

Federal Statutes



DIE LINKE.

Federal Statutes of the political party DIE LINKE

(Resolution of the congresses of the WASG and the Linkspartei.PDS
held on 24 and 25 March 2007 in Dortmund)

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1. Mission and Name of the Party

Preamble

Rooted in the history of the German and the international labour movement,

- committed to the peace movement and to anti-fascism,
- close to the trade unions and new social movements,
- drawing from feminism and the ecological movement,

democratic socialists and members of Labour and Social Justice – the Electoral Alternative, expanding their identity, are combining in a new party, DIE LINKE, with the aim of strengthening the forces in the struggle for decent work and social justice, peace and sustainability in development. DIE LINKE aspires to the development of a solidarity-based society in which the liberty of each is the condition for the liberty of all. The new LINKE is plural and open to everyone wishing to attain the same goals by democratic means.

Article 1

Name, Seat, Purpose and Area of Activity

- (1) The name of the Party shall be DIE LINKE. That shall also be the short term.
- (2) It shall have the purpose of contributing to political decision-making at all political levels in the spirit of its Programme, especially through participation in elections.
- (3) It shall be a Party in the meaning of the Basic Law and act on the basis of the Basic Law. Its area of activity shall be the Federal Republic of Germany.
- (4) The seat of the Party shall be Berlin.
- (5) The Party shall be a member of the Party of the European Left (EL).
- (6) It shall be registered as an association in the Berlin-Charlottenburg Register of Associations.

2. The Grass Roots of the Party

Article 2

Acquisition of membership

(1) Anyone who is over 14 years of age, defends the programmatic principles, recognises the Federal Statutes and does not belong to any other party in the meaning of the Parties Act can be a member of the Party.

See Transitional Clause 1

(2) Membership in the party is acquired by joining. Joining shall take place by means of a written declaration of joining presented to the appropriate district committee or the Party Executive Committee. The district committee shall immediately announce the joining with the consent of the member in suitable form in the district organisation in a party-open manner and inform the new member about the opportunities he/she has to participate.

(3) The membership shall take effect six weeks after receipt of the declaration of joining by the district committee if there is no objection to the membership. If the member has not consented to the party-open announcement of joining, a resolution of exception by the district committee shall be required. The district party congress can give effect to the membership by a resolution with immediate effect before the six weeks are up.

(4) Until membership takes effect, every other

member of the Party shall have the right to appeal against the acquisition of membership. The appeal must be made to the appropriate district committee, giving reasons, and must be ruled on without delay after hearing the member.

(5) Protest can be made to the appropriate arbitration committee against the decision of the district committee.

(6) Every member of the Party shall belong to a district organisation, generally that for the district in which they live. The federal Party shall maintain a central membership file.

Article 3

Termination of membership

81) Membership is terminated by withdrawal, expulsion or death.

(2) Withdrawal shall be declared in writing to the appropriate district committee.

(3) If a member pays no dues for six months this shall be regarded as withdrawal from the Party if the member has previously been reminded to pay the unpaid dues and the member has been offered a consultation and no understanding has been reached. The district executive shall declare withdrawal and inform the member accordingly. In the event that the member appeals this decision

to the arbitration committee, membership shall remain in effect pending a final ruling.

(4) A member can be expelled by an arbitration committee as the result of an orderly arbitration procedure corresponding to the rules of arbitration and only if he/she has deliberately violated the Statutes or substantially violated the principles or rules of the Party.

Article 4

Rights and duties of members

(1) Every member shall have the right within the framework of this Federal Statutes and the rules of procedure adopted

a) to share in opinion-forming and decision-making, to obtain information on all Party affairs and to take a position on them without hindrance,

b) to participate in events, elections, votes and the committee work of the Party,

c) to participate as guest in the discussions at members' assemblies, delegates' conferences and committees at all levels and to request the right to speak,

d) to submit motions to all party organs,

e) to combine with other members with the purpose of exerting joint influence in the Party,

f) to cooperate in proposing candidates for election to parliaments, local representative bodies and other elected office and to run for such office themselves.

(2) Every member shall have the duty

a) to defend the principles of the Party Programme and observe the Statutes,

b) to respect the decisions statutorily arrived at by the Party organs,

c) to pay their statutory membership fees regularly,

d) not to run for parliaments, local representative bodies or other elected office in competition to the Party.

Article 5

Guest members

(1) Persons who promote the political aims and projects of the Party without themselves being members can cooperate in branches and alliances of the Party and make use of the membership rights accorded to them as guest members. Decisions on the according of membership rights and their scope shall be made by the relevant subdivisions and alliances.

(2) Rights not accordable to guest members are:

a) the right to vote in membership referenda,

b) the right to vote on resolutions concerning

statute matters, financial arrangements, finance plans and the use of finances and assets or on matters of liability,

c) the right to stand for election to executive, arbitration and auditing committees. and to representative bodies for proposing candidates for parliaments and local representative bodies and

d) the right to vote on proposals for candidates for parliaments and local representative bodies.

(3) The allocation of membership rights to guest members at various levels requires the approval of the members at the level concerned or of the delegates' assembly.

The record of resolutions must name the guest members and precisely state the extent and time limitation of the rights accorded.

(4) The granting of the right to vote in a members' assembly shall be limited to the current assembly.

(5) Financial donations to the Party shall not be grounds for according membership rights.

Article 6

Elected representatives

(1) Elected representatives in the meaning of these Statutes are all persons who belong to a parliament or local representative body on the nomination of the Party or are members of a government or elected municipal officers.

(2) Elected representatives shall have the right

a) to take an active part in political decision-making in the Party,

b) to receive support from the Party in exercising their mandate,

c) to be heard before any political decisions are made pertaining to their mandate.

(3) Elected representatives shall have the obligation

a) to behave with loyalty and solidarity towards the Party,

b) to defend the programmatic principles of the Party,

c) to take the democratic decision-making in the Party into consideration when exercising their mandate,

d) to pay elected representative contributions in accordance with the federal finance rules,

e) to report to the Party organs at the relevant levels and to the voters concerning the exercise of their mandate.

Article 7

Alliances inside the Party

(1) The members are free to form alliances inside the Party. These are not organisational levels of the Party. They can choose a name that expresses their concept of themselves and their affiliation to the Party.

(2) Nation-wide alliances shall notify the Party Executive Committee of their work. An alliance is nation-wide if it represents at least two hundredths of the members or has been recognised as a Land-wide alliance in at least eight Land associations. Diverging from that, the Federal Committee can recognise alliances as nation-wide even if the preconditions are not fully met.

See Transitional Clause 2

(3) Alliances determine autonomously what political and organisational contribution they will make to the policy of the Party and to the further development of the membership, organisational and communications structures of the Party. They shall be integrated into the work of the Party executive, committees and working bodies at all levels in accordance with their priority themes.

(4) Alliances decide on their working methods and their internal structure autonomously. These must be in accordance with democratic principles. The Federal Statutes shall be applied analogously unless the statutes of a nation-wide alliance provide otherwise.

(5) Alliances can join other organisations only with the consent of the Party Executive Committee or the committee of the relevant district organisation.

(6) Nation-wide alliances can send delegates to the Party Congress.

(7) Nation-wide alliances shall receive funds for their work within the framework of the Finance Plan.

(8) Alliances that in their self-image, their resolutions or their political activity gravely and repeatedly contravene the principles of the Programme, the Statutes or resolutions of principle of the Party can be dissolved by a resolution of the Party Congress or the Federal Committee.

(9) An appeal against a resolution to dissolve under Paragraph 8 can be lodged with the Federal Arbitration Committee.

Article 8

Membership referenda

(1) A membership referendum (ballot vote) can take place on all political issues. The result of the membership referendum has the rank of a Party Congress resolution. In the event that the Parties Act dictates that a task be performed by the Party

Congress, the membership referendum has the character of a recommendation or confirmation of a resolution of the Party Congress.

(2) The membership referendum shall take place

a) on the application of Land and district organisations that together represent at least one quarter of the members or

b) on the application of eight Land organisations or

c) on the application of 5000 Party members or

d) on the decision of the Party Congress or

e) on the decision of the Federal Committee.

(3) All members shall be entitled to vote. The motion underlying the membership referendum is adopted if a simple majority votes in favour and at least one quarter of the membership takes part.

(4) A matter concerning which a membership referendum has taken place can be voted on again after two years at the earliest.

(5) The dissolution of the Party or its alliance with another party absolutely requires a membership referendum to approve it. A corresponding resolution by the Party Congress shall be considered confirmed, amended or annulled depending on the result of the membership referendum.

(6) Further particulars shall be set forth in Rules for Membership Referenda. The cost of a membership referendum shall be met jointly by all district organisations.

Article 9

Equal status

(1) The promotion of equal status of members and prevention of every kind of discrimination constitute one of the basic principles of the political work of the Party. Any direct or indirect discrimination or exclusion shall be decisively countered by all Party members.

(2) The rights of social, ethnic and cultural minorities in the membership, especially the right to self-determination, shall be given special protection by the committees of the Party and the district organisations. Their representation and participation in the process of opinion formation and decision-making in the Party shall be fostered.

The process of opinion forming and decision-making in the Party, its committee work and its public activity shall be organised by the committees of the party and the district organisations in such a way that working people, people raising children or caring for other people, people with very low incomes and people with disabilities can participate on an equal footing.

(4) Qualified childcare will be provided for all political events and bodies at the federal level. This offer applies regardless of the number of children registered. The federal Party shall cover the costs in full.

Article 10

Gender democracy

(1) Political decision-making by women in the Party shall be promoted actively. It is the aim of the Party that women shall be neither discriminated against nor hindered in their political work. Women shall have the right to build their own structures within the Party and convene women's plenums.

(2) In all assemblies and bodies of the Party, under the condition that a proper request is made, women and men shall alternate in speaking. Speakers' lists shall be kept separate.

In all assemblies and bodies of the Party, on the application of at least one quarter of the women present with voting rights, the meeting shall be interrupted for a women's plenum. A final decision on a resolution or motion voted down in a women's plenum can be made only after a further discussion by the whole meeting or the whole body.

(4) In elections for executive bodies, committees, working bodies and delegates, at least half those elected shall be women as a matter of principle. If that is not possible the mandates reserved for women shall remain unoccupied. A by-election can be held at any time. District and local organisations in which the proportion of women is less than one fourth can resolve to make an exception in individual cases.

(5) When nominating candidates for parliaments and local representative bodies, the Party shall work towards at least fifty per cent women in the parliamentary group. One of the first two places on lists of candidates and the odd positions from then on shall be reserved for women as long as women candidates are available. This shall not affect the possibility for the meeting to reject individual female candidates. Lists of women only shall be possible.

Article 11

The youth organisation of the Party

(1) With a statutes-changing majority the Party Congress can recognise a youth organisation as the Party's youth organisation if the following conditions are met in the Statutes of the youth organisation.

(2) All members of the Party up to the youth organisation's age limit shall be passive members of the youth organisation unless they object. They shall be informed of the activities of the youth organisation and invited to its meetings. They are listed as active members as soon as they have

registered with the youth organisation or taken part in activities. The activation of membership can be called into question only in a proper youth organisation arbitration procedure.

(3) Membership in the youth organisation shall not be coupled with Party membership.

(4) The Party shall support the political work of the youth organisation and orient young people towards membership in the youth organisation. Within the context of its autonomy the youth organisation shall support the political work of the Party.

(5) On the basis of the programmatic principles and the provisions applicable to the youth organisation in these Federal Statutes of the Party the youth organisation shall adopt a Programme and its own Statutes. It shall organise its work autonomously. The youth organisation shall inform the Party about its activities.

(6) The youth organisation shall receive funds for its work depending on the number of members within the framework of the Finance Plan.

(7) The youth organisation of the Party shall have the right to propose motions in all organs of power of the Party and the area organisations in which it is organised. The youth organisation shall elect delegates to the Party Congress and delegate two members to the Federal Committee.

(8) Paragraphs 1 to 7 shall apply to a university association with the relevant modifications. A university association shall be a part of the youth organisation.

3. The Structure of the Party

Article 12

Land organisations

- (1) The Party shall be subdivided into Land organisations. The subdivision shall correspond to the federal Lander structure of the Federal Republic of Germany. Within the legal borders of a Land there shall be only one Land organisation.
- (2) Land organisations shall bear the name DIE LINKE Land Organisation [Name of Land].
- (3) The organs of a Land organisation shall be at least the Land Party Congress and the Land Executive Committee. Land Party Congresses shall be held as delegate assemblies. The Land Statutes can provide for other organs. The Land chairpersons shall represent the Land organisations in and out of court and can grant power of attorney for legal transactions.
- (4) The Land organisations shall develop a programme corresponding to their regional conditions within the framework of the Party programme.
- (5) The Land organisations shall arrange their own affairs by means of their own Statutes within the framework of the Federal Statutes.
- (6) If Land organisations in their resolutions and their political activity gravely and repeatedly contravene the principles of the Programme, the Statutes or resolutions of principle of the Party, those Land organisations or individual organs of those Land organisations can be dissolved by a resolution of the Party Congress. The dissolution resolution shall require a Statutes-amending majority. The resolution must also deal with the further procedure for democratic reconstitution. This shall not affect the Party membership of the individual member.
- (7) An appeal against a resolution to dissolve under Paragraph 6 can be lodged with the Federal Arbitration Committee. Pending final decision, the legal capacity of the Land organisation shall be suspended.

Article 13

District organisations

- (1) The Land organisations shall be subdivided into district organisations.
- (2) The district organisation can comprise the members in a rural district, in a town with district status or in several territorially linked rural districts and towns with district status. In city states, deviations from the rule are possible.
- (3) Decisions on the formation, delimitation, dissolution and alliance of district organisations shall be made by an organ designated for that

purpose in the Land Statutes, in agreement with the district organisations affected. The Party Executive Committee shall be informed of the structure of the Land organisation.

- (4) The Party Executive Committee can form district organisations outside the country and assign them to a Land organisation with the consent of the latter.
- (5) The organs of a district organisation shall be at least the District Party Congress and the District Executive Committee. District Party congresses can be held as member assemblies or delegate assemblies. There can be other organs.
- (6) The district organisations shall be responsible for all political and organisational tasks in their area unless otherwise stipulated in these Statutes or the Land Statutes.
- (7) District organisations are the smallest area organisations with independent treasuries and their own finance planning.
- (8) District organisations have the right to be subdivided further into subordinate area organisations in the meaning of Article 7 of the Parties Act (local organisations).
- (9) Grass roots groups/grass roots organisations can be formed freely within a district organisation. Further particulars shall be determined by the district organisations. Grass-roots groups aboard can be formed with the approval of the Party Executive Committee. They shall be assigned to a district organisation.
- (10) District organisations can give themselves their own Statutes by resolution of the District Party Congress within the framework of the Federal and Land Statutes. Statute provisions that contradict the Federal or Land Statutes are null and void.
- (11) If district organisations in their resolutions and their political activity gravely and repeatedly contravene the principles of the Programme, the Statutes or resolutions of principle of the Party, those Land organisations or individual organs of those Land organisations can be dissolved by a resolution of the Land Congress. Article 12 Paragraphs 6 and 7 shall apply with the relevant modifications. Protests shall be dealt with by the Land Arbitration Committee.

4. The Organs of the Party

Article 14

Organs of the Federal Party and its subdivisions

(1) Organs of the Federal Party in the meaning of the Parties Act are the Party Congress, the Party Executive Committee and the Federal Committee.

(2) All stipulations concerning the organs of the Federal Party shall apply analogously to organs of the Land organisations, the district organisations and the federal alliances unless the federal statutes and the statutes valid there expressly provide otherwise.

Party Congress

Article 15

Tasks of the Party Congress

(1) The Party Congress is the highest organ of the Party. It discusses and rules on basic political and organisational matters.

(2) Only the Party Congress can adopt resolutions on

a) the political orientation, the principles and the programme of the Party,

b) the statutes and electoral procedure and the arbitration procedure of the Party,

c) the election programme for Bundestag and European elections,

d) the basic guidelines for funding political work, including the Federal Financial Structure,

e) the progress report of the Party Executive Committee and the auditors' report of the Auditing Committee,

f) the election and approval of the work of the Party Executive Committee,

g) the formation and dissolution of Land organisations,

h) the dissolution of the Party,

i) merger with another Party.

(3) In addition, the Party Congress shall discuss and rule on applications addressed to it.

(4) The Party Congress shall rule on the report of the Federal Committee on Party development, on the growing together of the Land organisations in the new and old Federal Lands and on the work of the Federal Committee.

(5) The Party Congress shall take a position on the work of the Bundestag parliamentary group and the group in the European Parliament on the basis of their reports. It shall decide on participation in coalitions or the toleration of minority governments at the Federal level.

(6) The Party Congress shall accept the report of the Federal Arbitration Committee.

(7) The Party Congress shall elect

a) the Party Executive Committee,

b) the members of the Federal Arbitration Committee,

c) the members of the Federal Auditing Committee.

Article 16

Composition and election of the Party Congress

(1) The members of the Party Congress with voting rights shall be

a) 50 delegates from the subdivisions,

b) the delegates of the recognised youth organisation,

c) the delegates from the federal alliances.

Further delegates can belong to the Party Congress with voice but no vote.

(2) The delegates shall be elected for a period of two calendar years. The election shall take place on 1 October of the year preceding the Party Congress at the earliest and four weeks before the Congress at the latest. It shall be left to the discretion of the Federal Committee to decide on a re-election of all delegates on the proposal of the Party Executive Committee or the Party Congress itself.

(3) Delegates prevented from attending can be represented by substitute delegates who shall be elected according to the same principles.

(4) The code for selecting delegates shall be drawn up by the Party Executive Committee by 30 June of every second year at the latest on the basis of the number of members on 31 December of the previous year for the following two calendar years; for the first time by 30 September 2007 for the years 2008 and 2009.

(5) The delegates from the subdivisions shall be elected by members' or delegates' assemblies in delegate wards. A delegate ward comprises one or more territorially linked district organisations. The delegate wards shall be determined by the Land committees by 30 September of every second year, the first time by 31 October 2007.

(6) The 500 delegate mandates from the subdivisions shall be apportioned to the Land organisations according to the number of members by pairs using the Adams divisor method (divisor series 0; 1; 2; 3; ...). The further apportionment within a Land organisation shall take place according

to member numbers likewise in pairs using the Adams divisor method.

See Transitional Clauses 3 and 4

(7) The Party's recognised youth organisation shall receive two mandates for every full 250 active members, but 20 mandates.

(8) The delegates from the federal alliances shall be elected by federal members' or delegates' assemblies. Federal alliances, if they have at least

- 1 000 members, shall receive 8 delegate mandates,
- 750 members, shall receive 6 delegate mandates,
- 500 members, shall receive 4 delegate mandates,
- 250 members, shall receive 2 delegate mandates with voting rights. The number of these mandates of federal alliances may not exceed fifty.

Otherwise the Party Executive Committee shall be empowered to adapt the apportionment of these mandates proportionally.

(9) Federal alliances with less than 250 Party members shall receive two mandates for non-voting delegates. These shall be elected by their federal members' or delegates' assemblies.

(10) The non-voting delegates shall be elected in accordance with an allocation system adopted by the Federal Committee by organs, assemblies or other bodies of the Party.

(11) Other non-voting members of the Party Congress are the members of the other federal organs plus the Federal Arbitration Committee and Federal Auditing Committee, the members in the organs of the European Left Party (EL) and the representatives of the Party in the European Parliament and in the German Bundestag.

(12) Delegates and other participants with voice but no vote have the same rights as voting delegates except for the right to vote in elections and other votes.

Article 17

Convening and functioning of the Party Congress

(1) A regular Party Congress shall take place at least once per calendar year.

(2) The Party Congress shall be convened in writing on the decision of the Party Executive Committee giving the provisional agenda and venue by means of a written message to the delegates and other non-voting participants. If delegates have not yet been elected or not yet been registered with the Party Executive Committee, the message shall be sent to the delegating regional organisations and alliances and if applicable to the youth organisation of the Party. All delegates shall be summoned four weeks before the Party Congress at the latest.

(3) In special political situations an extraordinary Party Congress can be convened on the decision

of the Party Executive Committee without those time limits being observed. An extraordinary Party Congress may discuss and rule on only those motions that are directly connected with the grounds for convening the Congress.

(4) The regular or extraordinary Party Congress must be convened immediately, observing the time limits, if it is applied for in writing citing reasons

a) by the Federal Committee,

b) by Land and district organizations that together represent at least one quarter of the members or

c) by at least one quarter of the voting delegates.

(5) Motions to be brought before the Party Congress must be submitted by six weeks before it begins at the latest. They shall be sent to the delegates at the latest four weeks before the meeting begins. Leading motions and other motions of fundamental importance shall be published for all Party members six weeks before the Party Congress at the latest. In the case of an extraordinary Party Congress these times can be shortened. Urgent motions and initiative motions can also be proposed at the Party Congress itself with the support of at least 50 voting delegates.

(6) Motions proposed by Land, district or local organisations, federal alliances, organs of the Party, committees of the Party Congress or at least 25 delegates shall be dealt with by the Party Congress or referred to the Party Executive Committee or the Federal Committee.

(7) The district organisations/delegate wards must have the opportunity in the period leading up to every Party Congress to discuss motions with their delegates and make known to them a vote on individual issues.

(8) The Party Congress shall adopt rules of procedure. If the Party Congress does not adopt rules of procedure of its own, the rules of procedure of the preceding Party Congress shall apply.

(9) In preparation for the Party Congress the Party Executive Committee shall nominate a Steering Committee, a Credentials Committee, a Motions Committee and an Elections Committee, the functions and functioning of which shall be set forth in the Rules of Procedure and the Election Regulations. The Party Congress shall rule on the final composition of those bodies.

(10) Written minutes shall be kept or an audio recording made of the proceedings at the Party Congress and filed. Resolutions of the Party Congress shall be written down and certified by the meeting chair.

See Transitional Clause 5

Party Executive Committee

Article 18

Tasks of the Party Executive Committee

(1) The Party Executive Committee is the political leadership organ of the Party. It heads the Party.

(2) Its specific tasks include

a) deciding all political and organisational as well as financial and property matters for which no other responsibility is determined in the Statutes,

b) stating the Party position on current political matters,

c) preparing Party Congresses and meetings of the Federal Committee and carrying out their resolutions,

d) deciding on motions referred to the Party Executive Committee by the Party Congress or the Federal Committee,

e) supporting Land organisations and the federal alliances of the Party and coordinating their work,

f) coordinating international work,

g) preparing elections and in particular convening and preparing a Federal representative assembly to draw up a federal list of candidates for elections to the European Parliament and submitting (signing) that federal list,

h) determining the code for selecting candidates for the Party Congress and the Federal Committee.

(3) The Party Executive Committee shall maintain an office at the seat of the Party. The office shall support the work of the Party Executive Committee, the other organs and bodies of the Federal Party, the Land organisations and the federal alliances. It shall maintain the central membership file.

Article 19

Composition and election of the Party Executive Committee

(1) The Party Executive Committee (entire Committee) shall consist of a total of 44 members elected by the Party Congress including members of the Executive Board and a youth policy spokesperson. The Executive Board shall consist of twelve members, including

a) a Party Chair,

b) one or more deputy Party Chairs,

c) a Federal Treasurer,

d) a Party Secretary,

The precise composition of the Party Executive Committee shall be determined by the Party Congress.

The members of the Executive Board from a to d

shall be elected by the Party Congress, the other members of the Executive Board by the Party Executive Committee.

See temporary arrangements 6 and 7

(2) As a rule the Party Executive Committee is elected every second year. If no election of the Party Executive Committee has taken place in any calendar year, it must be held at an ordinary Party Congress in the following calendar year at the latest. Otherwise the election of a new Party Executive Committee or any by-election shall take place on the decisions of the Party Congress.

(3) The Party Executive Committee shall include the Chair or Chairs of the DIE LINKE parliamentary group in the German Bundestag, a representative of the parliamentary group in the European Parliament and a representative of the Party's recognised youth organisation in a non-voting capacity. The Party Congress can designate further non-voting members.

Article 20

Functioning of the Party Executive Committee

(1) Unless otherwise stipulated in these Statutes, the Federal Financial Regulations or the resolutions of the Party Congress, the Party Executive Committee itself shall distribute tasks among its members and make them known to all Party members.

(2) The Party Executive Committee shall adopt its rules of procedure.

(3) The Executive Board shall perform ongoing political and organisational functions in the spirit of the resolutions of the Party Executive Committee and prepare the Party Executive Committee meetings. It is the Vorstand in the meaning of Article 26, para. 2 of the German Civil Code (BGB). It has the obligation to inform the Party Executive Committee of all decisions and measures taken. Particulars concerning the work of the Executive Board shall be set forth in the Rules of Procedure of the Party Executive Committee.

The Party Chair shall represent the Party in and out of court and can grant power of attorney for legal transactions. In addition to the Chair, two other members of the Executive Committee in the meaning of Article 26 para. 2 BGB can jointly represent the Party in and out of court.

(5) The Party Executive Committee is accountable to the Party Congress. Its decisions shall be reported in extensio to the Federal Committee, the Land organisations, the federal alliances and, as a part of public relations work, the members.

(6) The whole Party Executive Committee can resign only on the basis of a resolution adopted by an absolute majority of the elected members. In that event, an extraordinary Party Congress shall be convened immediately.

Federal Committee

Article 21

Tasks of the Federal Committee

The Federal Committee is the organ of the Party as a whole with consultative, monitoring and initiative functions in respect of the Party Executive Committee.

(2) The Federal Committee shall promote and support the growing together of the Land organisations in the new and old Federal Lands. It shall take and support initiatives that serve that purpose.

(3) The Federal Committee shall deliberate and decide in particular on

a) fundamental political and organisational questions on the basis of these Statutes, on the basis of resolutions of the Party Congress or on the application of the Party Executive Committee.

b) the annual financial plan on the proposal of the Party Executive Committee.

c) motions proposed to the Federal Committee or referred to the Federal Committee by the Party Congress,

d) matters in respect of which the Party Executive Committee considers a resolution of the Federal Committee necessary owing to their political significance or owing to the financial burden connected with them,

e) campaigns that require substantial financial or staff resources of the Land organisations to carry out.

(4) The Federal Committee shall elect the persons to represent the Party in the organs of the European Left Party (EL).

(5) The Federal Committee shall present to the Federal Representative Assembly a proposal for drawing up a federal list of candidates for the elections to the European Parliament.

Article 22

Composition and election of the Federal Committee

(1) The members of the Federal Committee with voting rights are

a) 60 representatives of the Land organisations,

b) twelve members to be elected by the assembly of spokespersons of the federal alliances,

c) twelve members to be chosen by the Party Executive Committee from its ranks,

d) two representatives of the recognised youth organisation.

(2) Further non-voting delegates can belong to the Federal Committee.

(3) The representatives of the Land organisations shall be elected by the Land Party Congresses. The further apportionment of mandates among the Land organisations shall take place according to the number of delegates to the Party Congress in pairs using the Adams divisor method.

(4) The non-voting members shall be selected on the decision of the Party Congress by organs, assemblies and other bodies of the Party and its alliances. In the process the parliamentary group in the European Parliament, the Bundestag parliamentary group and the representatives of the Party in the European Left Party should be given proper consideration.

(5) The members shall be appointed for a period of two calendar years, the first time for the years 2008 and 2009. Substitutes for the members shall also be appointed.

See Transitional Clause 8

Article 23

Functioning of the Federal Committee

(1) The Federal Committee shall meet as required, but at least every six months.

The Federal Committee must be convened on the decision of the Party Executive Committee or when it is applied for in writing by at least one quarter of the Federal Committee members citing reasons.

(3) The Federal Committee shall elect from among its members a steering committee responsible for convening and chairing the meeting.

(4) The Federal Committee shall adopt rules of procedure.

5. The Finances of the Party

Article 24

The financial resources of the Party

(1) The financial resources and the assets of the Party shall be administered by the Party Executive Committee and the Land and district executive committees in line with the principles and rules of disposal of the Federal Financial Regulations.

(2) The Party shall be financed from the sources of revenue stipulated in the Political Parties Act. The revenues shall be distributed in accordance with the principles of the Federal Financial Regulations and governed by the annual financial plan.

(3) The members of the Party shall pay membership fees commensurate with their income on the basis of the Federal Financial Regulations in effect. Membership fees cannot be refunded.

Article 25

Financial planning and presentation of accounts

(1) The Executive Committees of the Party shall be responsible for the annual financial planning and the presentation of accounts relating to revenues and expenditures and to the assets of the Party in accordance with the stipulations of the Federal Financial Regulations and the Political Parties Act.

(2) The Federal Committee rules on the annual federal financial plan on the proposal of the Party Executive Committee. Land organisations can make similar arrangements for the Land financial plans.

Article 26

Federal Financial Council

(1) the Federal Financial Council shall discuss all fundamental questions of the financial work of the Party. It shall prepare decisions of principle on the financial concept, financial planning, distribution of the common campaign funds and internal party financial equalisation.

(2) The Federal Financial Council shall consist of the Federal Treasurer and the Land treasurers.

(3) The Federal Financial Council shall be empowered to submit motions to the Party Congress, the Party Executive Committee and the Federal Committee. It shall have the right to take a position on all motions affecting finances.

(4) The Federal Financial Council shall adopt rules of procedure.

(5) Analogous provisions shall be made in the Land statutes.

Article 27

Auditing

(1) Auditing committees shall be formed in the Federal Party and in the Land and district organisations. They shall be elected by the Party Congress of the Federal Party and the Party Congresses of the Land and district organisations. They shall elect the Chair from among their members.

(2) Members of the executive committees, the federal committees or other Party committees in the Land and district organisations, elected representatives at the same level as the corresponding committee, Party staff or the staff of enterprises or institutions connected with it as well as members who receive regular income from the Party in other ways cannot be members of the auditing committees.

(3) The auditing committees shall audit the financial activities of the executive committees, the offices and the entire Party as well as the management of Party assets. They shall support the annual audit of finances and assets as required by the Political Parties Act.

(4) The Auditing Committees audit the financial sections of the executive committee reports to the Party Congresses as required by the Political Parties Act.

(5) The tasks and procedures of the auditing committees shall be detailed in rules to be adopted by the Party Congress.

6. The General Rules of Procedure of the Party

Article 28

Publicity

- (1) The deliberations of Party organs shall be open to party members as a matter of principle.
- (2) Guests can be granted the right to speak within the framework of the rules of procedure and the agenda.
- (3) The public can be excluded in whole or part on reasonable grounds.
- (4) The public must be excluded if the rights of third parties and especially their personal rights so require. The motions submitted to the federal organs of the Party and the minutes and valid resolutions of meetings shall be made known to the Party members in a suitable manner.

Article 29

Motions

- (1) Motions can be proposed by the members, the executive committees and other bodies of regional organisations, alliances and the recognised youth organisation of the Party.
- (2) Motions shall be submitted to the relevant executive committee of the Party. That committee shall refer it immediately to the organ responsible under these Statutes. The mover shall be informed of the referral within three weeks after receipt of the motion.
- (3) The action taken on the motion shall be made known to the mover immediately.
- (4) Particulars concerning the motion procedure shall be set forth in the rules of procedure of the organs.

Article 30

Invitation and Quorum

- (1) Invitations to meetings of the Party organs and materials for deliberation shall be sent out by ordinary letter mail. They can be sent out by fax or e-mail if the invitees have furnished a fax number or e-mail address. The rules of procedure of the organs may provide otherwise.
- (2) Elected Party organs have a quorum if at least one half of the voting members are present. The rules of procedure of the organs may provide otherwise.
- (3) Members' assemblies have a quorum regardless of the number of persons present if all Party members entitled to attend have been duly invited.
- (4) The absence of a quorum shall be declared when so moved.
- (5) Once the absence of a quorum has been

declared on an agenda item the Party organ is deemed to have a quorum on that agenda item at its next meeting regardless of the number of persons present. This shall be pointed out in the invitation.

Article 31

Resolutions, ballots and elections

- (1) Resolutions shall be adopted by a simple majority unless the Federal Statutes, the Electoral Procedure, Land statutes or district statutes explicitly provide otherwise.
- (2) A simple majority shall be deemed given in substantive ballots and elections if the number of valid yea votes is greater than the number of valid nay votes.
- (3) An absolute majority shall be deemed given in substantive ballots and elections if the number of valid yea votes is greater than the number of valid nay votes plus the number of valid abstentions.
- (4) A statute-changing majority shall be deemed given if at least two thirds of the valid votes cast are yea votes and more than half those entitled to vote vote yea. All elected voting delegates at delegates' assemblies, whether present or not, and all members present at members' assemblies shall be entitled to vote.
- (5) Elections can only take place if they were announced in the invitation to a meeting. They shall be announced in the invitation if new elections or by-elections are prescribed in the Statutes or if an admissible motion to hold new elections or by-elections has been made.
- (6) Elections to Party organs shall be by secret ballot. In all other cases the ballot can be non-secret unless an objection is raised when the question is put. Particulars shall be set forth in the Electoral Procedure of the Party.
- (7) Votes on substantive questions are non-secret on principle.
- (8) Voting on personnel matters, which amount to an election in their significance, shall be by secret ballot.

Article 32

Exercise of Party office and parliamentary mandates

- (1) As a rule, Party office and parliamentary mandates are exercised on a volunteer basis.
- (2) The full-time exercise of a Party office shall require a resolution of the Party Executive Committee or the relevant Land executive committee.
- (3) No Party office shall be held by the same Party member for more than eight years.

(4) The members of the Party Executive Committee and each Land executive committee may not in their majority be members of parliament at the European, Federal or Land levels.

(5) Necessary expenditures arising from exercising an honorary office shall be reimbursed in the framework of the Federal Financial Regulations, the Finance Plan and other resolutions of the Party.

Article 33

Termination of Party office and parliamentary mandates

(1) A Party office or parliamentary mandate shall be terminated for reasons of deselection, repeat election, resignation or termination of Party membership.

(2) Deselection takes place if the electing organ by secret ballot

a) defeats a Motion of Confidence by the elected person by a simple majority or

b) passes a motion to deselect by an absolute majority. Motions to deselect must be announced on the provisional agenda.

(3) Resignation from Party office and parliamentary mandates shall be declared in writing to the relevant executive committee.

(4) In cases covered by paragraphs 1 to 3 the relevant executive committee shall affirm on the basis of the minutes of the election the succession or the need for a new election or by-election and initiate the necessary steps.

Article 34

Submitting (signing) nominations

(1) Only the Party Executive Committee shall be authorised to submit nominations for election to the European Parliament.

(2) Only the relevant Land executive committees shall be authorised to submit nominations for election to the German Bundestag and the Land parliaments (constituency and list proposals).

(3) Only the relevant district executive committees shall be authorised to submit nominations for municipal elections.

(4) Land statutes may contain rules diverging from paragraphs 2 and 3 within the framework of the electoral laws. In the event that an electoral law contains differing mandatory provisions, those provisions shall apply.

Article 35

Drawing up federal lists for elections to the European Parliament

(1) The nomination of candidates for elections to the European Parliament and determination of their order on the federal list shall take place

at a special representatives' assembly (Federal Representatives' Assembly).

(2) The representatives shall be chosen for the Federal Representatives' Assembly directly by territorial assemblies of all members eligible to vote from among the Party members eligible to vote. The provisions concerning the Party Congress shall be applied analogously.

Article 36

Proposing constituency candidates and Land lists for elections to the German Bundestag

(1) Constituency candidates shall be proposed at an assembly of all members eligible to vote in the constituency or in a special representatives' assembly of the constituency (Constituency Representatives' Assembly).

(2) The representatives shall be chosen for the Federal Representatives' Assembly directly by territorial assemblies of all members eligible to vote from among their number.

(3) The nomination of candidates and the determination of their order on the Land list shall take place at an assembly of all members entitled to vote or at a special representatives' assembly (Land Representatives' Assembly).

(4) The representatives shall be chosen for a Land Representatives' Assembly directly by territorial assemblies of all members eligible to vote from among the Party members eligible to vote in the Land.

Article 37

Arbitration and dispute resolution procedure

(1) Arbitration committees shall be formed by the Party Congress and the Party Congresses of the Land organisations to arbitrate and resolve disputes in the Party or a territorial organisation with individual members and disputes concerning the interpretation and application of these Statutes and subordinate regulations and to deal with election challenges. Disputes committees can be formed for district organisations, as can joint disputes committees for more than one district organisation.

(2) The members of the arbitration committees shall be elected every second calendar year. They must not belong to the Executive Committee of the Party, the Federal or a Land committee or any other arbitration committee, be employed by the Party or receive any regular income from the Party. They are independent and not bound by instructions.

(3) Arbitration committees shall become active only on application. Decisions concerning the opening of arbitration proceedings shall be made by the arbitration committees.

(4) It shall rule in the first and last instance on challenges to the dissolution of regional organisations and alliances. It shall be the authority for appeals against decisions of the Land arbitration committees.

(5) Land arbitration committees shall arbitrate and decide disputes unless the Federal arbitration committee or another disputes committee is responsible or if arbitration in a district organisation has failed. They shall rule in the first instance on challenges to denials of membership and expulsions from the Party.

(6) Disputes committees shall settle disputes in district organisations.

(7) Arbitration committees can, as the result of proper arbitration proceedings,

a) order measures that serve to restore statutory order in the Party,

b) expel members from the Party under Article 3 para. 4.

(8) The Party Congress shall adopt Arbitration Rules for the activity of the arbitration committees that guarantee a legal hearing, fair process and rejection of a member of the arbitration committee for reasons of bias. The arbitration rules set forth the exact responsibilities of the arbitration committees and the details of the arbitration procedure.

7. Transitional and Final Clauses

Article 38

Transitional clauses

(1) Persons belonging to another political party can be members until 31 December 2007 as long as their party's goals or actual behaviour are not contrary to the goals of the Party.

(2) In a departure from Article 7 paragraph 2, all existing federal alliances of the Left Party.PDS and all federal working groups of the WASG shall be federal alliances until 31 December 2007 even if the preconditions are not met.

In a departure from Article 16 paragraph 6, the delegates' mandates for the 2008 Party Congress shall be apportioned as follows:

a) 160 mandates proportional to membership to all sixteen Land organisations,

b) 170 mandates proportional to membership to all ten West German Land organisations,

c) 170 mandates proportional to membership to the six East German Land organisations.

In the years 2010 and 2012 the number of mandates under sub-paragraph a shall be increased by 60. At the same time the number of mandates under sub-paragraphs b and c shall be reduced by 30 mandates each. Article 16, paragraph 6 shall apply from 2014.

(4) The 2007 founding congress of the party DIE LINKE shall consist of the elected delegates to the 6th Party Congress of the WASG and the 10th Party Congress of the Left Party.PDS.

(5) Party Congress resolutions with special east-west relevance require additionally for their adoption until the end of 2016 a simple majority of the delegates from the ten West German Land organisations and a simple majority of the

delegates from the six East German Land organisations. Such a majority shall be required when a quarter of the delegates so determine in a motion.

(6) Twenty-two members of the first Party Executive Committee of the party DIE LINKE, including six members of the Executive Board, shall be elected on the proposal of the Party Congress of the WASG and 22 members, including six members of the Executive Board, shall be elected on the proposal of the Party Congress of the Left Party. PDS,

(7) Two Party Chairs shall be elected until the Party Executive Committee is elected in 2010. One Party Chair nominated by the WASG and one nominated by the Left Party.PDS shall be elected in the elections in 2007.

(8) Until the first Federal Committee is constituted in the first quarter of 2008, its tasks shall be performed by the Party Executive Committee.

(9) Party Congress resolutions on amendments or on deletion of transitional clauses in Article 38 (3-7) as well as on the composition of the Party Executive Committee until 2010 shall require additionally for their adoption until the end of 2016 a simple majority of the delegates from the ten West German Land organisations and a simple majority of the delegates from the six East German Land organisations.

Article 39

Final Clauses

(1) These Federal Statutes were agreed on 25 March 2007 and adopted by the Founding Party Congress of the party DIE LINKE on 16 June 2007. They entered into force upon their adoption.

(2) Amendments to these Statutes must be adopted by the Party Congress by a statute-

changing majority or by membership referendum by a simple majority. The Federal Financial Regulations, including the fee table, the Arbitration Procedure and the Electoral Procedure, can be adopted and amended by the Party Congress by absolute majority. They are a part of these Statutes. Amendments to these Statutes shall enter into force after being entered in the Register of Associations.

(3) The Executive Committee in the meaning of Article 26 paragraph 2 BGB is authorised to correct, amend or add any Statute clauses that stand in the way of entry in the Register of Associations or are required for such entry when so informed by the Register.

(4) In the event of dissolution of the Party the Party assets shall go to a foundation selected by the Party Congress by simple majority and recognised to be not-for-profit.

Impressum

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