

## **Agreement establishing The Platform of European Memory and Conscience**

**The parties to this Agreement (hereinafter referred to as “Members”),**

*Noting that the totalitarian dictatorships of 20<sup>th</sup> century Europe, National socialism, Communism and Fascism, claimed tens of millions of lives and caused immeasurable suffering, destroying the structure of societies, European culture and the spirit of humanity, dividing the continent into “East” and “West”,*

*Noting the exceptionality and uniqueness of the Holocaust,*

*Noting that, the twenty years since the fall of Communism in Europe have seen a growing need to establish the truth, knowledge and justice in respect to the Communist dictatorships,*

*Noting that both the National Socialist and Communist dictatorships committed crimes against humanity, war crimes, including crimes against national minorities and genocide,*

*Noting that many perpetrators of these crimes have not been brought to justice,*

*Noting further that citizens of countries which have not witnessed Communism and younger generations in countries which survived Communism need to be confronted with it, informed and educated about it in the same manner as they are educated about National socialism,*

*Noting that a culture of memory honouring the victims and those who resisted totalitarianism needs to be fostered in Europe,*

*Noting finally that many of the problems encountered in countries in transition to democracy, including erosion of values, widespread corruption and lack of trust of citizens in the state are a direct legacy of totalitarian rule,*

*Reaffirming their commitment to the Universal Declaration of Human Rights, the Charter of Fundamental Rights of the European Union and the European Convention on Human Rights.*

*Recognizing and upholding the work of the institutes, archives, museums and organisations dealing with the legacy of totalitarian dictatorships, in different European countries and its importance for a better and deeper European re-integration,*

*Responding to the need to coordinate and intensify the work of these institutions, archives, museums and organisations, both public and private, on a pan-European level,*

*Responding to the Parliamentary Assembly of the Council of Europe Resolution on the Need for international condemnation of crimes of totalitarian communist regimes of 25 January, 2006, to the Prague declaration on European conscience and communism of 3 June, 2008, to the European Parliament resolution on European conscience and totalitarianism of 2 April, 2009, to the conclusions of the EU Council on European conscience and totalitarianism of 15 June, 2009 and on the Memory of crimes committed by*

*totalitarian regimes in Europe of 9-10 June, 2011, and to the Warsaw declaration on the occasion of the European day of remembrance for victims of totalitarian regimes of 23 August, 2011.*

**Have agreed as follows:**

## Part I – Agreement

### **Article 1**

#### *Establishment of the Platform*

The Platform of European Memory and Conscience (hereinafter referred to as the “Platform”) is hereby established as an international non-profit association in the form of an interest association of legal persons according to the law of the Czech Republic, in particular in the form of a founding agreement according to Article 20f and the following of Act No. 40/1964 Coll., the Civil Code of the Czech Republic, in the wording of later amendments.

### **Article 2**

#### *Purpose of the Platform*

The purpose of the Platform shall be to provide support for networking and cooperation among national research institutes, archives, museums and other organisations, both public and private, specialising in the subject of the history of totalitarian regimes, with special emphasis on National socialism, Communism and other totalitarian ideologies, to support cooperation among archives and other institutions harbouring documentation on totalitarian regimes and their human rights violations, as well as to conduct research and develop scientific and educational projects regarding totalitarian regimes on European territory.

### **Article 3**

#### *Goals of the Platform*

The goals of the Platform shall be

- 1) to increase public awareness about European history and the crimes committed by totalitarian regimes and to encourage a broad, European-wide discussion about the causes and consequences of totalitarian rule, as well as about common European values, with the aim of promoting human dignity and human rights,
- 2) to help prevent intolerance, extremism, anti-democratic movements and the recurrence of any totalitarian rule in the future,
- 3) to work toward creating a pan-European documentation centre/memorial for victims of all totalitarian regimes, with the aim of commemorating the victims and raising awareness of the crimes committed by those regimes,
- 4) to support initiatives at the European level with a view to giving indiscriminate treatment to all crimes of genocide, crimes against humanity and war crimes, as well as to their victims,
- 5) to contribute to the education of young Europeans about the totalitarian regimes through the development of training courses, teaching curricula, programs and aids,
- 6) to strive to become a partner of the Council of the European Union, the European Commission, the European Parliament, the Council of Europe and other international organisations in seeking ways toward an honest and open appraisal of Europe’s common totalitarian legacy,

- 7) to contribute toward deepening the integration of all European citizens, furthering the respect and understanding of the essential importance of democracy, human rights, European values and the rule of law in all of Europe with the goal of avoiding future threats to democracy,
- 8) to share and exchange knowledge, know-how and experience with institutions and organisations pursuing analogous goals in other parts of the world.

#### **Article 4**

##### *Statute*

The Members have agreed on the Statute of the Platform. The Statute constitutes an integral part of this Agreement.

#### **Article 5**

##### *Governance of the Platform*

The governing bodies of the Platform shall be the Council of Members, the Executive Board, the President, the Managing Director, the Supervisory Board and the Board of Trustees. The statutory body entitled to act on behalf of the Platform shall be the Executive Board. The President, or a member of the Executive Board appointed by him, shall act and sign on behalf of the Platform. Based on an authorisation by the Executive Board, the Managing Director may act and sign on behalf of the Platform while securing organisational issues of the Platform. The Managing Director may also be authorised by the President to act on behalf of the Platform in a particular matter.

The President elected as of today shall be Mr. Göran Lindblad, born [REDACTED], residing at [REDACTED]

The Managing Director elected as of today shall be Mrs. Neela Winkelmann, born [REDACTED], residing at [REDACTED]

The person responsible for submitting the application for registration of the Platform according to Article 20i para. 3 of Act No. 40/1964 Coll., the Civil Code, in the wording of later amendments, shall be Mrs. Neela Winkelmann, born [REDACTED], residing at [REDACTED]

#### **Article 6**

##### *Language*

- 1) This Agreement and the Statute of the Platform shall be signed in the English and Czech languages. In case of any discrepancies between the Czech and English versions hereof, the Czech versions shall prevail.
- 2) This Agreement shall be done in two equivalent versions, one in the English and one in the Czech language. Each Member shall receive a certified copy of the version in each language.
- 3) The depository for all proceedings ensuing from this Agreement is the Executive Board.

## **Article 7**

### *Entry into force and legal status of the Platform*

The Platform shall be founded by appending the signature of at least three Members. The Platform shall have legal capacity according to Czech law. It shall have in particular the capacity to contract, to acquire and dispose of immovable and movable property and to institute further legal relations and proceedings according to corresponding regulations. The Platform shall be entered into the Register of Interest Associations of Legal Persons kept by the Prague City Hall.

*The signatures of Members follow below the Statute.*

Part II - Statute

**Statute of  
The Platform of European Memory and Conscience**

**Article 1**

*Name*

The name of the interest association of legal persons shall be: the Platform of European Memory and Conscience.

**Article 2**

*Seat of the Platform*

The seat of the Platform shall be Prague, Czech Republic.

**Article 3**

*Activities of the Platform*

The Platform may

- 1) gather and exchange information from and among Members,
- 2) organize coordination meetings and seminars for all Members,
- 3) provide assistance and services to Members,
- 4) publish periodicals, studies and books presenting the work of all Members to a broad European audience,
- 5) organize conferences, educational and other events presenting the work of all Members to a broad European audience,
- 6) create own projects involving three or more Members from different countries,
- 7) publish periodicals, studies and books presenting own projects to a broad European audience,
- 8) organize conferences, educational and other events presenting own projects to a broad European audience,
- 9) perform other tasks assigned to it by the Council of Members furthering the goals defined in the Agreement,
- 10) cooperate with and support activities of other organisations and institutions following the same goals.

## **Article 4**

### *Membership in the Platform*

- 1) Membership in the Platform is open to national memory institutes and other similar institutions dedicated to studying the history of totalitarian regimes, archives and other institutions harbouring documents generated by the activity of the repressive forces of totalitarian regimes, private and public non-profit organisations whose main focus of interest is the legacy of totalitarianism, accredited higher learning institutions and museums of totalitarian rule. Condition for Membership in the Platform is consent with the Code of the Platform included as **Annex 1**, which is an integral part of this Statute, as well as with the Agreement, the Statute and the goals of the Platform. Membership in the Platform is created by a decision of the Council of Members on the acceptance of the candidate as Member.
- 2) Membership candidates, upon submitting consent with the Code of the Platform signed by the statutory representative, may participate in the work of the Platform based on an invitation by the Executive Board, pending their Membership approval by the Council of Members. Before their Membership approval, Membership candidates do not exercise any rights or obligations ensuing from this Statute.
- 3) Membership in the Platform expires by decision of the Council of Members on the cancellation of the membership of the Member in accordance with the provisions of para. 4) and 5) or by a voluntary withdrawal of the Member from the Platform. The Member must forward the announcement on the withdrawal from the Platform to the Executive Board in written form; if no later date is announced, the membership expires on the last day of the month in which the announcement of the withdrawal is delivered to the Executive Board.
- 4) Members who violate the founding Agreement, the Statute or the Code of the Platform, may have their membership cancelled by decision of the Council of Members.

## **Article 5**

### *Relationship of the Platform and its Members*

The relationship between the Platform and Members and the Members among each other shall be a cooperative and mutually supportive one. The Platform wishes to stimulate the free sharing of information among Members and shall not attempt to take over or gain exclusive access to resources available to or administered by any Member. The Members shall cooperate with the Platform on a strictly voluntary basis within the scope of their legal status. Members have the right to participate in any activities of the Platform.

## **Article 6**

### *Relationship of the Platform with other organisations*

The Platform shall cooperate with other like-minded organisations and institutions of a similar scope, such as the European Network Remembrance and Solidarity as well as the European Network of Official Authorities in Charge of the Secret Police Files, with the view of furthering the goals of the Platform.

## **Article 7**

### *Governance of the Platform*

The governing bodies of the Platform shall be the Council of Members, the Executive Board, the President, the Managing Director, the Supervisory Board and the Board of Trustees.

## **Article 8**

### *The Council of Members*

- 1) The Council of Member shall be the supreme body of the Platform. In the Council of Members, each and all Members shall be represented by an appointed person with powers. The Council of Members shall meet at least once a year.
- 2) The Council of Members is entitled to decide on the creation and cancellation of Membership, it approves the Budget of the Platform and the Annual report of the Platform. The Council of Members elects the President and other members of the Executive Board, the Managing Director and the Supervisory Board and it appoints the Board of Trustees. The Council of Members decides on changes to this Statute and on the termination of the Platform with or without liquidation. The Council of Members further decides on issues which according to law or the Statute are included among competences of a general assembly.
- 3) The regular meeting of the Council of Members shall be convened by the President in written form with sufficient prior notice.
- 4) Other meetings shall be convened by the President according to immediate need. If at least on third of the Members propose it, the President shall convene the Council of Members within one month of the submission of the proposal. The Council of Members may also be convened by the Supervisory Board (Art. 12).
- 5) Should a person appointed by the Member cease to be the appointed person, the Member shall announce this to the Executive Board. With the delivery of the announcement, all functions of the appointed person are cancelled.

## **Article 9**

### *Procedure of the Council of Members*

- 1) The meetings of the Council of Members shall be presided by the President. Should this office be vacant, and in the absence of the President, the meetings of the Council of Members shall be presided by the eldest person with powers present (Art. 8 para. 1).
- 2) The Council of Members shall take its decisions by voting. The Council of Members may vote if at least one-half of all Members is taking part in the meetings. Decisions shall be adopted by a simple majority of those present. If the vote is tied, the vote of the President shall decide.
- 3) The consent of two-thirds of Members is required to elect and repeal the Managing Director and for decisions on changes and amendments of this Statute.



- 4) The consent of three-quarters of Members is required for the creation and cancellation of Membership, and a unanimous vote of Members is required for a decision on the termination of the Platform.
- 5) In decisions on cancellation of Membership, Members from the same country as the Member in question shall abstain from voting and shall not be included in the quorum for voting.
- 6) Upon a motion by the President, a decision of the Council of Members in the period in-between meetings may be adopted per rollam.

#### **Article 10**

##### *The Executive Board and the President*

- 1) The executive body of the Platform shall be the Executive Board which shall govern the activity of the Platform in the period in-between the meetings of the Council of Members. The Executive Board shall consist of the President and further four members who need not be the appointed persons with powers of the Member. The President and the further members of the Executive Board shall be elected by the Council of Members for a period of two years. In-between the meetings of the Council of Members, the Executive Board shall decide on all matters of the Platform, provided they are not reserved to the Council of Members.
- 2) The President presides over the Executive Board and the Council of Members and represent the Platform externally.
- 3) The President may be represented by a member of the Executive Board designated by him, with exception of the situation according to Art. 9 para. 1). The Executive Board and its members shall be accountable for their activity to the Supervisory Board which may repeal the Executive Board or its individual members. Should an individual member of the Executive Board be repealed or should his office expire before the expiration of the term of the Executive Board, the Council of Members shall elect a new member of the Executive Board for the rest of the term of the Executive Board.

#### **Article 11**

##### *The Managing Director*

- 1) The Managing Director need not be an appointed persons with powers of a Member and shall be elected by the Council of Members for a term of four years. The Managing Director shall secure the organisational side of the operation of the Platform, heading the Office of the Platform at its seat and fulfilling tasks entrusted to him or her by the Statute, the Council of Members and the Executive Board. The Managing Director shall be responsible for the economic management of the Platform, for the preparation of the Budget proposal of the Platform, for the observance of the Budget of the Platform, for the Accounting Balance and for the preparation of the Annual Report of the Platform.
- 2) The Managing Director shall be accountable for his or her performance in office to the Executive Board which shall direct him or her, and to the Council of Members. The Managing Director may be repealed from office by the Council of Members upon a motion by the Executive Board or by a motion of at least one-third of Members.

## **Article 12**

### *The Supervisory Board*

- 1) The Supervisory Board is the reviewing body of the Platform. The Supervisory Board consists of three representatives of Members elected by the Council of Members for a period of three years. At the first election, one member is elected for three years, the second for two years and the third for one year.
- 2) The Supervisory Board shall carry out the financial review of the economic management of the Platform. Members of the Supervisory Board shall be particularly entitled to inspect all documents and records pertaining to the activity of the Platform and to participate in all proceedings of its bodies.
- 3) The Supervisory Board shall propose necessary measures to the Executive Board and the Council of Members.
- 4) Should the interests of the Platform require it, the Supervisory Board may convene the Council of Members in written form.

## **Article 13**

### *The Board of Trustees*

The Board of Trustees of the Platform shall be established. The Board of Trustees shall consist of at least five personalities of public life from at least three different countries; these persons shall not be representatives of or employed by Members. The Board of Trustees shall carry out an advisory function for the other bodies of the Platform; it shall provide recommendations aimed at fulfilling the goals of the Platform. Members of the Board of Trustees shall be appointed by the Council of Members.

## **Article 14**

### *Financing of the Platform*

The Platform shall finance its activities by revenue from own activities, donations and grants. The Platform shall particularly strive to secure funding for its activities from the budget of the European Union. The Platform may raise contributions from Members on a voluntary basis.

## **Article 15**

### *Termination and Cessation of Activity*

The Platform may terminate its activity by a unanimous decision of the Council of Members. The Platform terminates its activity if it has less than three Members. The Platform may be terminated upon the transfer of the Platform's property. Should the property of the Platform not be transferred to a legal successor, its liquidation shall be carried out. In case of the termination of the Platform by liquidation, the remainder after liquidation shall be applied toward the activity of a minimum of three non-profit organisations, each in a different country, with the same or similar scope of activities. The choice of such organisations rests wholly within the powers of the Council of Members of the Platform. The Platform shall cease to exist upon erasure of its registration.

### **Annex 1: Code of the Platform**

The undersigned Member fully agrees with the Agreement and with the Statute and supports their purpose and goals. The Member does not knowingly employ former members or collaborators of repressive forces of totalitarian regimes or former functionaries with paid political jobs in totalitarian political structures, in paid or unpaid functions (as an exception, tolerance in this particular point is granted to the Office of the Federal Commissioner for the Records of the State Security Service of the Former GDR, acknowledging that a legal solution to the personnel problem is being elaborated). No Member shall be represented in the Platform by a person who was part of the above mentioned categories. To their best knowledge, no sources of financing of the undersigned Member come from non-democratic political structures or persons affiliated with such structures or from organisations promoting, supporting or tolerant to racial, nationalist or religious and social hatred or totalitarian rule or anti-democratic movement.

The Member is not connected with, does not and shall not support, in any form, be it financial, personal or material, non-democratic political structures or persons affiliated with such structures or organisations promoting, supporting or tolerant to racial, nationalist or religious and social hatred or totalitarian rule or anti-democratic movement.

Failure to comply with the Code of the Platform may lead to the cancellation of Membership in the Platform.

Done in Prague on 14 October, 2011

**Bulgaria:**

Centr Hana Arend-Sofija

Name in English: Hannah Arendt Center – Sofia

Seat: Kiril Hristov Str. 2, Plovdiv, 4000, Bulgaria

Registered in the Register of Non-profit Legal Persons and Foundations

Represented by Vasil Kadrinov, Director



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**Czech Republic:**


Ústav pro studium totalitních režimů

Name in English: Institute for the Study of Totalitarian Regimes

Seat: Siwecova 2, 130 00 Prague 3, Czech Republic

Founded by Act No. 181/2007 Coll., on Institute for the Study of Totalitarian Regimes and on Security Services Archive

Represented by Daniel Herman, Director



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Archiv bezpečnostních složek

Name in English: Security Services Archive

Seat: Siwecova 2, 130 00 Prague 3, Czech Republic

Founded by Act No. 181/2007 Coll., on Institute for the Study of Totalitarian Regimes and on Security Services Archive

Represented by Jana Poddaná, Director



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**Estonia:**

Sihtasutus Eesti Mälu Instituut

Name in English: Estonian Institute of Historical Memory

Seat: Tallinn, Tõnismägi 16, 10119 Estonia

Registered by Estonian Central Commercial Register under No.: 90009677

Represented by Toomas Hiio, Member of the Board



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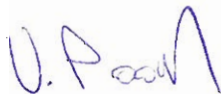
Sihtasutus Unitas

Name in English: Unitas Foundation

Seat: Roseni 7, Tallinn, 10111 Estonia

Registered by Estonian Central Commercial Register under No.: 90009754

Represented by Uve Poom, Member of the Board



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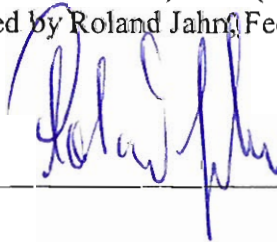
**Germany:**

Der Bundesbeauftragte für die Unterlagen des Staatssicherheitsdienstes der ehemaligen DDR  
Name in English: The Federal Commissioner for the Records of the State Security Service of the former GDR

Seat: Karl-Liebknecht-Str. 31-33, Berlin, 10178, Germany

Founded by Act on Documents of State Security Police of former German Democratic Republic, 20 December, 1991 (BGBl. I p. 2272)

Represented by Roland Jahn, Federal Commissioner



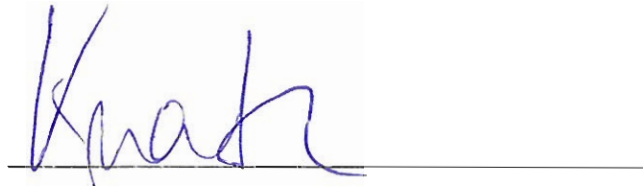
Gedenkstätte Berlin Hohenschönhausen

Name in English: Berlin-Hohenschönhausen Memorial

Seat: Genslerstraße 66, 13055 Berlin, Germany

Founded by Law on the establishment of the Foundation "Memorial Berlin-Hohenschönhausen", 21 June, 2000 (GVBl. p. 360)

Represented by Hubertus Knabe, Director



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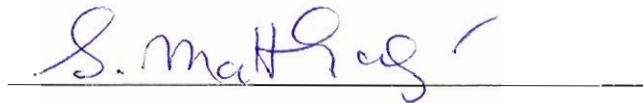
Hannah Arendt Gesellschaft zur Förderung der Geisteswissenschaft und Kultur e.V.

Name in English: Hannah Arendt Society

Seat: Neusser-Str. 557, Köln, 50737 Germany

Registered by the District Court in Köln in the Register of Associations under No.: VR 16453

Represented by Simone Matthaei, Chair



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**Hungary:**

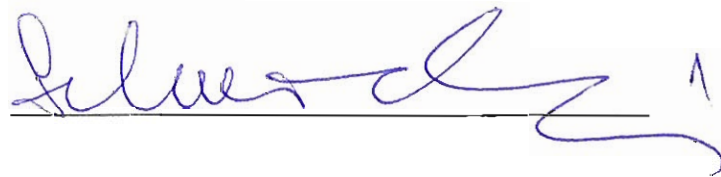
Közép- és Kelet-európai Történelem és Társadalom Kutatásáért Közalapítvány

Name in English: The Public Foundation for the Research of Central and East European History and Society – House of Terror Museum

Seat: Határőr u. 35, Budapest, 1122 Hungary

Registered by Court in Capital City Budapest, under foundation evidence No.: 7526

Represented by Mária Schmidt, Director



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**Latvia:**

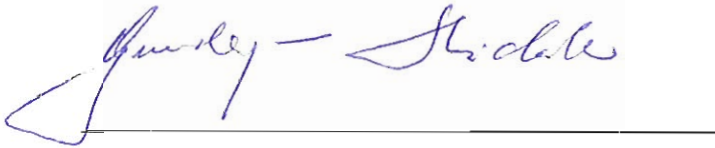
Latvijas Okupācijas muzeja biedrība

Name in English: The Occupation Museum Association of Latvia

Seat: Strēlnieku laukums 1, Rīga, 1050 Latvia

Registered in the Register of Enterprises of Republic of Latvia under No.: 40008018848

Represented by Gundega Michele, Director



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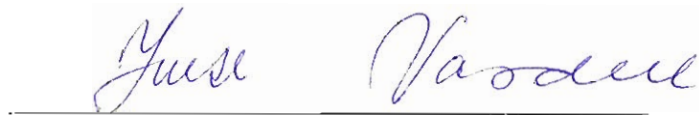
Latvijas okupācijas izpētes biedrība

Name in English: Association for Research of Occupation of Latvia

Seat: Akadēmijas laukums 1, Rīga, 1050 Lotyšsko

Registered in the Register of Enterprises of Republic of Latvia under No.: 40008149020

Represented by Inese Vaidere, based on power of attorney



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**Lithuania:**

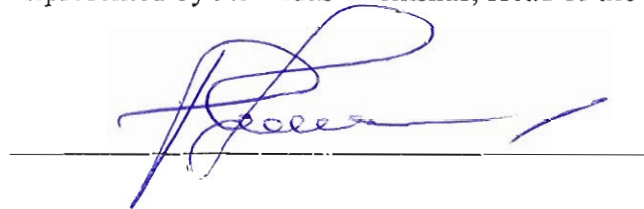
Tarptautinės komisijos nacių ir sovietinio okupacinių režimų nusikaltimams Lietuvoje įvertinti sekretoriatas

Name in English: Secretariat of the International Commission for the Evaluation of the Crimes of the Nazi and Soviet Occupation Regimes in Lithuania

Seat: Gedimino av. 11, Vilnius, LT-01103 Lithuania

A state (budgetary) institution under identification code 188736540

Represented by Ronaldas Račinskas, Head of the Secretariat



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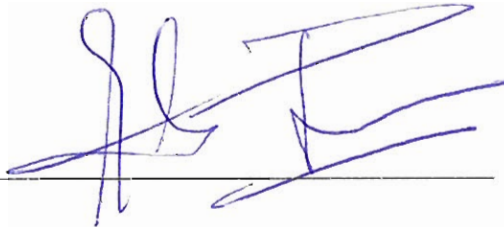
Lietuvos gyventojų genocido ir rezistencijos tyrimo centras  
Name in English: The Genocide and Resistance Research Centre of Lithuania  
Seat: Didžioji g. 17/1, Vilnius, LT-01128 Lithuania  
Founded by Act of the Republic of Lithuania No. VIII-238/1997  
Represented by Terese Birutė Burauskaitė, Managing Director



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**Netherlands:**

Stichting Geschiedenis Totalitaire Regimes en hun Slachtoffers  
Name in English: Foundation History of Totalitarian Regimes and their Victims  
Seat: Dr Mees Ten Oeverlaan 29, Wilnis, 3648XA, Netherlands  
Registered by Chamber of Commerce and Industry for Midden-Nederland under No.:  
30281102  
Represented by Johann Grünbauer, Member of the Board



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**Poland:**

Instytut Pamięci Narodowej  
Name in English: Institute of National Remembrance  
Seat: ul. Towarowa 28, 00-839 Warszawa, Poland  
Founded by Act from 18 December, 1998, on Institute of National Remembrance –  
Commission for Prosecution of Crimes against Polish Nation (Dz. U. 2007 r. Nr. 63 poz. 424,  
in the wording of later amendments)  
Represented by Łukasz Kamiński, President



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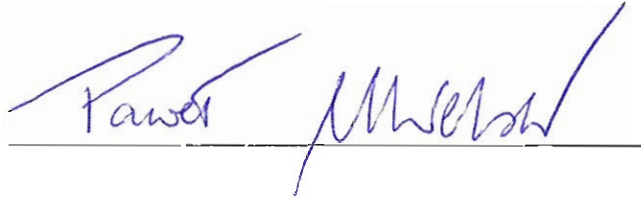
Muzeum Powstania Warszawskiego

Name in English: Warsaw Rising Museum

Seat: ul. Grzybowska 79, 00-844 Warszawa, Poland

Registered by City Hall of Capital City Warszawa under No.: 10/2004 in the Register of Cultural Institutions.

Represented by Paweł Ukielski, Deputy Director



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**Romania:**

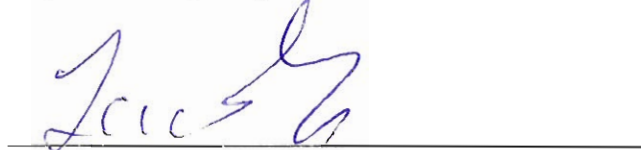
Institutul de Investigare a Crimelor Comunismului si Memoria Exilului Romanesc

Name in English: Institute for the Investigation of Communist Crimes and the Memory of the Romanian Exile

Seat: Alecu Russo nr. 13 – 19, sector 2, Bucharest, Romania

Founded by Governmental Decision No. 1372 / 9 November 2009

Represented by Bogdan Iacob, Secretary of the Scientific Council



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**Slovakia:**

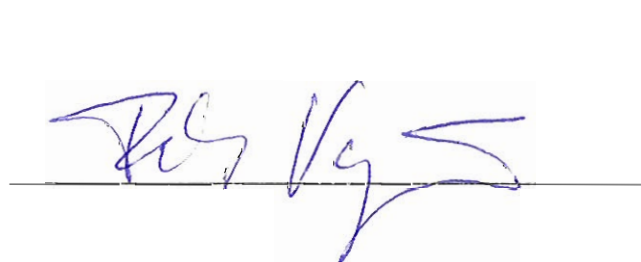
Nadácia Jána Langoša

Name in English: Jan Langos Foundation

Seat: Topolova 9, Bratislava, 81104 Slovakia

Registered by Ministry of the Interior of the Slovak Republic under No.: 203/Na-2002/883

Represented by Filip Vagač, Administrator of the Foundation



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**Slovenia:**

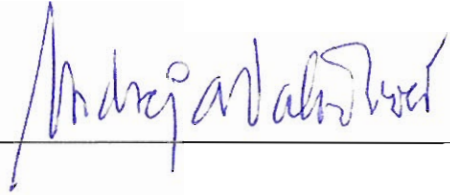
Študijski center za narodno spravo

Name in English: Study Centre for National Reconciliation

Seat: Tivolska cesta 42, Ljubljana, 1000 Slovenia

Registered in the Commercial and Court Register under No.: 3325369000

Represented by Andreja Valič Zver, Director



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**Sweden:**

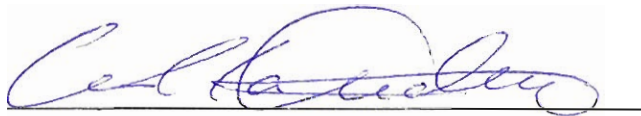
Föreningen för upplysning om kommunismen

Name in English: The Institute for Information on the Crimes of Communism

Seat: Box 11158, Stockholm, 100 61 Sweden

Registered by Swedish Tax Authority, Swedish Companies Registration Office under  
No.: 802433-8223

Represented by Camilla Andersson, Founder and CEO



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