

Introduction

Role of the panel

The Conciliation panel consists of Tetiana Bodun (Ukrainian Greens), Frieda Jans (Groen), Ed (Irish Greens), Imane Nadif (GroenLinks) and Ursula Berner (Austrian Greens) – 4 of us are present at Congress. All of the members of the panel have engaged with the process at various times and our decision is unanimous.

Process:

We availed of the EGP statutes and Annex H of the EGP Rule Book in conducting our work as a panel. The Panel met via Zoom and email with each other, as well as with Igor from the complainant party and Thomas of the EGP committee. There was also communication with the EGP committee in relation to process and detail. All members of the panel participated in the process at various times, and the decision taken by the panel was reached via consensus.

The panel notes that per article 6.6 of the EGP rule book, it's decision is final and binding on the participating parties.

The Panel thanks Igor of SMS and Thomas of the EGP Committee for making themselves available and providing materials to the panel for consideration over the past month.

The complaint:

The complaint was raised by SMS within the deadline period and was taken up by the panel as within their area of responsibility under the EGP statutes, as the arbiter of disputes between the Committee and member parties, particularly in relation to recommendations for termination of membership.

SMS (via Igor) identified a number of complaints in relation to the process conducted by the Committee. These included but were not limited to:

- The application of the criteria of assessment;
- The makeup of the people consulted on the record and character of SMS in the Slovenian political space;
- The timelines for meetings and provision of information.

The panel met with Igor from SMS and Thomas of the Committee remotely during their considerations via zoom, and put questions about the above and other matters to both, whilst also allowing them an opportunity to raise issues that were not addressed in those questions.

The Panel's findings:

Options we considered

1. Agree that procedure was followed and recommend a Congress vote be allowed to proceed to decide the issue.

2. Agree that procedure was not fully followed but that fundamentally we are happy for Congress to decide the matter in their vote.
3. Suggest a postponement of the decision, with supporting reasons.
4. Censure of the conduct of the Committee in this instance (with examples) and recommendation that the proposal to exclude be set aside.

- We find that there has not been a significant breach of the process by the EGP committee in their conduct of this process. The central contention of their recommendation is sufficiently supported by their report and supporting documentation and answers to the questions put to them.
- We do however note two items of concern:
 - Due to delays in arranging a meeting with Igor, the Committee had to take a decision about whether to recommend termination of membership before having met with Igor – this was confirmed in writing to Igor in October. The panel feels that this is an unfortunate but accepts the reasons given by the Committee in context in this instance.
 - The panel also finds that the current timeline in relation to notice for termination of membership does not facilitate a comprehensive appeals process, regretting that this can result in a confrontational process. The Panel asks Congress to consider the current statutes in this regard for potential future amendment.
- The Panel is of the belief that mediation is unfortunately no longer a suitable solution to the current impasse, recognising the considerable work done to date in this regard.
- **The panel is of the unanimous view that the Congress should be allowed to vote on the proposal of the Committee in relation to the EGP membership of SMS Zeleni.**

Dublin, 6 December 2024