



EuroMed Rights
EuroMed Droits
الأورو-متوسطية للحقوق

STATUTES OF EUROMED RIGHTS – EURO-MEDITERRANEAN HUMAN RIGHTS NETWORK

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1. Designation

- 1.1. The name of the organisation is: EuroMed Rights – Euro-Mediterranean Human Rights Network.
- 1.2. The headquarters of the Network are situated in Copenhagen (Denmark). The headquarters may be moved upon a resolution adopted by the general assembly. In the case of extreme emergency, the transfer may be decided upon by the executive committee. This decision must be ratified by the General Assembly.
- 1.3. The Network is an association as defined by the laws of the country in which the headquarters are located. It may establish ad hoc structures in other countries.
- 1.4. The Network is a non-partisan and non-profit-making organisation. No part of its net income shall benefit to any private organisation or individual, subject to the provisions below.

2. Objectives

2.1. Within the framework of the Euro-Mediterranean Partnership as defined by the Barcelona Declaration, adopted on the 10th November 1995, as well as in subsequent documents, and within the framework of co-operation between the European Union and the relevant Mediterranean countries, the objectives of EuroMed Rights are be as follows:

- To support and promote within the relevant States the universal principles of Human Rights as established by all the international instruments.
- To work in support for the development of democratic institutions and the promotion of the Rule of law, in particular freedom of association, equality between men and women, sustainable development and respect for economic and social rights. EuroMed Rights fights against inhuman and degrading treatments and torture, racism and anti-Semitism, as well as all discrimination based on origin, gender, family situation, pregnancy, physical appearance, family name, state of health, disability, genetic characteristics, sexual orientation, age, political opinions, trade union activities, belonging or non-belonging, be it real or assumed, to a specific ethnic group, nation, race or religion. It fights against war crimes and crimes against humanity.
- To support existing non-governmental organisations, the creation of independent and autonomous non-governmental organisations; to strengthen the capacity of civil society and to support, assist, including financially, and co-ordinate the efforts of its members. Any financial support must be seen as exceptional and must be approved by 2/3 of the members of the Executive Committee.
- To support and protect human rights defenders whose rights are violated.
- To promote human rights education and to act in favour of peace and the right of peoples to manage their own destinies.
- To promote dialogue and solidarity between peoples and cultures.

2.2. In order to achieve its objectives, EuroMed Rights:

- Intervenes with the relevant States and with European institutions to ensure respect for the aforementioned principles.
- Intervenes with the relevant States and with European institutions to ensure the Euro-Mediterranean Partnership implements the aforementioned principles in concrete terms.
- Gathers and disseminates among the relevant States, European institutions and the public opinion, information related to human rights situation and the Rule of law.
- Issues any recommendations it deems necessary to achieve progress in the implementation of the aforementioned principles.
- Can take legal action if this is deemed to be necessary.
- Launches relevant research and documentation activities and organise the publication, in any useful ways, of its work, positions and recommendations.

- Cooperates with all public or private, international or regional institutions whose activities are related to the objectives of EuroMed Rights.
- 2.3. The resources of EuroMed Rights shall be made up of contributions by its members and any other resources allowed under the law.
- 2.4. The working languages of EuroMed Rights are English, Arabic and French.

3. Members

3.1. The members of EuroMed Rights shall be:

- Regular Members
- Associate Members
- Honorary Members

The Executive Committee will submit at each general assembly a special report detailing any change with respect to membership, including resignations, expulsions or exclusions, that may have occurred since the last general assembly. The report will contain a proposal regarding the maximum number of regular, associate and honorary members that the general assembly should set until the next general assembly.

3.1.1. Regular Members

Regular Members of the Network are national or regional non-governmental organisations, academic institutions or national human rights institutions that are recognized by the general assembly as belonging to one of the 27 partner States or to potential partner States of the Euro-Mediterranean Partnership, and that are recognized as being independent from government authorities, non-partisan and active in at least one of the human rights fields mentioned in the Barcelona Declaration. In order to be recognized as such, a regular member must, prior to being recognized, have demonstrated its ability to organise and support the Network's basic activities, along with its willingness to get involved in the overall regional dimensions of the Euro-Mediterranean Partnership. Regular Members shall have the right to vote at the general assembly.

3.1.2. Associate Members

The Associate member status may be granted to organisations or institutions from non-Partner States, as well as to organisations and institutions that are unable to join the Network as full and active members. Associate Members may take part in all EuroMed Rights' activities but are not entitled to vote. They have the right to attend meetings of the general assembly and are entitled to speak thereat.

3.1.3. Honorary Members

Honorary Members are persons who were Individual Members of EuroMed Rights until the 2008 general assembly.

Only former executive committee members may be designated as honorary members in the future, at the suggestion of the Executive Committee and upon a decision by the General Assembly.

Honorary members take part in the activities of EuroMed Rights and the General Assembly upon the request of the President, the Executive Director or the Executive Committee. They do not pay membership fees and do not have voting rights.

3.2. Conditions governing admission

To become a Regular Member or an Associate Member, an organisation must:

- Meet the conditions set out in articles 3.1.1 and 3.1.2 of the present Statutes.
- Provide its statutes in writing, together with any relevant document stating that it has an activity consistent with the aims of EuroMed Rights.
- Adhere to the present Statutes
- Pay a membership fee
- Submit a letter of recommendation signed by at least two regular members of EuroMed Rights or, in the case of associate members, by two associate or regular members.

EuroMed Rights shall, as much as possible, maintain a balance between the number of regular members from European Union countries and the number of regular members from partnership countries.

The executive committee may decide to refuse a candidate organisation if there are already several member organisations from the same country in EuroMed Rights.

Generally speaking, the executive committee shall collect as much useful information as possible, in particular from other organisations that are geographically close.

The Bylaws define other EuroMed Rights' membership criteria that must be followed by the executive committee before it decides to support or reject any candidate.

Applications for membership must be sent to the Secretariat of EuroMed Rights. They are examined by the Executive Committee, which decides on the admission of the candidate organisation, which is then subject to the approval of the nearest subsequent general assembly.

No membership application may be submitted for approval if it is received less than three months before the general assembly.

The executive committee may decide that an organisation whose membership application has been received favourably can be involved in all or part of the activities of EuroMed Rights, in the expectation that it will be admitted by the General Assembly.

The Bylaws set out other conditions relating to applications and membership.

3.3. Resignation, Expulsion and Exclusion

EuroMed Rights' membership ceases upon:

- resignation
- expulsion
- exclusion

3.3.1. Resignation

Any regular or associate member may resign its membership in EuroMed Rights. To do so, it must send the secretariat a letter stating its intention, signed by its legal representative. The Executive Committee formally acknowledges the resignation. A Member's resignation does not nullify its duty to pay its membership fee or any other sum of money that may owed.

3.3.2. Expulsion

A regular or associate member may be expelled by the executive committee if the committee finds that the member: has ceased its cooperation with EuroMed Rights; has ceased all activity related to the fields of work and objectives set out in EuroMed Rights' statutes; or is not honouring its financial obligations.

Before deciding on expulsion, the executive committee gives the member concerned an opportunity to provide an explanation.

A Member may appeal its expulsion to the General Assembly in accordance with the procedures set out in the Bylaws.

The Executive Committee reports to the General Assembly all expulsions that have occurred since the last General Assembly.

3.3.3. Exclusion

A member is excluded only if it has violated the principles of EuroMed Rights. Exclusion may only be declared by the general assembly, at the request of the executive committee, after the member concerned has been given an opportunity to provide an explanation.

However, in demonstrated cases of emergency, in cases where the principles of EuroMed Rights have come under attack from a member, or in cases where a member's behaviour jeopardises the work of EuroMed Rights, the executive committee may decide to suspend a regular member or an associate member after the member has been given an opportunity to provide an explanation. That suspension ceases to apply if the executive committee does not proceed with the expulsion of the member concerned or does not ask the general assembly to exclude the member. A suspended member may not take part in the general assembly, except to have its case heard, until after the general assembly has made a decision.

An honorary member whose behaviour constitutes an attack upon the principles of EuroMed Rights may only be excluded by the general assembly upon recommendation by the Executive Committee, after the Member has been given an opportunity to provide an explanation.

4. Decision making bodies of EuroMed Rights

The decision-making bodies of EuroMed Rights are the General Assembly, the Executive Committee and the Secretariat.

4.1. General Assembly

4.1.1. Powers

The General Assembly alone has the authority to:

- Elect the president and the members of the executive committee.
- Rule on admitting regular or associate members and rule on all refusals.
- Rule on excluding a regular or associate member and, when appealed to as a last resort, rule on expulsion.
- Amend the Statutes.
- Declare dissolution of the organisation.
- Vote on activity and financial reports, and approve or reject financial statements.
- Define the general direction of the organisation and ensure that it is implemented.
- Set out the programme of activities upon recommendation of the executive committee.
- Vote on the provisional budget.
- Vote on any increase in membership fees.
- Confer honorary status on individuals upon recommendation of the executive committee.
- Review the report that has been submitted by the Executive Committee as provided for by article 3.1 of the Statutes, and vote on any proposals it may contain.

More generally, rule on all matters referred to it by the executive committee or by regular members under the conditions set out in these Statutes.

4.1.2. Participation in and representation at the general assembly

Participants in the General Assembly include:

- Regular Members whose membership fees have been paid.
- In an advisory capacity, Associate Members whose membership fees have been paid.
- In an advisory capacity, Honorary Members

Regular members and associate members are represented at the general assembly by one person each.

The representation of regular members and associate members must aim to represent men and women equally.

The executive committee may choose to invite anyone who could be of assistance in the work of the general assembly.

4.1.3. Meetings of the General Assembly

The general assembly meets every three years. The date and venue of the general assembly are decided upon by the executive committee. Meetings of the general assembly may take place in any of the partner countries.

Provided that one half of regular members request it and that the reasons for doing so are set out in precise terms, the executive committee may convene an extraordinary general assembly.

The executive committee may, at any time, convene an extraordinary general assembly with a specific agenda.

The executive director takes minutes of the decisions of the General Assembly. These minutes are signed by the President and the Executive Director of EuroMed Rights.

4.1.4. Agenda, time limits and steering committee

The executive committee sets a provisional agenda. In all cases, the agenda includes at least the following elements:

- Ensuring that the Members present are properly mandated and that their membership fees have been paid.
- Approval of the agenda.
- A review of, and a vote upon, the Executive Committee's activity report.
- A review of, and a vote upon, the financial report, statements, and the auditor's report.
- A review of, and a vote upon, the draft programme of activities and general directions submitted by the Executive Committee.
- A review of, and a vote upon, the draft provisional budget.
- The appointment of an auditor.
- A review of, and a vote upon, applications for membership that have been accepted as well as Members which have been excluded and any dismissals that may have taken place
- The election of the President and members of the Executive Committee and any dismissals that may have taken place.
- A review of, and a vote upon, the report submitted by the Executive Committee, as provided for by article 3.1 of the Statutes.

Members of EuroMed Rights are advised of the date and venue of the General Assembly at least 75 days before the first day of the General Assembly meeting. In cases of absolute necessity, however, the Executive Committee has the authority to change the venue of the General Assembly meeting, provided that Members

are advised at least fifteen days in advance. The provisional agenda is sent to Members at the same time as notice is given of the General Assembly meeting.

Should a Regular Member wish to add an item to the agenda, the Member has up to forty-five days before the first day of the General Assembly meeting to inform the Secretariat of the Executive Committee. The Executive Committee will add that item to the agenda, except in cases of refusal, which the General Assembly rules upon by simple majority.

Thirty days before the first day of the General Assembly meeting, the Secretariat sends the final agenda to the Members.

Any item not on the agenda, proposed after the deadline or during the General Assembly, may only be included in the agenda if such inclusion is approved by two thirds of Regular Members.

All other documents submitted to the General Assembly for deliberation are sent to Members at least 30 days before the first day of the General Assembly meeting.

The Executive Committee appoints Member representatives to chair the sessions. These representatives must include men and women in equal numbers, as well as Regular, Associate and Honorary Members from European Union countries and from the European Union's Mediterranean partners in equal numbers.

The session chairpersons, together with the members of the Executive Committee and, in an advisory capacity, the Executive Director, make up the Steering Committee of the General Assembly. The names of the chairpersons are provided to Members with the provisional and final agendas. If a chair is unable to attend the General Assembly, she/he is replaced by decision of the Steering Committee of the General Assembly in full compliance with the same criteria of equal representation.

The Steering Committee of the General Assembly settles all disputes relating to the validity of Regular and Associate Members' mandates and to any problems associated with the running of the meeting. Its mandate ceases with the closing of the General Assembly and the election of the Executive Committee.

4.1.5. Proxy voting, voting and quorum

Postal votes are not permitted.

Regular Members are entitled to cast a vote by proxy on behalf of another Regular Member. Each Regular Member may only cast one proxy vote.

The Assembly's deliberations are valid only if at least half plus one of the Regular Members are present or represented.

Each Regular Member has one vote.

Elections are always conducted by secret ballot. Other votes are public.

The deliberations of an Extraordinary General Assembly are valid only if two thirds of the Members are present or represented by proxy. If quorum is not achieved, a second Extraordinary General Assembly may be convened. The deliberations of that Assembly are valid regardless of the number of members present or represented.

The second Assembly may be convened at the same time as the first and the second General Assembly meeting may take place immediately after the first.

4.1.6. Requisite Majority

All the decisions made by the General Assembly are adopted by simple majority of the votes cast.

In case of a tie, a second vote is held. Should another tie result from the second vote, the proposal is rejected.

A change in the location of the headquarters, amendments to the statutes and the decision to dissolve the organisation may only be adopted with a majority of two thirds of the Members present or represented.

4.2. Executive Committee

4.2.1. Composition

The executive committee is made up of twelve members.

A regular member may only have one representative on the executive committee.

The executive committee may only include one regular member for each country.

Half of the executive committee is made up of representatives from European Union member countries and the other half of Mediterranean partner countries of European Union, within the limit of six for each college

The Executive Committee must strive to include an equal number of men and women.

The Executive Committee includes a President, elected by the General Assembly, as well as a Vice-President and a Treasurer, both elected by the Executive Committee. These three officers make up the Steering Committee of the Executive Committee.

The President and the Vice-President may not be of the same sex. One must represent a member state of the European Union and the other a partner country of the European Union.

The Executive Committee must strive to reflect the geographical diversity of the region, South and North, as well as the diversity of EuroMed Rights' activities.

4.2.2. Duration and Renewal of Mandates

The members of the Executive Committee are elected for a term of three years. They may be re-elected twice. At the end of three successive terms, a Regular Member may only run for office on the Executive Committee at the General Assembly, after its previous term has expired.

If, however, a member of the Executive Committee is running for President, the number of terms already served is not taken into account. No one may be President for more than two consecutive terms.

4.2.3. Candidacy

Candidacies must reach the Secretariat at least 45 days before the first day of the General Assembly.

A candidacy must originate from the headquarters of a Regular Member. It must be accompanied by a letter of intent and specify whether it is a candidacy for the position of President.

Candidacies are sent to EuroMed Rights' Members at the same time as all statutory documents and within the time limits set out in article 4.2.4.

The other terms and conditions governing candidacies are set out in the Bylaws.

4.2.4. Elections

Elections take place by secret ballot and with a simple majority of the General Assembly's Regular Members.

In the case of a tie vote between two candidates, the winner is the longer-serving member of EuroMed Rights.

In the case of a tie vote between one male and one female candidate, the winner is the female candidate.

If one candidate obtains more votes than the other, she/he may not be declared the winner if the election violates the provisions set out in article 4.2.1 (paragraphs 2, 3 and 4).

The Vice-President and the Treasurer are elected by secret ballot or by consensus of the Executive Committee at its first meeting following the General Assembly.

In the case of a tie vote between two candidates, the winner is the longer-serving member of EuroMed Rights.

If one candidate obtains more votes than the other, she/he may not be declared the winner if the election violates the provisions set out in article 4.2.1 (paragraph 6).

4.2.5. Dismissal, Incapacity, Resignation and Loss of Mandate of Executive Committee Members

An Extraordinary General Assembly may decide by an absolute majority of Members present or represented, and by secret ballot, to dismiss any member of the Executive Committee, provided the said member has been given an opportunity to provide an explanation.

Any member of the Executive Committee who, without cause deemed valid, has not attended three successive meetings of the Executive Committee, may be dismissed from her/his duties.

Such dismissal is decided upon by secret ballot, after the Executive Committee member concerned has been given an opportunity to provide an explanation, by absolute majority of the members of the Executive Committee present. The member being voted on may take part in the vote.

A Regular Member whose representative has been dismissed from the Executive Committee because of repeated absences may not put forward a candidate at the next General Assembly.

When a member of the Executive Committee is dismissed, she/he is not replaced.

If the representative of a Member is unable to fulfil his/her duties or is no longer mandated by the Member he/she represents, the Executive Committee asks the Member to appoint another representative. If another representative is not appointed within a reasonable time limit, the Member is deemed to have resigned.

The Executive Committee formally acknowledges this situation by informing the Member concerned as well as all other Members.

If, for any reason, the President is unable to carry out his/her duties, the Vice-President assumes the duties of the President until the next General Assembly. If the Vice-President refuses or is unable to become President, the Executive Committee will elect one of its members who will serve as President until the next General Assembly.

4.2.6. Meetings, Quorum and Agenda

The Executive Committee meets at least three times a year in addition to the meeting that takes place immediately following the election of its members at the General Assembly.

Additional meetings may take place upon a decision of the President or upon a request by one third of Committee members.

The deliberations of the Executive Committee are valid only if at least six of its members are present. An Executive Committee member may not vote by proxy on behalf of another member.

If there is no clear consensus, decisions are made by simple majority of the members present. In the case of a tie vote, the President may cast the deciding vote.

The members of the Executive Committee are advised of Committee meetings at least 30 days in advance and receive a provisional agenda upon such notification. The final agenda and any necessary documents must reach Committee members at least ten days before the meeting.

In cases of emergency, Executive Committee members may be consulted in writing on a specific subject at the initiative of the President. This may be done by email. The absence of any reply to the question within an agreed time limit is deemed to signify approval.

4.2.7. Powers of the Executive Committee and of its Members

The Executive Committee implements the decisions of the General Assembly.

Subject to the approval of the General Assembly, the Executive Committee, between meetings of that body, issues general guidelines governing EuroMed Rights' activities and consults with Regular Members on important issues relating to Network policy. In particular, the Executive Committee is responsible for carrying out the following activities:

- a) Preparing the program of activities for three years, to be submitted to the General Assembly at its next meeting.
- b) Developing a provisional three-year budget for the Network.
- c) Preparing the activity report and financial report of EuroMed Rights.
- d) Establishing working groups and, as needed, ad hoc or permanent task forces charged with developing specific programmes or policies, providing advice to the Executive Committee, and ensuring the effective implementation of the mandate and agenda of EuroMed Rights.
- e) Supervising the work of the various EuroMed Rights' structures of and working groups with specific assignments.
- f) Improving and facilitating communications among EuroMed Rights' Members, between EuroMed Rights and the institutions of the Euro-Mediterranean Partnership, as well as with all institutions interested in this area.
- g) Exercising all the powers that do not fall specifically within the jurisdiction of the General Assembly.
- h) Implementing the membership policy which has been agreed on by the General Assembly under article 3.1 of the Statutes.

When action by the General Assembly is required but time constraints prevent the convening of a General Assembly meeting, the Executive Committee has the authority to make the relevant decision after consulting Regular Members. That decision must be ratified by the General Assembly at a later date.

The division of tasks among members of the Executive Committee takes place at its first meeting.

The President represents EuroMed Rights and oversees the effective operation of the Network in consultation with the Executive Committee. The President is responsible for the development and implementation of EuroMed Rights' policies. The President represents EuroMed Rights at any legal proceedings that may arise. Between meetings of the Executive Committee, the President is responsible for supervising the work of the Executive Director and the Secretariat in accordance with the policies developed at any given time by the Executive Committee.

The Vice-President acts on behalf of the President in the latter's absence. The Vice-President assists the President in carrying out his/her duties. The Vice-President exercises his/her own responsibility in policy areas determined by the Executive Committee.

The Treasurer oversees the financial development and management of the Network in close consultation with the Executive Committee and the Executive Director. He/she reports to the Executive Committee at its meetings. The Treasurer must also present the financial report at the General Assembly meeting.

5. Secretariat

The Secretariat includes all the salaried employees of EuroMed Rights.

5.1. Executive Director

The Executive Director is appointed by the Executive Committee.

The Executive Director is entitled to attend Executive Committee meetings in an advisory capacity, as well as the meetings of all other EuroMed Rights' bodies.

The Executive Director is involved in developing EuroMed Rights' action plan, provisional budget and various activities.

The Executive Director is in charge of the Secretariat staff. She/he hires and lays off salaried employees, in close cooperation with the President, the Vice-President and the Treasurer.

The Executive Director organises the work of the Secretariat and manages its day-to-day activities.

5.2. Secretariat

The Secretariat is the operational bureau of EuroMed Rights. It is responsible for putting into practice the policy decisions of the General Assembly and the Executive Committee. It prepares the work of the Executive Committee and working groups and ensures liaison among EuroMed Rights' members.

6. Financial Matters

6.1. Fiscal Year

The fiscal year runs from 1st January to 31st December.

6.2. Financial Commitments

The Executive Committee, the President, the Treasurer and the Executive Director may, individually or as a group, commit EuroMed Rights financially in accordance with the following dispositions:

- The Executive Committee has the sole authority for purchasing or selling real estate and contracting a mortgage relating to the purchase of said property. It may be consulted in writing to that end.
- The Executive Director may sign alone for the day-to-day expenses of EuroMed Rights, providing these expenses remain within the limits of the budget adopted by the Executive Committee. He/she is responsible for managing EuroMed Rights' cash flow.
- The Executive Director may authorise a member of the Secretariat to spend money relating to day-to-day matters within the limits of the budget adopted by the Executive Committee.

The Executive Committee is kept informed about contracts concluded with donors, the hiring and laying-off of salaried employees and all other matters likely to impact upon EuroMed Rights' activities.

6.3. Budget

Apart from the three-year budget adopted by the General Assembly, the Executive Committee adopts a provisional annual budget at its first meeting.

6.4. Financial control

Financial accounts must be prepared in accordance with the accepted standards of the country in which EuroMed Rights' headquarters are located and with standards that are also acceptable to donors.

Every fiscal year, the auditor draws up and submits a report to the Executive Committee.

The auditor is invited to attend the General Assembly and submit a report for the past three fiscal years.

Between General Assembly meetings, the Executive Committee presides over the accounts and the auditor's report.

7. Amendment of the Statutes and Dissolution

7.1. Amendment of the Statutes

Only the General Assembly can amend these Statutes.

To be admissible for discussion by the General Assembly, proposed amendments to the Statutes must be submitted by EuroMed Rights' Executive Committee or by one fifth of Regular Members of EuroMed Rights in accordance within the time limits set out below.

The General Assembly cannot discuss any other amendments, including alternatives to the amendments submitted for discussion in the statutory manner and time limits.

The Executive Committee informs EuroMed Rights' Members of any amendments to the Statutes that it wishes to propose or that it has received, at least 75 days before the first day of the General Assembly.

Regular Members of EuroMed Rights have a deadline of 45 days before the first day of the General Assembly to offer their opinions, submit new amendments or amend the proposed amendments.

At least 30 days before the first day of the General Assembly, a report drawn up by the Executive Committee and including amendments proposed by the Executive Committee and those proposed by at least one fifth of Regular Members is sent out to EuroMed Rights' Members.

Following the quorum conditions prescribed for General Assembly meetings, the General Assembly delivers a ruling with a two-thirds majority of Members present or represented.

7.2. Dissolution

EuroMed Rights can only be dissolved after an extraordinary meeting of the General Assembly has been convened.

Dissolution can only be declared if two thirds of the Members are present or represented at the first meeting convened. If quorum is not achieved, a second General Assembly meeting may be convened. In that event, the Assembly's deliberations are deemed valid regardless of the number of Members present or represented.

This second meeting may be convened at the same time as the first meeting and the second General Assembly meeting may take place immediately after the first.

In the event of dissolution, and after liquidation of liabilities, any possible profit after liquidation may, together with EuroMed Rights' assets, be donated to another not-for-profit, non-partisan organisation devoted to the defence and protection of human rights.

8. Bylaws

A set of Bylaws may complement the conditions for applying the Statutes.

The Executive Committee adopts the Bylaws with a two-thirds majority of its members.

EuroMed Rights' Members are informed about the Bylaws.

The original version of the statutes was written in French.

Wadih Al-Asmar
President



Moataz El-Fegiery
Treasurer



Marc Schade-Poulsen
Executive Director



