

The Board's Activity Report 2015

The first year of activity has been challenging on all the board members. It has been disagreements about what European Pirates agreed upon latest in Warsaw in 2013 and at the Founding Conference in Brussels in 2014.

There has been no financial activity last year according to the information the board have had available. However, it seems one member has paid a fee in 2014 to secure the Founding Conference in the EU Parliament. The board has no official records on this transfer of funds to PPEU. Because of this state there is no included financial statement from the Treasurer, Radek.

* Report of Activity

** Anders

** Antony

** Gilles

** Paul

** Anders **

- In favor of registering an AISBL:

It has been a lot of disagreement in the board around the issue of registration of PPEU, or not. We have heard arguments from 'waiting until after the EU-elections'; 'didn't get more than one MEP, not necessary until later/not possible with only one MEP.'; 'We have plenty of time until the next EU-election' and to 'It's too much work/It's too expensive'.

At the Warsaw Conference the delegates agreed upon making PPEU a European project where registering was part of the agreement in order to position PPEU to becoming a political registered party on EU-level for Pirate Parties in ALL European countries. In this lies the assumption that Pirates agreed that we will in the future establish a political party running for the European Parliament and representing ALL European members, EU- or non-EU members.

From the Warsaw Declaration: "...realizing the need for a new political party in Europe,".

Further:

"...Agree on the overall details of the structure of the statutes for the organization as was decided on the said conferences and meetings,
State our commitment to the Manifesto as agreed upon at the Warsaw conference,..."

And to underline that this is a European Pirate project, also from the Warsaw Declaration:
"...Invite other Pirates Parties of Europe to join us in the foundation of the European Pirate Party."
Ref: http://ppeu.net/wiki/doku.php?id=warsaw_declaration

The PPEU Manifesto should be ratified by all members before the European Pirate Party Founding Conference in the EU Parliament in Brussels last year (2014).

The Manifesto: <http://ppeu.net/wiki/doku.php?id=statutes:manifesto>

From the preambles in the statutes we find this sentence: "...Aspiring to be recognized as a Political Party at EU Level,..."

Also the following: "...Uniting the forces of Pirates and Pirate Parties from all over Europe to influence European policy together,..."

The most specific is at the end of the preambles: "...agree to create an international non-profit association according to Belgian law".

Article 14 (5) further locks the agreement Pirates did in Warsaw with reference to Belgian Law: "The Council may validly decide to dissolve the association or amend the statutes only in accordance with the provisions of Belgian law of 27 June 1921 on non-profit associations (ASBL), international non-profit associations (AISBL) and foundations, as amended by the Act of 2 May 2002." which strongly indicates that an official registration is required to meet the agreed upon negotiations leading to the Warsaw Declaration. At the time the text was agreed upon it was decided to mention both ASBL and AISBL because the Conference decided to leave the decision until after the differences had been properly explained. As these kind of issues is part of my previous profession and education it is obvious that AISBL is the only option due to the nature of international members of the PPEU. The only plausible way of getting this confirmed will be from independent statements from lawyers or professional consultants. To do this properly in an international foundation is actually pretty important in order to get the rest of the organisation to run as the members want it to. The basic registration and bank accounts in place will also ease the transition from one board to another tremendously. We have seen in the past that cleaning up after no official registration at all is very difficult, time consuming and actually expensive in terms of money.

The same Law is again referenced in Article 14 (8).

In article 21 Financial Provisions, there is again a strong requirement to the board to register PPEU according to formal judicial practice for organisations of the scope European Pirate Party is intended to have. Article 23 gives a similar picture as Art. 21.

The issue here is that we now have less than 4 years to the next EU-election. Time is flying and this board has not even started to build the organisation we intended to when consensus was reached with the Warsaw Declaration.

Building an international level with the goals and scope PPEU has, require both time and money. A budget was discussed in Warsaw and the total estimated minimum annual cost will be well above €10.000,00. There are legal costs, travel costs and costs of running servers. Most of the budget were in Warsaw proposed to be raised by donations, gifts and by other means on top of the member fees.

If Pirate Parties in Europe want PPEU to reach its goals the next EU-election and, like stated in the above mentioned documents, become a force to reckon with in European politics I am afraid we need to leave the TPB approach that several Pirates say we should use. If we should do it with the TPB approach the chances of acceptance as a political party on EU-level is very slim. We will first have to

change the laws and more important the judicial practices in order to be able to get there. The latter clearly implicating the need to adhere to judicial practice today and not tomorrow.

In November and December, when I was attending the first LD Meetup in Brussels, I teamed up with Koen deVoegt, then Co-Chair of Pirate Parties International, to file mandatory papers to Chamber of Commerce. In cooperation with Radek I had meetings with a lawyer to clear out all misunderstandings in the board about the registration process for PPEU. About 05 December 2014 the paperwork was ready for signing. As of today the filled in papers, not signed, are archived at the PPEU HQ, Julia's external office. Radek and I took this initiative because registering and get PPEU on track should not take much more than 3 weeks under normal circumstances and 8 weeks if we did everything wrong in the process. The Warsaw-delegates agreed on a tentative budget for this purpose, but the work was finally done for free by Radek, Koen and myself. See <https://ppeu.piratenpad.de/2> for timeline of the registration process. Or rather missing registration process

We are pirates, aren't we? So we should use the political instruments we can along with the activism. We cannot forget any of them and it is tremendously difficult to get a peaceful change without the political part of the movement.

Wish you all a 'piraty' and revolutionary Council Meeting in Brussels. Vote very wisely. We need doers in a PPEU board and people who understand the significance of what European Pirate Party is and what it can aid the Pirate Party movement to become.

-- Anders

Gen. Sec. PP-NO, International Team

["(r)evolutionary" stolen fearlessly from a little 'insignificant' island in the North Atlantic.]

** Antony **

In favor or registering an AISBL:

While an "Association de fait" has a certain amount of legitimacy, and can own a bank account in Belgium, it's unclear whether we can rely on them having the same powers as an AISBL.

In particular, the association should be able to own assets (such as the Internet domain name and servers associated with it).

Additionally the Statutes of PPEU specifically refer to the Belgian laws on ASBLs and AISBLs. The intention of the member's part from my point of view is clear from the get go to found an officially registered organization, and not just an "Association de fait". Also, we might have to interact with other organizations and/or governments outside of Belgium, and the "Association de fait" is a peculiarity of the Belgian law only.

Finally, most of the work has been done now, and the more the official registration is delayed the more difficult it will be for a future Board to pick up the work from where it was left of and get the job done. From my point of view it is desirable to get the organization going as much as possible (official registration, bank account, functioning website with independent mailing lists) so in the future we may focus on getting stuff done.

When we actually need an AISBL, we shouldn't leave it to some future Board to worry about that; if they need an AISBL, it is clear they will have real activities in mind and they shouldn't have to worry about things that should have been done on the first year.

-- Tony

** IT (Gilles) **

Gilles was tasked with IT early on. In the following months, he gathered information on the existing domains, websites and accounts. The perspective was that once the organisation was registered, it would start taking over from the volunteers having done the job up until that point.

The status back then was as follow:

- Domains
 - under the control of Sebastian Krone:
 - europeanpirates.eu the main domain since founding, but without a possibility to update the content, it was slowly deprecating
 - ppeu.net the web site was not updated anymore, but the wiki at <http://ppeu.net/wiki/> was still in use
 - under the control of the IT of PP-NL (Sander Plas)
 - ppeu.eu website with a placeholder
 - under the control of Anders Jensen-Urstad
 - europeanpirateparty.eu not in use, registered just in case
 - under the control of Gregory Engels
 - pirateparty.eu not active at the time
- Social media
 - Twitter
 - <https://twitter.com/EuropeanPirates> several people had the account details. From the board, Cristian
 - <https://twitter.com/eupirates> several people had the account details. From the board, Cristian
- Mailing lists:
 - only those running on the PPI servers:
 - Older ones:
 - <http://lists.pp-international.net/listinfo/pp-eu> (Admin: Gregory Engels)
 - <http://lists.pp-international.net/listinfo/pp-eu.coordinators> (Admin: Tomas Vymazal)
 - <http://lists.pp-international.net/listinfo/pp-eu.programme> (Admin: Martina Pöser)
 - <http://lists.pp-international.net/listinfo/pp-eu.statutes> (Admin: Martina Pöser)
 - <http://lists.pp-international.net/listinfo/pp-eu.euroliquid> (Admin: Daniele Monteleone / robotica)
 - New ones:
 - <http://lists.pp-international.net/listinfo/pp-eu.board> (Admin: Martina Pöser, Gilles Bordelais)

- <http://lists.pp-international.net/listinfo/pp-eu.board.private> (Admin: Martina Pöser, Gilles Bordelais)
- <http://lists.pp-international.net/listinfo/pp-eu.council> (Admin: Jens Stomber)
- <http://lists.pp-international.net/listinfo/pp-eu.education> (Admin: Michael Kittlaus, Wilk Spieker)
 - Contact: For the mailservers: Gregory Engels
- Etherpads:
 - <https://eu.piratenpad.de>
 - Admin: unknown, unused
 - <https://ppeu.piratenpad.de>
 - Admin: Sebastian Krone (Bastian)
- Mumble:
 - The Board has been using PP-DE's mumble server

All the domain owners (except for Anders, of whom we didn't know at the time) were contacted and asked whether they had any plans for their domains, whether they had intended them to be used by the forming PPEU and whether they would be willing and able to transfer them to the organisation. Bastian refused several times to answer the email, PP-NL agreed straight away, Gregory didn't answer to the email but assured there would be no problem when contacted by phone.

Later down the road, as the organisation had no possibility to own a server or a domain, the board decided to rely on resources provided by Julia's office.

Gilles then proceeded with contacting the people controlling the domains again.

PP-NL transferred the domain straight away, Bastian refused again to transfer ownership when asked about it in a mumble session of PPDE's International Coordination, Gregory again assured there was no problem, but never transferred.

As the board was faced with a web presence it could in no way control nor update, Gilles looked for alternative and found out about europeanpirateparty.eu, registered by Anders Jensen-Urstad. As Anders was willing to transfer the domain, a new website was setup by Julia's office and is now the official web presence of the organisation, serving updated content.

The twitter accounts have over time been brought under the sole control of the board, as shared credentials made it impossible to establish responsibilities in case of abuses, which have happened.

After Cristian stepped down from the Board, Gilles took over tweeting for the organisation.

Facebook (Paul and Cristian?):

** Public relations (Gilles, ...?)

Consists of nearly 100% online activity, although there has been some person to person networking. Julia has also used the European Pirates logos and names in her communication, which can be assumed to be our furthest reaching PR-measure so far.

All of the board have been involved to some extent in spreading "the good word", online or offline. Paul and Cristian have been active especially on the Facebook accounts, together with some volunteers. Gilles has been manning the twitter accounts, mainly spreading relevant EU-related articles and news about Julia's work, as well as creating and feeding, with some volunteer help, the website at <http://europeanpirateparty.eu>

Anders has also spent a lot of time networking.

Gilles has, since creation, been the press contact person for the party. His name, address and phone number were always available on the website.

So far, the spontaneous interest from outside in the European Pirate Party has been nearly nil. There were *two* requests by journalists since creation. One in April 2014 actually led to a published interview <http://www.la-croix.com/Actualite/Monde/Pourquoi-il-faut-reformer-Internet-2014-04-23-1140281>, the second and last one in June 2015 was a simple request for how to best contact Julia.

** International Coordination (Gilles, ...?)

There was nothing to coordinate. Not a single member organisation or individual pirate contacted the organisation with a request for help, communication needs for a campaign, or the such, since the creation of the Party in March 2014.

The only instance one could attribute to this sector of activity was the attempted organisation of a Council Meeting by a few Members of the organisation. This was not only contrary to the statutes (the Board organises the Meeting) but also in direct concurrence to the Meeting already being planned by the current Board. This created diplomatic difficulties. These were solved through direct contacts with all concerned Member's boards.

** Finances (Gilles, Radek) - bank account (job is done by Brussels board members: Gilles and Paul)

Zero money taken in, zero spent

** Registering, the history (Gilles, Paul, everyone who feels like adding to the story)

<https://ppeu.piratenpad.de/2>

how-to AISBL <http://titanpad.com/aisbl>

* Pro and cons of registering an AISBL, and led to the decision

- Pros:

Being able to own stuff and employ people

- Cons:

Neither the amount of external interest for the organisation (only one press request directed at the organisation in over a year) nor the will displayed by the members to engage themselves at a European level in a coordinated way through PPEU (none whatsoever, the organisation was never contacted in that regard, neither by Ordinary Members or individual pirates) suggests that spending all the money and creating all the liabilities involved is justified

---Gilles

** Paul **

- Against registering an AISBL:



The initial objective of PPEU was to coordinate the work with all the MEP coming from different countries and have a formal organisation with all pirates in Europe.

After the results of May 2014, and seeing the experience of PPI AISBL (see the final report of Koen), it was clear that with only one MEP, the creation of another formal structure like this was not a good idea.

In Belgium, one "association de fait" is enough to be considered as a group and also, the office of the only one MEP was clearly the best way to represent all the European Pirates.

AISBL cost a lot, and need a fiscal declaration each year. All the "to do" to make it is done and on a pad ... it was just not more necessary after election's results in May 2014

I know the statutes say we need to do it but we are pirates, no? Adaptability is a main value and I was not the only one against the registration as AISBL

-- Paul, PP BE

Brussels, 17 July 2015

Summary written by Anders with Antony and Radek as contributors.