



STATUTES

“EUROPEAN STUDENTS' UNION”
international non-profit organisation
Brussels (Belgium)
Number 0896.361.756

As adopted at the 83rd Board Meeting in Prague, Czech Republic

November 2022

STATUTES as of BM83 (November 2022)

1. Denomination

The name of the international non-profit organisation is "European Students' Union", abbreviated "ESU".

2. Head Office

The head office of ESU is in the Brussels- Capital Region. The head office can be relocated within the territory of the Brussels Capital Region by decision of the Executive Committee.

3. Objective of the Association

3.1. Aims of the Association

ESU has the following goals:

- to promote the views of students on the educational system as a whole.
- to promote the social, economical, political and cultural interests of students and the human rights of students which have a direct effect or an indirect effect on education and on the status and welfare of students in society.
- to promote equal opportunities for all students regardless of their political belief, religion; ethnic or cultural origin, gender, sexual orientation, social standing or any disability they may have.
- to promote access to quality higher education for all people.
- to promote European and global cooperation and to facilitate information exchange with students and students' organisations.
- to promote co-operation with other organised groups in matters pertaining to education and student life.
- to provide assistance and support to students' unions in Europe in their work to protect student interests.

In pursuing these objectives and by bringing together students unions, ESU represents the views of students to all actors in the field of education and student life in general.

3.2. Activities

In order to realise its objectives, ESU will:

- collect, summarise and distribute information between the member organisations;
- organise seminars, meetings and trainings;
- develop policies and issue demands;
- promote ESU policies and principles amongst other stakeholders in

STATUTES as of BM83 (November 2022)

- Education, both on a European and National level;
- run campaigns.

ESU shall co-operate with bodies which are relevant to fulfilling its objectives as long as the activities of these organisations do not contradict the principles of ESU. It shall also carry out all other activities conducive to the realisation of the above aims and objectives.

4. Definition of membership

Involvement in ESU can be obtained as:

- Member;
- Candidate;
- Associate Organisation.

Only organisations which act in accordance with the Statutes, the Standing Orders and the Financial Standing Orders can become involved in ESU.

The application shall consist of a written and signed application letter, the statutes and standing orders, a summary of the plan of work and the completed ESU membership questionnaire (all in English, statutes and standing orders in English and the original language). These documents shall be sent electronically

A member, candidate or associate organisation can withdraw their membership of ESU by notifying the Executive Committee in writing.

4.1. Member

4.1.1 The members of ESU are National Unions of Students in Europe, legal entities constituted according to the law - statutes and usages - of their countries of origin:

- who are controlled and run by students;
- who hold democratic elections and are run on a democratic basis;
- who are representative;
- who are autonomous and independent in their decision-making;
- whose objectives are in accordance with the objectives of ESU as stated in the Statutes.

4.1.2 National Unions of Students must be open to all students from universities and/or other higher education institutions in the country concerned, regardless of their political conviction, religion, ethnic or cultural origin, gender, sexual

STATUTES as of BM83 (November 2022)

orientation, social standing or any disability they may have.

4.1.3 The members of ESU have the right:

- to vote and to speak at meetings;
- to put forward motions and to nominate candidates.
- to be mandated by the EC or Presidency to represent ESU in whatever capacity deemed necessary.
- to apply for chairing working groups.

4.1.4 The members of ESU have the obligations to:

- to update the information in the membership questionnaire of ESU regularly.
- to attend the Board Meetings.
- to pay the established membership fees.

4.1.5 Reassessment of member NUSs will take place on a cyclical basis, as outlined in the Membership Strategy. In addition, the EC or the Board can, in consultation with the Membership Coordinator, propose to re-assess the membership of a member of ESU. Before proposing to the BM to reassess a member the concerned member must be given the chance to comment on the proposal and the reasons for the reassessment. If the BM votes in favour of a review, a study visit team will be established in which the NUS which is to be re-assessed cannot be a member. The study visit team reports latest at the BM after the next where then a decision can be taken.

4.1.6 If two or more full member unions of ESU merge, fuse or dissolve themselves to erect one organisation that covers all of the previous member unions, the full membership of ESU will be inherited from the respective previous organisations. However, the membership is inherited under the condition of a membership assessment Study visit that has to be conducted before and reported at the second BM after the merge or fusion has been officially announced to the Board.

4.1.7 If a member does not attend four consecutive BMs, that member will be deemed to have withdrawn from ESU. The member involved will be notified in writing after missing three consecutive BMs and at least 60 days in advance of the next BM. Only physical absences to the whole meeting or a missed registration and presence at a virtual BM (for at least three roll-calls) are considered for this purpose.

4.1.8 If a member fails to pay membership fee and/or declare TDI or has any

STATUTES as of BM83 (November 2022)

other debt with ESU invoiced not later than 30 days before the Board meeting the voting rights will be suspended, unless an agreement has been reached between the EC and the debtor.

4.1.9 If a member defaults on payment of membership fees or has any other debt with ESU for two or more years without the consent of the BM, this member will be deemed to have withdrawn from ESU. The member involved will be notified in writing 3 months prior to the two years expiring.

4.2. Candidate

No decision to grant full membership can be taken without a study visit. For this purpose, in the case of prolongation of candidate status it is required to have organised a new study visit (after the decision to prolong the candidate status).

During the first three Board Meetings as candidate member, a decision on the status candidate member can only be taken after a study visit has been organised, provided that the Board Meeting has accepted its application for membership.

During the candidacy term, a study visit must be organised to evaluate the candidate member. A decision on the status of a candidate member must be taken by the Board at the first Board Meeting conducted after the study visit or after three completed Board Meetings as candidate member. At this point, the Board may decide to grant membership, refuse membership or prolong the candidate status of the applying union by maximum of four ordinary Board Meetings thereafter. Should the Board decide to prolong the candidacy of the applying union, a new study visit must be organised. After no more than four ordinary Board Meetings, the Board must decide to either grant membership or refuse membership to the applying union. The Union may reapply for a new candidate status after the refusal.

Candidates have the right to:

- attend ESU meetings, except closed parts of the Board meeting;
- speak at ESU meetings, except closed parts of the Board meeting;
- put forward motions at the Board Meeting, with support of a full member.

4.3. Associate Organisation

4.3.1 Student organisations working in at least 8 countries party to the European Cultural Convention are eligible to become associate organisations.

4.3.2 Associate organisations have the right to:

- attend all ESU meetings, except closed points of the meeting;
- speak at all meetings, except closed points of the meeting.

4.3.3 Associate organisations have the duty:

- to attend the Board Meetings of ESU.

4.3.4 Organisations fulfilling the following criteria are eligible to become associate organisations:

- have students or local/national student organisations as members;
- are democratically run for students and by students;
- have objectives in line with ESU objectives laid down in ESU Statutes;
- have members from at least 8 countries parties to the European Cultural Convention.

5. Working Structure

The institutions of ESU are:

- the Board Meeting;
- the elected institutions of ESU:
 - the Executive Committee, including the Presidency;
 - Commission for Internal Audit;
 - Working Groups.
- additionally, the following appointed structures are also to be considered ESU institutions:
 - ◆ the Secretariat;
 - Expert Pools;
 - Coordinators;
 - Task forces.

All institutions of ESU are ultimately accountable to the Board Meeting or with the exception of CIA and WGs to the Executive Committee in the duration between Board Meetings.

5.1. The Board Meeting

5.1.1. Composition of the Board Meeting

The Board Meeting shall be composed of all the organisations involved in ESU. It shall be the highest decision-making body within the organisation. It shall meet at least twice a year. The decisions of the Board Meeting will only be in force after the Board Meeting where they were adopted. As an exception, some provisions of the Standing Orders, determined by the Standing Orders, can be suspended by the Board during a Board meeting for urgent or extraordinary reasons. The suspension applies only for the BM during which the suspension was decided and is approved with a $\frac{2}{3}$ majority.

Board Meetings shall be convened at the request of the Executive Committee or at least one fifth of ESU full members, made in writing to the ESU office. The call must be issued at least 60 days in advance of the BM. The EC can decide to convene a virtual BM if the extraordinary circumstances require so. Such a decision has to be ratified by a $\frac{2}{3}$ at the virtual BM.

5.1.2. Competencies of the Board Meeting

The Board Meeting shall:

→ Related to the Organisation

- take decisions about plans of action, policies and resolutions;
- take decisions about the budget;
- take all decisions concerning changes to the statutes;
- take the decision to disband the organisation.

→ Related to the Executive Committee

- take all decisions concerning the election and discharging of the Executive Committee;
- take all decisions concerning the mandate of the Executive Committee;
- approve or disapprove the work of the Executive Committee;
- grant discharge from liability to the Executive Committee.

→ Related to the involvement in ESU

STATUTES as of BM83 (November 2022)

- take all decisions concerning membership status;
- grant the status of associate organisation.

→ Related to the Working Structures

- take all decisions concerning the election and discharging the members of the Commission for Internal Audit;
- create, mandate and disband Working Groups;
- elect the chair of each Working Group;
- elect the host organisation of Board Meetings.

The Board Meeting shall deal with all other matters that the Board Meeting deems necessary as provided these matters are not against the Statutes or Standing Orders.

5.1.3. Decision making procedures in the board meeting

The Board Meeting can only take valid decisions when an absolute majority of all members and a two-thirds majority of the total number of possible votes are present. Decisions shall be taken by an absolute majority unless otherwise specified in the Statutes or Standing Orders.

Each country shall have an equal number of votes. If there is more than one member from a given country, the votes of that country shall be divided equally between them. If a member fails to attend the Board Meeting, it can transfer its vote(s) to another member, provided it is presented in writing to the Board Meeting.

If a member fails to attend three consecutive Board Meetings, the member loses the right to transfer its vote(s) to another member. The member involved will be notified in writing after missing three consecutive Board Meetings and at least 60 days in advance of the next Board Meeting. Only physical absences from the entire meeting or a missed registration and presence at a virtual BM (for at least three roll-calls) are considered for this purpose.

The Board Meeting shall strive to reach the widest possible agreement.

A record of the decisions of the board meetings shall be kept. These records must

be accessible to all members.

5.2. Executive Committee

5.2.1. Composition of the Executive Committee

The Executive Committee consists of five to seven ordinary members and a Presidency consisting of the President and two Vice-Presidents. These are all individuals. The Executive Committee is elected by the Board Meeting.

5.2.1.1 The number of persons in the EC is decided by a motion to be treated before the EC elections and supported by an absolute majority and this decision will stay in force unless decided otherwise.

5.2.1.2 The term of mandate of all the members of the EC is for one (1) year and starts on the first of (1) July and ends on the thirtieth (30) of June. The period between the elections and the first (1) of July is to be considered one of transition between the present EC and the elected members.

5.2.1.3 A gender balance of at least 40% of men and 40% of women in the ESU Executive Committee excluding the members of the Presidency must be assured. The Presidency (excluding the President) needs to be equally gender balanced.

5.2.2. Competencies of the Executive Committee

The Executive Committee is responsible for the execution of the decisions of the Board Meeting, political affairs and the overall finances of ESU.

The Executive Committee shall:

- take initiative to promote the views of ESU;
- be responsible of the external representation of ESU;
- implement the decisions, resolutions and policies of the Board Meeting;
- appoint the secretariat;
- design partnership agreements with other organisations;
- report to the Board Meeting on all its activities, as specified in the standing orders;
- draw up the agenda for the Board Meetings in cooperation with the Secretariat;
- meet at least once between Board Meetings.

The Executive Committee has the right to speak and to put forward motions in Board Meetings.

5.2.2.1 The EC may delegate competencies and responsibilities to the Presidency who must report to the EC at every meeting. The EC may not delegate issues concerning setting the political strategy, the selection of coordinators and appointing internal task forces and steering committees of expert pools, and the overall financial wellbeing and development of the organisation.

5.2.3. The Presidency

The Presidency shall be the operational decision-making body within the organisation and is responsible for the day-to-day coordination and management of the organisation and steering of its institutions. In addition, they shall be responsible for the organisation's lobby work and coordination of policymaking. The presidency members as a whole and individually are considered legal representatives of ESU.

The Presidency is responsible for the preparation of the Executive Committee meetings and must report on its activities to the Executive Committee at every meeting.

5.2.4. The President

The president shall be responsible for the coordination of the work of the Executive Committee and carry out the day-to-day financial affairs of ESU.

5.2.5. The Vice-President

The Vice-Presidents shall be responsible for the coordination of the work of the Secretariat and carrying out the day-to-day financial affairs of ESU.

5.2.6. Decision-making procedure in the Executive Committee

The members of the Executive Committee shall endeavour to reach the widest possible measure of agreement. Decisions in the Executive Committee shall be taken by simple majority, unless otherwise specified in these statutes or ESU's standing orders. The quorum of the Executive Committee shall be at least half of the members. The EC can approve its own Rules of Procedure, compliant with these statutes and ESU's Standing Orders, with a $\frac{2}{3}$ majority.

5.2.7 Resignation of EC members

5.2.7.1 Until discharged by the BM all members of the EC shall be fully accountable to the BM for their actions.

5.2.7.2 Only the BM can grant resignation to a member of the EC. In case of resignation of an EC member, more than thirty (30) days before the start of a BM, the Executive Committee has to open a call and select a new EC member. This selection has to be ratified by simple majority by the following Board meeting. If the resignation of an EC member falls within thirty (30) days of the start of the BM, a call must be issued and an election takes place at the BM.

5.2.7.3 In case of resignation of more than one third of EC simultaneously the Board Meeting decides on how to proceed.

5.2.8. Non-Election of EC and President or Vice-Presidents of ESU

5.2.8.1 In case no President is elected, the current President can, by a simple majority vote, continue until the next Board Meeting. If the current President does not wish to continue, one of the current Vice-Presidents can by a simple majority vote continue as President until the next Board Meeting. If one or both Vice-Presidents(s) of ESU are not elected and the President and the member(s) of the EC are elected, the EC will decide which member(s) of the EC shall be deemed as the Vice-President (s). This decision must be ratified by the Board by absolute majority at the subsequent Board Meeting.

5.2.8.2 If one or more positions under five people in the EC (except for the President and Vice-President) remain unfilled by the closing of the Board Meeting, the EC shall issue a call to select person(s) to form part of the EC within two months of the end of the BM. This decision must be ratified by absolute majority at the subsequent Board Meeting.

5.8.2.3 In case the EC has more than eight members and one or more positions over the eight is left unfilled, the EC will be considered to be complete in the size it has been elected until the next Board Meeting.

5.2.9 Signature

Financial matters up to 1000 Euro are the competency of all members of the Presidency and by the EC mandated staff. Each of them individually can engage

STATUTES as of BM83 (November 2022)

ESU for these matters after agreement from the rest of the Presidency. All other acts that engage ESU are, except special powers of attorney, signed by two members of the Presidency or at least one member of the Presidency, being the President or the Vice-President who is responsible for ESU finances, and one mandated member of the ESU staff.

5.3. The Secretariat

5.3.1. Composition of the Secretariat

The composition of the Secretariat is a matter of the Executive Committee. The Secretariat is accountable to the Executive Committee. The Executive Committee mandates a member of the Secretariat to be Head of Secretariat, with the following attributions:

- to lead the Secretariat and thus the staff;
- to assist the Executive Committee in the day-to-day financial affairs of the organisation;
- to present the views of ESU to third parties.
- to act as legal representative of ESU together with the presidency.

5.3.2. Competencies of the Secretariat

The secretariat shall:

- assist the Executive Committee in the execution of decisions taken by the Board Meeting or Executive Committee.

All members of the Secretariat only have speaking rights in the Board Meeting.

6. Judiciary Actions

The Executive Committee is fully responsible for judiciary actions and represents the organisation in all legal and judiciary procedures.

7. Standing Orders

All matters not dealt with by the mandatory provisions of Belgian laws or these statutes of ESU are regulated by the Standing Orders and Financial Standing Orders. The current standing orders were approved during the 83rd ESU Board Meeting. The EC is mandated to change the Statutes in regard to the BM in which the last version of the Standing Orders were approved, without a vote of the BM.

8. Amending the Statutes

The Board Meeting may amend the Statutes by three-quarters majority of the

STATUTES as of BM83 (November 2022)

votes cast, provided that notice of the proposed amendments have been submitted in writing to the ESU Office not less than forty days in advance, and the ESU Office has notified all members of ESU of such amendments not less than thirty days in advance of the Board Meeting. The amended articles should be discussed in the light of the chapter of the article.

9. Dissolution of the Organisation

The Board Meeting can decide on the dissolution of the organisation with a three quarters majority of the votes present at two consecutive Board Meetings. In this case the Board Meeting that dissolves shall decide to which organisation or organisations of similar aims it shall hand over all of its assets, by a three quarters majority.