided by an Extraordinary General Assembly. This Assembly shall appoint a Liquidator. The Liquidator can, with the General Assembly's authorisation, transfer all possessions, rights and obligations, assets and liabilities alike, of the dissolved Association to another body with the same objectives.
- 2- The dissolution of the Association or the withdrawal of a member shall not entail restitution of the contributions made by the members.

### ARTICLE 15 – HEADQUARTERS AND LEGAL BASE

- 1- The Assembly of European Regions is based in **F67000, Strasbourg.** It may be transferred elsewhere by **proposal** of the Bureau after approval from the General Assembly.
- 2- The Assembly of European Regions is governed by Sections 21 to 79 of the local Civil Code (code civil local alsacien-mosellan) and by this Statute. It is registered at the Registry of Associations at the Strasbourg District Court.

## ARTICLE 16

The Association instructs the President to effect the prescribed formalities of declaration and publication and in particular to notify the Registry of Associations. The Presidents shall be given full powers to this end.

**Belfort, 26-XI-2009**