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EuroMed Rights – Euro-Mediterranean Human Rights Network
EuroMed Droits – Réseau euro-méditerranéen des droits humains
الأورو-متوسطية للحقوق- الشبكة الأوروبية المتوسطية لحقوق الإنسان

BY-LAWS OF THE EURO-MEDITERRANEAN HUMAN RIGHTS NETWORK

Approved by the Executive Committee in Copenhagen,
On 11 september 2021

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Article 1: Executive Committee meetings and appointments

- a. In any cases and by any means, the Executive Committee is making sure the women and men composing the Executive Committee benefit, so far as possible, from the same opportunities. In addition to this the Executive Committee shall make sure to include and involve younger human rights activists in the work and bodies of the EuroMed Rights.
- b. The president of EuroMed Rights shares out the role of chairing the different sessions of the Executive Committee meetings.
- c. The agenda of each ordinary meeting have the following fixed items: ratification of the minutes from the last meeting; adoption of the meeting's agenda, report from the secretariat on its activities since the last meeting; report on the financial situation of the Network, items related to strategies and policy development, current issues and received proposals; scheduling the time and place for the next meeting; any other business.
- d. Taking the form of a list of the decisions taken, the minutes of executive committee meetings are sent to committee members a month after the meeting at the latest, in the Network's working languages. If no comment is made 14 days at the latest after the draft list of decisions has been sent out, the minutes are considered as adopted. The minutes are signed by all the executive committee members present at the next meeting and are available upon request to all members of the Network.
- e. The executive committee appoints its members to be the policy referents responsible for following up EuroMed Rights' thematic and country activities.
- f. Policy referents supervise and promote EuroMed Rights initiatives and activities that fall within their domain of responsibility in close collaboration with the executive committee, relevant EuroMed rights members, the executive director and secretariat; they report to the executive committee.
- g. EC members are elected by the GA both in their personal capacity and as representatives of a member organisation. If an elected EC member cannot any longer fulfil his/her role in the EC during the period between two GAs, the organisation from which the member was elected at the GA, can appoint a new member to be approved by the EC.
- h. The Executive Committee sets up a steering group comprised of three or four committee members and the executive director who supervises the work of the secretariat between executive committee meetings in accordance with its decisions and within the framework set out by the general assembly. The treasurer is a compulsory member of the steering group, along with the gender mainstreaming political referent. The steering group/Quartet should be gender balanced.

- i. At its first meeting, the steering group decides how it will run, including how often it will meet and appropriate ways of keeping in contact and communicating with the secretariat. The Steering Committee writes up minutes of all its meetings and these are shared with the EC before its next session.

Article 2: Candidacies for the executive committee and elections

Pursuant to articles 4.3.4 of the statutes, letters of motivation cannot go beyond 500 characters.

However, if the candidacy is for the post of EuroMed Rights president, the letter of motivation can go as far as 1000 characters.

A letter of motivation can only be concerned with reasons for the proposed candidacy and cannot contain comments against another EuroMed Rights member organisation.

The candidacies sent out to members are set out on a single identical form and must above all include the following information:

- The name of the association presenting the candidacy,
- The address of the association presenting the candidacy,
- The date of membership of the association presenting the candidacy,
- The nationality of the association presenting the candidacy,
- The participation in working groups of the association presenting the candidacy,
- The surnames, first names and age of the candidate,
- A mention “incumbent”, if necessary,
- His/her duties within the organisation presenting his/her candidacy,
- His/her duties within EuroMed Rights, in the case of an incumbent,
- The number of attendances on the executive committee, in the case of an incumbent.

Ballot papers with list of candidates are drawn up in alphabetical order, but beginning with a letter drawn from lots during an executive committee meeting

Article 3: Admitting new members to EuroMed Rights

By way of indication and as a complement to statutory provisions, applications for membership to EuroMed Rights shall be examined taking into account the following criteria:

- At each general assembly, the Network shall decide on a membership strategy taking into account its priorities and activities, as well as the membership ratio between members from the European Union and the Southern Mediterranean, the latter not to exceed 60% of the total.
- The Network shall strive to grow, but maintain a maximum of 4 voting members per country at the GA.
- For each country, EuroMed Rights will strive to cover as many themes as possible when selecting applicant organisations and not necessarily give preference to large organisations but rather organisations that operate nationwide. As far as possible, at least one member organisation from each country should focus its efforts on gender equality. The organisations from the same country should be willing and able to work together on their activities.

Article 3.1: Documents and procedure on new members:

With a view to the executive committee scrutinizing the candidacy of a new member, the secretariat prepares a file which includes:

- The statutes of the candidate organisation and its leaders

- The letter of motivation and adherence to EuroMed Rights' statutes
- The summary of the candidate organisation's activities along with an assessment of gender parity respect throughout its activities, and involvement of youth.
- The situation of the candidate organisation in its national and regional environment (number of national organisations which are already members, freedom to act of the candidate organisation etc...)
- The opinion of other EuroMed Rights members familiar with the candidate organisation.

In addition, the secretariat indicates the possible impact of admitting the candidate organisation in terms of:

- The distribution of EuroMed Rights' members in the EU countries and in the partnership countries
- The working themes approached within EuroMed Rights.
- The relevance of the member and its work seen in relation to broadening the membership in accordance with the membership strategy in force

The same information, accompanied with the reasoned opinion of the executive committee, is sent to the general assembly.

Article 3.2: Responsibilities with regards to membership, broader/wider participation and inclusion.

After each general assembly, a member of the Steering Group/Quartet shall be designated to assume responsibility for recruiting new members and, should the case arise, propose to expel a member from EuroMed Rights in accordance with the statutes.

A member of the staff shall be designated to watch over this matter in coordination with the Steering Group/Quartet.

An agenda item on this matter will be scheduled for each Executive Committee meeting.

The Executive Committee as well as working groups of the Network/Euromed Rights assume joint responsibility for: 1) broadening the membership base in accordance with the membership strategy; 2) for inviting and welcoming new members; and 3) increasing the participation of members especially of younger human rights activists.

The EC and working groups of the Network are at the same time responsible for broadening participation of all members especially via increasing the use of new inclusive working methods and suitable meeting platforms.

Article 4: Working groups:

The executive committee can set up working commissions (task forces) as well as temporary or permanent, regional, or national working groups of shorter or longer duration in order to develop specific policies and programs. These should - comply with the respect and promotion of parity on gender and aims regarding involvement of youth. They should advise the executive committee thus ensuring that the Network's mandate, strategies and programs are being carried out effectively.

For each working group, the criteria are defined for EuroMed Rights' members' involvement, and **active** involvement is required in working groups and task forces (in order for the Network to seek highest possible influence of its work)

A working group is put in place with a specific objective. It can be made up of regular or associate members. It can invite resource persons (individuals or the representatives of organizations) to its meetings. For details on working groups see also Guide for Functioning of Working Groups.

Before setting up a working group, the executive committee has to approve a document describing the initiative's context and objectives and including group member suggestions, as well as a draft budget.

The executive committee appoints a political referent to follow up the activities of the working groups and report to the committee. The political referent can be supported in this role by other executive committee members appointed as deputy political referents.

The working groups write up the minutes of all its meetings.

Article 5: EuroMed Rights' Secretariat

The executive director establishes the internal rules of procedure of the Secretariat. These rules are communicated to the steering Group/Quartet.

The provisions and internal procedures emphasize a commitment to create and reinforce within EuroMed Rights a working environment and a corporate culture free of harassment, respecting gender parity, equal representation at all decision levels, equal opportunity, as well as equal distribution of resources for women and men, and welcoming involvement of younger human rights activists, according to their respective duties within EuroMed Rights.

Article 6: Expert reports

EuroMed Rights can hire experts to draft reports on specific themes. They are hired according to the following procedure:

- a. As a rule, an open call for participation is published on EuroMed Rights website, specifying the terms of reference, and requiring the applicants to forward a CV and a methodological note. Applicants are shortlisted by the Secretariat who then consulted with the political referent. The name of the chosen expert is then circulated to the EC members, before appointing the expert to ensure there are no substantive, political objections to the choice.
- b. An open call is not required when the remuneration for the work is below the sum specified in EuroMed Rights Procurement Policies or defined by the specific grant conditions (whichever is stricter applies) or where the report is a follow-up to a previously commissioned expert report (or on a closely related subject where it can reasonably be argued that the researcher is the best placed to do the research) However the Secretariat will still consult the political referent about the proposed expert as well as circulating the proposed name to the EC members before appointment.

Article 7: Financial procedures of the secretariat

Budgeting

Indicative overall 3-year Budget forecast is developed by the Secretariate in support of the Strategy and approved by the General Assembly.

EuroMed Rights financial year runs from 1 January to 31 December. EuroMed Rights annual budgets follow the same period. Annual budget of EuroMed Rights is prepared based on the 3-year indicative Budget, considering the actual situation in the region, planned activities for the year and available funding sources.

Each year on its last meeting of the year the Executive Committee approves the annual budget prepared by the Secretariate. If substantial deviations from the approved annual Budget are expected, mid-term revision can be proposed to the EC by the Secretariat.

Preparation of financial statements and external audit

Once the financial year is closed in accounting system, the Finance department starts the process of preparation of financial statements (annual accounts) for the year. This is normally done within 3 months after the year end, so that the external financial audit takes place in April, or May.

The annual financial statements are prepared based on the data recorded in financial system in accordance with the provisions of the Danish Financial Statements Act governing reporting class B enterprises adapted to the Organisation's special circumstances¹.

The draft Financial Statements (FS) shall be validated by the Treasurer before submission for approval by the EC. EC approves the FS along with the draft Auditors report and accompanying Audit Book on its second meeting of the year, namely before 30 June each year.

EuroMed Rights annual accounts are audited by an independent external auditor approved by the General Assembly. The purpose of the audit is to verify that the annual accounts provide a true and fair picture of the organisation's finances, and that the use of funds is in accordance with the aims and objective outlined in the statutes and bylaws.

Description of internal controls

Sufficient segregation of duties, namely division of responsibilities between accountants and finance controllers and between budget holders and finance controllers is implemented throughout financial processes, which includes approval of payment requests and processing of bank payments. All expenses and payments have double signatures including an approval from the budget holder and designated finance controller. Whenever technically available, a system of double-approval is implemented for Internet bank transfers.

Authorisation matrixes with the specification of authorisation levels are developed for each office. Each program or project has a Budget Holder assigned to be responsible to approve relevant expenditures. Also, each project is assigned to a Project controller who checks the budget availability, correctness of coding, completeness of supporting documentation and gives the second authorisation.

After the two authorisations are obtained, the payment is handed over to Accountant for processing. Also, in payment process 4-eye principle is implemented – the person who enters the payment order into online banking does not have the authority to release the payment.

Financial monitoring

Finance controllers monitor expenditures on designated projects on ongoing basis and perform spot check of individual entries.

At the end of accounting period (month or quarter), the Finance department updates the expense overview on different levels of monitoring, i.e., by country, program, project, donor code, budget line, etc.

Management and program officers receive periodic financial update on the actual expenditures compared to the approved budget for the financial year.

Each Budget Holder/Programme Officer is responsible for monitoring the financial implementation of his/her project/programme and bring to the attention of the Controller any expected deviations in budget realisation and proposals for budget adjustments.

Liquidity management

Rolling 12-month liquidity forecast (calculated based on expected monthly expenditures and scheduled receipts from the donors) is maintained by the Headquarters and presented to the EC at least once a year.

Time-keeping system

The Executive Director establishes a time registration system in which staff registers the use of time on projects/programs, overtime hours, as well as time-off used on holidays, sickness, and other types of leave.

Article 8: Financial procedures regarding EuroMed Rights' members

¹ These consist of the following sections: Organisation details, Statement by Executive Committee and Director on the annual report, Independent auditor's reports, Executive Committee and Director commentary, Accounting policies, Income statement, Balance sheet, Notes to Income statement, Notes to Balance sheet

- a. A member of EuroMed Rights or an individual mandated by EuroMed Rights who participate in EuroMed Rights activities can have his or her expenses for Per Diem, Flight tickets, transportation to/from the airport as well as for local transportation in the country of meeting reimbursed by the Secretariat according to EuroMed Rights' policies.
- b. Reimbursement of expenses in connection to EuroMed Rights' activities is done according to the rules and regulations of the donor organization and/or EuroMed Rights' internal policies. Only Economy class tickets can be reimbursed. If the participants cannot travel in Economy class for medical reasons, explicit and prior approval from the donor must be obtained in order to consider First class tickets as eligible. Expenses for Per Diem exceeding internal, and donor's rates will not be permitted.
- c. Reimbursement is only possible if relevant request in a uniform template (with all required requisites and approvals) showing the nature and the total expenses is sent to the Secretariat and if all original receipts are returned to the Secretariat within one month after the end of the activity, but before the closure of financial year in which the expense occurred. Members are only entitled to per diems for activities lasting more than 24 hours. Activities lasting less than 24 hours are reimbursed according to delivery of original receipts. Time spent in traveling to and from an activity is considered part thereof. Time not related to the participation in EuroMed Rights' activity will not be covered.
- d. Expenses related to private phone calls, room service and mini bar cannot be reimbursed by the Network. Expenses related to hard alcohol cannot be reimbursed by the Network.
- e. Unnecessary expenses incurred by the Network because members failed to inform the Secretariat about change of travel schedule in due time will be deducted subsequent reimbursements of the member.
- f. Members who register for a meeting financed by EuroMed Rights and subsequently do not turn up twice without due notification, or cancel participation twice without due reason, causing thereby unnecessary expenses for EuroMed Rights shall pay for his/her own expenses in future meetings.
- g. The Network aims at transferring reimbursement or other sums at latest two weeks after reception of receipts and vouchers and bank information of the recipient.
- h. The Network takes budgetary restrictions into consideration when organizing activities. It aims at funding the participation of all members in its activities, subject to budget availability in the following order of priority: regular members, associate members and honorary members.
- i. Subject to the conditions set forth in the Statutes, EuroMed Rights may grant financial assistance to one of its members provided that the member has demonstrated the gravity of the situation.
- j. EuroMed Rights shall manage block grants only in exceptional circumstances and provided partnerships could not be set up with other organizations, in particular the EMHRF, for that purpose.
- k. This provision does not apply in the case of joint programmes set up between the Network and one or several of its members.

Article 9: Appealing against expulsion and various measures relating to exclusion and expulsion

If expulsion is decided upon in accordance with the dispositions of article 3.3 § B of the statutes, any member being expelled can appeal against the decision at the general assembly following the expulsion. Expulsions cannot be pronounced less than three months before the general assembly. Appeals must be formulated within a one-month time frame, under penalty of inadmissibility, starting from when the expulsion is dispatched by the secretariat. Under penalty of inadmissibility, the appeal must be formulated in writing to the secretariat, be justifiable and accompanied by any documents the member wishes to produce. A member who has been expelled cannot take part in the general assembly, except to be heard, until the assembly has given its ruling.

When a refusal to admit a member is pronounced in accordance with article 3.2 of the statutes, the secretariat notifies the organisation involved. The organisation can appeal at the general assembly with the same procedures applying as for expulsions.

When an organisation is refused admission, expelled, or excluded, correspondences are via fax or e-mail, with acknowledgement of receipts, or via registered letters with acknowledgement of receipt.

In all cases, an organisation refused admission, expelled, or excluded can be helped or represented by another paid-up member active in the Network.

Network members composing the general assembly receive the documents sent by the organisation involved, together with a memo and accompanying documents from the executive committee. These documents must be made known to the members of the general assembly within the 30-day time frame set out in article 4.2.4 of the statutes.

The general assembly hears a representative from the organisation appealing, if present, and possibly a representative from the member assisting it, then a representative from the executive committee. The chair of the session fixes the length of the speeches. The members of the general assembly can ask any questions they deem helpful to any of the parties.

A public vote is then held with a roll call of every member in a position to vote.

If the organization appealing is absent, it is notified of the ruling as soon as possible.

Signatures:

Wadih Al-Asmar
President



Rasmus Alenius Boserup
Executive Director



Moataz El-Fegier
Treasurer

