

# Statute of the Greens of South Tyrol / Alto Adige



## **Preamble**

The Greens of South Tyrol / Alto Adige undertake to create in their land a friendly and peaceful coexistence between people and nature, encouraging and supporting people and initiatives in this attempt. They support and catalyze ideas for the changes needed in the South Tyrol / Alto Adige, they oppose to the politicians and speculators, willing to sell off environment, human resources, dignity and freedom. The Greens of South Tyrol intend to build a credible and courageous political representation and governance in local institutions.

Our main goals are: create a new balance between society and nature, facilitate the necessary ecological change, friendship between the linguistic groups in South Tyrol, social justice, defense and expansion of democracy and human rights, commitment of the local community for peace and justice in the world (both through good neighbour relations and closer cooperation between the Alpine regions, and globally, also between North and South, East and West). The Greens give particular attention to the right to diversity and the protection against any discrimination.

People active in the political movement of the Greens of South Tyrol undertake to put their forces at the service of these goals, without seeking personal gain and in the spirit of mutual solidarity. They are ready to interact as much as possible with guidelines and issues that are at the heart of movements and persons, the Greens feel ideally linked with and from which they receive important impulses.

### **Art. 1**

#### **Gender equality and representation of different languages and cultures**

1. The Greens of South Tyrol recognize, in the spirit of Articles 2, 49 and 51 of the Constitution, the need for equal representation of women and men, undertake to remove obstacles that hinder the full political participation of women. They ensure proper representation of all languages and cultures existing in South Tyrol.
2. The Greens of South Tyrol are inspired by this principles in every initiative and, in particular, in the composition of its organs and of the electoral lists. They recognize and respect the pluralism of cultural options and policy positions as an essential part of their democratic life. They recognize equal dignity to all personal conditions, such as gender, age, religious belief, disability, sexual orientation, ethnic origin.

### **Art. 2**

#### **Name, location and symbols of the Greens of South Tyrol**

1. The official denomination of the Greens of South Tyrol is VERDI – GRÜNE – VĚRC (VGV). The Greens of South Tyrol have their headquarters in Bolzano, Via Bottai, n. 5. The registered office may be transferred by resolution of the Provincial Executive, varying the statute, following the procedures of Article 6, paragraph 3, letter h) of the present statute.
2. The Greens of South Tyrol participate at the elections under following symbol: a white dove of peace on a green background surrounded by the words "VERDI – GRÜNE – VĚRC". The symbol is attached graphically with the present Charter. In special cases, the Greens reserve the right to amend and / or supplement the above symbol or combine it with other symbols, in the manner required by the following paragraphs.

### **Art. 3**

#### **Organizational structure and voting rules**

1. The organs of the Greens of South Tyrol are:
  - a) the provincial assembly

- b) The provincial coordination
- c) the provincial executive
- e) the thematic groups
- d) the territorial groups
- f) the catchment level meetings
- g) the municipalities forum
- h) the auditors
- i) the board of conciliation and warranty

2. Except when voting on natural persons, all decisions of the deliberative organs are taken with open vote, except if 5% of the participants require a secret ballot.

Art. 4

### **Membership to the Greens of South Tyrol**

1. All citizens over 16 years old, regardless of their nationality, can subscribe to the Greens of South Tyrol, thus adhering to this statute and the internal regulations.

2. Only members have the right to participate at the internal elections and vote and to vote and stand at all organizational levels of the movement. The members of the board of conciliation and warranty and the auditors are excluded from this rule.

All members and members have the right to:

2.1 participate in the political address determination of the Greens of South Tyrol

2.2 exercise their vote and be candidates at the election of the executive bodies

2.3 know the leaders of the groups determinations and have access to all aspects of internal democratic life

2.4 participate in political activity and initiative of the Greens of South Tyrol and its regional and/or thematic groups.

2.5 call the board of conciliation and guarantee according to standards established by this statute

3. The registration is personal. All members pay a fixed annual fee and accept the Statute of the Greens of South Tyrol. All members and members have the duty to:

3.1 contribute to the discussion and to the elaboration of proposals and initiatives

3.2 contribute to the economic support of the Greens of South Tyrol

3.3 respect the present statute and internal regulations whose violations can lead to sanctions (v. Art. 7, paragraph 4, letter k)

3.4 enhance the participation and adherence of other towns and citizens to the Greens of South Tyrol.

4. The membership in accordance with section 3 shall cease if the annual fee is not paid within the deadline set by the provincial executive. Against the termination of the membership, the person concerned can recourse to the board of conciliation and guarantee (art. 13 of this Statute).

Art. 5

### **Verdi in municipalities**

1. In municipalities the Greens candidate:

a) with one of the symbols in art. 2

b) with another symbol of their choice.

2. The organizational structure at the municipal level of the lists in accordance with paragraph 1 letter a) shall be adjusted in accordance with Article 9.

3. The lists, in accordance with paragraph 1 letter b), have to be recognized as as ideally related to

the Greens in accordance with art. 110, paragraph 2 c).

4. The organizational structure of the lists at the municipal level is free and adapts to local needs, in accordance with paragraph 1, letter b).

Art. 6

### **Provincial assembly**

1. The Provincial Assembly, openly announced, take place at least once a year.

2. The Assembly is empowered to approve resolutions regardless of the numerical strength of the present members. It is open to guests, and the right to vote and stand is reserved to members. The presence and participation of any political minorities are still guaranteed.

3. The provincial assembly has the following powers:

- a) lay down general policy guidelines
- b) election of provincial spokesman or two provincial spokespersons, including at least one woman, having equal rights
- c) election of nine delegates for the provincial coordination
- d) election of the the President of the Conciliation and warranty College
- e) election of any delegates and rappresentatives in organs of organizations and initiatives, the Greens of South Tyrol support.
- f) election of the internal auditors
- g) establishing and approving the definition of lists of candidates for the elections at provincial, national and european levels
- h) amending the statute: a two-thirds majority of the presents with voting rights is needed.
- i) take all the important decisions that do not specifically compete to other organs
- j) on proposal of the provincial coordination approve any amendment to the symbol and the name of the party; It needs a two-thirds majority of the presents with voting rights ;
- k) on proposal of the provincial coordination after consultation with the interested local group, suspension and commissioner of the same local group: it needs a two-thirds majority of the present with voting rights;

4. The Executive provincial fixed the conduct and the rules for voting during the provincial assembly. It is always expected the absolute majority of those present enrolled for the approval of the acts covered by the party. It should also be provided with the opportunity to present the voting documents up to 12.00 on the day before the meeting. For the composition of the non-executive bodies and the election of delegates, where the discussion at the meeting is of opposing political documents, we adopt the proportional method on the basis of votes obtained by each document.

5. 20% of the members may call an extraordinary provincial assembly indicating the matters to be treated. Within 60 days the provincial executive will have to organise the provincial assembly, which is empowered to take decisions with the presence of at least 60 members. The text of any proposed amendments to the statute must be attached to the invitation at the assembly.

Art. 7

### **Provincial Council**

1. The provincial council has a two-year term. It is composed of:

- a) The provincial chairmen
- b) The members of the provincial parliament
- c) The municipality councilors

- d) The nine delegates of the provincial assembly
- e) The spokesmen or the vice spokesmen of each thematic group
- f) The spokesmen of the local groups and the district groups
- g) The members of the Italian Parliament and the European Parliament
- h) A representative of the forum of the municipalities
- i) The head of the Green office.

2. Membership in the provincial coordination is effective if the member meets the requirements pursuant to Art. 4, paragraph 3.

3. A resigned member is automatically replaced by their deputy or, failing that, by the next elected.

4. The provincial coordination meets monthly. It:

- a) Defines the programmatic and political orientation
- b) Elects three of its members for the provincial board
- c) Ratifies the establishment of thematic and local groups and appoints their spokespeople upon proposal by the groups. The failure to ratify shall be justified.
- d) Is responsible for financial planning and defines the budget
- e) Approves the annual report and the work of the provincial executive
- f) Determines any remunerations and their amount
- g) Decides on the issues that due to their urgency cannot be delegated to the provincial assembly
- h) At request shall recognize free lists that are ideally related to the Greens of South Tyrol / Alto Adige
- i) Decides on the use of symbols in art. 2 and submit proposals for modifications of the symbol and / or the name of the party to the provincial assembly
- j) Decides on any membership in political groupings that go beyond the simple electoral alliances and shall elect their representatives in the relevant organs
- k) Deals with, in the first instance, disputes concerning the non-compliance with this statute and internal regulations and holds the application of penalties: written warning, suspension and exclusion
- l) Proposes the suspension or commissarial administration of territorial groups to the provincial assembly
- m) Makes the necessary adjustments to the statute as may be required or arising out of the law.

## Art. 8

### **Provincial board and provincial chairpersons**

1. The provincial board has a two-year term; it consists of:

- a) Provincial chairpersons
- b) Three representatives from the Green council
- c) A representative of the Green group in the provincial council
- d) The head of the Green office.

2. The provincial board nominates the treasurer, or co-opts them externally. In this case the treasurer is entitled to vote only for financial decisions.

3. The provincial board meets every two weeks. It:

- a) Supervises ordinary activities
- b) Promotes and coordinates the activities of individual organs and ensures the implementation of their deliberations
- c) Coordinates and supports the activities of the local groups and in general of the lists referred to in Article. 5 paragraph 1, letter b).
- d) Keeps contact with the thematic groups
- e) Is responsible for financial management, appoints the external auditor / the auditing firm and

hires staff

f) Develops issues and political campaign projects in medium and long term

g) Supports the representative in the forum of the municipalities

h) Coordinates the campaign unless the provincial coordination has decided otherwise

i) Is responsible for the care of members

j) Establishes project groups.

4. The deliberations of the provincial executive are valid with the presence of at least four members including one chairperson. In case of a tie the vote of the President is decisive.

5. Membership in the provincial executive is effective if the member meets the requirements pursuant to Art. 4, paragraph 3.

6. The Provincial Council shall give an internal regulation.

7. Provincial chairpersons are authorized individually to the political representation to the outside. They constantly coordinate among themselves and with the representatives of the Green Group in the provincial council.

8. The legal representation of the Green Südtirol / Alto Adige is assumed by a chairperson who has been elected with most votes; in case of a tie the elder wins. The other becomes the deputy chairman.

9. The chairperson convenes the meetings of the Green Council and the Provincial Board according to their internal rules and govern them.

10. The office term of the provincial chairperson matches that of the provincial executive.

Art. 9

### **Local and thematic groups**

1. The groups are the primary place to participate in the life of the Greens of South Tyrol / Alto Adige. Groups can be local or thematic. The group activities are open to all and the right to vote and stand is reserved for members.

2. Each regional group installs their own regulation approved by the Provincial assembly in which the organs and their election mode must be defined. The regulation shall provide, in any case that the groups have a meeting of the members of the group and one spokesperson on one deputy, or two co-spokespersons.

3. The spokesperson is the political representative of the territorial group and convenes the meetings of the members.

4. The rules of procedure are also included in the method of dissolution and closure of local groups. Suspensions are resolved by the provincial commissioner upon proposal of the provincial coordination.

5. The meetings of regional groups decide the composition of the lists for municipal and district elections and political alliances in accordance with the provincial coordination.

6. The treasurer proposes to the Green council criteria for the allocation of resources to the local groups. Solidarity criteria are applied, that take into account the membership of elected and members of government in the group.

7. The thematic groups organize themselves freely and give themselves an internal regulation. The guidelines worked out by them indicate the alignment of the party regarding their sector. The modalities of their communication and representation to the outside are arranged with the provincial council.

8. Every two years the thematic groups elect among their members, according to Art. 4 paragraph 3, the spokespersons, of whom one represents the thematic group in the Every two years elect thematic groups of members and registered under Art. 4 paragraph 3 i / the spokesman, a / or representing the thematic group in the provincial council.

9. The spokespersons are considered elected if the meeting has been duly convened and the agenda properly served, and if the election was attended by at least 10 members with voting right.

## Art. 10

### **District assembly and district spokespersons**

1. The Greens of the seven districts (Vinschgau, Merano-Burggrafenamt, Puster Valley, Val d'Isarco, Überetsch-Unterland, Ladinia, Bozen-Bolzano city and district) will organize freely in accordance with their needs and local conditions.
2. Once a year the district assembly vote among the members a spokesperson and their deputy or two co-spokespersons, of whom one represents the district in the provincial council.
3. The district spokesperson will be elected if the assembly has been made in public with its agenda and at least 10 members of the Greens took part in the vote.
4. The spokesperson serves as a coordinator and contact person. On matters relating to the area they are allowed to take a stand on behalf of the Greens.
5. 10% of the members of an area, but not less than 10 persons, may request in writing the convening of an extraordinary district assembly indicating the matters to be treated. Within 20 days he district spokesperson will then hold the district assembly that is validly constituted and empowered to pass resolutions with the presence of at least 20 members.

## Art. 11

### **Municipality forum**

1. The forum of the municipalities is a periodic opportunity to meet and exchange ideas between the representatives of the Greens and the representatives of neighboring lists to the Greens, part of which will also coordinate the supra-municipal initiatives.
2. Members of the forum are:
  - a) All municipal councilors, all municipal commissioners, all mayors and all district councilors that were elected on a list of the Greens South Tyrol / Alto Adige
  - b) All municipal councilors, all municipal commissioners, all mayors and all district councilors that are members of the Greens South Tyrol / Alto Adige and were elected on a free list, a citizen's list or a village list
  - c) All municipal councilors, all municipal commissioners, all mayors and all district councilors that were elected on a free list, a citizen's list or a village list and that recognize themselves in the Green politics
3. In the constituent meeting, and thereafter at each new election of the Provincial council, the forum shall elect, among the members of a VGV a spokesman or two co-spokesperson, one of which represents the forum in the provincial council.
4. The Forum shall meet at least three times a year or at the request of ten ordinary members and is convened by their representative in the provincial executive.
5. The constituent meeting is convened by the spokesperson for the Greens of South Tyrol / Alto Adige VGV.

## Art. 12

### **Elected people in office**

1. The Greens elected in office work for free and without a binding mandate.
2. All elected, with reference to their position (at the municipal, provincial ...), are authorized to speak out publicly on behalf of the Greens of South Tyrol / Alto Adige.
3. By agreement they contribute financially to the organization of the Greens of South Tyrol / Alto Adige and territorial groups.
4. Elected representatives and appointed members to the Green Party of South Tyrol / Alto Adige undertake to respect the self-regulation code for nominations approved by the Parliamentary Anti-Mafia Commission and to cooperate loyally with party organisms to assert the programmatic choices and address common policy.

5. The formation of the lists must respect the principles of pluralism and of gender difference; lists inconsistent with the previous standards are not eligible.

6. The Provincial Council including spokespersons of the local-, district- and thematic groups proposes criteria for the proposal of candidates at elections on European, national, regional level as well as province and municipality level.

Art. 13

#### **Board of Conciliation and warranty**

1. The Board of Conciliation is tasked to reach, in case of disputes within the Greens of South Tyrol / Alto Adige, a conciliation. Only if this is not possible, the board shall take a final decision.

However, the adversarial system is guaranteed.

2. The Board of Conciliation and guarantee must reach a settlement or decision within three months of being convened, in case of need of further investigations within six months.

3. The Board of Conciliation and warranty consists of three members, including one that is elected into the provincial assembly for two years, serving as president. Each of the parties shall appoint a member of the Board, one at the time of convocation of the Board and the other one within fifteen days of the of the summoning. In the event of the counterparty not appointing their representative in the board, the President will do so. The President may not hold another constitutional position within the Greens. If necessary, the provincial executive can provide a lawyer to the board, but they have no voting rights.

4. The college plays warranty functions relating to the proper application of the statute and regulations. Each enrolled / registered may appeal, in the first instance, the provincial coordination, and on second and definitive to the Board, with regard to non-compliance with this statute and regulations. The rights of defense and the principle of adversarial must be ensured in any case.

Art. 14

#### **Internal and external auditors**

1. The provincial assembly elects two auditors and for a two-years term.

2. The auditors should verify the correctness and suitability of the budget and then prepare a report for submission to the provincial coordination.

3. Under current legislation on the transparency of political parties an external auditor enrolled in the register of auditors or and auditing firm will review during the year: the regular corporate accounting, the correct recording of management events in the accounting records, the exercise of the statement and the results of the accounting records and the checks, and compliance with the rules governing them. The external auditor / the audit firm expresses an opinion on the financial statements as required by legislation. The external auditor / the auditing firm is appointed by the provincial council.

Art. 15

#### **Financing**

The party is funded by:

- a) The membership fees
- b) Contributions of elected representatives
- c) Cash and material donations
- d) Grants from public and private entities
- e) Income from various publications and initiatives
- f) Grants to parties and reimbursement of election expenses
- g) Performance as a volunteer
- h) Endowments
- i) Bequests.

## Art. 16

### **Criteria for economic and financial management**

1. Every year the treasurer shall prepare the final budget operating in accordance with the special legislation on political parties, comprising the balance sheet, income statement and the notes, together with a management report. The balance sheet and the consolidated financial statements are approved by the provincial coordination by 15 June.
2. Operational final budget is published on the website of the Greens South Tyrol / Alto Adige, within fifteen days of its approval by the Provincial council together with the opinion on these financial statements issued by the independent auditors.
3. The treasurer is elected by the Provincial Executive via the affirmative vote of an absolute majority of its members.
4. The treasurer holds office for two years.
5. In the event that, for whatever reason, they cease to hold office before the deadline, the Executive Provincial appoints a new treasurer.
6. The treasurer is responsible for the administrative organization, patrimonial and accounting of the party.
7. The treasurer is responsible for the conduct of all activities of economic importance, and financial condition and shall perform that function in accordance with the principle of transparency and cost management, ensuring the financial balance. The treasurer is enabled to collect public and electoral reimbursements funding.
8. The treasurer is also responsible for compliance with the regulations on protection of personal data in the manner referred to by the ruling by the protection of personal data n. 107 of 6 March 2014 and of any subsequent modifications of the above order, as well as those that may be required by law from time to time in force.

## Art. 17

### **Dissolution of the party**

1. The dissolution of the party takes place in a publicly convened provincial assembly for this purpose.
2. The dissolution of the party is to be considered accepted, in the case that in this provincial assembly
  - a) A majority of two thirds of the registered Greens of South Tyrol / Alto Adige, or
  - b) four-fifths of those entitled to vote who are present vote in favor of dissolution.
3. In this case the provincial assembly also decides the funds will be donated to charitable purposes.

## Art. 18

### **Entry into force of the Statute and transitional rules**

1. This Statute and any amendments shall enter into force immediately after the approval by the provincial assembly.
2. With the entry into force of the statute all offices and functions incompatible therewith cease to exist.
3. The provincial coordination appoints their delegates and provincial directors within two months. As long as the provincial executive is not complete its powers are assumed by the provincial spokesman, together with the representative of the Green Group in the provincial council.
4. Within three months the internal regulations of the statutes must be issued or updated, if these are already in place but there was a need to adapt the amended bylaws.

In case of dispute, the text official is the Italian version.