EGP Committee Proposal for Membership Withdrawal from De Groenen, the Netherlands

In a meeting held in Brussels on 7 July 2017, the EGP Committee agreed to conclude the review of Membership of De Groenen in the Netherlands, which began in early autumn 2016.

The Council in Liverpool (UK, March 2017) has been informed about the internal fight concerning leadership in De Groenen, resulting in a division into two factions. The leadership issue was the subject of a hearing in the Chamber of Commerce in July. The advice was to put the case before a civic court in the Netherlands, and preparations for this have been ongoing since then.

In the past year, several conversations, visits and fact-finding missions have been carried out by country-responsible Committee members Gwendoline Delbos-Corfield and, more recently, Evelyne Huytebroeck and Secretary-General Mar Garcia, to both factions of De Groenen.

Following the reports from the latest fact-finding missions (annexes 1 and 2), the Committee decided to start the procedure for membership withdrawal from De Groenen, based on the fact that the party significantly does not comply with the membership criteria as listed in the EGP Rule Book.

The EGP Committee formally informed both factions of De Groenen of its decision on 22 August 2017 (annex 3). With this Proposal for Membership Withdrawal, the Committee formally notifies the Member Parties, thereby fulfilling the requirements stated in the EGP Rule Book.

In this file you will find:
1. A table with the Membership Criteria (Article 2 of the Rule Book) in the first column and the comments on De Groenen’s compliance in the second column.
2. Article 6.5 and 6.6. of the Rule Book regarding Disciplinary Measures
3. Conclusions and Proposal
4. Dossier – list of annexes in support of the EGP Committee’s findings.

1. Article 2: Membership Criteria, EGP Rule Book

2.1 Full members shall meet the criteria for membership as indicated below:

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<tr>
<th>Membership criteria</th>
<th>Compliance by De Groenen – comments</th>
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<tr>
<td>Be established as a political party in a country, state or politico-geographic region of Europe;</td>
<td>The party is registered (annex 4). However: The party does not have a developed national structure (no local boards, regional representations, etc.). Their representation is concentrated in Utrecht (the official registered address) and Amsterdam, as most of the few members they have come from these cities. Although</td>
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membership is spread across the country with only two local boards remaining (Amsterdam\(^1\) and Amsterdam West\(^2\)). It has no publicly accessible offices.

De Groenen's total membership is 33; according to membership fees paid in 2016/2017, 28 members have voting rights ([source: party newsletter Gras nr 69, April 2017\(^3\)].

After conflicts within the board in late 2016, the party has split in two factions. Since both sides are claiming legitimacy, the party does not fulfil its legal administrative obligations toward the state of the Netherlands. The party's bank accounts are also blocked due to the unresolved authorisation issues. The case has been taken to the Dutch authorities but the issue has still not been resolved.

Promote Green politics which are ecological, social, democratic and progressive;

| Promote Green politics which are ecological, social, democratic and progressive; | The party has:

- a political programme, Amsterdam Congress, 21 January 2017 ([content page (EN) in annex 5](http://degroenen.nl/amsterdam.html)).
- an Activity Plan 2016-2019, as decided by Congress, March 2015 ([annex 6](http://degroenen.nl/amsterdam_west.html)).

However:

The party has not developed any specific election manifests; instead, it has used the general political programme of the party to participate in elections (if running at local and European level). The EGP was informed (by the party Chair – who is now in dispute) that the party's board brings amendments to the programme to the Congress for updates, when it considers this is necessary.

The party has no structure or substantial programmes which reflect any relevant engagement in political life in the Netherlands; nor is it interacting with any stakeholders from other sectors. There are no party-produced documents (internal or external communication) providing the party's perspectives or reactions on relevant issues raised in the Dutch political sphere.

In recent years, individual members have been involved in some of the topical movements (basic income, no-TTIP) |

\(^1\) [http://degroenen.nl/amsterdam.html](http://degroenen.nl/amsterdam.html)  
\(^2\) [http://degroenen.nl/amsterdam_west.html](http://degroenen.nl/amsterdam_west.html)  
\(^3\) [http://www.degroenen.nl/nieuwsbrief.html](http://www.degroenen.nl/nieuwsbrief.html)
but this has not been reflected in any developments within the party (e.g. no structures/working groups/policies building/lobbing activities/media).

The party has no own-initiated initiatives and does not conduct external processes.

| Maintain a democratic political base and a democratic internal structure; | De Groenen has 33 members, 28 with voting rights as of April 2017. For information, in 2000, there were 400 members, but in 2004 only 200 members remained⁴. Numbers continued to decline gradually with 93 members in 2009⁵, 77 in 2013, 50 members in 2016 and dropping further to the current figure. The party should have the following statutory bodies:  
- Main board (minimum 3),  
- Financial control committee (3),  
- Gras magazine editorial board, and  
- EGP Council delegates (2).  

Even within the undeveloped structure and small membership, positions tend to overlap, thereby accumulating mandates. Gender balance does not seem to have been observed. Several internal issues have been raised previously concerning an imbalance of power on the board, among the membership and in the financial management. All of these issues are due to the accusation of a lack of internal democracy and transparency. There are records of EGP administrative interaction with the Chair of De Groenen, which were not being communicated to the whole board and to the delegates to the EGP Council of De Groenen. The EGP Committee was informed about the internal conflict within the De Groenen board in late 2016. The main issues focused on undemocratic decision-making (chair taking decisions contrary to other board members or even without their knowledge), non-transparent membership records, and untidy state-reporting documentation. Later, within the organisation which had just a few |

⁴ Source EFGP archive
⁵ Gras newsletter nr 38, July 2009, page 6
members, the conflict resulted in the formation of two factions, each headed by one board member (the former chair and a board member). The factions formed new boards (one comprising three people and the other of just two people) and are currently maintaining parallel structures and carrying out statutory activities (double congresses, newsletters, communications).

The dispute, which has been taken to the Dutch authorities, is focused on the leadership and official representation, authorisation of bank accounts, and communication channels.

Due to the internal rules on proxy votes and quorums, the congresses of both sides are following the internal rules and are able to claim legitimacy and binding decisions.

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<th>Participate actively in political life and in elections at a credible level;</th>
<th>The party participates in elections in a very irregular way.</th>
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<td><strong>Elections:</strong></td>
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<td>De Groenen has not participated in national elections since 1998. At the last national elections (March 2017) they were unable to collect enough signatures to be eligible to run (1000 signatures needed).</td>
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<td>In local and regional elections, they last participated in 2011 and 2014, winning 0.02% of the votes.</td>
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<td>In the last EU elections in 2014, they formed a coalition with the Pirate Party, winning 0.2% of the vote.</td>
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<td>De Groenen also negotiated with the Pirate Party to form a coalition for the 2017 national elections, but nothing materialised. In June, the Pirate party claimed no plans for future cooperation, referring to De Groenen as politically non-relevant.</td>
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<td>Currently, the only elected mandate for De Groenen is Ronald Schönberger the Water Board, Gooi en Vecht(^6) (18 March 2015 – common candidate lists with the Pirate Party).</td>
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<td>During the June 2017 fact-finding mission, stakeholders from academia, politics, civic organisations, etc. (<em>report in annex 2</em>) assigned no political relevance to De Groenen,</td>
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\(^6\) [http://www.degroenen.nl/amsterdam.html](http://www.degroenen.nl/amsterdam.html)
either at the national level or concerning any topical debate.

The party has no active campaigns or activities.

Over the years, there are records of local activities conducted by individual members on a couple of topics, but not followed up by the party in any way (policy papers, working groups, etc.).

Party reports (activity and budget-wise) show that nearly all the activities are internal – congresses and the newsletter, or participation in EGP activities (overview financial reports 2011-2016 in annex 8).

**Digital:**

De Groenen does have a digital presence, but activity is very infrequent and there are few followers, bearing in mind that it is a national party which aims to reach more than 17 million people.

The digital channels are mainly used to share news on Green topics, rather than to promote the party’s programme, activities or perspectives on relevant issues on the Dutch political scene.

Website: [www.degroenen.nl](http://www.degroenen.nl)

- Twitter: [https://twitter.com/DeGroenen](https://twitter.com/DeGroenen)
- Facebook (2): [https://www.facebook.com/groups/partijdegroenen/](https://www.facebook.com/groups/partijdegroenen/)

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<th>Endorse the Green Charter of the EGP (2006) and the Global Greens Charter (2001);</th>
<th>Yes</th>
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<td>Accept the Statutes and Rule Book of the European Green Party;</td>
<td>Yes However: De Groenen took the European Green Party to court over its disapproval of the EGP Rule Book directive on the participation fee; following its amendments being voted down at the EGP Council in Lyon, November 2015. This initiative was conducted exclusively by the party chair without prior or later consultation with the rest of the board.</td>
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<td>Requirement</td>
<td>Description</td>
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<td>Apply gender balance principles in their party structures;</td>
<td>According to De Groenen’s leadership, they have experienced major problems of finding women representatives for EGP events, in efforts to fulfil EGP Rule Book requirements.</td>
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<td>The current leadership of both factions shows one board comprising Otto ter Haar and Rijndert Doting – and the other made up of Jozef van Kessel, Jolanda Verburg and Ronald Schönberger, including just one female representative.</td>
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<td>As the majority of statutory body positions are held by men, the official explanation provided is that rules are not applicable since there are too few members.</td>
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<td>Regularly attend European Green Party Council meetings;</td>
<td>Yes</td>
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<td>Note 1: Due to the internal crisis, De Groenen’s voting rights were suspended for the EGP Congress (4 votes), the Global Greens Congress (1 vote) and at the EGP Council session (1 vote), Liverpool, 30 March-2 April 2017 (see email exchanges in annex 7).</td>
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<td>Note 2: Financial records, published in the party newsletter Gras, show that more than 50% of the annual budget is (over the last six years) has been devoted to participation in EGP activities (annex 8).</td>
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<td>Participate in the political discussion and decisions of the European Green Party;</td>
<td>Yes</td>
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<td>Send their yearly accounts and election results to the European Green Party, if not publicly accessible on their party website;</td>
<td>EGP maintains regular communication with its member parties, including De Groenen.</td>
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<td>The yearly accounts are published in the party’s newsletter Gras. However, as mentioned above, over the last year these have been subject to disagreements within De Groenen’s leadership.</td>
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<td>Conduct their financial organisation in a transparent and accountable manner;</td>
<td>The party publishes its annual budget in the Gras newsletter7. These records are publically accessible on the De Groenen website (see overview financial reports in annex 8).</td>
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7 [http://www.degroenen.nl/nieuwsbrief.html](http://www.degroenen.nl/nieuwsbrief.html)
Records show no income from the state and income based on membership fees and individual donations (reportedly from the chair and board members themselves) to sustain the party’s existential costs.

At the moment, the ‘outgoing money’ from De Groenen’s accounts with Triodos bank are blocked on request of Otto ter Haar, due to the unresolved authorisation issue.

The party’s tax-benefit status ANBI\(^8\) was withdrawn by the Dutch tax authorities on 10 July 2017, as the result of two violations (annex 9):

1. At least 90% of the institution’s efforts must be focused on the general good.
2. A director or person determining the policy may not treat the institution’s assets as personal assets.

Meanwhile, the party’s expenditures are financed continuously through private accounts belonging to the leadership of both factions.

Disagreements reported to the EGP concerning financial management focused on a lack of transparency and consultations within the board as regards the decision-making process.

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<th>Pay their designated fee as Full Members in a timely manner;</th>
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<td>Note: the 2017 membership fee of 1150€ is partially paid via travel reimbursement for the Liverpool Congress; 767.14€ remains to be paid to date.</td>
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| Not be under any legal or other restraint on their activities; | Due to the internal conflict, De Groenen currently operates parallel structures. Both boards held congresses in 2017, which fulfilled the party’s internal rules of procedures, and can thus be considered credible. However, the relevant first-level authority – the Chamber of Commerce – rejected the claims and registrations from both sides from early 2017, thereby resetting De Groenen’s official legal representation to its 2016 status. Consequently, the party’s legal representation does not match the reality in which its two factions operate. |

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2. The Disciplinary Measures of the EGP Rule book are the following:

6.5. Disciplinary Measures

6.5.1 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.

6.5.2 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.

6.5.3 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.

6.5.4 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.

6.5.5 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.

6.5.6 Council delegates are informed on any proposed measures as soon as possible by mail or email. Proposals for withdrawal and suspension of Membership are announced to the Council three months ahead of the Council.

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.

6.6 Decision to expel a Member

6.6.1 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.
6.6.2 The Member must be informed in writing at least three months in advance of the next Council meeting.

6.6.3 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.

6.6.4 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.

6.6.5 Members of the European Green Party may themselves request a restriction or suspension of their membership rights for a temporary period.

3. Conclusions and Proposal

De Groenen is a founding party of the EGP (February 2004) and since June 1993, of the European Federation of Green Parties (EFGP). Otto ter Haar (previously party chair and currently chair of one of the factions) has been involved since the very beginning of the European Greens Coordination in 1984.

Until 1998, De Groenen regularly participated in local and national elections. However, since then the party lost most of its membership and was unable to attract new members since it could not maintain the level of political activity and relevance on the Dutch political scene. Today, the party has 33 members across the country and is divided into two factions.

The Netherlands is one of the countries which have two Green parties, representing the Greens’ political voice at the national level. Naturally, the parties could be seen as competitors. Although this may have been the case in the past, the election results (Overview of elections results provided in annex 10) and membership numbers (GL counts 27,200 members/July 2017) indicate that De Groenen is not a significant contender on the national political scene.

The EGP Committee invested in communication with De Groenen, took supportive measures as well as an objective assessment of the situation during the last two fact-finding missions. The Committee can do nothing else but conclude that De Groenen is not a credible political party able to fulfil the membership criteria to the same degree as the other EGP members. The long-term decline in political activity, the loss of political credibility among the public and political stakeholders, recurring internal conflicts and the continuing low membership are serious indications that De Groenen is not fulfilling its cause and aims (as was also concluded by the Tax Authority with the withdrawal of ANBI status).

While not undermining the devotion and investment of any single Green activist into the Green cause, the EGP Committee considers it has a significant responsibility towards the credibility of its membership and resources. Having concluded that De Groenen’s longer-term status and activity is self-oriented, no indicators for improving capacity are forthcoming, and that De Groenen is not part of political life in the Netherlands, the EGP Committee is proposing that the EGP Council in Karlstad votes in favour of withdrawing the membership of De Groenen from the Netherlands.
Before voting on this proposal, both of De Groenen’s factions will have the opportunity to be heard at the Karlstad Council, from 24-26 November 2017. Obviously, any reactions from De Groenen prior to this Council will be shared with the delegates.

4. Dossier - Annexes:

1. Report Scouting mission to Netherlands De Groenen, 17 March 2017
2. Report Fact Finding mission to Netherlands De Groenen, 21-22 June 2017
3. EGP Committee letter to De Groenen with notification of proposal membership withdrawal, 22 August 2017
4. Registration of De Groenen with Chamber of Commerce, 24 August 2017
5. Party programme content page in EN, February 2017
   De Groenen party programme: [http://degroenen.nl/partij/psr/Basisinkomen%20brandstof%20van%20de%20economie%20partijprogramma%202017%20online.pdf](http://degroenen.nl/partij/psr/Basisinkomen%20brandstof%20van%20de%20economie%20partijprogramma%202017%20online.pdf)
   Previous versions can be found here: [http://degroenen.nl/partij/psr/programma.php](http://degroenen.nl/partij/psr/programma.php)
7. Timeline/Communications with De Groenen regarding their voting rights at the Joint Congress in Liverpool (with both factions) – 1-10 March 2017
8. Comparison Financial Reports 2011-2016 (from issues of Gras newsletter)
9. Tax Authority decision to withdraw De Groenen’s ANBI status
10. Overview of election results for De Groenen and GroenLinks, 1984-2017

The notification mail dd 24 August, the Proposal for Withdrawal and the annexes are accessible online here: [https://europeangreens.eu/karlstad2017/proposal-membership-withdrawal-de-groenen-nl-0](https://europeangreens.eu/karlstad2017/proposal-membership-withdrawal-de-groenen-nl-0)