

Statutes

(Adopted by the General Assembly at its meeting in Malta, 5-7 December, 2003)

I. Name and status

1.1. The name of the organisation is: Euro-Mediterranean Human Rights Network (the "Network"). The Secretariat of the Network is based in Copenhagen, Denmark.

1.2 The headquarters of the Network are situated in Copenhagen (Denmark). The headquarters can be moved upon a resolution adopted by the General Assembly. In the case of extreme emergency, the transfer of the secretariat can be decided 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 can 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 accrue to the benefit of any private organisation or individual.

II. Objectives

2.1 The objectives of the Euro-Mediterranean Human Rights Network (the "Network") are:

a) to support and publicise, in the Partner States and across the whole of the Maghreb and Middle East regions, the universal principles of human rights as established by all international instruments on human rights and as expressed by the Barcelona Declaration, signed in November 1995 in Barcelona by the governments of the States of the European Union and Southern Mediterranean States (the "Partner States");

b) to strengthen, assist and co-ordinate the efforts of its members to monitor compliance by the Partner States with the principles of the Barcelona Declaration in the field of human rights and humanitarian concerns;

c) to support the development of democratic institutions, the promotion of the rule of law, human rights, the equality of men and women, and human rights education;

2.2 To further its objectives, the Network shall:

a) urge the Partner States to comply with their obligations under the Barcelona Declaration;

b) urge the Partner States and all the States in the region to apply the human rights norms and principles as expressed by the international human rights pacts and conventions and as expressed by the Barcelona Declaration and association agreements.

c) urge the Euro-Mediterranean Partnership to adopt an action plan for the implementation of the human rights provisions and principles as expressed by the Barcelona Declaration.

d) gather and disseminate to the public information concerning the provisions and principles of the Barcelona Declaration, the Partner States' compliance with these provisions and human rights conditions in the Partner States;

e) gather and disseminate to the Partner States and the European Union Institutions information concerning the Partner States' compliance with the provisions and principles of

the Barcelona Declaration and human rights conditions in the Partner States;

f) support, in the Partner States, the creation of independent non-governmental organisations to monitor compliance with the human rights provisions, or to support and assist existing non-governmental organisations; support and co-ordinate the actions of such organisations, and contribute, if necessary, to reinforcing their capacity;

g) co-operate with international organisations and agencies working for the implementation of the aforesaid provisions, and protect human rights defenders.

h) engage in relevant research and documentation activities in the fields of concern to the Network

i) solicit, receive and expend funds enabling the Network and its members to conduct their activities.

III. Members

3.1 Classification

The members of the Network shall be classified according to the following categories, each with the rights, privileges and obligations set out in these Statutes:

a) Regular Members

i Regular Members shall consist of national or regional non-governmental organisations, academic institutions and national human rights institutions which are recognized by the General Assembly as belonging to one of the 27 Partner States, or to other potential Partner States of the Euro-Mediterranean Partnership, and which are recognized as being independent of government authorities, non-partisan and active in at least one of the human rights issues contained in the Barcelona Declaration. They must accept the statutes of the Network and co-operate with the existing members of the Network. In order to be recognized as such, a Regular Member shall, prior to being recognized, have demonstrated its ability to organise and maintain basic activities of the Network and its willingness to involve itself in the overall regional aspects of the Euro-Mediterranean Partnership.

ii Any organisation or institution wishing to become a Regular Member of the Network shall so notify the Secretariat and, at least three months prior to the General Assembly, shall deliver to the Secretariat:

- a letter of motivation;
- a copy of its statutes or other constituent documents;
- a report on the activities of their organisation or other similar and relevant material relating to its work over the last few years;
- a declaration stating that the applicant subscribes to the statutes of the EMHRN and is willing to co-operate with its members;
- a written commitment to inform the EMHRN regularly of the activities of the member organisation or institution;
- a letter of recommendation signed by three EMHRN Regular Member organisations

b) Individual Members

i. Any individual devoted to human rights principles in the region may become a Member of the Network. In order to be recognized as such, an Individual Member shall, prior to recognition, have demonstrated activities to protect and promote human rights which qualify him/her to become a resource person for the EMHRN within the fields of its activities.

ii. Any individual wishing to become an Individual Member of the Network shall so notify the Secretariat and, within the same time frame as set out in 3.1.a.ii, shall deliver to the Secretariat:

- a letter of motivation
- a curriculum vitae
- a declaration stating that the applicant subscribes to the statutes of the EMHRN and is willing to co-operate with its members,
- a letter of recommendation signed by three EMHRN Regular Members.

iii. Admittance procedures are the same as for Regular Members

iv. An Individual Member cannot be the representative of a Regular Member organisation at the same time.

v. Individual Members may attend meetings of the General Assembly and may speak thereat but shall not be entitled to vote.

c) Associate Members

i Associate status may be granted to organisations and institutions from non- Partner States, and to organisations and institutions that are not able to join the Network as full and active members. The criteria set out in section 3.1.a. shall apply to Associate Members.

ii Associates have no vote but are entitled to participate in meetings of the General Assembly, and are entitled to speak thereat.

d) Honorary members

Individuals who have made a substantial contribution to the fulfilment of the objectives of the Network or who have demonstrated conspicuous devotion to the principles of the Barcelona Declaration may be recognized as Honorary Members by the General Assembly after a proposal has been put forward by the executive committee or by a quarter of the regular members.

e) Admission

The Executive Committee shall be responsible for recommending the adoption of new Regular Members, Individual Members, Associate Members and Honorary Members at the General Assembly. The recommendation shall take place after consultation with Members of the Network and will enter into force upon ratification by the General Assembly.

3.2 Termination of Membership

a) Membership of the Network shall be terminated as follows:

i. An Organisation or Institution of the Network shall cease to be a Member or Associate Member if:

- it submits to the Executive Committee through the Secretariat a written resignation signed by its legal representative
- the General Assembly, after recommendation by the Executive Committee, deems that
 - it has ceased to be active in the fields of activities defined by its statutes
 - it is not fulfilling the statutory obligations inherent to its membership.

ii. The Executive Committee may suspend the membership of a Regular Member or an Associate Member until the next meeting of the General Assembly for any of the reasons set out in this paragraph, after informing the member in question and allowing the member to comment on the grievances that he/she is being blamed for.

b) An Individual Member shall lose his/her member status if the General Assembly deems that he or she has ceased meaningful activity in devotion to the human rights principles of the Barcelona Declaration, or if the General Assembly deems that he or she has violated the principles of the Network.

c) An Honorary Member shall cease to be such upon his death or resignation, or if the General Assembly deems that he or she has violated the principles of the Network.

3.3 Obligations of Members

a. All members shall advance the interests of the Network and avoid any action which might discredit or damage the Network or interfere with the achievement of its aims.

b. The Regular Members shall present to the Secretariat an annual report of their activities especially in relation to the objectives of the Network.

IV. Constituent Bodies

4.1 Enumeration

The constituent bodies of the Network shall consist of a General Assembly, an Executive Committee and a Secretariat.

4.2. The General Assembly

4.2.1 Powers

The General Assembly is the supreme organ of the Network. It therefore has the power to deliberate on all issues relating to the objectives of the association, and this within the limits of the applicable law. Notably, it has the power to:

- a) Elect and remove the President and the members of the Executive Committee or discharge them at an extraordinary meeting;
- b) Elect members of the advisory board;

- c) Admit and expel Regular, Individual, Associate and Honorary Members;
- d) Establish the general orientation of the Network's action and verify that the activities of the Network conform with its objectives and statutes;
- e) Approve or reject the Report of Activities and the Financial Report prepared by the Executive Committee for the General Assembly;
- f) Approve or reject the programme of activities and the budget for the following two years;
- g) Rule on appeals formulated against the decisions of the Executive Committee;
- h) Adopt any amendments to the Network's statutes;
- i) Decide, in an extraordinary session, to dissolve the Network after a proposition made by the Executive Committee.

4.2.2 Participation

The following persons may attend meetings of the General Assembly:

- a) Persons designated by the Regular Members at any given time to be their representatives at the General Assembly;
- b) Individual Members;
- c) Persons designated by the Associate Members at any given time to be their representatives at the General Assembly;
- d) Honorary Members;
- e) Guests.

4.2.3 Meetings

- a) The General Assembly meets every two years. The date and place of the meeting are determined by the Executive Committee.
- b) The Executive Committee can convene an extraordinary meeting of the General Assembly upon the request of a third of the ordinary members, stating the reasons for convening such a meeting. The meeting must take place within ten weeks of the request being received.
- c) Meetings of the General Assembly can take place in any of the Partner States.

4.2.4 Notice; Agenda

- a) Each Regular, Individual, Associate and Honorary Member shall be entitled to at least 30 days' written notice of each meeting of the General Assembly, stating the date, time and place of the meeting.

b) The Executive Committee prepares the agenda for each meeting of the General Assembly. The Secretariat shall then deliver a copy of the agenda to each officer of the Network, to each Regular, Individual, Associate and Honorary Member at least 21 days before the meeting. In addition to the items decided upon by the executive director in consultation with the executive committee, the agenda will include any item registered by a member's demand (notably, any proposal to amend these statutes) formally addressed to the executive director at least 22 days before the date of the meeting.

c) Except with the consent of two-thirds of the Regular Members present, no item may be discussed at any meeting of the General Assembly unless set out in the agenda therefor.

4.2.5 Voting

Only delegates designated by Regular Members are entitled to vote at meetings of the General Assembly. Each Regular Member shall be entitled to one vote only, regardless of the number of its delegates.

4.2.6 Quorum

At each meeting of the General Assembly, the presence of at least half the delegates of the Regular Members constitutes a necessary quorum for the regularity of the Network's decisions.

4.2.7 Vote Required to Take Action

a. All resolutions of the regular or extraordinary General Assembly shall be taken by the affirmative vote of an absolute *majority (fifty percent plus one)* of the Regular Members present. However, the affirmative vote of two-thirds of the Regular Members present is required to:

- Admit or expel a Regular, Individual, Associate or Honorary Member;
- Decide the transfer of headquarters;
- Modify the statutes of the Network; or to
- Decide to dissolve the Network.

b. In the case of a tie, there will be a second vote. If the votes are still tied, the proposal will be rejected.

4.3 Executive Committee

4.3.1 Powers

Subject to the authority of the General Assembly and between meetings of that body, the Executive Committee shall issue general directives for the activities of the Network and shall consult with Regular Members on important issues relating to Network policy. In particular, it shall be the responsibility of the Executive Committee to:

- a) Prepare, in collaboration with the Executive Director, a draft programme of activities for two years, to be submitted to the General Assembly meeting;
- b) Prepare a draft two-year draft budget in co-operation with the Executive Director for submission to the meeting of the General Assembly;
- c) Elaborate a preliminary two-year budget for the Network;

d) Submit to the members the Network's annual Report of Activities and annual Financial Report;

d) Create working committees, and where necessary, establish ad hoc or permanent working groups to design specific policies and programmes and advise the Executive Committee and the Executive Director thereon, and ensure the effective delivery of the mandate and agenda of the Network.

e) Oversee the work of the various Network structures or working groups charged with specific roles;

f) Enhance and facilitate communication among the members of the Network and between the Network and the institutions of the Euro-Mediterranean Partnership;

g) Recommend to the General Assembly the expulsion of a member who has failed in its obligations; and

h) Exercise all powers not specifically given to the General Assembly.

In addition, in circumstances where action is required by the General Assembly but where there is insufficient time to convene an Assembly, the Executive Committee shall have the authority to act after consultation with Regular Members, subject to later ratification by the General Assembly. In the period between two Assemblies, the Executive Committee has the authority set out in section 3.1.a.i.

4.3.2 Membership

a) The members of the Executive Committee are the President and the representatives of Regular Member organisations or institutions (not more than eleven) elected by the General Assembly, according to the following rules:

i) only one Representative of the same Regular Member may serve on the Executive Committee;

ii) only one Representative may represent Regular Member Organisations and Institutions of the same State;

iii) only six members of the Executive Committee may represent respectively Regular Members of the EU States or the Mediterranean Partners of the EU.

iv) The composition of the Executive Committee must reflect the geographical diversity in the region, both in the North and in the South, and the diversity of the human rights work of the Network.

b) Members of the Executive Committee shall be elected for a period of two years and shall be eligible for re-election for two further terms.

c) The Executive Director attends meetings of the Executive Committee but is not entitled to vote at these meetings.

d) Non-Executive Committee members shall be able to attend Executive Committee meetings as observers when invited by the Executive Committee and when issues relating to their activities and projects are on the agenda.

e) If a member of the Executive Committee is absent without a valid reason for three successive meetings, the Executive Committee shall consider that s/he has resigned.

f) Between meetings of the General Assembly, the Executive Committee may, by co-option, fill vacancies of the members who have resigned or are unable to fulfil their duties.

4.3.3 Meetings and Division of Tasks

a) The Executive Committee shall hold an organisational meeting immediately after the General Assembly Meeting. It must hold meetings at least twice a year, and can hold additional meetings or be called by the President or by any two of its members.

b) The Executive Committee elects a Vice-President and a Treasurer.

c) Tasks are shared out between the members of the Executive Committee at its first meeting.

d) The members of the Executive Committee cannot occupy a political post within the State or a leading post within a political party for the duration of their term.

e) The President

The President oversees the effective functioning of the Network in consultation with the Executive Committee and is responsible for the development and implementation of the Network's policies. The President represents the Network internationally and puts forward the Network's views and policies in the appropriate forums. S/he shall in brief assume responsibility for any policy matters determined by the Executive Committee.

f) The Vice-President

The Vice-President acts for the President in the latter's absence, and succeeds to the office of President if a vacancy arises during the President's term of office. The Vice-President assists the President in exercising his/her duties. S/he exercises his/her own responsibility in policy areas determined by the Executive Committee.

g) The Treasurer

The Treasurer oversees the financial development and management of the Network in close consultation with the Executive Committee and the Executive Director. S/he reports to the Executive Committee at its various meetings as well as to the General Assembly.

Notices

4.3.4

a) Each Member shall be entitled to at least thirty days' written notice of each meeting of the Executive Committee, stating the date, time and place of such meeting. Notice of the purpose of the meeting need not be given.

4.3.5 Quorum

The presence of at least an absolute majority of the members of the Executive Committee constitutes a necessary quorum for the formal validity of Committee decisions.

4.3.6 Vote Required to Take Action

All actions required or authorised by the Executive Committee shall be taken by the affirmative vote of an absolute majority (50 percent plus one) of the Committee Members present. The President has the casting vote in cases where the votes of the other Members of the Committee are tied.

4.4 Secretariat

4.4.1 Function of the Secretariat

- a) The Secretariat is the operational bureau of the Network and shall be made up of the Executive Director and professional and administrative employees.
- b) The Executive Director is appointed by the Executive Committee. S/he is responsible for all day-to-day affairs of the Secretariat except in those areas specifically designated by the Executive Committee.
- c) The Executive Director shall hire senior officers in close consultation with the Executive Committee and may appoint other staff as necessary. All compensation shall be given within the framework of the staff regulations and the wage scale approved by the Executive Committee.

4.4.2. Supervision

Between meetings of the Executive Committee, the President shall be responsible for supervising the work of the Executive Director and the Secretariat in accordance with policies established at any given time by the Executive Committee.

4.4.3. Languages

The working languages of the Network are English, Arabic and French.

V. Miscellaneous

5.1 Finances

a) Authority to bind the Network

The Network shall be bound when documents are signed according to the regulations set out.

The President, Treasurer and the Executive Director can, within the limits fixed by the Executive Committee, give specific officers the power to carry out certain transactions.

b) Fund-Raising

Responsibility for raising funds to support the activities of the Network shall rest with the Executive Committee and the Executive Director, as set out in the regulations.

c) Annual fee

Regular Members, Individual Members and Associates shall pay an annual fee to the Network, the amount to be determined by the General Assembly.

Should Regulars Members, Individual Members and Associates fail to pay the fees within 60 days from the beginning of the Network's fiscal year, or fail to pay reasonably promptly any other amount levied in connection with the Network, their membership shall be suspended by the Executive Committee until the required amount is paid.

d) Financial Year

The financial year of the Network shall be the calendar year.

5.2 Auditing

- a) For the verification and approval of annual financial reports the General Assembly shall elect a professional Auditor (an individual or a legal person) who is not connected with the Network or its Members by any material interest.
- b) The Auditor shall have the right to require officers of the Network to provide the necessary documents and explanations.
- c) The Executive Director must co-ordinate the procedure and terms of conduct of the Audit and also ensure the necessary conditions to facilitate the Auditor's task.
- d) In each case, the Auditor must submit his/her report to the Executive Director so that it can be sent out to the members at least 20 days before the General assembly.

5.3. Dissolution

- a) The Network may be voluntarily dissolved upon the affirmative vote of two-thirds of the Regular Members present at an Extraordinary General Meeting called for the sole purpose of acting upon dissolution.
- b) If such a meeting votes in favour of dissolution the assembly shall also designate, by simple majority:
 - i) a liquidator of the properties and assets of the Network, who shall discharge all its debts and liabilities; and
 - ii) one or more non-profit charitable, educational, scientific, religious or literary organisation to which the liquidator shall distribute assets remaining after the satisfaction of the debts and liabilities of the Network.

5.4. Amendment of statutes

These statutes may be amended by a vote of two-thirds of the Regular Members.

Thereafter, the Statutes may be amended, by the same majority, by the Regular Members either at a meeting or extraordinary of the General Assembly. The text of any proposed amendment shall accompany notice of such a meeting in accordance with the General Assembly's rules of procedure.

5.5. Entering into force of the statutes

These statutes enter into force immediately after their adoption by the General Assembly except in relation to the following elements :

- a- the Election of the President, the Vice-President, the Treasurer and the Executive Committee;
- b- the composition and election of the Executive Committee.
- c- The adoption of the budget. In the transitional period the General Assembly mandates the Executive Committee to establish the budget for the year 2005.

5.5.2.

The number of re-elections referred to in 4.3.2.b. shall count as from the General Assembly of 6th December, 2003.

These Statutes were approved by the Sixth General Assembly of the Euro-Mediterranean Network at its meeting in Malta, 5-7 December, 2003