



Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures
Fondation Euro-Méditerranéenne Anna Lindh pour le Dialogue entre les Cultures

مؤسسة أناليند الأورو-متوسطية للحوار بين الثقافات

PARTENARIAT EUROMED

DOC. DE SÉANCE N° : 04/09

EN DATE DU : 19.03.2009

ORIGINE : Vice Chairman of BoG of ALF

**STATUTES OF THE ANNA LINDH EURO-MEDITERRANEAN
FOUNDATION FOR THE DIALOGUE BETWEEN CULTURES.**

APPROVED ON 30 November 2004

**by the Sixth Conference of Ministers of Foreign Affairs
of the Euro-Mediterranean Partnership (Barcelona VI, The Hague)**

and amended by the EuroMed Committee at its 59th meeting on 15 March 2006, its 61st meeting on 31 May 2006, its 71st meeting on 6 September, 2007, its 72nd meeting on 25 October 2007 and its 74th meeting on 8 April 2008 and by the Senior Officials Meeting at its meeting in Nice on 17 December 2008.

**ARTICLE I
NAME AND LOCATION**

1. In line with the agreements of the Euro-Mediterranean Conferences and Mid Term Meetings of Foreign Ministers in Valencia, 22-23 April 2002, in Crete 26-27 May 2003, in Naples, 2-3 December 2003 and in Dublin, 5-6 May 2004, the EuroMed Foundation (hereinafter referred to as "the FOUNDATION") bears the name "The Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures". The Foundation has its headquarters in the Bibliotheca Alexandrina in tandem with the Swedish Institute in Alexandria.
2. The Foundation has legal personality as an international Foundation; registered with the Ministry of Foreign Affairs of the Arab Republic of Egypt on the basis of Presidential Decree no. 113/2005 (Annex 1) signed 10 April 2005.

**ARTICLE II
OBJECTIVES AND TASKS**

1. The Foundation shall promote the dialogue between cultures and contribute to the visibility of the Barcelona Process through intellectual, cultural and civil society exchanges. In particular, the Foundation shall

- promote knowledge, recognition and mutual respect between the religions and beliefs, cultures, and values which prevail in the partners;
- identify, develop and promote areas of cultural convergence between the Euro-Mediterranean countries and peoples, with the aim in particular of promoting tolerance, cultural understanding and avoiding stereotypes, xenophobia and racism;
- encourage initiatives which aim at promoting a dialogue between religions and beliefs and on ensuring diversity and pluralism in the Euro-Mediterranean region;
- promote the human dimension of the partnership as well as the consolidation of the rule of law and of basic freedoms;
- underline the vital importance of ensuring that all partners encourage the development and deepening of the cultural and human dimension of the Euro-Mediterranean partnership in all its aspects and its various components at bilateral or multilateral level.

2. The Foundation shall perform the following tasks within its areas of activity:

- establish and coordinate, in consultation and in cooperation with the competent authorities and organisations of the members of the Euro Mediterranean partnership, the network of national networks referred to in Article XII in order to act as a catalyst to develop the activities of the networks and provide an inventory of co-operation between them;
- promote intellectual, cultural and civil society exchanges;
- promote a continuous debate using in particular multi-media techniques (television, radio, periodical magazine, Internet) in co-operation with existing media and with the participation of people from both shores including journalists and the young;
- give patronage to important events which promote mutual understanding, co-financed by large media groups and/or festivals and institutions already active in these areas;
- promote the activities of the Barcelona Process including by means of the Foundation itself (periodical magazine, Internet site).

ARTICLE III ACTIVITIES

1. In carrying out its activities the Foundation shall take into account the results of the work of the High Level Advisory Group, set up by the President of the European Commission, whose report was released in December 2003.
2. In pursuing its activities, the Foundation, shall provide added value and promote synergy with existing programmes and future activities envisaged within the Euro-

Mediterranean Partnership, notably in the areas of cultural heritage, audio-visual information technology and professional training already covered by the Euro-Mediterranean regional programmes (including Euro-Med Heritage, Euro-Med Audio-visual, Eumedis, Euro-Med Youth, etc...) and activities already carried out by governmental and non-governmental agencies. This shall not prevent the Foundation from actively seeking close co-operation with multilateral organisations deploying activities with regard to the dialogue between cultures, such as UNESCO, the Council of Europe, and others.

3. Grants awarded by the Foundation shall be subject to the principle of transparency and equal treatment and the absence of any conflict of interests.

ARTICLE IV POWERS OF THE BOARD OF GOVERNORS

1. The Foundation shall have a Board of Governors.
2. The Board of Governors shall:
 - a) appoint the President in accordance with Article IX;
 - b) appoint the Executive Director in accordance with Article XI;
 - c) adopt the organizational structure of the Foundation and decide on the number of posts, which should include the post of head or deputy for management and finance and an officer in charge of communications. The Board shall also approve the task descriptions of the different units and posts. A draft organizational structure shall be prepared by the Executive Director;
 - d) adopt a multi-annual work-programme with a three-year perspective on the basis of the draft submitted by the Executive Director. The multi-annual programme shall include a multi-annual budget estimate;
 - e) adopt the annual work programme, including the projects and activities for the coming year on the basis of a draft submitted by the Executive Director in accordance with Article XIII and within the framework of the multi-annual programme;
 - f) adopt the annual budget for the coming year in accordance with Article XVI;
 - g) adopt the Foundation's annual report and Financial statements for the previous year;
 - h) adopt the general guidelines for the work of the Foundation including the award of grants and establish its operational priorities;
 - i) establish its Rules of Procedure;

- j) establish the criteria for the monitoring and auditing of the Foundation's projects in accordance with Article XIX.
3. The Board of Governors shall establish a council with advisory status in accordance with Article XII.
 4. The Foundation shall report to the Ministers of Foreign Affairs, and shall inform the Euromed Senior Officials, on the Foundation's activities, programs and budget.

ARTICLE V COMPOSITION OF THE BOARD OF GOVERNORS

The Board of Governors shall be composed of representatives of the members of the Euro-Mediterranean Partnership, each of them having one vote, with the European Commission having observer status without the right to vote. To this effect, each member of the Euro-Mediterranean Partnership has the right to appoint a member of the Board as well as an alternate who will represent the member in his/her absence.

ARTICLE VI CHAIRMANSHIP OF THE BOARD OF GOVERNORS

1. The Board of Governors shall elect, in accordance with the procedures set out in Article VIII, a Chairperson and a Deputy Chairperson reflecting the diversity of the EuroMed Partnership. The Deputy Chairperson shall ex-officio replace the Chairperson in the event of his/her being prevented from attending to his/her duties. The duration of the term of office of the Chairperson and Deputy Chairperson shall be three years.

ARTICLE VII MEETINGS OF THE BOARD OF GOVERNORS

1. The Board of Governors shall hold at least two ordinary meetings a year. In addition it shall meet at the instance of the Chairperson, or of the Executive Director or at the request of at least one third of its members.
2. The secretariat for the Board of Governors shall be provided by the Foundation. More detailed arrangements are provided in the Rules of Procedure approved by the Board of Governors.

ARTICLE VIII VOTING OF THE BOARD OF GOVERNORS

1. The Board of Governors shall act by consensus and in the presence of half of its members plus one.
2. When it is not possible to reach consensus, the Board of Governors shall adopt its decisions by a majority of 6/7 plus one of the votes of its members present or represented. This majority vote may be reviewed following changes in the composition

of the Board of Governors, and it shall be reviewed in any event after the initial period of three years.

3. Each member shall have one vote. The Executive Director of the Foundation shall not vote. In the absence of a member, his/her alternate shall be entitled to exercise his/her right to vote.
4. The rules of procedure shall establish more detailed voting arrangements.

ARTICLE IX THE PRESIDENT

1. The President shall be appointed by the Board of Governors for a term of three years, renewable once, and shall be selected from proposals made by the Euro-Mediterranean partners. The office of President shall alternate between a national of an EU partner country and a national of a Mediterranean Partner country. If the President comes from an EU partner country, the Executive Director shall come from a Mediterranean Partner country, and vice versa.
2. The tasks of the President shall be the following:
 - a) to represent the Foundation in its external relations;
 - b) to preside over the Advisory Council;
 - c) to report to the Foreign Ministers' meetings, other ministerial meetings, the Board of Governors and other important meetings as may be required;
 - d) to assist, in his/her capacity as President of the Advisory Council, the Executive Director, in the preparation of the draft multi-annual work programme and a draft budget for approval by the Board of Governors;
3. Power to dismiss the President shall lie with the Board of Governors.

ARTICLE X FUNCTIONS AND POWERS OF THE EXECUTIVE DIRECTOR

1. The Foundation shall be managed by its Executive Director. Without prejudice to the competences of the Board of Governors and the President, the Executive Director shall neither seek nor take instructions from any government or from any other body. The office of Executive Director shall alternate between a national of an EU partner country and a national of a Mediterranean Partner country. If the Executive Director comes from an EU partner country, the President shall come from a Mediterranean Partner country, and vice versa.
2. The Executive Director shall be the legal representative of the Foundation and shall have the following functions and powers:

- a) to prepare the multi-annual work programme of the Foundation and its budget in consultation with the President and the national networks;
- b) to appoint and head the staff of the Foundation;
- c) to ensure the stability of the structure of the Foundation and its compliance with the Foundation's objectives;
- d) to maintain linkages with the network of national networks and guarantee good contacts between the networks themselves;
- e) to prepare the annual work programme for adoption by the Board of Governors and to ensure its implementation;
- f) to execute the budget;
- g) to submit periodic and annual activity reports as well as financial accounts to the Board of Governors for adoption;
- h) to maintain transparent procedures and correct circulation of information concerning all activities done or supported by the Foundation;
- i) to prepare the meetings of the Board of Governors;

ARTICLE XI APPOINTMENT OF THE EXECUTIVE DIRECTOR

1. The Executive Director of the Foundation shall be appointed by the Board of Governors who will vote for one candidate out of the short list presented by the European Commission. The office of Executive Director shall alternate between a national of an EU partner country and a national of a Mediterranean Partner country.
2. The term of office of the Executive Director shall be three years. This term of office may be extended once, for a maximum of three years.
3. Power to dismiss the Executive Director shall lie with the Board of Governors.

ARTICLE XII ADVISORY COUNCIL

1. The Advisory Council, consisting of 18 members, shall be established of individuals chosen for their background in the field of intercultural dialogue and their independence in relation to both governments and private financial interests. They shall be selected by the Board of Governors, from proposals made by the Euro-Mediterranean partners. This selection shall draw on members of the network of national networks and on personalities of civil society and in the cultural field of the Euro-Mediterranean region. The aim shall be to guarantee a balanced representation of private and public sector and gender equality. They shall be selected amongst Member countries of the Barcelona Process, taking into consideration the partners' geographical diversity, 9 from EU countries and 9 from Mediterranean partner

- countries, appointed for three years, renewable once, taking into account the principles of continuity and change.
2. The remit of the Advisory Council shall be to advise the Board of Governors, the executive director as well as the national networks on the strategic policy orientations of the Foundation.
 3. The Advisory Council shall be consulted by the Executive Director for the preparation of the draft multi-annual work programme, the draft budget and, where appropriate, on other issues related to the work of the Foundation.
 4. The Advisory Council shall meet, with the financial support of the Foundation, at least once a year.
 5. In addition to meetings described in paragraph 3, the Advisory Council shall meet upon request of the Board of Governors or of the President.

ARTICLE XIII NETWORK OF NETWORKS

1. The Foundation shall function as a network of networks. Each country shall identify appropriate institutions and organisations that at national level are working to develop a dialogue between cultures and civilisations within the framework of the Euro-Mediterranean Partnership, and shall indicate the institution/organisation that will play the role of head or coordinator of the national network and which has appropriate status and resources.
2. The Foundation shall play a pivotal role in mobilising the national networks dealing with the dialogue between cultures created by the Euro-Mediterranean partners, notably by promoting a network of the respective heads of the national networks. It shall assist members of the networks in securing access to funding, bringing people and organisations together, spreading knowledge and sharing best practice with the aim of furthering the dialogue between cultures and contributing to the implementation of the Foundation's programme.
3. The network of networks shall play a major role in promoting the visibility of the Euro-Mediterranean Partnership at national as well as at regional level.
4. The Heads or Coordinators of the national networks shall meet at least once a year with the financial support of the Foundation, in particular to be consulted about the annual work programme and the strategic policy orientations.
5. The head coordinators of the national networks shall be invited at least once a year for a joint meeting with the board of governors.

**ARTICLE XIV
MULTIANNUAL AND ANNUAL WORK PROGRAMME**

1. At three-yearly intervals the Executive Director shall submit to the Board of Governors, before 1 October of the respective year, a draft multi-annual programme for adoption. In the preparation of the draft multi-annual programme, the Executive Director shall consult the President in his/her capacity as Chairman of the Advisory Council.
2. The Executive Director shall transmit, before 1 October of each year, the draft annual work programme for the following year to the Board of Governors, along with the information required by this Statute.

**ARTICLE XV
LABEL OF THE FOUNDATION**

The Foundation, in order to disseminate the ideas of the Barcelona Process, and information on its activities and projects, shall establish a “Euromed label” as recognition for all projects in which it has a presence. More detailed arrangements shall be established by the administrative and financial rules of the Foundation.

**ARTICLE XVI
CONTRIBUTIONS TO THE FOUNDATION**

1. Initial financial contributions from Euro-Mediterranean Partners shall be acknowledged by the Board of Governors and indicated in Annex 2 to the present statute.
2. General conditions for the future financing of the Foundation by Euro-Mediterranean partner countries will be decided by the Board of Governors within a period of 18 months of the starting of the operations of the Foundation [August 2005]. The Foundation may apply for grants of the European Communities in accordance with the applicable provisions.
3. Each Euro-Mediterranean partner, and any other donor to the Foundation, shall deposit any or all of its financial contribution to the Foundation for operating costs, projects, and all other expenses into the account opened in the name of the Foundation. At the discretion of the financing Euro-Mediterranean partner, this contribution may be made subject to a written agreement with the Foundation and may be maintained in Euro or Egyptian pounds.
4. Funds that are deposited in the Foundation's bank account shall be disbursed from the bank account by the Executive Director or his designee in accordance with procedures approved by the Board of Governors and/or any agreement between the Foundation and the relevant financing Euro-Mediterranean partner.
5. The Headquarter Country shall provide at its own expense and in the framework of its financial contribution to the Foundation appropriately furnished premises suitable for

use by the Foundation along with maintenance, utilities, and security for the facility, in accordance with the host country agreement between the Arab Republic of Egypt and the Foundation and the Executive agreement between the Bibliotheca Alexandrina and the Foundation.

6. In financial transactions, the Foundation shall enjoy the privileges stipulated in the Host Country Agreement between the Arab Republic of Egypt and the Foundation signed on 14 April 2005 and confirmed by Presidential Decree no.324/2005 signed on 28 September 2005 (as set out in Annexes 3 and 4 respectively).
7. More detailed administrative and financial procedures, including conditions for accepting private donations, shall be approved by the Board of Governors.

ARTICLE XVII BUDGET OF THE FOUNDATION

1. The financial year of the Foundation shall be the calendar year.
2. Before 1 October of each year, the Executive Director shall submit to the Board of Governors the draft annual budget for the revenue and the expenditure of the Foundation including allocations of staff. The Board of Governors shall adopt the annual budget with any amendments and return the budget for execution to the Executive Director by 1 December of that same year.
3. If, at the beginning of a financial year, the budget has not yet been adopted, a sum equivalent to not more than one twelfth of the budget appropriations for the preceding financial year may be spent each month.
4. Any funds remaining uncommitted at the end of each financial year shall be carried over to the budget for the following year.
5. The functions of the Executive Director and the accounting officer shall be separate and mutually incompatible.

ARTICLE XVIII FINANCIAL PROCEDURES

1. Financial control and audit mechanisms of the Foundation's funding shall be ensured in full respect of the principles of good financial management and in accordance with internationally recognised standards.
2. Periodic financial reports shall be provided to the Board of Governors on the Foundation's administrative costs and expenditures in the format and detail required by the Board of Governors.
3. An annual audit by an auditor approved by the Board of Governors shall be conducted of the Foundation's expenditures and related financial activities. Results of the audit shall be reported to the Board of Governors within 30 days after completion.

4. Every three years an external evaluation report of the Foundation's activities shall be drawn up and submitted to the Board of Governors and the Executive Director.

ARTICLE XIX AUDITING AND MONITORING OF PROJECTS

1. In accordance with the criteria established by the Board of Governors, approved projects funded through the Foundation shall be subject to an annual external audit of the project's accounts performed by an approved auditor who is a member of an internationally recognised supervisory body for statutory auditing. The requirements of the audit report will be specified in each specific grant contract between the Foundation and the beneficiaries.
2. Audit reports pertaining to a project shall be available to the entities audited, to the Foundation and to all members of the Board of Governors.
3. The Foundation and any Euro-Mediterranean partner contributing financially to the Foundation, may perform its own controls and audits, or engage others to do so.

ARTICLE XX SUPPLEMENTARY AGREEMENTS

1. Each Euro-Mediterranean partner may conclude supplementary written agreements with the Foundation as approved by the Board of Governors consistent with the provisions of this Statute, in order to comply with its national laws, rules, and regulations applicable to the Foundation.
2. In the event of a conflict between provisions under Articles XVI, XVII and XVIII and similar provisions under a grant contract signed between the Foundation and the European Communities, the latter shall prevail. Any such grant contract shall be subject to approval by the Board of Governors.

ARTICLE XXI SETTLEMENT OF DISPUTES

The Senior Officials Meeting shall be responsible for discussing any dispute between members of the Euro-Mediterranean Partnership relating to the functioning of the Foundation. If the Senior Officials Meeting is unable to resolve the dispute, it shall be referred to the Euro-Mediterranean Conference of Foreign Ministers.

ARTICLE XXII AMENDMENT OF STATUTES

These Statutes may be amended by the Board of Governors.