

Information on UfM Legal Status

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1. Joint Declaration – Paris

Joint Declaration of the Paris Summit for the Mediterranean Paris, 13

July 2008

Under the co-presidency of the President of the French Republic and the President of the Arab Republic of Egypt

In the presence of

The EUROPEAN UNION represented by

HE Mr Nicolas SARKOZY

President of the European Council

HE Mr José Manuel BARROSO

President of the European Commission

HE Mr Javier SOLANA

Secretary-General of the Council of the European Union / High Representative for the Common Foreign and Security Policy

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ALBANIA represented by

HE Mr Sali BERISHA

Prime Minister of the Republic of Albania

ALGERIA represented by

HE Mr Abdelaziz BOUTEFLIKA

President of the People's Democratic Republic of Algeria

AUSTRIA represented by

HE Mr Alfred GUSENBAUER
Federal Chancellor of Austria

BELGIUM represented by
HE Mr Karel DE GUCHT
Minister of Foreign Affairs of the Kingdom of
Belgium

BOSNIA AND HERZEGOVINA represented by
HE Mr Haris SILAJDŽIĆ
Chairman of the Presidency of Bosnia and
Herzegovina

BULGARIA represented by
HE Mr Georgi PARVANOV
President of the Republic of Bulgaria

CROATIA represented by
HE Mr Stjepan MESIĆ
President of the Republic of Croatia

CYPRUS represented by
HE Mr Demetris CHRISTOFIAS
President of the Republic of Cyprus

CZECH REPUBLIC represented by
HE Mr Alexandr VONDRA
Deputy Prime Minister for European Affairs of the
Czech Republic

DENMARK represented by
HE Mr Anders FOGH RASMUSSEN
Prime Minister of the Kingdom of Denmark

EGYPT represented by
HE Mr Mohamed Hosni MUBARAK
President of the Arab Republic of Egypt

ESTONIA represented by

HE Mr Andrus ANSIP	Prime Minister of the Republic of Estonia
FINLAND represented by HE Ms Tarja HALONEN	President of the Republic of Finland
HE Mr Matti VANHANEN	Prime Minister of the Republic of Finland
FRANCE represented by HE Mr Nicolas SARKOZY	President of the French Republic
GERMANY represented by HE Mrs Angela MERKEL	Federal Chancellor of the Federal Republic of Germany
GREECE represented by HE Mr Kostas KARAMANLIS	Prime Minister of the Hellenic Republic
HUNGARY represented by HE Mr Ferenc GYURCSÁNY	Prime Minister of the Republic of Hungary
IRELAND represented by HE Mr Brian COWEN	Taoiseach of Ireland
ISRAEL represented by HE Mr Ehud OLMERT	Prime Minister of the State of Israel
ITALY represented by HE Mr Silvio BERLUSCONI	President of the Council of Ministers of the Italian Republic
JORDAN represented by HE Mr Nader DAHABI	Prime Minister of the Hashemite Kingdom of Jordan
LATVIA represented by	

HE Mr Valdis ZATLERS	President of the Republic of Latvia
LEBANON represented by HE General Michel SLEIMANE	President of the Lebanese Republic
LITHUANIA represented by HE Mr Gediminas KIRKILAS	Prime Minister of the Republic of Lithuania
LUXEMBOURG represented by HE Mr Jean-Claude JUNCKER	Prime Minister of the Grand Duchy of Luxembourg
MALTA represented by HE Mr Lawrence GONZI	Prime Minister of the Republic of Malta
MAURITANIA represented by HE Mr Sidi Mohamed OULD CHEIKH ABDALLAHI	President of the Islamic Republic of Mauritania
MONACO represented by His Serene Highness ALBERT II	Sovereign Prince of Monaco
MONTENEGRO represented by HE Mr Milo DJUKANOVIĆ	Prime Minister of Montenegro
MOROCCO represented by HRH Prince Moulay RACHID	
PALESTINIAN AUTHORITY represented by HE Mr Mahmoud ABBAS	President of the Palestinian Authority
POLAND represented by	

HE Mr Lech KACZYŃSKI	President of the Republic of Poland
PORTUGAL represented by HE Mr José SOCRATES	Prime Minister of the Portuguese Republic
ROMANIA represented by HE Mr Traian BĂSESCU	President of Romania
SLOVAKIA represented by HE Mr Robert FICO	Prime Minister of the Slovak Republic
SLOVENIA represented by HE Mr Janez JANŠA	Prime Minister of the Republic of Slovenia
SPAIN represented by HE Mr José Luis RODRÍGUEZ ZAPATERO	Prime Minister of the Kingdom of Spain
SWEDEN represented by HE Mr Fredrik REINFELDT	Prime Minister of the Kingdom of Sweden
SYRIA represented by HE Mr Bachar AL-ASSAD	President of the Syrian Arab Republic
THE NETHERLANDS represented by HE Mr Jan Peter BALKENENDE	Prime Minister of the Kingdom of the Netherlands
TUNISIA represented by HE Mr Zine EL ABIDINE BEN ALI	President of the Republic of Tunisia
TURKEY represented by HE Mr Recep Tayyip ERDOGAN	Prime Minister of the Republic of Turkey
UNITED KINGDOM represented by	

HE Mr Gordon BROWN

Prime Minister of the United Kingdom of Great
Britain and Northern Ireland

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UNITED NATIONS represented by
Mr BAN KI-MOON

Secretary-General of the United Nations

EUROPEAN PARLIAMENT/EMPA represented by

Mr Hans-Gert PÖTTERING President of the European Parliament and President
of the Euro-Mediterranean Parliamentary Assembly
(EMPA)

COOPERATION COUNCIL FOR THE ARAB STATES OF THE GULF represented by

His Highness Sheikh Hamad bin Khalifa AL THANI Emir of Qatar; President-in-office of the
Cooperation Council for the Arab States of the Gulf

LEAGUE OF ARAB STATES represented by

Mr Amr MOUSSA Secretary-General of the League of Arab States

AFRICAN UNION represented by

Mr Jean PING Chairperson of the African Union Commission

ARAB MAGHREB UNION represented by

Mr Habib BEN YAHIA Secretary-General of the Arab Maghreb Union

ORGANISATION OF THE ISLAMIC CONFERENCE represented by

Mr Ekmeleddin IHSANOGLU Secretary-General of the Organisation of the
Islamic Conference

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AFRICAN DEVELOPMENT BANK represented by

Mr Donald KABERUKA President of the African Development Bank

EUROPEAN INVESTMENT BANK represented by

Mr Philippe MAYSTADT President of the European Investment Bank

WORLD BANK represented by

Mr Juan Jose DABOUB Director General of the World Bank

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ALLIANCE OF CIVILISATIONS represented by

Mr Jorge SAMPAIO UN High Representative for the Alliance of

Civilisations

ANNA LINDH EURO-MEDITERRANEAN FOUNDATION FOR THE DIALOGUE

BETWEEN CULTURES represented by

Mr André AZOULAY President of the Anna Lindh Euro-Mediterranean

Foundation for the Dialogue between Cultures

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Draft Joint Declaration of the Paris Summit for the Mediterranean Paris,

13 July 2008

Euro-Mediterranean Heads of States and Government meeting in Paris on 13 July 2008, inspired by the shared political will to revitalise efforts to transform the Mediterranean into an area of peace, democracy, cooperation and prosperity, agree to adopt the following joint declaration:

The Barcelona Process: Union for the Mediterranean, building on the Barcelona Declaration and its objectives of achieving peace, stability and security, as well as the acquis of the Barcelona Process, is a multilateral partnership with a view to increasing the potential for regional integration and cohesion. Heads of State and Government also reassert the central importance of the Mediterranean on the political agenda of all countries. They stress the need for better co-ownership by all participants and for more relevance and visibility for the citizens.

They share the conviction that this initiative can play an important role in addressing common challenges facing the Euro-Mediterranean region, such as economic and social development; world food security crisis; degradation of the environment, including climate change and desertification, with the view of promoting sustainable development; energy; migration; terrorism and extremism; as well as promoting dialogue between cultures.

It will encompass all EU Member States and the European Commission, together with the other States (members and observers) of the Barcelona Process. The Arab League shall be invited to the meetings of the Barcelona Process: Union for the Mediterranean, in pursuance of its participation in the Barcelona Process. Barcelona Process: Union for the Mediterranean welcomes Bosnia and Herzegovina, Croatia, Monaco and Montenegro which have accepted the acquis of the Barcelona Process.

A strategic ambition for the Mediterranean

1. Europe and the Mediterranean countries are bound by history, geography and culture. More importantly, they are united by a common ambition: to build together a future of peace, democracy, prosperity and human, social and cultural understanding. To achieve these common objectives participants agree to continue with renewed dynamism the quest for peace and cooperation, to explore their joint problems and transform these good intentions into actions in a renewed partnership for progress.
2. Heads of State and Government underline the important role played by the Barcelona Process since 1995. The Barcelona Process has been the central instrument for Euro-Mediterranean relations. Representing a partnership of 39 governments and over 700 million people, it has provided a framework for continued engagement and development. The Barcelona Process is the only forum within which all Euro-Mediterranean partners exchange views and engage in constructive dialogue. It represents a strong commitment to peace, democracy, regional stability and security through regional cooperation and integration. The Barcelona Process: Union for the Mediterranean aims to build on that consensus to pursue cooperation, political and socioeconomic reform and modernisation on the basis of equality and mutual respect for each other's sovereignty.
3. Heads of State and Government underscore the importance of the active participation of civil society, local and regional authorities and the private sector in the implementation of the Barcelona Process: Union for the Mediterranean.
4. To take advantage of the opportunities offered by an enhanced framework of multilateral cooperation, Heads of State and Government decide to launch a reinforced partnership - The Barcelona Process: Union for the Mediterranean.
5. This initiative is also the expression of a common aspiration to achieve peace as well as regional security according to the Barcelona Declaration of 1995, which, inter alia, promotes regional security by acting in favour of nuclear, chemical and biological non-proliferation through adherence to and compliance with a combination of international and regional non-proliferation regimes and arms control and disarmament agreements such as NPT, CWC, BWC, CTBT and/or regional arrangements such as weapons-free zones, including their verification regimes, as well as by fulfilling in good faith their commitments under arms control, disarmament and non-proliferation conventions.

The parties shall pursue a mutually and effectively verifiable Middle East Zone free of weapons of mass destruction, nuclear, chemical and biological, and their delivery systems. Furthermore

the parties will consider practical steps to prevent the proliferation of nuclear, chemical and biological weapons as well as excessive accumulation of conventional arms; refrain from developing military capacity beyond their legitimate defence requirements, at the same time reaffirming their resolve to achieve the same degree of security and mutual confidence with the lowest possible levels of troops and weaponry and adherence to CCW; promote conditions likely to develop good-neighbourly relations among themselves and support processes aimed at stability, security, prosperity and regional and subregional cooperation; consider any confidence and security-building measures that could be taken between the parties with a view to the creation of an "area of peace and stability in the Mediterranean", including the long term possibility of establishing a Euro-Mediterranean pact to that end.

6. It shows the determination to favour human resource development and employment in line with the Millennium Development Goals, including alleviating poverty. Heads of State and Government underline their commitment to strengthen democracy and political pluralism by the expansion of participation in political life and the embracing of all human rights and fundamental freedoms. They also affirm their ambition to build a common future based on the full respect of democratic principles, human rights and fundamental freedoms, as enshrined in international human rights law, such as the promotion of economic, social, cultural, civil and political rights, strengthening the role of women in society, the respect of minorities, the fight against racism and xenophobia and the advancement of cultural dialogue and mutual understanding.
7. Heads of State and Government reaffirm their support for the Israeli-Palestinian Peace Process, as referred to in the Lisbon Euromed Ministerial Meeting (November 2007) and according to the Annapolis process. They recall that peace in the Middle East requires a comprehensive solution and in this regard welcome the announcement that Syria and Israel have initiated indirect peace talks under the auspices of Turkey, in accordance with the Madrid Conference terms of reference for peace.
8. Heads of State and Government reiterate their condemnation of terrorism in all its forms and manifestations and their determination to eradicate it and to combat its sponsors and they reaffirm their commitment to fully implement the Code of Conduct on Countering Terrorism in order to enhance the security of all citizens within a framework that ensures respect of the rule of law and

human rights, particularly through more effective counter-terrorism policies and deeper co-operation to dismantle all terrorist activities, to protect potential targets and to manage the consequences of attacks. They emphasise the need to address the conditions conducive to the spread of terrorism in all its forms and manifestations without qualification, committed by whomever, wherever and for whatever purposes. They also reiterate the complete rejection of attempts to associate any religion or culture with terrorism and confirm their commitment to do their utmost effort with a view to resolving conflict, ending occupation, confronting oppression, reducing poverty, promoting human rights and good governance, improving intercultural understanding and ensuring respect for all religions and beliefs. Such actions serve directly the interests of the people of the Euro-Med region and work against the interests of the terrorists and the networks.

Scope and main objectives

9. Heads of State and Government agree that the challenge of the Barcelona Process: Union for the Mediterranean is to enhance multilateral relations, increase co-ownership of the process, set governance on the basis of equal footing and translate it into concrete projects, more visible to citizens. Now is the time to inject a new and continuing momentum into the Barcelona Process. More engagement and new catalysts are now needed to translate the objectives of the Barcelona Declaration into tangible results.
10. The Euro-Mediterranean partnership continues to be an inclusive process driven in all its aspects by the principle of consensus, for which the modalities in terms of projects will be decided by the next Foreign Affairs Ministerial meeting in November 2008.
11. The Barcelona Process: Union for the Mediterranean will build on the acquis and reinforce the achievements and successful elements of the Barcelona Process. The Barcelona Declaration, its goals and its cooperation areas remain valid and its three chapters of cooperation (Political Dialogue, Economic Cooperation and Free Trade, and Human, Social and Cultural Dialogue) will continue to remain central in Euro-Mediterranean relations. The Five-Year Work Programme adopted by the 10th Anniversary Euro-Mediterranean Summit held in Barcelona in 2005 (including the fourth chapter of cooperation on "Migration, Social Integration, Justice and Security" introduced at that stage) and the conclusions of all ministerial meetings will remain in force. Heads of State and Government acknowledge the progress and economic benefits of the creation of a deep Free Trade Area in the Euromed region by 2010 and beyond, and the strengthening of regional economic integration in all its dimensions. They support the main lines

of the Euromed Trade Roadmap till 2010 and beyond, and, in particular, to study the establishment of a smooth, efficient and business-friendly trade facilitation mechanism which would bring further transparency and trade and investment opportunities.

12. Heads of State and Government underline that the Barcelona Process: Union for the Mediterranean aims to achieve a future of peace and shared prosperity in the entire region by implementing projects that will enhance the flow of exchanges among the people of the whole region. In this regard they acknowledge the human and cultural dimension of this initiative. They underline the commitment to facilitate legal movement of individuals. They stress that promoting orderly managed legal migration in the interest of all parties concerned, fighting illegal migration and fostering links between migration and development are issues of common interest which should be addressed through a comprehensive, balanced and integrated approach.
13. The Barcelona Process: Union for the Mediterranean will be complementary to EU bilateral relations with these countries¹ which will continue under existing policy frameworks such as the Association Agreements, the European Neighbourhood Policy action plans, and, in the case of Mauritania, the African Caribbean Pacific framework. It will also be coherent and complementary with the Joint Africa-EU Strategy. While complementing activities concerning its regional dimension, the Barcelona Process: Union for the Mediterranean will be independent from the EU enlargement policy, accession negotiations and the pre-accession process.
14. The Barcelona Process: Union for the Mediterranean gives a new impulse to the Barcelona Process in at least three very important ways:
 - by upgrading the political level of the EU's relationship with its Mediterranean partners;
 - by providing for further co-ownership to our multilateral relations; and
 - by making these relations more concrete and visible through additional regional and subregional projects, relevant for the citizens of the region.

Upgrading of relations

15. Heads of State and Government agree to hold biennial summits. The summits should result in a political declaration and a short list of concrete regional projects to be set in motion. The conclusions should endorse a broad two-year work programme for the Barcelona Process: Union for the Mediterranean. Annual Foreign Affairs Ministerial meetings will review progress in the implementation of the summit conclusions and prepare the next summit meetings and, if necessary, approve new projects.

¹ The countries concerned are: Algeria; Egypt; Israel; Jordan; Lebanon; Mauritania; Monaco; Morocco; Palestinian Authority; Syria; Tunisia. Croatia and Turkey, negotiating candidate countries to the EU. Albania, Bosnia-Herzegovina and Montenegro, potential candidates to the EU. Libya, invited by the Presidency since the Euromed Stuttgart ministerial meeting of 1999

16. The summit meetings should take place alternately in the EU and in Mediterranean partner countries. The host country should be selected by consensus. All countries party to the initiative will be invited to Summits, Ministerials and other plenary meetings of the Barcelona Process: Union for the Mediterranean.

17. The Euro-Mediterranean Parliamentary Assembly will be the legitimate parliamentary expression of the Barcelona Process: Union for the Mediterranean. Heads of State and Government strongly support the strengthening of the role of the EMPA in its relations with Mediterranean partners.

18. The Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures as a EuroMediterranean institution will contribute in an effective manner to the cultural dimension of the initiative in cooperation with the UN Alliance of Civilizations.

Increased co-ownership and institutional governance

19. Heads of State and Government agree on the creation of a co-presidency and also decide that a joint secretariat will be established. Participation in the co-presidencies and the secretariat will be open to all members of the Barcelona Process: Union for the Mediterranean.

20. The current structures of the Barcelona Process should be preserved and adapted when new modalities are approved by the Euro-Mediterranean Foreign Affairs Ministers.

Co-Presidency

21. Heads of State and Government establish a co-presidency in order to improve the balance and the joint ownership of their cooperation. One of the co-presidents will be from the EU and the other from the Mediterranean partner countries. The co-presidency shall apply to Summits, all Ministerial meetings, Senior Officials meetings, the Joint Permanent Committee and, when possible, experts/ad hoc meetings within the initiative.

22. The establishment of a co-presidency

- from the EU side must be compatible with the external representation of the European Union in accordance with the Treaty provisions in force;
- from the Mediterranean side, the co-president must be chosen by consensus for a nonrenewable period of two years.

Institutional governance and Secretariat

23. Heads of State and Government agree to establish new institutional structures which will contribute to achieving the political goals of this initiative, especially reinforcing co-ownership, upgrading the political level of EU-Mediterranean relations and achieving visibility through projects.

24. They agree that a joint Secretariat for the Barcelona Process: Union for the Mediterranean will be established, with a key role within the institutional architecture. The Secretariat will give a new impulse to this process in terms of identification, follow-up, promotion of the projects and the search for partners. The funding and implementation of projects will be pursued on a case by case basis. The Secretariat will work in operational liaison with all structures of the process, including

by preparing working documents for the decision-making bodies. The Secretariat would have a separate legal personality with an autonomous status.

25. The mandate of the Secretariat is of a technical nature while the political mandate related to all aspects of the initiative remains the responsibility of the Ministers of Foreign Affairs and Senior Officials.
26. The Joint Permanent Committee based in Brussels will assist and prepare the meetings of the Senior Officials and ensure the appropriate follow-up; it may also act as a mechanism to react rapidly if an exceptional situation arises in the region that requires the consultation of EuroMediterranean partners.
27. The Senior Officials will continue to convene regularly in order to prepare the Ministerial meetings, including projects to be endorsed, take stock of and evaluate the progress of the Barcelona Process: Union for the Mediterranean in all its components and submit the annual work programme to Ministers of Foreign Affairs.
28. Details of the mandate of the new institutional structure, the functioning of the co-presidency, as well as the composition, seat and funding of the Secretariat will be decided on the basis of consensus by the Foreign Affairs Ministers in November 2008, taking into account thorough discussions and proposals submitted by all partners.

Projects

29. The project selection process will be in conformity with the Barcelona Declaration objectives notably achieving peace, security and stability. The partners will set up a favourable environment for the implementation of projects taking into account the regional, sub-regional and trans-national character of proposed projects as well as their size, relevance and interest for the parties involved, in line with the scope and main objectives of the initiative. The potential to promote balanced and sustainable development, regional and sub-regional integration, cohesion and interconnections will be considered and their financial feasibility including the maximization of private sector financing and participation will be sought. Senior Officials will prepare the criteria for the selection of projects to be approved by Foreign Ministers.

30. Heads of State and Government underscore the potential offered by the reinforced cooperation through the principle of variable geometry projects in line with the scope and main aims of the initiative. Such an approach will enable member countries with affinities, shared objectives and complementarities to give momentum to the process and reach the goals of the Barcelona Declaration.

Funding

31. The Barcelona Process: Union for the Mediterranean will mobilise additional funding for the region, mainly through regional and subregional projects. Its capacity to attract more financial resources for regional projects, with a high degree of donor coordination, will constitute its added value mainly through the following sources, inter alia: private sector participation; contributions from the EU budget and all partners; contributions from other countries, international financial institutions and regional entities; the Euro-Mediterranean Investment and Partnership Facility (FEMIP); the ENPI Euro-Med envelope, the Neighbourhood Investment Facility and the cross-border cooperation instrument within the ENPI, as well as the other instruments applicable to the countries covered by the initiative, for which the usual selection and procedural rules will continue to apply.

Concluding points

32. The Participants stress that the Barcelona Process: Union for the Mediterranean is an historic opportunity to revitalise the Euro-Mediterranean Partnership Process and upgrade it to a new level. The ultimate success of the initiative also rests in the hands of citizens, civil society and the active involvement of the private sector.

33. Heads of State and Government invite Ministers of Foreign Affairs to finalise, during their next meeting in November, the modalities for the institutional set-up of the initiative. The new structures for the initiative should be fully operational before the end of 2008. All participating countries and the European Commission will work in close coordination to achieve this objective.

ANNEX

The future of the Euro-Mediterranean region lies in improved socio-economic development, solidarity, regional integration, sustainable development and knowledge. There is a need to increase co-operation in areas such as business development, trade, the environment, energy, water management, agriculture, food safety and security, transport, maritime issues, education, vocational training, science and technology, culture, media, justice and law, security, migration, health, strengthening the role of women in society, civil protection, tourism, urban planning, ports, decentralised co-operation, the information society and competitive clusters.

In addition, they stress the importance of strengthening food security, especially taking into account the consequences of climate change on food crops within the context of sustainable development policies.

The importance of water is acknowledged: the Euro-Mediterranean Ministerial Conference in Jordan in October 2008 will define a Mediterranean water strategy, promoting conservation of water resources, diversifying water provision resources and efficient and sustainable use of water.

The priorities set out in the Regional Indicative Programme for the Euro-Mediterranean Partnership, as well as those of future programmes, will continue to apply and any potential Community contribution to the new regional projects listed below will not be financed at the expense of the existing bilateral allocations under the European Neighbourhood and Partnership Instrument or the Pre-accession Instrument (or in the case of Mauritania the European Development Fund).

It is crucial to translate the goals set by the Barcelona Declaration of 1995 and the work programme of 2005 into major regional concrete projects. As a first stage, it is decided to launch a number of key initiatives, listed hereafter, which the future Secretariat is mandated to detail.

De-pollution of the Mediterranean: The Mediterranean is resonant with culture and history. But it is much more than a symbol or an icon for the region. It also provides employment and pleasure for its people. However, its environmental quality has suffered serious degradation in recent times. Building on the Horizon 2020 programme, the de-pollution of the Mediterranean, including coastal and protected marine areas, particularly in the water and waste sector, will therefore be of major benefit for the lives and livelihoods of its people.

Maritime and Land Highways: The Mediterranean is a sea that joins, not separates, its people. It is also a highway for commerce. Easy and safe access and flow of goods and people, on land and

sea, is essential for maintaining relations and enhancing regional trade. The development of motorways of the sea, including the connection of ports, throughout the entire Mediterranean basin as well as the creation of coastal motorways and the modernisation of the trans-Maghreb train, will increase the flow and freedom of the movement of people and goods. Particular attention should be devoted to cooperation in the field of maritime security and safety, in a perspective of global integration in the Mediterranean region.

Civil Protection: The global landscape is littered with examples of the devastation caused by man-made and natural disasters. The effects of climate change are evident for all. The Mediterranean region is particularly vulnerable and exposed to such disasters. A joint Civil Protection programme on prevention, preparation and response to disasters, linking the region more closely to the EU Civil Protection Mechanism, is, therefore, one of the main priorities for the region.

Alternative Energies: Mediterranean Solar Plan: The recent activity on energy markets in terms of both supply and demand, confirms the need to focus on alternative energy sources. Market deployment as well as research and development of all alternative sources of energy are therefore a major priority in efforts towards assuring sustainable development. The Secretariat is tasked to explore the feasibility, development and creation of a Mediterranean Solar Plan.

Higher Education and Research, Euro-Mediterranean University: A Euro-Mediterranean University (with its seat in Slovenia) can contribute to the understanding among people and encourage cooperation in higher education, following up on the objectives of the Catania Process and of the First Euro-Mediterranean Ministerial Conference on Higher Education and Scientific Research (Cairo, June 2007). Through a cooperation network of partner institutions and existing universities from the Euro-Med region, the Euro-Mediterranean University will develop postgraduate and research programmes and thus contribute to the establishment of the EuroMediterranean Higher Education, Science and Research Area. Partner countries are encouraged to make full use of possibilities offered by existing higher education cooperation programmes such as Tempus and Erasmus Mundus, including the External Cooperation Window. Particular attention should be paid to enhancing quality and to ensuring the relevance of vocational training to labour market needs.

The Mediterranean Business Development Initiative is aimed at assisting the existing entities in partner countries operating in support of micro, small and medium-sized enterprises by assessing the needs of these enterprises, defining policy solutions and providing these entities with resources in the form of technical assistance and financial instruments. It will be based on the principle of co-ownership and its activities are expected to be complementary to those of the existing entities working in the field. Contributions by countries from both rims of the Mediterranean will be done on a voluntary basis.

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2. Final-Marseille

FINAL STATEMENT

MARSEILLE, 3-4 NOVEMBER 2008

The Paris Summit of the ‘Barcelona Process: Union for the Mediterranean’ (Paris, 13 July 2008) injected a renewed political momentum into Euro–Mediterranean relations. In Paris, the Heads of State and Government agreed to build on and reinforce the successful elements of the Barcelona Process by upgrading their relations, incorporating more co-ownership in their multilateral cooperation framework and delivering concrete benefits for the citizens of the region. This first Summit marked an important step forward for the Euro-Mediterranean Partnership while also highlighting the EU and Mediterranean partners’ unwavering commitment and common political will to make the goals of the Barcelona Declaration – the creation of an area of peace, stability, security and shared prosperity, as well as full respect of democratic principles, human rights and fundamental freedoms and promotion of understanding between cultures and civilizations in the EuroMediterranean region – a reality. It was decided to launch and/or to reinforce a number of key initiatives: De-pollution of the Mediterranean, Maritime and Land Highways, Civil Protection, Alternative Energies: Mediterranean Solar Plan, Higher Education and Research, Euro-Mediterranean University and the Mediterranean Business Development Initiative.

Ministers propose that as from Marseille the “Barcelona Process: Union for the Mediterranean” should be called “Union for the Mediterranean”.

Ministers decide that the League of Arab States shall participate in all meetings at all levels of the Barcelona Process: Union for the Mediterranean, therefore contributing positively to the objectives of the process, namely the achievement of peace, prosperity and stability in the Mediterranean region.

Ministers reaffirm their commitment to achieve a just, comprehensive, and lasting solution to the Arab-Israeli conflict, consistent with the terms of reference of the Madrid Conference and its principles, including land for peace, and based on the relevant UNSC resolutions and the Road Map. Ministers also stress the importance of the Arab Peace Initiative and underline their support for efforts to promote progress on all tracks of the Middle East Peace Process.

Ministers stress that the Barcelona Process: Union for the Mediterranean is not intended to replace the other initiatives undertaken in the interests of the peace, stability and development of the region, but that it will contribute to their success.

Ministers welcome the positive role played by the EU in the Middle East Peace Process, notably in the framework of the Quartet. They reaffirm their commitment to support the

ongoing Israeli-Palestinian negotiations in order to conclude a peace treaty resolving all outstanding issues, including all core issues without exceptions, as specified in previous agreements. They welcome the commitment of both parties to engage in vigorous, ongoing and continuous negotiations making every effort to conclude a peace agreement based on the Annapolis process, as agreed in November 2007. They also encourage the parties to intensify their efforts on the path of direct dialogue and negotiation in the fulfilment of the two states solution: a safe and secure Israel, and a viable, sovereign and democratic Palestinian State, living side by side in peace and security. Final status issues have to be agreed upon by the parties.

Ministers call on both parties to respect their commitment to immediately implement their respective obligations under the performance-based Roadmap to a permanent two state solution to the Israeli-Palestinian conflict, and call on the parties to refrain from any measure that might prejudice the outcome of the negotiations.

Ministers welcome and support the indirect peace talks between Israel and Syria under the auspices of Turkey and encourage all efforts deployed to achieve stability, peace and security in the region.

Ministers welcome the establishment of diplomatic relations between Syria and Lebanon.

Ministers reiterate their condemnation of terrorism in all its forms and manifestations, regardless of the perpetrators, and their determination to eradicate it and to combat its sponsors and reaffirm their commitment to fully implement the Code of Conduct on Countering Terrorism adopted in the Barcelona Summit on 28th November 2005 in order to enhance the security of all citizens within a framework that ensures respect for the rule of law and human rights, particularly through more effective counterterrorism policies and deeper cooperation to dismantle all terrorist activities, to protect potential targets and to manage the consequences of attacks. They also reiterate the complete rejection of attempts to associate any religion, civilization or culture with terrorism and confirm their commitment to do their utmost effort with a view to resolving conflict, ending occupation, confronting oppression, reducing poverty, promoting human rights and good governance, improving intercultural understanding and ensuring respect for all religions and beliefs.

Ministers reaffirm their common aspiration to achieve peace as well as regional security according to the Barcelona Declaration of 1995, which, inter alia, promotes regional security by acting in favour of nuclear, chemical and biological nonproliferation through adherence to and compliance with a combination of international and regional non-proliferation regimes and arms control and disarmament agreements such as NPT, CWC, BWC, CTBT and/or regional arrangements such as weapons-free zones, including their verification regimes, as well as by fulfilling in good faith their commitments under arms control, disarmament and non-proliferation conventions.

The parties shall pursue a mutually and effectively verifiable Middle East Zone free of weapons of mass destruction, nuclear, chemical and biological, and their delivery systems. Furthermore the parties will consider practical steps to prevent the proliferation

of nuclear, chemical and biological weapons as well as excessive accumulation of conventional arms; refrain from developing military capacity beyond their legitimate defence requirements, at the same time reaffirming their resolve to achieve the same degree of security and mutual confidence with the lowest possible levels of troops and weaponry and adherence to CCW; promote conditions likely to develop good-neighbourly relations among themselves and support processes aimed at stability, security, prosperity and regional and sub-regional cooperation; consider any confidence and security-building measures that could be taken between the parties with a view to the creation of an "area of peace and stability in the Mediterranean", including the long term possibility of establishing a EuroMediterranean pact to that end.

The Ministers welcome the dedication and interest expressed by three new members of the Barcelona Process: Union for the Mediterranean – Bosnia and Herzegovina, Republic of Croatia and Montenegro, together with Albania, to add their efforts in contributing to a successful integration of the Adriatic countries in the existing and future initiatives and projects in the Euro-Mediterranean region.

I/ Institutional structures of the “Barcelona Process: Union for the Mediterranean”

Euro-Mediterranean Heads of State and Government agreed in Paris on 13 July 2008 to establish new institutional structures to contribute to achieving the political goals of the initiative, especially reinforcing inclusive co-ownership, upgrading the political level of EU-Mediterranean relations and achieving visibility through projects.

On the basis of the Paris Declaration adopted by and mandate received from Heads of State and Government, Euro-Mediterranean Foreign Affairs Ministers approve the following guidelines, in line with its scope and main objectives:

Co-presidency

1. The co-presidency shall apply to Summits, all Ministerial meetings, Senior Officials meetings, the Joint Permanent Committee and, when possible, experts/ad hoc meetings within the initiative.
2. The co-presidents will assume the co-presidency of the Partnership as a whole.
3. One of the co-presidents will be from the EU and the other from the Mediterranean partner countries.
4. From the EU side, the co-presidency must be compatible with the external representation of the European Union in accordance with the Treaty provisions in force¹.
5. From the Mediterranean partners side, the co-president must be chosen by consensus for a non-renewable period of two years.

¹ This includes the role of the Presidency and the European Commission in the external representation of the EU.

6. The two co-presidencies will call and chair the meetings of the Barcelona Process: Union for the Mediterranean.² The co-presidencies will submit for approval the agenda of the meetings.
7. The co-presidencies will conduct the necessary consultations with all partners, leading to the adoption of common conclusions of Summit, Ministerial, and other meetings when required³, that shall be adopted by consensus, as well as consulting on all other issues relevant to the good functioning of the Partnership.

Senior Officials

8. The Senior Officials are mandated to deal with all aspects of the initiative. They will take stock of and evaluate the progress of the Barcelona Process: Union for the Mediterranean in all its components including issues previously handled by the Euromed Committee. Senior officials will continue to convene regularly in order to prepare the Ministerial meeting, and submit project proposals to them as well as the annual work programme for adoption.
9. The biennial Summits of Heads of State will endorse the strategic priorities of the Barcelona Process: Union for the Mediterranean passed to it through Foreign Ministers. Foreign Ministers mandate Senior Officials to approve guidelines and criteria for assessing the merits of project proposals. In doing so, the Senior Officials shall be guided by a broad, comprehensive and inclusive approach to the projects, which could be mutually beneficial and aiming at the prosperity of all.

They shall also uphold the principle that every project must:

- strive to contribute to stability and peace in the whole Euro-Mediterranean region;
 - not jeopardise the legitimate interest of any member of the Barcelona Process: Union for the Mediterranean;
 - take account of the principle of variable geometry;
 - respect the decision of member countries involved in an ongoing project when it is subject to further development.
10. In drawing up the agenda of the Senior Officials meetings, the co-presidencies identify those items on which discussion is intended and items for information. Delegations may submit particular items to the co-presidencies for inclusion in the agenda.

Joint Permanent Committee

11. The Joint Permanent Committee will be based in Brussels. It will assist and prepare the meetings of the Senior Officials and ensure the appropriate follow-up. The Joint Permanent Committee will deal with issues previously handled by the Euromed

² If a State other than the two co-presidencies hosts a meeting, it will also co-chair the meeting. ³ Without prejudice to the consultations to be carried out within the EU in accordance with the relevant Treaty provisions.

Committee that do not fall under the competence of the Senior Officials. The Euromed Committee will thus be dissolved. The Joint Permanent Committee may also act as a mechanism to react rapidly if an exceptional situation arises in the region that requires the consultation of Euro-Mediterranean partners.

The Secretariat

12. The joint Secretariat will have a key role within the institutional architecture. The Secretariat will:

- Give an impulse to this process in terms of identification, follow-up, promotion of new projects and the search for funding and for implementation partners.
- Work in operational liaison with all structures of the process, particularly with the co-presidencies, including by preparing working documents for the decision-making bodies.
- Have a separate legal personality with an autonomous status.

13. The mandate of the Secretariat is of a technical nature while the political mandate related to all aspects of the initiative remains the responsibility of the Ministers of Foreign Affairs and Senior Officials.

14. Tasks: The Secretariat will gather, within the project priorities, regional, sub-regional or transnational project initiatives (from various sources such as sectoral ministerial meetings, national or regional authorities, regional groupings, private sector, civil society). The Secretariat shall examine project initiatives and inform on their implementation to the Joint Permanent Committee and the Senior Officials after close coordination with concerned States and funding partners. Once approved, the Secretariat will work on the basis of the guidelines to be set by Senior Officials, as mentioned above.

The Summit, the Foreign Affairs Ministers Conference, the appropriate Euromed Sectoral Ministerial Meeting or the Senior Officials will instruct the Secretariat to propose the necessary follow-up in terms of initiating the promotion of the projects and the search for partners for their implementation. The funding and implementation of projects will be pursued on a case-by-case basis by the various interested partners according to their own procedures and by ad hoc sub-groups, if necessary, with the assistance of the Secretariat. The Secretariat will lead on monitoring and evaluation of projects implementation.

15. The Secretariat will inform the Joint Permanent Committee and report to the Senior Officials.

16. The statute of the Secretariat will be adopted by Senior Officials (on the basis of a proposal to be prepared by a drafting group of experts to be established for this purpose³)

³ This drafting group will be composed as follows: host country, co-presidencies, incoming presidency, European Commission and General Secretariat of the Council, and will be open to interested countries.

before the end of February 2009⁴, taking into account the legal system of the country in which the Secretariat will be established. It will be a lean Secretariat based on the following principles:

- a. Composition: The objective is to achieve a sufficiently higher level of involvement of all partners to increase co-ownership and participation. There will be one Secretary General⁵ and five Deputy Secretaries General⁶. They are to be selected by consensus by Senior Officials following proposals made by Euro-Mediterranean partners and on the basis of a short list presented by the co-presidency and the Commission, following consultations to be held with all partners. Their term of office will be of 3 years. The term of office may be extended once for a maximum of three years. The Secretariat will include seconded officials from participants in the process to be appointed by the Secretary General together with the Deputy Secretaries General on the basis of competence and geographical balance.

- b. Funding: The running costs of the Secretariat (support staff, equipment etc) will be funded from an operating grant on a shared and balanced basis by the Euro-Mediterranean partners, on a voluntary basis and the Community budget. Funding from the Community budget will come from existing resources within the ENPI (and other relevant instruments) within the Financial Framework ceilings. The Community funding will need to follow the provisions of the Financial Regulation. The host country will provide the premises of the Secretariat free of charge. Seconded officials will be financed by their respective administrations (possibly through a trust fund). Senior Officials shall adopt the annual budget of the Secretariat upon proposal of the Secretary General and the Deputy Secretaries General (revenue and expenditure of the Secretariat including allocations of staff). Initial financial contributions shall be made available as soon as the statutes are adopted so as to allow the Secretariat to start functioning by May 2009. Funding provisions should aim at ensuring an uninterrupted and regular working of the Secretariat

and reflect the EU and Mediterranean partners' co-responsibility of the Barcelona Process: Union for the Mediterranean.

- c. The seat of the Secretariat will be in Barcelona. A Headquarters Agreement between the host country and the Secretariat will ensure the autonomous status of the latter, its legal personality to carry out its activities and the status, privileges and immunities of the Secretariat and its international personnel. The Headquarters Agreement shall be concluded before May 2009.

On the matter of the governance of the Barcelona Process: Union for the Mediterranean, Ministers decide to continue their consultations in line with the mandate given by Heads of

⁴ The EU position shall be agreed in advance in the relevant working group.

⁵ The Secretary General will be chosen among candidates from Mediterranean partner countries.

⁶ For the first term of office, the five Deputy Secretaries General will be from the following EuroMediterranean partners: Palestinian Authority, Greece, Israel, Italy, Malta. All the Euro-Mediterranean partners are eligible for these posts on a rotational basis.

State and Government at the Paris Summit. Ministers agree that delegations may submit their proposals to the French-Egyptian co-presidency, which undertakes to consult Heads of State and Government, notably on the modalities for the establishment of the Secretariat and the new name for the Barcelona Process: Union for the Mediterranean.

Relations with Parliaments, local and regional authorities

The Ministers believe that the Euro-Mediterranean Parliamentary Assembly (EMPA) reinforces the democratic legitimacy of the Partnership. They duly take note of the EMPA recommendation adopted in Jordan on the 13th October 2008. The Barcelona Process: Union for the Mediterranean requires a strong parliamentary dimension. Therefore the Ministers underline that the position of the EMPA should be further consolidated and its work better articulated with the other institutions of the Partnership.

The Ministers stress the need to promote the implementation of concrete action at local and regional level. In this respect, they commend the Forum of Local and Regional Authorities that was held on 22 and 23 June 2008 in Marseille. They also duly take note of the Committee of Regions' opinion issued on 9 October 2008 and the proposal to create a Euro-Mediterranean Regional and Local Assembly. The Assembly's members would represent EU local and regional elected officials and elected officials from Mediterranean partner countries equally, similar to parliamentary representation in the Euro-Mediterranean Parliamentary Assembly.

The Ministers mandate the Senior Officials to consider the possibility of the involvement of the EMRLA once it is established in the Partnership.

* * *

II – Work Programme for 2009

Important steps need to be taken in 2009 to implement the Barcelona Five-Year Work Programme and the declaration of the Paris Summit in order to advance the regional integration process. The following meetings are a proposed indicative list for 2009:

- the 3rd Euro-Mediterranean Ministerial Meeting on Water,
- the 1st Euro-Mediterranean Ministerial Meeting on sustainable development projects,
- the 6th Euro-Mediterranean Ministerial Meeting on Transport and Urban Development,
- the 2nd Euro-Mediterranean Ministerial Meeting on Higher Education & Scientific Research,
- the 6th Euro-Mediterranean Ministerial Meeting on Energy,
- the 4th Euro-Mediterranean Ministerial Meeting on the Environment,
- the 2nd Euro-Mediterranean Ministerial Meeting on Strengthening the Role of Women in Society,

- the annual Euro-Mediterranean Economic Transition conference,
- the 9th FEMIP Ministerial Meeting,
- the 5th Euro-Mediterranean ECOFIN Ministerial meeting,
- the 8th Euro-Mediterranean Trade Ministerial Conference,
- the 1st Euro-Mediterranean Ministerial Meeting on Food Security, Agriculture and Rural Development,
- the 1st Euro-Mediterranean Ministerial Meeting on Justice, Liberty and Security,
- the 11th Euro-Mediterranean Ministerial Meeting on Foreign Affairs,
- the 1st Euro-Mediterranean Ministerial Meeting on Human Development.

III. Fields of cooperation to be pursued in 2009

A - Political and security dialogue

The political and security dialogue has focused on the following areas: a.

Regular review of the political situation in the Middle East.

- b. Implementation of the Code of Conduct on countering terrorism. The Ministers agree to build on the recommendations of previous international and regional initiatives.
- c. Deepening of the dialogue on ESDP and crisis management.
- d. At the Paris Summit, the Heads of State and Government underlined their commitment to strengthen democracy and political pluralism through expansion of participation in political life and respect for all human rights and fundamental freedoms.
- e. The Ministers acknowledge that the deepening of regional dialogue on joint cooperation, best practices and exchange of experience in the area of elections has been further pursued at Senior Official level. Ministers agreed that joint cooperation and exchange of experience could be developed on a voluntary basis upon the request of any of the partners.
- f. The Ministers have highlighted the role of the regional 'Bridge Programme (2004-2008) on Prevention, Mitigation and Management of Natural and Man-made Disasters' and laid the foundations for a LongTerm Programme, the Euro-Med Programme for the Prevention, Preparedness and Response to Natural and Man-made Disasters - PPRD (2008-2011).

B. Maritime Safety

The growing number of transit vessels, the increasing risks of accidents, the persisting terrorist threat, the rise in organised crime and illicit trafficking, especially drug trafficking, could tend to port infrastructures inefficiency and jeopardise trade flows. To

enhance cooperation, the creation of a centre to coordinate the fight against drugs in the Mediterranean region could be explored.

In 2009, a forum of Mediterranean Coast Guard Services and, as appropriate, Maritime Services, could be organised. This event might represent an opportunity to exchange experiences in the fields of marine and coastal environment protection from pollution, as well as safety of navigation, maritime search and rescue and safeguard of human life at sea. Italy is prepared to host this Forum.

Ministers recommend to study the possibility to develop initiatives in the maritime domain, for instance the implementation of integrated Vessel Traffic Management systems, systems for the management of intermodal transport and sea ports, integrated systems for the management and control of environmental risks and sea pollution with the participation of all willing and able Mediterranean partners.

C - Economic and Financial Partnership

Energy

Participants at the last Euromed Energy Ministerial Meeting (Cyprus, 17 December 2007) agreed on a Five-Year Action Plan focusing on three main areas: (1) improving harmonisation and integration of energy markets and legislation in the Euromed region, (2) promoting sustainable development in the energy sector, and (3) developing initiatives of common interest in key areas, such as infrastructure extension, investment financing and research and development. Furthermore several initiatives are being implemented such as the Euro-Mashrek gas cooperation, the integration of electricity markets in the Maghreb, the trilateral energy cooperation between the EC, Israel and the Palestinian Authority (including the Solar Energy for Peace Initiative) and cooperation among Euromed energy regulators (Medreg). In this context, a Ministerial meeting took place on 5 May 2008 in Brussels to discuss enhancing energy cooperation in the Mashrek. Overall progress in the implementation of the Action Plan Priorities is being monitored. Finally, alleviating energy poverty, in the framework of the Millennium Development Goals, has to be achieved. The outcome of these activities will lead to the third Ministerial Meeting hosted by France.

Transport

The Regional Transport Action Plan (RTAP) for the Mediterranean, which was approved by all representatives of beneficiary countries at the Euromed Transport Forum held in Brussels on 29-30 May 2007, proposes 34 actions in a number of areas including maritime transport, road transport, railway transport, civil aviation, multimodal transport and transport infrastructure networks, as well as with respect to sustainability issues. These actions are being implemented by partner governments in the framework of their national policies and strategies or at the multilateral level through cooperation and the exchange of information. A meeting of the aviation working group and the ninth Euromed Transport Forum are planned before the end of 2008. The Trans-European Network-Transport (TEN-T) Workshop was held in Brussels on 14-15 October 2008.

Agriculture

Ministers recalled the importance of agriculture and rural development in the economy of the Mediterranean countries and in achieving food security. Ministers agreed to convene an agriculture Ministerial meeting on these subjects. This meeting should aim at identifying and promoting projects related to sustainable rural development, to the development and promotion of quality products and the coordination of agricultural research on topics such as water stress resistant plant species and water resources management. This conference should also support the pursuit and reinforcement of activities in the areas of sanitary and phytosanitary norms.

Urban development

Sustainable Metropolitan and Urban Development are at the heart of the major issues of the Mediterranean. Population growth and uncontrolled urban sprawl, concentrated mainly on the coasts, are significant and have a negative impact on the Mediterranean region's development. Sustainable Urban Development implies that governments, developers and financiers to better anticipate future urban growth, need to better meet the basic needs of populations (housing, transportation, access to water, electricity and telecommunications) and integrate environmental constraints. This challenge implies the involvement of regional authorities to define appropriate planning through an integrated approach.

Water

The Euromed Ministerial Meeting on water will be held in Jordan. Ministers agree to define the Strategy for Water in the Mediterranean along the lines decided by the Heads of State and Government in the Paris Summit for the Mediterranean. They encourage a swift implementation of partnerships in order to implement concrete projects in line with the guidelines of the strategy.

Environment

The achievements since the Cairo Euromed Environment Ministerial Meeting together with the regional (Euromed) environmental activities and efforts with regard to the Barcelona Process: Union for the Mediterranean should constitute the basis for the Environment Ministerial Meeting which is planned to be held in 2009.

The annual meeting of the Horizon 2020 Steering Group will be held along with the meetings of each of the three sub-groups (pollution reduction, capacity building as well as monitoring and research) in addition to meetings for the transfer of knowhow.

Studying the process of developing a harmonised maritime policy and promoting a foreseeable maritime strategy for the Mediterranean shall take particular consideration within the Euromed Partnership in 2009 and beyond. A sectoral Euromed working group composed of national experts is clearly needed to formulate the guidelines, visions, priorities, objectives, means of implementation and funding mechanisms of such a

policy, taking into account the variances between the Euromed countries. The task should take place in complete coordination and cooperation with both the competent regional and national entities to provide the guidance and technical assistance.

According to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change, climate change could adversely affect the environment and human activities in the Mediterranean. Ministers recalled the need to intensify co-operation on climate change through the establishment of a Euro-Mediterranean Climate Change Network to provide the forum for the sharing of information and experience as well as to build relationships in an informal working environment in support of regional efforts to combat climate change. Euro-Mediterranean interaction on climate change may lead to enhancement of capabilities of implementation of projects and programmes of mutual interest.

Information Society

In the light of the Cairo Ministerial Declaration (28 February 2008), a new step is to be launched in Euromed dialogue on issues relating to the Information Society. Ministers agreed to intensify cooperation on regulatory issues for electronic communications, the connectivity of service platforms and networks and ICT research in areas such as multilingual e-content, e-learning, e-science, e-health, inclusion and e-government. A dedicated public website has already been set up by the Information Society and Media Directorate General of the European Commission, based on the Ministerial agreement to use ICT to enhance communication among countries in the Euromed region by considering to create an electronic forum. The site is to be progressively improved to help share information among Euro-Mediterranean partners.

Ministers also agreed in the Cairo Ministerial Declaration that the Euromed Forum on Information Society will carry out a mapping exercise to match existing programmes on one side and identified priorities for the Euromed region on the other. Starting this mapping process during 2009 will positively accelerate the Euromed cooperation. It is also necessary to consider an appropriate mechanism for the implementation and follow up of the outcomes of the Ministerial meeting.

The Ministers also stressed the fundamental need to ensure interconnection of research networks to support, inter alia, the creation of grid-enabled scientific infrastructures able to make ICT research and development cooperation between Europe and the Mediterranean countries more efficient. They recognised the fundamental role that EUMEDCONNECT played in interconnecting the National Research and Education Networks (NRENs) in the region and with Europe, enabling collaboration in multiple domains with high scientific and societal impact, and considered it essential to guarantee the sustainability and promotion of the initiative.

A specific Action Plan will be prepared for approval at the next meeting of the Euromed Forum of Senior Officials to be organised before the end of 2009. During the "Summit of cities and local governments of the Mediterranean" held in Malaga on 2 and 3 October 2008, the reduction of the digital divide between the two shores of the Mediterranean has emerged as a major challenge for ICT development with the involvement of relevant local and regional entities.

Tourism

In accordance with the first Euro-Mediterranean Ministerial Meeting on Tourism (Fez, Morocco, 2-3 April, 2008), Ministers agreed to take steps to prepare and implement cooperation actions, particularly in the areas of vocational education and training, cultural heritage, institutional capacity building, investment promotion and statistics, drawing on existing programmes and in favour of sustainable development of tourism. In this context, Ministers emphasised the paramount importance that should be given to reinforcing the identification of investment opportunities as well as the promotion of joint-ventures in the tourism sector. They reiterated the central role of the private sector in this field, as the flow of investments to the tourist destinations in Mediterranean Partner Countries constitutes an essential tool to further support and develop this vital sector. They also invited FEMIP to mobilise its whole range of financial instruments in order to foster the development of tourism and links with the Mediterranean partner countries and called on tourism senior officials to meet in order to prepare a Working Programme to be submitted to the next EuroMediterranean Ministerial Meeting on Tourism in 2010. Ministers recalled the need to examine the impact of the climate change phenomena on the tourism sector in the Euro-Mediterranean region, and underlined that the environmental pressures may severely impact coastal areas, in particular around the Mediterranean.

Towards the establishment of a Euro-Mediterranean Free Trade Area

At the 7th Euro-Mediterranean Trade Ministerial Meeting held in Marseille on 2 July 2008, Ministers welcomed the ongoing work and instructed the Senior Officials to present a Euro-Mediterranean Trade Roadmap up to 2010 and beyond at the 2009 Trade Ministerial. The work of the Senior Officials Working Group has focused on how to diversify and enhance trade, to encourage industrial integration and European investments in the Mediterranean countries. The ultimate aim is the establishment of an ambitious, deep Euro-Mediterranean free trade area.

Bilateral negotiations with Egypt, Morocco, Tunisia and Israel on the liberalisation of trade in services and the right of establishment, launched in 2008, will continue in 2009. Regional consultations will also be pursued in order to ensure the transparency of bilateral negotiations and to prepare those Mediterranean partners with whom bilateral negotiations have not yet been launched. Priority should be given to speed up agreements on Conformity Assessment and Accreditation.

Bilateral negotiations will also continue on the establishment of a more efficient dispute settlement mechanism for the trade provisions of the Association Agreements. So far the agreement with Tunisia has been initialled and substantial progress made in the bilateral negotiations with Morocco, which should lead to the initialling of the agreement in the near future. Discussions are expected to continue with other Mediterranean countries with a view to concluding the remaining bilateral protocols.

Important progress was achieved in the first half of 2008 in the negotiations on further liberalisation of agricultural, processed agricultural and fisheries products, in accordance with the Barcelona Declaration and the Rabat Euro-Mediterranean Road Map for

Agriculture. Negotiations were recently concluded with Egypt and Israel, progress was made with Morocco and negotiations were launched with Tunisia.

The Ministers underlined the importance of strengthening capacity building and institutional development in trade and trade-related matters, either through the participation of Mediterranean Partners in certain EU programmes, agencies and bodies or through enhanced and targeted technical and financial assistance to help them to converge towards the trade-related *acquis*.

Economic dialogue

The 12th Economic Transition Conference (Brussels, 20-21 February 2008) focused on financial and banking services, which are at the heart of economic transition. The Ministers propose concentrating discussions at the upcoming Conference in 2009 on the international financial crisis. Ministers underline the importance of discussing the issue of the food prices crisis in a relevant Ministerial meeting.

- . The Euromed Network of Public Finance Experts was launched in 2008. The Terms of Reference of the network, as endorsed by the Ministers of Economy and Finance in Porto in 2008, identify three main areas for analysis: 1) fiscal consolidation as part of a broader agenda for public sector reform, growth and employment; 2) the efficiency and effectiveness of public expenditures; and 3) budget management systems and institutions.

The first meeting of the network took place in Brussels in September 2008, back-to-back with the Senior Officials meeting to prepare part of the agenda for this year's joint Euromed ECOFIN/FEMIP Ministerial. The next regular meeting of the Euromed Network of Public Finance Experts is expected in the lead up to the 2009 Ministerial meeting.

Ministers agree to keep improving the legal framework with the view to facilitate transfer and mobilisation of migrant remittances for long term investment in Southern and Eastern Mediterranean countries.

Industrial Cooperation

The 7th Euro-Mediterranean Ministerial meeting on Industrial Cooperation will take place in France (Nice, 5-6 November 2008), following a conference on facilitating industrial exchanges. The meeting will take stock of progress achieved so far, e.g. in following up and implementing the Euromed Charter for enterprise, the facilitation of industrial exchanges, innovation, regional dialogue on the future of the textile and clothing sector and investment promotion. Sustainable industrial development will be added to the traditional themes of discussion.

Further work could also be done on possible action to improve arbitration procedures in the region, notably for SMEs, for example with the setting up of a Mediterranean Court of Arbitration.

Ongoing work on statistics cooperation

Ministers take note of the important role of reliable statistics as an important factor in decision making. The statistical services in the Mediterranean partner countries are receiving technical assistance from the regional MEDSTAT II programme. The programme will run until September 2009.

D - Social, human and cultural cooperation

Developing a genuine social dimension

The 2007 workshop on employment policy helped to enhance the understanding of the challenges facing labour markets and employment policies in the context of globalisation, technological evolution and demographic change. The first Conference of Employment and Labour Ministers (Marrakesh, 9-10 November 2008) will provide a unique opportunity to develop a genuine social dimension in the partnership, based on an integrated approach combining economic growth, employment and social cohesion. Ministers will review socio-economic developments in the region and examine concrete initiatives and proposals to promote employment creation, modernisation of labour markets and decent work. Ministers should approve a framework of action setting out key objectives in the fields of employment policy, employability and decent employment opportunities. This framework will also address important cross-cutting issues such as strengthening the participation of women in the labour market, non-discrimination, the integration of young people within the labour market, the transformation of informal into formal employment and labour migration. Employment and Labour Ministers should also approve an effective follow-up mechanism, with reporting on national progress and exchange of practices. Successful social and employment policies require the involvement of all relevant stakeholders, namely the social partners. In this connection, the cooperation of social partners across the Euro-Mediterranean region should be further developed.

Ministers underline the commitment to facilitate legal movement of individuals and acknowledge that this has an important impact on the social dimension of the partnership. For this purpose, Ministers mandate Senior Officials to identify ways and means to implement this objective.

Health

The second Euro-Mediterranean Ministerial Meeting on Health will take place in Egypt on 17 November 2008. The Ministerial meeting will discuss means to strengthen the health dimension of the Euro-Mediterranean Partnership in order to promote sustainable development in the Mediterranean region by improving all aspects of human health.

Human Development

The Ministers reiterate the importance of human development in the Barcelona Process: Union for the Mediterranean and they mandate the Senior Officials to prepare for the first Ministerial Meeting on Human Development due to be held in Morocco in 2009 or 2010.

Towards a Euro-Mediterranean Higher Education and Research Area

The inauguration of the Euro-Mediterranean University in Slovenia (Piran, 9 June 2008) marked an important step in building cultural and educational bridges between the North and South of the Mediterranean. This achievement will certainly encourage cooperation in higher education, following up the objectives of the Catania Process and the First Euro-Mediterranean Ministerial Conference on Higher Education and Scientific Research (Cairo, June 2007).

Ministers look forward to the implementation and follow up of the Cairo Declaration by reinforcing the role of the Monitoring Committee for Euro-Mediterranean Cooperation in RTD (MOCO) and the prompt creation of an expert group on Higher Education with a precise mandate to realize the objectives and actions of the Declaration.

Ministers consider that particular attention should be given to further promoting academic mobility, enhancing quality assurance mechanisms and to issues concerning the recognition of degrees and study periods which may lead to the development of joint degrees between institutions in European and Mediterranean countries. A second meeting of the Euro-Mediterranean Ministers of Higher Education and Scientific Research should be convened in the second half of 2009, once the results of projects, conferences, studies and other activities under the new Tempus IV, Erasmus Mundus I and Erasmus Mundus External Cooperation Windows programmes are available.

Promoting dialogue between cultures, cultural diversity

2008 has been a very important year for the cultural dimension of the EuroMediterranean Partnership. The third meeting of Euro-Mediterranean Culture Ministers (Athens, 29-30 May 2008), which took place during the 2008 European Year of Intercultural Dialogue and the Euro-Mediterranean year of dialogue between cultures, has launched a political process that should lead to a new EuroMediterranean Strategy on Culture in two years time. This Strategy will be built around two distinct, but interlinked components: dialogue between cultures and cultural policy. Ministers also agreed to establish a follow-up mechanism for drawing up the Strategy, which will include the establishment of a Euromed Group of Experts on Culture. This ad hoc group should meet twice during 2009 and possibly once in 2010 ahead of the next meeting of Euro-Mediterranean Culture Ministers.

Ministers agree that the following areas for action should be given consideration and further explored: condemnation of trafficking and trade in cultural property and treasures that have been illicitly acquired through illegal excavations and pillaging of monuments in the light of the relevant UNESCO Convention of 1970. Ministers welcome as well the establishment of a network for recording and documenting EuroMediterranean underwater cultural heritage based on the exchange of best practices.

Following the revision of the statutes and the appointment of its new leadership, the Anna Lindh Foundation for Dialogue between cultures has been further strengthened. Henceforth, the Foundation will consolidate its capacity to promote intercultural dialogue, diversity and mutual understanding and raise its profile as a bridge between Euro-Mediterranean cultures, religions and beliefs, in cooperation with the UN Alliance of Civilisations. The partnership welcomes the observatory role that the Foundation is intended to play and the annual reports to be produced.

The new Euro-Med Heritage Programme, centred on the appropriation of cultural heritage by local populations, access to knowledge of cultural heritage and institutional and legislative strengthening got under way in 2008. The launching conference for the Euro-Med Heritage IV programme will be held at the beginning of 2009 in Marrakesh.

The audiovisual media and cinema as well as the promotion of cultural heritage and contemporary culture are excellent vehicles for intercultural dialogue between the Euro-Mediterranean countries. On the basis of the previous Euromed Audiovisual programmes and the new strategy to enhance the Mediterranean audiovisual sector, approved at the Euro-Mediterranean Ministerial meeting on Culture in 2008, a new Euromed Audiovisual Programme could be launched in 2009.

Ministers welcome the initiatives launched by the COPEAM. These are the Terramed project, aiming at creating a TV satellite channel for the Mediterranean, and the setting-up of an internet portal on the audiovisual heritage of the Mediterranean.

Justice and Law

The Euro-Mediterranean area has the ambition to fully respect freedom, security and justice, rule of law, human rights, fundamental freedoms and respect for international conventions.

Practitioners, universities and legal actors will work to facilitate best practices and ensure, in the interests of the rule of law, the proper execution of conventions and judicial decisions and awards, including their participation in a network on a national and Euro-Mediterranean level.

The two other components of the regional Programme on Justice and Home Affairs (2008-2011), namely cooperation in the field of Justice (Euro-Med Justice II) and the Police (Euro-Med Police II), have also started their activities.

Strengthening the role of women in society

As part of the follow up to the Istanbul Ministerial Conference held in 2006 on “Strengthening the Role of Women in Society” and in view of a second Ministerial Conference in 2009 to be held in Morocco, Ministers encourage further concrete initiatives to accelerate the implementation of the Istanbul conclusions. A possible outcome could be a concrete set of joint activities in all fields approved in the Istanbul Ministerial Conclusions. In order to prepare for the coming Ministerial Conference, two working groups should be organized during 2009. Following the first thematic working group on “Women’s Participation in Political Life” that was held in Brussels in 2008, another thematic working group will be organised to complement all the pillars agreed in the Istanbul Ministerial on “Women’s Social Rights and Sustainable Development” and “Women’s Rights in the Cultural Sphere and the Role of Communication and the Mass Media”. The other working group will prepare the ministerial meeting.

EuroMed Youth

Euromed cooperation in the field of youth will be enhanced by entering a new phase. The Euro Med Youth IV Programme will continue to run in conjunction with the Youth in Action Programme, both of which share similar objectives, such as promoting mobility, active citizenship, non-formal learning and mutual understanding among young people as well as supporting youth organisations.

Cooperation with civil society and local actors

Civil society should be further empowered and its capability enhanced through improved interaction with governments and parliaments. To this end, a new regional programme has been launched in 2008 aiming at strengthening the role of civil society. Furthermore, Ministers take note of the recommendations of the Marseille Civil Forum (31 October-2 November) and acknowledge the important contribution of the Euromed non-governmental platform. Efforts to organise subsequent Civil Fora should be encouraged by all partners.

Ministers acknowledge the important role and the contribution of the Economic and Social Councils and Similar institutions and take note of the conclusions of the Euromed Summit of Economic and Social Councils and Similar Institutions, held in Rabat on 14-16 October 2008.

Enhancing the visibility of the Partnership

Ministers underline that the visibility of the Partnership is vital for its public understanding and acceptance, as well as its accountability and legitimacy. They acknowledge that the second Regional Information and Communication Programme aims to enhance people's understanding of these relations through a variety of actions and activities. The four components of the new programme cover media activities, journalist training and networking, campaign support and opinion polling/surveys. The launching conference for the Programme will take place in the first half of 2009 with the participation of the main media in the region.

Furthermore, Ministers encourage continuing efforts to promote the different aspects of media development in the region. The Euromed and Media consultations will continue through the activities of its Task Force and networks (media, journalism schools and gender). Seminars and workshops will cover media-related issues in reporting terrorism, gender, dialogue between cultures and freedom of the press.

Migration

Ministers recalled that the issue of migration should be an integral part of the regional partnership and its related challenges namely legal migration, migration and development and the fight against illegal migration, as laid down in the agreed

conclusions of the 1st Euro-Mediterranean Ministerial Meeting on Migration, Albufeira, 18-19 November 2007, need to be addressed through a comprehensive, balanced and integrated approach. In this regard, some initiatives have begun to be implemented this year with the launching of the regional Euro-Med Migration II Programme (2008-2011). They underline the commitment to facilitate legal movement of individuals. They stress that promoting orderly-managed legal migration in the interest of all parties concerned, fighting illegal migration and fostering links between migration and development are issues of common interest which should be addressed through a comprehensive, balanced and integrated approach.

IV. State of progress in the implementation of projects listed in the Annex to the Paris Declaration

Ministers reviewed the progress made in implementing the priority projects selected by Heads of State and Government in the Paris Declaration.

A – De-pollution of the Mediterranean

Ministers welcome the progress on de-pollution of the Mediterranean, especially regarding a Mediterranean water strategy as well as actions taken to address climate change impacts.

At the joint Euro-Mediterranean ECOFIN and FEMIP Ministerial meeting, ministers agreed that FEMIP will in 2009 organise a conference addressing the theme of sustainable water financing including issues such as water infrastructure, water services, water efficiency, private sector involvement and environmental standards.

The results of the upcoming Water Ministerial Conference, together with the achievements since the third Euromed Ministerial Meeting on Environment (Cairo), should form the basis for the next Environment Ministerial Meeting planned for 2009. The Ministerial meeting will take note of a list of concrete projects on both sides of the Mediterranean related to integrated water management and will identify further projects linked to the Water Strategy in the Mediterranean. The annual meeting of the Horizon 2020 Steering group will be held along with meetings of each of the three sub-groups (pollution reduction, capacity building and review monitoring and research). The questions of mitigation/adaptation to climate change, biodiversity protection and conservation of the Mediterranean seabed will be considered. France is prepared to host the relevant ministerial meeting.

B - Maritime and Land Highways

As a follow-up to the Paris Summit's decision to develop a "Motorway of the sea" project, an expert group held two meetings on 17 July 2008 and on 17 October 2008. In these meetings, concrete and pilot projects were presented and support for their full implementation is being sought. The outcome of all these activities will lead to a Ministerial Conference to be hosted by Greece in 2009.

C - Civil Protection

The Prevention, Preparedness and Response to Natural and Man-made Disasters Programme (PPRD) will contribute to the development of stronger prevention, preparedness and response capacities in civil protection at international, national and local level. It will also aim to bring the Mediterranean Partner Countries progressively closer to the European Civil Protection Mechanism and the envisaged European civil protection network against disasters. Furthermore, the joint Civil Protection project on prevention, preparation and response to disasters is one of the main priorities for the region. Therefore the development of the Euromed Programme for the PPRD (2008-2011) is a matter of urgency. The collaboration between the civil protection institutions in the EU member states and the Mediterranean Partner countries for strengthening the cooperation in the field of training and on operational level is suggested.

D - Alternative Energies: Mediterranean Solar Plan

The Euromed Expert Group, reporting to the Euromed Energy Forum, met on 7 October 2008, reviewed progress achieved and agreed on future actions, which should further develop the decision of the Paris Summit for the Mediterranean, to launch a Mediterranean Solar Plan focused on market deployment as well as research and development of all alternative sources of energy. An expert workshop organised by Germany in cooperation with France, on the potential and cost of different renewable energy technologies and aspects of a future Master Plan, took place on 28-29 October in Berlin. A conference, organised by France and Egypt in cooperation with Germany and Spain, will convene on 22 November in Paris to discuss financing and project implementation of the Mediterranean Solar Plan. An Immediate Action Plan (IAP) could be agreed to list concrete and pilot projects to be launched in 2009-2010. The aim is to launch three power stations of 20MW in 2009.

E - Higher Education and Research, Euro-Mediterranean University

The inauguration of the Euro-Mediterranean University in Slovenia (Piran, 9 June 2008) marked an important step in building cultural and educational bridges between the North and South of the Mediterranean. This achievement will certainly encourage cooperation in higher education, following up the objectives of the Catania Process and the First Euro-Mediterranean Ministerial Conference on Higher Education and Scientific Research (Cairo, June 2007). Through a cooperation network of partner universities and other institutions in the Euro-Mediterranean region, the EuroMediterranean University will provide study, research and training programmes, and thus advance the establishment of the Euro-Mediterranean Higher Education Science and Research Area.

In this context, and in the spirit of co-ownership among all Euro-Mediterranean partners, Ministers welcome the Moroccan initiative to host a university with EuroMediterranean vocation in the city of Fez, complementary to the Euro-Mediterranean University in Slovenia. This will provide opportunities for fruitful exchange among students, researchers and universities from Euro-Mediterranean countries, thus contributing to giving full substance to the concept of dialogue between cultures by investing in new human capabilities and cultural exchanges.

The Ministers consider that particular attention should be given to further promoting academic mobility, enhancing quality assurance mechanisms and to issues concerning the recognition of degrees and study periods which may lead to the development of joint degrees between institutions in the EU and Mediterranean partner countries. They welcome the initiative already proposed by relevant institutions, notably in the field of medicine and law. The ad hoc working group on higher education, which was convened for the first time on 5 June 2008, will facilitate mutual cooperation in these priority areas and prepare the second meeting of the Euromed Ministers of Higher Education and Scientific Research. The meeting should be convened in the second half of 2009, once the results of activities under the new Tempus IV, Erasmus Mundus I and Erasmus Mundus External Cooperation Windows programmes are available.

F - The Mediterranean Business Development Initiative

The 8th FEMIP Ministerial Meeting (Luxembourg, 7 October 2008) agreed to organise a conference focusing on financial assistance to SMEs in 2009. It also highlighted the importance of the Mediterranean Business Development Initiative aiming at assisting the existing entities in partner countries operating in support of micro, small and medium-sized enterprises by assessing the needs of these enterprises, defining policy solutions and providing these entities with resources in the form of technical assistance and financial instruments and based on the principle of co-ownership. Contributions by countries from both rims of the Mediterranean will be done on a voluntary basis. Italy is candidate to host an informal meeting in Milan involving Governments, the private sector and experts focused on promoting economic cooperation in the Mediterranean.

Ministers of Foreign Affairs of the Barcelona Process: Union for the Mediterranean will meet in the second half of 2009 in order to take stock of the progress achieved in the implementation of the working programme for 2009, and the projects agreed and in particular the key initiatives as agreed at the Paris Summit, as well as prepare for the next summit in 2010.

Interpretative Declaration by the Co- Presidency of the Union for the Mediterranean

With regard to the second indent of paragraph 9 of the Marseille Declaration, the copresidency considers that the invocation by a State of its legitimate interests to oppose the implementation of a project must be assessed by all the States of the Union for the Mediterranean.

3. Statutes

STATUTES OF THE SECRETARIAT OF THE UNION FOR THE MEDITERRANEAN

The participants at the Paris Summit for the Mediterranean on 13 July 2008 agreed that the Union for the Mediterranean (UfM) will build on the Barcelona Declaration of 28 November 1995, promote its goals which were further emphasised in Marseille meeting of Ministers of foreign affairs on 3-4 November 2008, and reinforce the *acquis* of the Barcelona Process by upgrading their relations, incorporating more co-ownership in their multilateral cooperation framework, strengthening equal footing governance and translate it into concrete projects, thus delivering concrete benefits for the citizens of the region.

The Paris summit also agreed to establish new institutional structures to contribute to achieving the political goals of the initiative *inter alia* through the setting up of a Secretariat with a key role within the institutional architecture of the UFM;

On the basis of the mandate given in the Paris Declaration, and by the Ministers of Foreign Affairs in their meeting in Marseille on 3-4 November 2008, the Statutes of the Secretariat of the Union for the Mediterranean have been drawn up and adopted by the Senior Officials of the participants in the UfM.

I. NAME, LOCATION AND LEGAL PERSONALITY

1. The Secretariat of the Union for the Mediterranean is hereby established.
2. The Secretariat will bear the name of Secretariat of the Union for the Mediterranean.
3. The Secretariat will have its headquarters in Barcelona.
4. A Headquarters Agreement between Spain and the Secretariat will grant the Secretariat the privileges and immunities for carrying out its activities. The other participating States to the UfM may also on a voluntary basis grant the Secretariat, if appropriate, the privileges and immunities necessary for carrying out its activities.

II. MANDATE AND TASKS

1. The mandate of the Secretariat is of a technical nature with a focus on the projects. The Secretariat will have a key role within the institutional architecture.

2. The Secretariat will:
 - a) work in operational liaison with all structures of the process, particularly with the co-presidencies, including by preparing working documents for the Senior Officials, and through them for the other decision making bodies: Summits, the Conference of Ministers of Foreign Affairs and respective Sectoral Ministerial Meetings of the UfM;
 - b) give an impulse to this process in terms of follow-up, promotion of new projects and the search for funding and for implementation partners in accordance with point VII;
 - c) work as the focal point for multi-source funding of projects in the framework of the UfM;
 - d) inform the Joint Permanent Committee and report to the Senior Officials concerning the above mentioned activities.

III. COMPOSITION OF THE SECRETARIAT

1. The Secretariat, which will have a lean structure, will act under the direction of a Secretary General, assisted by six Deputy Secretaries General.
2. The term of office of the Secretary General and Deputy Secretaries General will be for 3 years, which may be renewed once for a maximum of three years.
3. The Secretary General and Deputy Secretaries General will not hold any public office or be engaged in any business, whether remunerated or not.
4. In case of absence of the Secretary General, his tasks will be assumed, on a temporary basis, by the Senior Deputy Secretary General.
5. In the performance of their duties, the Secretary General, the Deputy Secretaries General and the staff of the Secretariat will not seek or receive instructions from any government or from any other external authority. Each participant in the UfM undertakes to respect the exclusively international character of the responsibilities of Secretary General and Deputy Secretaries General and the staff of the Secretariat and undertakes not to seek to influence them in the discharge of their responsibilities.
6. The staff of the Secretariat will be appointed by the Secretary General after consultations with the Deputy Secretary General responsible for the concerned field on the basis of merit and geographical balance.
7. The international staff of the Secretariat will consist of seconded officials from participants in the UfM, and of internationally contracted experts. Seconded officials will be remunerated by their respective administrations, taking into account the principle that seconded officials with equal responsibilities will receive equal allowances

irrespective of their country of origin. Internationally contracted experts will be recruited by the Secretariat to perform professional functions related to project management.

8. The international staff will include a Senior position held by European Commission/European External Action Service seconded official, acting as advisor to the Secretary General.
9. The local staff may be recruited by the Secretariat to perform administrative and technical functions.

IV. SECRETARY GENERAL

1. The Secretary General will be selected among candidates from Mediterranean partner countries, appointed or dismissed by consensus by Senior Officials.
2. The Secretary General will be the legal representative of the Secretariat and will sign the Headquarters Agreement.
3. The Secretary General will be responsible for the overall running of the Secretariat and will have full executive authority over its functioning, subject to the powers reserved to the Summit, the Foreign Affairs Ministers Conference, the appropriate Sectoral Ministerial Meetings or Senior Officials.
4. The Secretary General will:
 - a) prepare the annual work programme of the Secretariat and its annual budget in consultation with the deputies concerned;
 - b) appoint the staff of the Secretariat within the organisational structure in accordance with point VI(b);
 - c) ensure the stability of the structure of the Secretariat and the compliance with the Secretariat's objectives and mandate;
 - d) maintain the links with the other bodies of the Union for the Mediterranean;
 - e) execute the budget;
 - f) submit annual activity reports and financial accounts to the Senior Officials;
 - g) maintain transparent procedures and correct circulation of information concerning all activities carried out by the Secretariat, including his /her obligation in accordance with point II (2)(d);
 - h) establish rules of procedure of the Secretariat.

1.

V. DEPUTY SECRETARIES GENERAL

The tasks and responsibilities of the Deputy Secretaries General will be proposed by the Secretary General and approved by Senior Officials, in accordance with the project priorities defined in the Summit Declarations. One Deputy Secretary General from a Member State of the European Union will be designated by the Secretary General to serve as the Senior Deputy Secretary General.

2. The Deputy Secretaries General will be selected three by and from EU member States and three by and from Mediterranean Partner Countries, in close consultation with one another, and appointed “en bloc” by consensus by the Senior Officials⁷.
3. They will be selected taking into consideration geographical balance, experience and technical expertise in their respective areas of work. All the Euro-Mediterranean partners are eligible for these posts on a rotating basis.

VI. FUNCTIONS OF THE SENIOR OFFICIALS IN RELATION WITH THE SECRETARIAT

The Senior Officials, acting by consensus, will, in particular:

- a) select, appoint and have the power to dismiss the Secretary General and the Deputy Secretaries General;
- b) approve the organizational structure of the Secretariat, staff regulations, and the description of posts and functions, submitted by the Secretary General;
- c) adopt the annual work programme and the annual budget of the Secretariat;
- d) adopt the Annual Activity Report and give a discharge to the Secretary General in respect of the implementation of the budget of the Secretariat on the basis of the financial accounts;
- e) approve and amend the guidelines for project selection, processing and funding;
- f) consider and approve reports and recommendations by the Secretariat on examination and screening of project initiatives in accordance with point VII(3)(b);
- g) adopt and amend these Statutes.

⁷ This provision shall be subject to a review at the end of the third term of office; without prejudice to the right of the UfM members to propose amendments to the statutes whenever it is viewed necessary

1.

VII. PROJECTS

The Secretariat will work on the basis of guidelines for project selection, processing and funding approved by Senior Officials.

2. In submitting project proposals, the Secretariat shall uphold the principle of sustainable development and that every project must:
- a) strive to contribute to stability and peace in the whole Euro-Mediterranean region;
 - b) not jeopardise the legitimate interest of any member of the Union for the Mediterranean;
 - c) take account of the principle of variable geometry;
 - d) respect the decision of member countries involved in an ongoing project when it is subject to further development.
3. The Secretariat will:
- a) gather, within the project priorities identified by the decision-making bodies regional, sub-regional or trans-national project initiatives (from various sources such as sectoral ministerial meetings, national or regional authorities, regional groupings, private sector, civil society);
 - b) examine and screen project initiatives; inform the Joint Permanent Committee and report/make recommendations to Senior Officials after close coordination with concerned States and funding partners;
 - c) propose upon instructions by the Summit, the Foreign Affairs Ministers Conference, the appropriate Sectoral Ministerial Meetings or the Senior Official meetings the necessary follow-up in terms of initiating the promotion of the projects and the search for partners for their implementation;
 - d) ensure appropriate co-ordination with, and provide assistance to, the various interested partners with respect to funding, implementation, monitoring and evaluation of projects.

VIII. FUNDING

1. The running costs of the Secretariat, including local staff and equipment, will be funded from grants provided by the participants in the UfM on a voluntary and balanced basis, as well as from the European Union's budget. Any funding by the European Union will come from existing resources within the European Neighbourhood and Partnership Instrument ("ENPI") and other relevant instruments, within the Multiannual Financial Framework ceilings, and will follow the rules and procedures laid down in the Financial Regulation applicable to the general budget of the European Union and the ENPI Regulation.
2. The host country will provide appropriate premises for the Secretariat free of charge.
3. Senior Officials will adopt the annual budget of the Secretariat upon proposal of the Secretary General together with the concerned Deputy Secretary General (revenue and expenditure of the Secretariat including allocations of staff) before the end of the preceding calendar year, in accordance with point IX(2).
4. Funding should aim at ensuring the uninterrupted and regular working of the Secretariat and reflect the European Union Member States' and Mediterranean partners' shared responsibility for the UfM. The Secretary General will provide Senior Officials with a statement of expenditure for the current year before contributions for the next year can be agreed.

IX. BUDGET OF THE SECRETARIAT

1. The financial year of the Secretariat shall be the calendar year.
2. Before 1st October of each year, the Secretary General and together, with the concerned Deputy Secretary General, will submit to Senior Officials the draft annual budget for the revenue and the expenditure of the Secretariat including allocations of staff. Senior Officials will adopt the annual budget with any amendments and return the budget for execution to the Secretariat by 1st 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 and thereby reduce the required budgetary allocation in that following year.
5. The functions of the Secretary General or Deputy Secretaries General and the accounting officer will be separate and mutually incompatible.

X. FINANCIAL PROCEDURES

1. Financial control and audit mechanisms of the Secretariat will be ensured in full compliance with the principles of good financial management and in accordance with internationally recognised standards.
2. Annual financial reports will be provided to the Senior Officials on the Secretariat's administrative costs and expenditures in the format and detail required by Senior Officials.
3. An annual audit by an external auditor approved by the Senior Officials will be conducted of the Secretariat's expenditures and related financial activities. The results of the audit will be reported to Senior Officials within 30 days after completion.
4. Every three years an external evaluation report of the Secretariat's activities will be drawn up and submitted to the Senior Officials and the Secretary General.

XI. SETTLEMENT OF DISPUTES

The Senior Officials shall be responsible for discussing any dispute between members of the UfM relating to the functioning of the Secretariat, as well as with respect to the implementation of projects. If the Senior Officials are unable to resolve the dispute, it will be referred to the Conference of Ministers of Foreign Affairs.

XII. TRANSITORY PROVISIONS

1. For the first term of office, the six Deputy Secretaries General will be from the following Euro-Mediterranean partners: Palestinian Authority, Greece, Israel, Italy, Malta and Turkey.
2. For the first term of office, the Deputy Secretaries General will be responsible for the following areas within the framework of the UfM:
 - a) Italy: project funding co-ordination, Small and Medium sized Enterprises / business development;
 - b) Turkey: transport;
 - c) Greece: energy including renewable energy sources;
 - d) Palestinian Authority: environment and water including de-pollution;
 - e) Israel: higher education, research including EMUNI;
 - f) Malta: social and civil affairs including civil protection.
3. The annual budget of the Secretariat for the first year of its functioning will be adopted by Senior Officials, acting by consensus. Initial financial contributions will be made available as soon as the statutes are adopted so as to allow the secretariat to start functioning.

Done in Barcelona
4th December 2012

4 . Headquarters Agreement

HEADQUARTERS AGREEMENT BETWEEN THE KINGDOM OF SPAIN AND THE SECRETARIAT OF THE UNION FOR THE MEDITERRANEAN

Preamble:

The Kingdom of Spain and the Secretariat of the Union for the Mediterranean (*hereinafter referred to as "the Secretariat"*), and (*hereinafter referred to collectively as "the Parties" and individually as "the Party"*).

Recalling the Heads of State and Government of the 43 Member States of the Union for the Mediterranean agreed, at the Paris Mediterranean Summit held on 13 July 2008, to constitute a Secretariat for the Union for the Mediterranean, with a central role in its institutional architecture;

Whereas in accordance with Article 12 of the Marseilles Declaration resulting from the meeting of Foreign Ministers of the Union for the Mediterranean held on 3 and 4 November 2008, the commitment to create a Secretariat, with a central role in the Union for the Mediterranean, having an autonomous status and with its own legal personality, was reaffirmed;

Whereas in accordance with paragraph (c) of Article 16 of the Marseilles Declaration, it was agreed that the Secretariat will have its headquarters in Barcelona, and that a Headquarters Agreement will be signed between the host country and the Secretariat, which will ensure the autonomous status of the Secretariat, its legal personality to carry out its activities, and the status, privileges, and immunities of the Secretariat and its personnel;

Whereas in accordance with paragraph I.4 of the Secretariat's Statutes, approved on 3rd March 2010 by the Meeting of Senior Officials of the Member States of the Union for the Mediterranean, a Headquarters Agreement will be signed between the Kingdom of Spain and the Secretariat, which will ensure the autonomous status of the Secretariat and its legal personality and grant it the privileges and immunities for carrying out its activities, including such status, privileges, and immunities granted to its personnel;

Have agreed to formalize and sign the following Headquarters Agreement (*hereinafter referred to as "the Agreement"*) in accordance with the following provisions.

Article 1. Legal personality

Spain recognizes the full legal capacity of the Secretariat of the Union for the Mediterranean to contract, purchase or transfer movable and immovable property, to receive and disburse public and private funds, and to institute legal proceedings and/or to do whatever is necessary to fulfil its functions and objectives.

Article 2. Cooperation between the Parties and freedom of action

1. The Parties shall fully and sincerely cooperate in fulfilling the provisions of the Agreement, as well as in achieving the Secretariat's objectives.

2. Spain shall accord the Secretariat whatever facilities are necessary to implement its activities and perform its functions.

Specifically, Spain guarantees the Secretariat the independence and freedom of action akin to those enjoyed by International Organisations and Diplomatic Missions. Moreover, Spain guarantees the free movement of the personnel of the Secretariat throughout Spanish territory, and full respect of the privileges, immunities, facilities and exemptions stated in the following articles.

3. Spain shall provide a Liaison Office in order to ensure effective provision of support and services set forth in the Agreement, and the effective cooperation between the Parties.

Article 3. Headquarters of the Union for the Mediterranean

1. In accordance with paragraph (c) of Article 16 of the Marseilles Declaration, and paragraph I.4 of the Secretariat's Statutes, the Secretariat shall have its headquarters in Barcelona, and Spain commits to make available, free of cost, the necessary premises for the Secretariat to use them as central headquarters (*hereinafter referred to as "Central Headquarters"*), so that it may perform its functions during the period that this Agreement remains in force. Spain also commits to take the necessary steps to enable the Secretariat to freely use the buildings and all such facilities that make up its Central Headquarters, and the Secretariat shall have the exclusive right to use and utilise the same.
2. The location, extension and characteristics of the premises of the Central Headquarters shall be established by mutual agreement between Spain and the Secretariat.

The Secretariat may purchase or rent additional premises on Spanish territory, to be used by the Secretariat for its official functioning (the totality of which, if there is any, plus the Central Headquarters, will be referred to hereinafter as "*the Headquarters*"). The Secretariat shall have the exclusive right to use and utilise the Headquarters.

3. The Secretariat may also rent or purchase additional premises to be used as the official residence of the Secretary General (*hereinafter referred to as "the Official Residence of the Secretary General"*). The treatment, privileges, immunities, and rights accorded by this Agreement to the Headquarters are equally applicable to the Official Residence of the Secretary General. All of the Secretariat's premises (Headquarters and Official Residence of the Secretary General) shall be referred to hereinafter as "*the Secretariat's Premises*".
4. Notwithstanding paragraph (3) here-above, the location and characteristics of the Official Residence of the Secretary General, as well as private rights of third parties, shall be established between the Secretariat and those third parties, except for such rights, privileges and immunities as set by this Agreement in relation to the Secretariat's Premises, which shall continue to be applicable.

5. The Secretariat shall be responsible for routine maintenance expenses of the Secretariat's Premises.

Article 4. Inviolability

1. The Secretariat's Premises, including the entirety of the buildings occupied and the land on which they are located, shall be inviolable. No agent of the Spanish authorities may enter them without the express consent of the Secretary General, or of a representative authorised by the aforesaid.
2. The Secretariat's archives, official correspondence, and, in general, all documents belonging to it or in its possession for its official use shall be inviolable, regardless of their location.
3. Unless there is express authorisation by the Secretary General, the Secretariat's Premises and any other Secretariat assets or property in Spain, shall be exempt from any coercive or enforcement measures, such as search, requisition, seizure, confiscation or expropriation, regardless, to this effect, of whether such a measure is of an executive, administrative, judicial or legislative nature.
4. The Secretariat shall be responsible for the surveillance of and order within its Premises.
5. The Spanish Government shall take all appropriate measures to guarantee the protection of all the Secretariat's Premises. At the request of the Secretary General, it will provide the necessary assistance to keep order inside the same, if needed.

Article 5. Immunity from legal process

1. The Secretariat shall enjoy full immunity from criminal, civil and administrative legal process, except insofar as the Secretary General or a representative authorised by the aforesaid has expressly waived immunity.

Notwithstanding the previous paragraph, this immunity shall not apply to civil proceedings brought by third parties against the Secretariat for damages, deriving from an authorised vehicle belonging to the Secretariat or driven by a member of its staff.

2. The conclusion by the Secretariat of a contract with submission to the Jurisdiction of a Spanish court shall be considered as an express waiver of immunity.
3. The initiation of judicial proceedings by the Secretariat before Spanish courts shall mean it has waived immunity from legal process in the event of a counter-claim.
4. The waiver of immunity from legal process in this Article shall not extend to execution of a judgment, unless it is expressly stated in each case.

Article 6. Communications

1. As regards its official communications, the Secretariat shall enjoy treatment no less favourable than that accorded to International Organisations or Diplomatic Missions in Spain, especially in the matter of priorities, rates and taxes applicable to mail, telephone, telegram and other communications.
2. The Secretariat shall have the right to use codes in its official communications, and to dispatch and receive correspondence by courier or in properly identified pouches, which shall have the same privileges and immunities as diplomatic couriers and pouches, including the guarantee of their inviolability.
3. In the event of an act of God or *force majeure* involving the total or partial interruption of these services, the Secretariat shall be accorded, for its needs, the same priority as the Spanish Administration.
4. None of the provisions in this article may be interpreted as prohibiting the adoption of special security measures that may be appropriate under certain circumstances; nevertheless, such measures shall need to be decided by mutual agreement between the Parties.

Article 7. Public services

The Spanish Government shall accord the Secretariat, for the use of any public service, favourable treatment similar to that accorded to International Organisations with headquarters in Spain and to Diplomatic Missions accredited in Spain in the matter of priorities, rates, taxes and other aspects thereof.

Article 8. Customs and taxes

1. The Secretariat shall enjoy exemption from all taxes and duties, whether national, regional or local that may be levied on its assets and property or on any income derived from its official activities, except for those that constitute a return for services rendered and those indirect taxes that are usually included in the price of merchandise and services.
2. Regarding exemption from Value Added Tax, the provisions applicable to the Secretariat shall be those contained in Article 22, Sections 8 and 9 of Act 37/1992, of 28 December, on Value Added Tax, which are expanded in Royal Decree 3485/2000, of 29 December, on exemptions for the diplomatic and consular regime and for International Organizations, amending the General Regulations on Vehicles, approved by Royal Decree 2822/1998, of 23 December. The Secretariat shall also be exempt from paying Value Added Tax with regard to important services rendered for official purposes.
3. The Secretariat shall be exempt from paying any customs duties or related taxes whatsoever, except for those corresponding to expenses regarding storage, transport and services rendered, as well as prohibitions or restrictions on import or export, with respect to articles intended for official use.

Spain shall apply to the Secretariat the specific regulations for the import of a sufficient number of vehicles for the official needs thereof.

4. Articles imported with the aforementioned exemption shall not be sold or ceded in Spain without the authorization of the Customs and Special Taxes Department of the National Tax Administration Agency, processed by the Ministry of Foreign Affairs and Cooperation, through clearance for use of the mentioned articles, after complying with the established formalities regarding foreign trade and payment of the corresponding taxes. Concerning vehicles, these shall not be sold or ceded on Spanish territory until a year has passed since the date of its duty-free import, except in the event that the vehicle is unfit for use or severely damaged. In the case of transfer or sale, the aforementioned requirements must be fulfilled.
5. The processing of requests regarding all imports or exports envisaged in this Article, and the practice of their customs clearance shall be pursuant to the regulations issued by the Customs and Special Taxes Department of the National Tax Administration Agency. All requests must be signed by the Secretary General or, in the absence thereof, by an authorized representative, and they shall be processed by the Ministry of Foreign Affairs and Cooperation.
6. Spain shall accord the Secretariat the usual facilities regarding supplies for its official vehicles that it accords Diplomatic Missions accredited in Spain.

Article 9. Unrestricted use of funds

1. In performing its functions, the Secretariat may possess funds or currency of any kind and operate accounts in any currency. Moreover, it shall be free to receive and transfer its funds or currencies and to convert any currency held by it into any other currency.
2. The Secretariat's accounts shall not be subject to measures such as currency exchange, restriction on movements or embargo by the Spanish authorities.

Article 10. Freedom of access and stay

1. Spain shall adopt the appropriate measures to facilitate the entry, exit and stay on Spanish territory of the following categories of persons, whatever their nationality. It is also understood that the following are not exempted from the application of public health regulations:
 - a) Representatives of the Member States of the Union for the Mediterranean, representatives of the States at Sectoral Ministerial Meetings, meetings of experts and authorities of the Union for the Mediterranean;
 - b) Secretary General;
 - c) Deputy Secretaries General;
 - d) Duly accredited Secretariat staff;
 - e) Spouses and single children aged under twenty-three years living with the accredited staff and economically dependent thereon (hereinafter referred to in

this Agreement as "Members of the Household of the Secretariat's Staff Members).

f) Any other persons who, by reason of their position, need to gain access to the Secretariat's Premises on official business, for example experts hired to develop programmes that are to be implemented on Spanish territory, or any other persons that have been officially invited by the Secretariat, provided that the Ministry of Foreign Affairs and Cooperation has been duly informed. If the aforementioned persons need to remain in Spain for a period of time equal to or longer than one year in order to perform the functions required of them by the Secretariat, the regulations concerning their entry, exit and stay shall be applied in the same way to their spouses and dependent single children aged under twenty-three years living with them, as set out in paragraph (e) of this same Article.

2. The visas needed by the persons mentioned in this Article shall be issued free of charge and with the least possible delay.
3. Spain and the Secretariat shall strive to integrate and coordinate the exchange of relevant data and information in order to streamline the formalities necessary for the implementation of the obligations set out in this Article.

Article 11. Status of the representatives of the Member States and Partners of the Secretariat of the Union for the Mediterranean.

1. The representatives of the Member States and Partners of the Union for the Mediterranean with the level of Minister, Deputy Minister, Senior Official as referred to in the Secretariat's Statutes, diplomatic staff as defined by the Vienna Convention on Diplomatic Relations 1961 or the equivalent, attending Senior Officials meetings, Plenaries, Sectoral Ministerial Meetings and other Union for the Mediterranean events or meetings called by the Secretariat, shall enjoy the following privileges and immunities in Spain:
 - (a) Personal inviolability, and of the place of residence and of all the objects that are the person's property;
 - (b) Immunity from arrest and detention and immunity from legal process in respect of words spoken or written and all acts performed in their official capacity;
 - (c) Customs facilities for their personal effects and exemption from inspection of their personal baggage under the same conditions as are accorded to diplomatic representatives on temporary missions;
 - (d) Exemption from all types of immigration restrictions. Visas that, according to legislation currently in force, are needed by the persons mentioned in this Article shall be issued, if appropriate, free of charge and with the least possible delay;

- (e) Identical currency exchange facilities as are accorded to diplomatic representatives on temporary missions.
2. These privileges, immunities, exemptions and facilities are extended to spouses who accompany them during their stay.
 3. The facilities set out in the present Article are understood to be accorded for the exercise and performance of the official functions or missions of the representatives mentioned in Paragraph (1) and shall be limited to the time necessary for their performance, whatever the duration thereof. The Spanish Government may request the persons to whom this Article applies to abandon Spanish territory, withdrawing the facilities accorded them if such facilities are abused. Before making such a request, the Ministry of Foreign Affairs and Cooperation shall inform the Government of the Member State in question and the Secretary General of the Secretariat of the Union for the Mediterranean.
 4. Moreover, in the case of persons referred to under paragraph (1.a) in this Article, the request for them to abandon Spanish territory shall be made according to a procedure analogous to that adopted for diplomatic agents accredited in Spain.

Article 12. Status of the Secretary General and of the staff of the Secretariat of the Union for the Mediterranean (*hereinafter referred to as "Staff Members"*).

1. The Secretary General shall enjoy all privileges, immunities, exemptions and facilities that are accorded to the Heads of Diplomatic Missions who are accredited in Spain.
2. The Deputy Secretary General acting on behalf of the Secretary General because of the latter's absence or incapacity shall enjoy the same status as *ad interim* Chargés d'Affaires of Diplomatic Missions that are accredited in Spain.
3. In line with the provisions of the Statutes of the Secretariat, the Secretary General shall be:
 - (a) the appointing authority of Staff Members of the Secretariat who, by reason of the responsibilities derived from their corresponding functions, shall enjoy the privileges and immunities, exemptions and facilities that are accorded to diplomatic agents in Spain. The number and rank of such staff members shall be determined by the Secretary General, who shall notify the Spanish Government in order to obtain their accreditation.
 - (b) the appointing authority of Staff Members of the Secretariat who, by reason of their functions, shall enjoy the privileges and immunities, exemptions and facilities that are accorded to the administrative staff of Diplomatic Missions that are accredited in Spain. The number of such staff members shall be determined by the Secretary General, who shall notify the Spanish Government in order to obtain their accreditation.

4. In the event any of the individuals referred to in paragraph 3 a) is either a Spanish citizen, or is permanently resident in Spain prior to joining the Secretariat, the Spanish Government shall grant him the privileges and immunities established by the Vienna Convention dated 18th April 1961, on diplomatic relations, for these cases. Exemptions shall be granted, in the event, pursuant to the customs' regulations in force.

Under no circumstances shall the staff members, whether diplomatic or otherwise, who are either Spanish citizens, or permanently resident in Spain, be exempt from Value Added Tax.

5. These privileges, immunities, exemptions and facilities stated in this Article shall be extended to the Members of the Household of the Secretariat Staff Members, but will only apply to those who are neither Spanish citizens, nor aliens permanently residing in Spain prior to the staff member joining the Secretariat.

The Members of the Household of the Secretariat accredited Staff Members will be considered legal residents in Spain, and will have the possibility to take up gainful employment in Spain for the duration of their assignment in Spain. The request of authorization to take up a particular gainful employment in Spain shall be addressed by the Secretary General to the Spanish Ministry of Foreign Affairs and Cooperation. The authorization can be refused when the employment is reserved to Spanish nationals because of reasons of security, exercise of public power or safeguard of the interest of the State. The privileges and immunities set forth in this Agreement shall not apply with respect to such employment.

6. The Secretariat shall notify the Ministry of Foreign Affairs and Cooperation of:

- (a) The appointment of its Staff Members, their arrival and final departure from Spain and conclusion of their functions.
- (b) The arrival and final departure of any person belonging to the family of a Staff Member, who cohabits with such a member, and, in the event, the fact a person becomes or ceases to be a member of such a family.

Article 13. Privileges and facilities afforded to accredited Staff Members who are not Spanish citizens, or aliens who were permanently resident in Spain prior to joining the Secretariat

In any case and insofar as the facilities contained in (b) to (f) here-below are not granted pursuant to the provisions contained in Articles 11 and 12 hereof, all Secretariat accredited Staff Members who are not Spanish citizens, or aliens who were resident in Spain beforehand shall enjoy the following privileges:

- a. Exemption from any tax whatsoever on salaries, remuneration and benefits received from the Secretariat. The same privilege shall apply in the case of benefits paid to Staff Members by the Secretariat due to illness, accident, pension entitlement or unemployment.
- b. Exemption from any obligation pertaining to military service or alternative civil service in Spain.

c. Exemption from restrictions in immigration matters and from formalities pertaining to registration of aliens, for staff members, and members of the household of the Secretariat staff members.

d. Identical exchange facilities to those enjoyed by officers of similar rank of Diplomatic Missions.

e. Identical repatriation facilities to those enjoyed by officers of similar rank of Diplomatic Missions, for staff members, their spouses and dependent family members in case of an international crisis.

f. They shall have the right to import, free of duties, their furniture and personal belongings, when they relocate to Spain to take over their post. This right shall subsist for one year, as from when such taking over becomes definitive. The exemptions shall be granted, in the event, pursuant to the customs regulations in force.

Article 14. Social Security

1. The Secretariat shall be exempt from any compulsory contribution to the general Social Security Institutions, as well as funds or trusts covering unemployment or accidents. Additionally, Secretariat Staff Members who are aliens or not permanently resident in Spain beforehand shall be exempt from Spanish Social Security laws and regulations, with the exception of those staff members who are not covered by any other Social Security System.
2. Notwithstanding paragraph (1) of this Article, the Secretariat may voluntarily subscribe all or some of its Staff Members at its service to the Spanish Social Security System, subject to the conditions laid down in Spanish Law.
3. The Secretariat shall be obliged to take action to ensure that Staff Members who are Spanish citizens, or are locally hired take part in the Spanish Social Security System. To such end, the provisions of Royal Decree 317/1985, dated 6th February, shall apply to the Secretariat in so far it includes, in the Social Security System, Spanish Staff Members who, while residing within Spain, render services to International Organisations headquartered in Spain.

Article 15. Prevention of abuses

1. The Secretariat and the Spanish Government shall cooperate at all times to facilitate the correct administration of justice, to ensure compliance with police regulations and to prevent any abuse with respect to the privileges, exemptions, immunities and facilities set out in the present Agreement.
2. The Secretariat hereby recognises that the privileges and immunities recognised in the present Agreement are not intended to benefit its staff members but to ensure the proper functioning of the Secretariat and the absolute independence of the staff thereof under all circumstances whatsoever.

In consequence, the Secretary General of the Union for the Mediterranean shall waive the immunity of Secretariat Staff Members whenever, in the Secretary

General's opinion, the aforesaid immunity might interfere with the administration of justice and when said immunity may be so waived without prejudice to the interests thereof.

3. The Secretariat shall adopt all measures that may be necessary to resolve, in a satisfactory way, the possible disputes under private law in which it may be involved, as well as the disputes in which its staff members may be involved when its immunity from legal process or that of said staff members has not been waived, as provided for under Article 5 and in Paragraph 2 of the present Article.

Article 16. Identity card

1. The Ministry of Foreign Affairs and Cooperation shall provide an identity card for all the Secretariat accredited Staff Members and also, with respect to staff members who are not Spanish citizens and are not resident in Spain, for the Members of the Household of the Secretariat accredited Staff Members who do not engage in any gainful employment.

2. The Secretariat shall regularly transmit to the Ministry of Foreign Affairs and Cooperation the list of Staff Members and Members of the Household of the Secretariat's Staff Members, stating date of birth, nationality, their status of resident in Spain or otherwise, and the category or functional status of each staff member and, if applicable, their family members.

Article 17. Spain's exemption from liability

Spain shall not incur any international liability whatsoever, with respect to the activities of the Secretariat in Spanish territory, arising from actions or omissions by the Secretariat or by any of its agents who act or cease to do so within the limits of their functions.

Article 18. Resolution of disputes

1. Any controversy between Spain and the Secretariat pertaining to the interpretation or implementation of this Agreement or any complementary agreement thereto, as well as any other matter whatsoever referring to the relations between the Secretariat and the Spanish authorities, which has not been resolved amicably by direct conversations between the Parties, may be submitted by either Party, for the final resolution thereof, to an arbitration board, composed of three arbitrators.

2. Spain and the Secretariat shall each appoint one arbitrator.

The third arbitrator, who shall preside, shall be elected by the other two arbitrators. If any of the Parties fails to appoint an arbitrator or if agreement is not reached on the election of the third arbitrator within three months, either Party may request the President of the International Court of Justice to appoint the arbitrator or arbitrators necessary, as appropriate.

3. The Board, which shall establish its own procedural rules, shall decide pursuant to the present Agreement and the pertinent rules of general International Law.

Article 19. Amendments to the Agreement

1. The present Agreement that may be amended by mutual accord between the Parties thereto. Any such amendments shall be treated as an inseparable part of this Agreement and accorded the same legal status of the original text.

2. Spain and the Secretariat may conclude such supplementary agreements as they deem necessary.

Article 20. Provisional application & entry into force

1. The present Agreement shall be applied provisionally as of its signing.

2. The present Agreement shall enter into force as of the date when the last of the notifications is served by which the Parties notify each other that they have complied with the procedures required for the conclusion of International Treaties under applicable provisions.

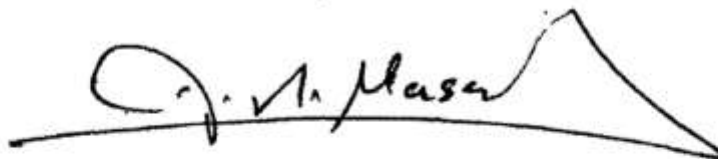
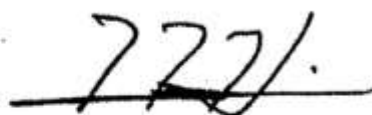
Article 21. Termination of the Agreement

The present Headquarters Agreement may be terminated by either of the Parties at any time, said termination coming into effect six months after communication to the other Party of the intention to terminate the Agreement.

Done in Madrid, on 4th May 2010, in two copies, in French, English and Spanish, the text in all three languages being equally authentic.

For the Kingdom of Spain,

For the Secretariat of the Union for the
Mediterranean,



Miguel Ángel Moratinos Cuyaubé
Minister of Foreign Affairs
and Cooperation

Ahmad Khalaf Masa'deh
Secretary General

5. Observer Status UfM



General Assembly

Distr.: Limited
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Seventieth session

Sixth Committee

Agenda item 174

Observer status for the Union for the Mediterranean in the General Assembly

**Egypt, France, Hungary, Italy, Jordan, Lebanon, Luxembourg, Mauritania,
Monaco, Morocco, Netherlands, Poland and Slovenia: draft resolution**


Observer status for the Union for the Mediterranean in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the Union for the
Mediterranean,

1. *Decides* to invite the Union for the Mediterranean to participate in the sessions and the
work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the action necessary to implement the present
resolution.

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6. Explanatory note_Legal status



Explanatory note

To: PRIMA Secretariat
From: UfM Secretariat
Date: 02/02/2016
Subject: **Status of the Union for the Mediterranean (UfM)**

BACKGROUND

- 1) The Union for the Mediterranean was created by means of an intergovernmental agreement dated July 13, 2008, in a Declaration adopted by its members during the Paris Summit for the Mediterranean.

By means of the aforesaid Declaration, the Heads of State and Government of the participants at the Paris Summit for the Mediterranean, agreed that “[...] *a joint Secretariat for the Barcelona Process: Union for the Mediterranean will be established, with a key role within the institutional architecture*”; “*The Secretariat would have a separate legal personality with an autonomous status*”; and “[...] *the composition, seat and funding of the Secretariat will be decided on the basis of consensus by the Foreign Affairs Ministers in November 2008, taking into account thorough discussions and proposals submitted by all partners.*” In this regard, the term “declaration” may be used for various international instruments and they can also be treaties in the generic sense intended to be binding at international law. This is similar, i.e., to the declaration establishing EUREKA.

On the basis of the mandate given in the above-mentioned Paris Declaration, by means of the Final Statement of Foreign Affairs Ministerial (Marseille, 4 November 2008), the Euro-Mediterranean Foreign Affairs Ministers agreed that “*The statute of the Secretariat will be adopted by Senior Officials (on the basis of a proposal to be prepared by a drafting group of experts to be established for this purpose) before the end of February 2009, taking into account the legal system of the country in which the Secretariat will be established.*”

In accordance with paragraph c) of article 16 of the mentioned Final Statement of Marseille, it was agreed that the seat of the Secretariat will be in Barcelona and that a host site agreement between the host country and the Secretariat will be signed with the aim of ensuring the autonomous status of the latter, its legal personality to carry out its activities and the status, privileges and immunities of the Secretariat and its international personnel.

The Statutes of the Secretariat were drawn up and adopted by the Senior Officials of the participants in the UfM on 3rd March 2010, thereby creating an intergovernmental organization.

The headquarters agreement between Spain and the Secretariat grants the Secretariat the privileges and immunities for carrying out its activities. In this regard, by means of article 1 of the host site agreement, Spain recognizes the full legal capacity of the Secretariat. The Secretariat is ruled by its own regulations, complemented, when necessary, by the relevant provisions of International Public Law.

INTERNATIONAL ORGANIZATION

- 2.- The International Court of Justice established on its Advisory Opinion of April 11th 1949, *Reparation for injuries suffered in the service of the United Nations* : “ *The subjects of law in any legal system are not necessarily identical in their nature or in the extent of their rights, and their nature depends upon the needs of the community. Throughout its history, the development of international law has been influenced by the requirements of international life, and the progressive increase in the collective activities of States has already given rise to instances of action upon the international plane by certain entities which are not States. This development culminated in the establishment in June 1945 of an international organization whose purposes and principles are specified in the Charter of the United Nations. But to achieve these ends the attribution of international personality is indispensable* ”
- 3.- The International Law Commission (ILC) defined an international organization as “ *an organization established by a treaty or other instrument governed by international law and possessing its own international legal personality. International organizations may include as members, in addition to States, other entities* ”.

Moreover, the gradual process of institutionalization may lead to entities developing into international organizations. For instance, the International Conference on the Great Lakes Region of Africa (ICGLR) was not established by a treaty, nor even has any of the instruments under scrutiny established it as an international organization or otherwise endowed it with a distinct legal personality or treaty-making power. Nevertheless, the ICGLR/Conference Secretariat concluded a Memorandum of Understanding with the United Nations Economic Commission for Africa and has concluded a Headquarters Agreement with Burundi, by which, among other things, the Conference Secretariat was granted diplomatic status.

Thus, while not yet an international organization, ICGLR well developed into one through a gradual process of institutionalization, having a permanent Secretariat and other organs, as the UfM. As a consequence, the ICGLR was granted observer status as per UNGA's Resolution 64/123 of 16 December 2009.

Likewise, in the practice of international organizations, there have been several examples of treaty bodies and other less structured mechanisms of international cooperation which became international organizations through the same process, i.e., the Organization for Security and Cooperation in Europe and the Southern African Development Community - OSCE.

In addition, the UfM and OSCE were both created by intergovernmental agreement (declaration) and a political process (Helsinki process in the case of OSCE and Barcelona Process in the case of the UfM).

UfM AS INTERNATIONAL ORGANIZATION

- 4.- In light of all the aforementioned, the UfM should be deemed to be a legal entity subject to the rules of customary international law – international organization.

See also http://www.un.org/en/ga/sixth/70/mediterranean_union.shtml

Further references:

- **UNGA's Decision 49/426 of 9 December 1994,**
"Decided that the granting of observer status in the General Assembly should in the future be confined to States and to those intergovernmental organizations whose activities cover matters of interest to the Assembly."

- **UNGA's Resolution 54/195 of 17 December 1999,**
"Decides also that, in future, any request by an organization for the granting of observer status in the General Assembly will be considered in plenary session after the consideration of the issue by the Sixth Committee of the General Assembly;

Requests the Secretary-General to take appropriate measures to bring to the attention of all the States Members of the General Committee and General Assembly the criteria and procedures laid down by the General Assembly whenever a request is made by an organization seeking observer status in the General Assembly;"

- **United Nations Juridical Yearbook, 2008**

- **UNGA's Resolution 64/123 of 16 December 2009,**
"Decides to invite the International Conference on the Great Lakes Region of Africa to participate in the sessions and the work of the General Assembly in the capacity of observer;"

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