

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

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PREAMBLE

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

Recalling that the Heads of State and Government of the 43 Member States of the Union for the Mediterranean agreed, at the Paris Summit for the Mediterranean held on 13 July 2008, to establish a secretariat for the Union for the Mediterranean, with a key role within the institutional architecture,

Considering that the commitment to create a secretariat, with a key role in the Union for the Mediterranean, having a separate legal personality with an autonomous status, was reaffirmed in paragraph 12 of the Marseilles Declaration resulting from the conference of Foreign Affairs Ministers of the Union for the Mediterranean held on 3 and 4 November 2008,

Considering also that under indent (c) of paragraph 16 of the Marseilles Declaration, it was agreed that the seat of the secretariat would be in Barcelona and that a Headquarters Agreement would be signed between the host country and the secretariat to 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,

Considering further that, under paragraph I.4 of the UfMS Statutes, approved on 3 March 2010 by the Senior Officials Meeting of the Member States of the Union for the Mediterranean, a Headquarters Agreement between the Kingdom of Spain and the UfMS must be signed to ensure the autonomous status and legal personality of the UfMS and to grant the UfMS the privileges and immunities for carrying out its activities, including the status, privileges, and immunities granted to its personnel,

Taking into account the need to update the existing Headquarters Agreement between the Kingdom of Spain and the UfMS, done at Madrid on 4 May 2010,

Stressing the support that the Kingdom of Spain has provided to the Union for the Mediterranean since it was established in 2008 and to the Secretariat since it was effectively established in 2010, with its headquarters in Barcelona,

Highlighting the commitment of Spain to the continued existence, stability and strengthening of the Union for the Mediterranean and its Secretariat, so that they may effectively respond to current and future challenges,

Have decided to conclude a new Headquarters Agreement, and to that end have agreed as follows:

Article 1. Definitions

In this Headquarters Agreement:

- a) "Spain" shall refer to the Kingdom of Spain.
- b) "UfM" shall refer to the Union for the Mediterranean, including its Secretariat.
- c) "UfMS" shall refer to the UfM Secretariat.
- d) "Parties" shall refer to Spain and the UfMS.
- e) "competent authorities" shall refer to the national, regional, local or other authorities that are competent under the laws and regulations of Spain.
- f) "UfMS archives" shall refer to all records, correspondence, documents and similar, in printed or digital format, that belong to the UfMS or are held by it.
- g) "telecommunications" shall refer to all verbal or written information, images, sound or data sent, transmitted or received by cable, radio, satellite, optical fibre or other electronic or electromagnetic means.
- h) "Secretary General" shall refer to the Secretary General of the Union for the Mediterranean.
- i) "Deputy Secretary General" shall refer to each and all of the Deputy Secretaries General of the Union for the Mediterranean.
- j) "UfMS officials" shall refer to the contracted staff of UfMS, and to the seconded officials of Member States and participating organizations, accredited at the headquarters of UfM in Spain, performing duties relating to the purpose, missions and objectives of the UfM, whatever their nationality or prior residence. Such persons shall be subject to the UfMS staff regulations.
- j bis) "locally recruited personnel" shall refer to the persons who, being residents of Spain prior to being engaged by the UfMS, are engaged as such residents in full compliance with the labour legislation of Spain to perform ancillary duties at the headquarters of UfMS that are not related to the purposes, missions and objectives of the UfM.
- k) "dependent family members" of officials shall refer to:
 - 1. The spouse of a UfMS official, provided that they live with the latter, do not perform any gainful activities, and the marriage has not been annulled, they have not divorced and are not legally separated.
 - 2. The registered person with whom the UfMS official has a relationship similar to marriage, provided that they live with the latter, do not perform any gainful activities, and the relationship is duly entered on a public register established for that purpose.
 - 3. The children of the UfMS official, and the children of their spouse or registered partner, as defined above, aged under 18 years, who are unmarried, or children aged between 18 and 23 years who are in higher education and are financially

dependent on their parents, or those older children who have an officially recognized disability or are dependent on their parents. In all cases, it must be certified that the children of the UfMS officials live with them, do not perform any gainful activities and are financially dependent on them.

4. The parents of the UfMS official, and the parents of their spouse or registered partner, as defined above, who live in the same home, are dependent on them, and do not perform any gainful activities.

l) "experts on mission" or "experts" shall refer to independent consultants who are neither officials nor locally recruited personnel of the UfMS, who have been formally appointed or contracted by the UfMS and accredited thereby as its representatives to perform a specific mission at the request of the competent bodies of the UfM that is related to the latter's purposes, missions and objectives.

m) "interns" shall refer to persons duly accredited by the UfMS, engaged as interns thereby under an agreement with the educational establishments they attend to perform work experience for training purposes at the headquarters in Spain. Such persons shall not be considered official or otherwise employed by the UfMS.

n) "premises" shall refer to all land, buildings, structures and auxiliary facilities that are made available to the UfMS by the competent authorities for its exclusive use.

o) "property and assets of the UfMS" shall refer to all property owned, held or managed by the UfMS in relation to its functions, including funds, income and other assets.

p) "diplomatic missions in Spain" shall refer to diplomatic missions, consular offices and missions of international organizations in Spain.

q) "permanent missions" shall refer to the missions of Member States of the UfM, accredited to it.

r) "permanent representative" shall refer to the Head of Mission, permanently accredited by the UfMS.

s) "representative" shall refer to any person appointed by a Member State to represent it before the UfMS.

t) "representative on mission" shall refer to the representative of the Member State to the UfMS, pursuant to the Statutes of the UfMS.

Article 2. Legal personality and freedom of action of the Secretariat

1. Spain recognizes the international legal personality of the UfMS and guarantees the independence and freedom of action inherent to its status as an international organization.

2. Spain recognizes the full legal capacity of the UfMS to contract, acquire or dispose of movable and immovable property, to receive and disburse public and

private finds, and to institute legal proceedings or any activity necessary to fulfil its functions and objectives.

Article 3. Headquarters of the Secretariat

1. Pursuant to indent (c) of paragraph 16 of the Marseilles Declaration, and paragraph 1.4 of the UfMS Statutes, the Secretariat shall have its seat in Barcelona, and Spain undertakes to provide, free of charge, premises for the UfMS to use as central headquarters (hereinafter referred to as "Central Headquarters"), so that it may perform its functions while this Agreement remains in force. Spain also undertakes to take the necessary steps to enable the UfMS to freely use the buildings and premises that make up its Central Headquarters, and the UfMS shall have the exclusive right to use the same.

2. The UfMS has at its disposal, as Central Headquarters for performing its functions, the premises in Palau Reial de Pedralbes (Calle Pere Duran Farell, 11, 08034 Barcelona), assigned under the leasehold agreement signed between the Government of the Autonomous Community of Catalonia and the UfMS on 14 July 2010, and any other premises that may be assigned by mutual agreement in the future.

The UfMS may acquire or rent additional premises in Spanish territory, to be used for its official functions (if so done, together with the Central Headquarters, hereinafter collectively referred to as the "Headquarters"). The UfMS shall have the exclusive right to use the Headquarters.

The UfMS shall keep Spain informed of the status and characteristics of the premises that constitute its Headquarters.

3. The Secretariat may also acquire or rent 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 shall also apply to the Official Residence of the Secretary General. The Headquarters and the Official Residence of the Secretary General shall be collectively referred to hereinafter as the "UfMS premises".

4. Notwithstanding Article 3.3 hereof, the location and characteristics of the Official Residence of the Secretary General, as well as the individual rights of third parties, shall be established between the UfMS and those third parties, except for such rights, privileges and immunities granted by this Agreement in relation to the UfMS premises, which shall continue to apply in full.

5. The provisions of this article shall be implemented through international administrative agreements concluded between the Parties, as they consider appropriate.

Article 4. Inviolability

1. The UfMS premises, including the buildings they fully occupy and the land on which they stand, shall be inviolable, whatever their ownership. No agent of the

authorities of Spain may enter the UfMS premises without the consent of the Secretary General, or of a representative authorized thereby.

2. The UfMS 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 authorization by the Secretary General, the UfMS Premises and any other UfMS assets or property in Spain shall be exempt from any restrictive or enforcing measures, such as searches of premises or persons, seizures, confiscations or expropriations, regardless of whether such measures are of an executive, administrative, judicial or legislative nature.

4. The UfMS shall be responsible for the surveillance of the UfMS premises and for order within them.

5. Spain shall take all appropriate measures to ensure the entire UfMS premises are protected. At the request of the Secretary General, Spain shall provide the necessary assistance to keep order inside the UfMS premises, if needed.

Article 5. Communications

1. As regards its official communications, the UfMS shall enjoy treatment no less favourable than that accorded to other international organizations or to diplomatic missions in Spain, especially in the matter of the priority, prices and rates applicable to post, telephone, telegram, data and other communications.

2. The UfMS shall have the right to use codes in its official communications, and to send 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. If force majeure interrupts these services in full or in part, the UfMS shall be accorded, for its needs, the same priority as the Spanish Administration.

4. None of the provisions of this article may be interpreted as prohibiting adoption of special security measures appropriate to circumstances; any such measures shall be decided by mutual agreement between the Parties.

Article 6. Immunity from legal process and enforcement of rulings

1. The UfMS shall enjoy full immunity from all legal process, including criminal, civil and administrative legal proceedings, and from labour-related legal process, as regards the relations between the UfMS and its officials, unless the Secretary General or a representative authorized thereby has expressly waived immunity.

Notwithstanding the above, this immunity shall not apply to civil proceedings brought by third parties against the UfMS for damage or loss deriving from an accident involving an authorized vehicle belonging to the UfMS or driven by an official.

2. The conclusion by the UfMS of a contract with a clause submitting to the jurisdiction of a Spanish ordinary court shall be considered a formal waiver of immunity. Nonetheless, unless otherwise stipulated in a clause, that waiver shall not apply to measures enforcing rulings.

3. Should the UfMS institute legal proceedings with the Spanish courts, this shall constitute a waiver of its immunity from their jurisdiction in the event of a counter-claim.

Article 7. Taxation

1. The UfMS, its property, funds and assets, wherever located and by whomsoever held, as well as any income or revenue received as a result of its official activities, shall be exempt from direct and indirect taxes, and from national, regional or local levies, except those that constitute charges for public services rendered, in all cases within the legislative framework of the European Union (hereinafter "EU") applicable to indirect taxation.

2. Moreover, within the legislative framework of the EU, the UfMS shall be exempt from all indirect taxes, including value added tax, and any other levies on goods and services intended for official use.

3. The exemption from value added tax and from excise duty shall be applied, in general, through the procedure established for other international organizations and diplomatic corps accredited in Spain.

4. The exemption referred to in paragraph 1 of this Article shall not apply to those taxes and levies which, pursuant to Spanish legislation, are payable by natural or legal persons that enter into contracts with the UfMS.

Article 8. Customs

1. The UfMS shall be exempt from payment of all customs duties and all other levies on articles it imports or exports for its official use, including those corresponding to expenses for storage, transport and services rendered, as well as from any prohibitions or restrictions that may apply to such transactions.

2. Articles imported under the aforementioned exemption shall not be sold or transferred in Spain without the authorization of the National Tax Administration Agency, processed through the Ministry of Foreign Affairs, European Union and Cooperation, by means of clearance for use of the aforementioned articles, subject to completion of the established procedures applicable to foreign trade and payment of the applicable taxes.

3. Importation or purchase in Spain by UfMS of the automobile vehicles it requires for its official use shall be exempt from customs duties and other levies on importation or purchase. These vehicles shall also be exempt from any taxes levied on

their ownership or use. Such vehicles shall be registered pursuant to the laws and regulations applicable in Spain but may not be resold on the national market unless previously regularized under national tax and customs legislation. The UfMS may freely dispose of these vehicles once a year has passed since their purchase or importation, unless the vehicle is unfit for use or severely damaged, pursuant to prevailing legislation applicable to diplomatic missions accredited in Spain.

4. Spain and the UfMS shall reach an agreement regarding the number of vehicles to which the preceding paragraph shall apply. They may also reach agreements on specific procedures for the application of the provisions of the preceding paragraph, except as regards those matters governed by customs regulations.

5. Requests regarding all the imports and exports provided for in this article, and their customs clearance, shall be processed pursuant to the regulations issued by the National Tax Administration Agency. Requests regarding exemptions on imports must be authorized by the Secretary General of the UfM or, in their absence, by their authorized representative, and shall be processed by the Ministry of Foreign Affairs, European Union and Cooperation.

Article 9. Freedom of foreign exchange and currency use

1. The UfMS may receive and possess funds and currencies of any kind and hold accounts in any currency; freely transfer the funds and currencies it holds in Spanish territory to other countries and vice versa, and convert any currency held by it into any other currency.

2. The accounts held by the UfMS shall not be subject to measures such as currency exchange limits, restriction on movements, or embargo by the Spanish authorities.

3. The competent authorities shall support and assist the UfMS with its exchange and transfer operations.

Article 10. Public services

1. Spain shall facilitate the use by the UfMS of all necessary public services and shall grant it any applicable reductions in charges under the same conditions as those applied to the bodies of the Spanish Administration.

2. If one of those services is interrupted or at risk of being interrupted, Spain shall accord the UfMS the same priority as would be accorded the Spanish Administration, so that it may attend to its needs.

Article 11. Freedom of access and stay

1. Spain guarantees the free movement in Spanish territory of UfMS officials and of other persons that perform services for the UfMS and full respect for the privileges, immunities, facilities and exemptions indicated in this Agreement.

2. Spain shall adopt the appropriate measures to facilitate the entry into, exit from and stay in Spanish national territory of the following categories of persons, irrespective of their nationality:

- a) Representatives of the Member States of the UfM that participate in Ministerial Meetings, Senior Officials Meetings, meetings of Regional Platforms, working groups, meetings of experts and other authorities of the UfM.
- b) The Secretary General.
- c) Deputy Secretaries General.
- d) UfMS officials and other duly accredited personnel of the UfMS.
- e) Dependent family members of officials and of other accredited personnel of the UfMS.
- f) Experts on mission accredited by the UfMS.
- g) Interns accredited by the UfMS.
- h) Any persons who, owing to their duties, require official access to the UfMS Headquarters, including all those persons that are officially invited by the UfMS, provided that the Ministry of Foreign Affairs, European Union and Cooperation has been duly informed. If the aforementioned persons need to remain in Spain for one year or more in order to perform the functions required of them by the UfMS, the rules concerning their entry, exit and stay shall also apply to their dependent family members, as set out in indent (d) of this article.

3. The visas required by the persons mentioned in this article shall be issued free of charge and with the least possible delay. In addition, these persons shall be exempt from all the formalities established by the laws and regulations of the Spanish State regarding the registration of foreigners, residence permits and work permits, provided that they do not carry out any other gainful or professional activities in Spain.

4. Spain shall grant the officials and other categories of personnel covered hereby that provide services in the UfMS a visa of accreditation for a period of time limited to the duration of their duties, when the nationality of the person so requires.

5. As far as possible, Spain shall prioritize the processing of requests submitted by the persons mentioned in indents b), c), and d) of paragraph 1 who wish to remain in Spain together with their family members after ceasing to provide their services to the UfMS.

6. Spain and the UfMS 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 12. Status of the representatives of the Member States and Partners of the Union for the Mediterranean

1. The representatives of the Member States and Partners of the UfM that attend Ministerial Meetings, Senior Officials Meetings, and other forums of the UfM or meetings convened by the UfMS, shall enjoy the following privileges and immunities in Spain:

a. Personal inviolability and inviolability of all the personal effects of the interested party.

b. Immunity from jurisdiction with respect to words spoken or written and acts done by them in the exercise of their official duties.

c. Customs facilities, in the cases and conditions permitted by EU customs regulations, and exemption from inspection of their personal baggage in the same conditions as those accorded to diplomatic agents.

d. Freedom of foreign exchange in the same conditions as those accorded to diplomatic agents.

2. These privileges, immunities, exemptions and facilities are extended to spouses who accompany them during their stay.

3. The facilities set out in this article are understood to be accorded for the exercise and performance of the official duties 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 authorities may request that the persons to whom this article applies leave Spanish territory, withdrawing the facilities accorded them if those facilities are abused. Before submitting this request, the Ministry of Foreign Affairs, European Union and Cooperation shall inform the authorities of the Member State concerned and the Secretary General of the UfM.

4. In the case of the persons referred to in paragraph 1 of this article, the request that they leave Spanish territory shall follow a procedure similar to that followed for diplomatic agents accredited in Spain.

Article 13. Status of the Secretary General and of the officials of the Secretariat

1. The Secretary General shall enjoy the same privileges, immunities, exemptions and facilities that are accorded to the heads of diplomatic missions who are accredited in Spain.

2. A Deputy Secretary General acting on behalf of the Secretary General owing to the latter's absence or incapacity shall enjoy the same status as the Secretary General and shall be accorded the same treatment as ad interim Chargés d' Affaires of diplomatic missions that are accredited in Spain.

3. UfMS officials belonging to PM1/PM2/CS1/CS2/CS3 or an equivalent class of post, owing to the responsibilities corresponding to their duties, shall enjoy the

same privileges, immunities, exemptions and facilities that are granted to diplomatic agents in Spain. The Secretary General shall periodically notify Spain of the number and rank of these officials, to obtain their accreditation.

4. The Secretary General shall designate any UfMS officials belonging to classes lower than PM1/PM2/CS1/CS2/CS3 or an equivalent class who, owing to their duties, shall enjoy the same privileges and immunities, exemptions and facilities that are granted to the administrative staff of the diplomatic missions accredited in Spain.

5. In the case of locally recruited personnel, defined in Article 1.j bis), who are subject to Spanish labour law, whether they are Spanish nationals or permanent residents in Spain, Spain shall not be obliged to grant privileges and immunities exceeding those established for such cases in the Vienna Convention on Diplomatic Relations of 18 April 1961.

6. The dependent family members of UfMS officials, as defined in Article 1.k), shall enjoy the same privileges and immunities as the officials members on whom they are dependent.

7. Spanish nationals and Spanish tax residents shall be excluded from the tax privileges referred to in the preceding paragraphs.

8. The UfMS shall notify the Ministry of Foreign Affairs, European Union and Cooperation of the following:

a) The appointment of its officials, their arrival and final departure from Spain and the conclusion of their duties.

b) The arrival and final departure of all dependent family members of each member of UfMS officials and, where applicable, if any person becomes or ceases to be a member of each family.

Article 14. Immunities and facilities accorded to all officials

1. UfMS officials, regardless of their nationality, shall enjoy the exemption from all jurisdictions except from that of labour courts when they act as employers, provided that their employees are subject to Spanish social security regulations pursuant to the provisions of Article 16.

Consequently, they may not be subject to any form of arrest with respect to words spoken or written and acts done by them in the fulfilment of their duties, even after ceasing to be UfMS officials.

2. Amounts payable as a lump sum under any circumstance to UfMS officials by a pension fund, as defined in Article 16 hereof, shall be exempt from all taxation in Spain upon their payment, except in the case of Spanish nationals, Spanish tax residents and those officials members who, having ceased to provide their services, choose to continue to reside in Spain. The same privilege shall apply to benefits for illness,

accident, etc., paid to UfMS officials, except for Spanish nationals and tax residents in Spain.

3. In the exercise of their duties, UfMS officials shall enjoy immunity from personal arrest and from the seizure of their baggage, unless caught in the act of committing a crime. In this case, the Spanish authorities shall immediately inform the Secretary General of the personal arrest or of the seizure of their baggage.

4. The competent authorities shall process applications for visas and residence permits and any other documents that may be required by the domestic workers of UfMS officials for the duration of their duties as promptly as possible, provided that the contracts of the domestic workers comply with the applicable Spanish labour legislation in force.

Article 14 bis. Income tax

Pursuant to the conditions and procedure determined by the UfMS, UfMS officials shall be subject to an effective internal tax payable to the UfMS, on the salaries and emoluments paid thereby. As of the date on which this tax begins to be applied, the aforementioned salaries and emoluments shall be exempt from income tax in Spain, although the Government shall have the right to take said salaries and emoluments into account when determining the amount of taxes on other income. The amount of the internal tax payable to the UfMS on said salaries and emoluments may not be lower than the amount of any Spanish income tax withholdings that would have been applied to said salaries and emoluments in the absence of the exemption.

Article 15. Immunities and facilities accorded to officials who are neither Spanish nationals, nor foreign nationals with permanent residence in Spain at the time of joining the Secretariat

1. In all cases, and inasmuch as these facilities are not accorded pursuant to Articles 13 and 14, UfMS officials shall enjoy the following privileges:

a) Freedom to purchase and hold, in Spain or abroad, foreign securities, foreign currency accounts and other moveable assets and, under the same conditions as Spanish nationals, immovable assets; and the right upon termination of employment with the UfMS in Spain to take funds out of Spain through authorized channels and with no prohibitions or restrictions, in the same currencies and for the same amount as they brought into Spain.

b) In relation to currency exchange, including the right to hold foreign currency accounts, the same facilities as are accorded to members of diplomatic missions accredited to Spain.

c) Exemption from any military service obligations in Spain.

d) Exemption, with respect to themselves, their spouses and dependent family members, from immigration restrictions and formalities concerning registration of foreigners.

e) The same repatriation facilities with respect to themselves, their spouses and dependent family members as are accorded in times of international crisis to staff of diplomatic missions of similar rank.

f) The right to import, free of duties, their furniture and personal belongings upon arrival in Spain in order to take office. This right will persist for one year upon taking up their post. If applicable, exemptions shall be granted pursuant to prevailing customs regulations.

g) Exemption from inheritance and gift tax. This exemption shall not apply to immovable property located in Spain when the obligation to pay said taxes arises solely from the fact that official and family members living with them are resident in Spain.

h) Exemption from the Special Tax on Certain Means of Transport and from Fuel Tax.

i) The right to purchase or import motor vehicles, free of duty and taxes, while they are in the employment of the UfMS under no less favourable conditions than those granted to diplomatic missions, consular offices and international organizations accredited to Spain, according to the class of the post of each member of staff. Motor vehicles imported or purchased under this Agreement may be sold in Spain at any time after their import or purchase, subject to prevailing Spanish law.

j) For UfMS official of classes PM1/PM2/CS1/CS2/CS3 or equivalent, the right to import articles free of duties, taxes and other levies for their personal use and consumption. Spain, in agreement with the Secretary General, shall allow the import free of duties, taxes and other levies, pursuant to the stipulations hereof and to Spanish law, of articles for use and consumption by official of the classes listed above. Said articles shall be exclusively for use or consumption by UfMS official under an express prohibition against offering them for sale or as gifts in Spain in any way or for any purpose.

2. Spain and the UfMS shall reach international administrative agreements to regulate the import of limited amounts of articles intended for use and consumption by UfMS official.

Article 16. Social Security and contingency fund

1. Without prejudice to the provisions of paragraph 4 hereof, the UfMS and its staff shall be exempt from Spanish Social Security provisions regarding the activities of said official at the service of the UfMS.

Said exemption shall apply to family members of UfMS official, as defined in Article 1.k), who live with them in Spain, unless they perform gainful activities in Spain outside the UfMS.

2. The exemption set out in paragraph 1 shall also apply to the activity of domestic workers who work exclusively for a UfMS official member, provided that:

a) they are neither Spanish nationals nor have permanent residence in Spain, and;

- b) they are covered by a social protection plan established by the UfMS.

UfMS official employing workers who do not qualify for this exemption must comply with obligations for employers under Spanish Social Security legislation. UfMS official must inform the competent authorities of the Social Security system of any household employees who qualify for the exemption from Spanish Social Security legislation, without prejudice to other labour law obligations concerning the Labour and Social Security Inspectorate.

3. The UfMS shall adopt the necessary measures to provide its official with suitable and sufficient coverage in terms of permanent incapacity and retirement pensions, as well as sick pay and injury benefit, both in cash and in kind.

4. Without prejudice to the exemption set out in paragraph 1, the UfMS may choose to include some or all of its official in the Spanish Social Security system under the conditions set out in Spanish legislation, assuming the obligations that would arise from such a decision. The inclusion shall not alter any of the hiring and working conditions of UfMS official, who shall remain subject at all times to the UfM staff regulations.

If the aforementioned inclusion does not take place, UfMS official employed at the Spanish headquarters, regardless of their nationality, may choose to enter the special system for staff of international organizations set out in Article 14 of the Spanish Ministry of Labour and Social Affairs Order TAS/2865/2003, of 13 October 2003. This option is not available to UfMS official family members.

5. Locally recruited personnel providing services to the UfMS in Spain shall be included in the Spanish Social Security system, wherefore the UfMS shall perform the necessary actions to meet its obligations thereunder.

Article 17. Purpose of privileges and immunities

The UfMS accepts that the privileges and immunities granted in this Agreement are accorded in the general interest of the UfMS, with the aim of ensuring its proper functioning and the full independence of its official in all circumstances. They are not accorded for the personal benefit of the individuals concerned.

The Secretary General shall have the right to waive the immunity of UfMS official and their family members in any case where, in the Secretary General's opinion, immunity would impede the course of justice, and it can be waived without harming the interests of the UfMS.

Article 18. Immunities of experts

Experts, as defined in Article 1, who fulfil their duties at the UfMS, perform missions or take part in official trips on behalf of the UfMS, shall enjoy the privileges and immunities listed below inasmuch as is necessary for the performance of their duties:

a) Immunity from personal arrest and from seizure of their personal baggage, unless caught in the act of committing a crime. In such cases, the Spanish authorities shall immediately inform the Secretary General of the arrest or seizure of baggage.

b) Immunity from legal process in respect of words spoken or written and acts done by them in the course of the performance of their mission. This immunity shall continue to be accorded after they have finished performing their duties.

The Secretary General shall have the right to waive an expert's immunity in any case where the Secretary General considers it appropriate, when this does not harm the interests of the UfM.

Article 19. Immunities and privileges

The UfMS shall enjoy the privileges and immunities usually accorded to universal international organizations and diplomatic missions.

Article 20. Cooperation in implementing the Agreement

1. The Parties shall fully and sincerely cooperate in fulfilling the provisions of the Agreement and in achieving the UfM's objectives.

2. The UfMS and Spain 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 this Agreement.

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

Article 21. Identity cards

1. The competent body of the Ministry of Foreign Affairs, European Union and Cooperation shall, at the request of the Secretary General of UfM, issue identity cards to the persons referred to in Article 11 hereof.

2. The UfMS shall regularly send to the Ministry of Foreign Affairs, European Union and Cooperation a list of UfMS official and their dependent family members, stating date of birth, nationality, whether they are resident in Spain, and the class and category of their post and, if applicable, of their family members.

Article 22. Permanent missions to the Secretariat

Member States' permanent missions to the UfMS shall enjoy the same privileges and immunities accorded to diplomatic missions in Spain.

Article 23. Permanent representatives to the Secretariat

Permanent representatives to the UfMS shall have the right, in Spanish territory, to the same privileges and immunities accorded by the Spanish Government to heads of diplomatic missions accredited to Spain.

In no case shall a third country which is a member of the UfM appoint a Spanish national or a person with permanent residence in Spain as permanent representative.

Spain shall have the power to decide on accreditation visas and the possible accreditation of permanent representatives. Spain may withdraw said accreditation at any time.

Article 24. Representatives to the Secretariat

Without prejudice to other privileges and immunities enjoyed in the performance of their duties, representatives of Member States accredited to the UfMS shall enjoy the privileges and immunities accorded to mission staff of a similar rank in the terms provided for diplomatic missions in the 1961 Vienna Convention.

Article 25. Exemption of Spain from liability

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

Article 26. Settlement of disputes between the Secretariat and its personnel

1. The International Labour Organization Administrative Tribunal shall hear any disputes between the UfMS and its official, whose hiring and working conditions shall be governed by internal UfMS rules and regulations.

2. Disputes between the UfMS and locally recruited personnel, whose hiring and working conditions shall be subject to Spanish labour law, shall be heard by the Spanish courts.

Article 27. Settlement of disputes between the Parties

1. If not settled by negotiation between the Parties, any dispute between Spain and the UfMS relating to the application or interpretation of this Agreement or of any other international administrative agreement into which the Parties may enter shall be submitted to arbitration at the request of either Party to a tribunal of three arbitrators.

2. Spain and the UfMS shall each appoint one arbitrator. The two arbitrators so appointed shall appoint a third, who shall be chair. If either of the Parties fails to appoint an arbitrator or if an agreement is not reached on the appointment of the third

arbitrator within three months from the request for arbitration, either Party may request the President of the International Court of Justice to appoint the arbitrator or arbitrators necessary, as appropriate.

3. The tribunal, which shall establish its own procedural rules, shall decide pursuant to the present Agreement and the pertinent rules of general international law.

Article 28. Amendments to and implementation of the Headquarters Agreement

1. This Headquarters Agreement may be amended following consultations held at the request of Spain or of the UfMS. All amendments shall be made by mutual agreement. Any such amendments shall be treated as an inseparable part of this Agreement and accorded the same legal status as the original text.

2. Competent bodies of the UfM and Spain may enter into international administrative agreements implementing or elaborating on the provisions of this Headquarters Agreement.

Article 29. Entry into force

1. The present Agreement shall enter into force on the date when the last of the notifications is served by which the Parties notify each other that they have completed the procedures required for the conclusion of international treaties under their respective law and statutes.

2. This Headquarters Agreement replaces the Agreement between Spain and the UfMS done at Madrid on 4 May 2010 and all supplementary or special agreements signed by Spain and the UfMS in relation thereto, with the exception of the agreement between the Government of the Autonomous Community of Catalonia and the UfMS for the leasehold of Palau Reial de Pedralbes, which shall remain fully in force.

3. Spain shall take all the necessary measures and coordinate the competent authorities for the full implementation of the terms of this Agreement.

Article 30. Denunciation

Either Party may at any time denounce this Agreement, which shall cease to apply six months after the other Party is informed of the denunciation.

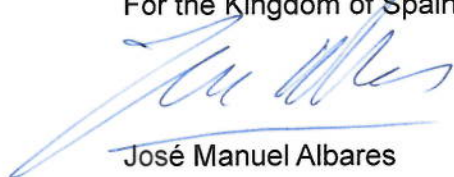
Transitional Provision One. Exemption from taxation on salaries and emoluments

UfMS staff, regardless of nationality and prior residence, with the exception of Spanish nationals and Spanish tax residents, shall be exempt from taxation on all salaries and emoluments paid to them by the UfMS until the internal tax is effectively applied, as described in Article 14 bis.

Done and signed at Barcelona on 28 November 2025 in two copies, in Spanish and English, all texts being equally authentic.

Signed at referendum

For the Kingdom of Spain,

A blue ink signature of José Manuel Albares, consisting of stylized, flowing cursive letters.

José Manuel Albares

Minister for Foreign Affairs, European
Union and Cooperation

For the Secretariat of the Union for the
Mediterranean,

A blue ink signature of Nasser Kamel, featuring a large, circular initial 'K' followed by a horizontal stroke.

Nasser Kamel

Secretary General of the Union for the
Mediterranean

Barcelona, 28 November 2025