



**FIFTEENTH ANNUAL MEETING OF THE
INTERGOVERNMENTAL COMMISSION TRACECA**
Sofia, Bulgaria, October 21, 2021

**ПЯТНАДЦАТОЕ ЕЖЕГОДНОЕ ЗАСЕДАНИЕ
МЕЖПРАВИТЕЛЬСТВЕННОЙ КОМИССИИ ТРАСЕКА**
г. София, Болгария, 21 октября 2021 г.

RULES OF PROCEDURE OF THE INTERGOVERNMENTAL COMMISSION TRACECA

RULE 1 Application

These Rules of Procedure shall apply to all activities of the Intergovernmental Commission TRACECA, (IGC), as defined in Article 8 of the MLA.

RULE 2 Definitions

The abbreviations and expressions defined below shall bear the same meaning when used in other statutes and official documents issued or approved by the IGC, including but not limited to the Statute of the PS. In all texts issued by the IGC, unless otherwise specified, the use of the masculine gender involves the feminine and the use of the singular involves the plural and vice versa.

“MLA” means the Basic Multilateral Agreement on International Transport for Development of the Europe - the Caucasus – Asia Corridor, signed on September 8, 1998 in Baku, the Republic of Azerbaijan, as modified from time to time and includes the existing and subsequent Technical Annexes;

“PARTIES” means the states-participants of the MLA;

“IGC” means the Intergovernmental Commission for the Transport Corridor Europe-the Caucasus-Asia “TRACECA”;

“CHAIRMAN -PARTY” means the State-Participant, which assumes the Chairmanship of the IGC for a one-year term;

“CHAIRMAN OF THE IGC” means the Head of Delegation of the Party, which assumes the Chairmanship of the IGC or any other high-level official designated for this position by the Government of that Party;

“PS” means the Permanent Secretariat of the IGC;

“WG” means Working Groups, established by the IGC upon proposals made by the PS;

“ASSOCIATES” mean Regional Economic Integration Organizations, which acceded to the Basic Agreement as associates;

“OBSERVER” means state or international organization, which was granted by the IGC with the status of observer in the Inter-Governmental Commission.

RULE 3 **Scope**

- 3.1. The IGC was established in accordance with the provisions of Article 8 of the MLA to regulate the issues regarding the implementation and the application of provisions of the MLA.
- 3.2. The IGC shall function as a body of representatives of the high-level Government officials of the Parties or their authorized representatives. Any representative, one for each Party, shall be nominated by the Government of that Party with full authority to make decisions for the purposes of the MLA.
- 3.3. The meetings of the IGC shall be convened by the Chairman of the Party which assumed the Chairmanship.
- 3.4. Exceptionally, the IGC upon proposal of the PS can also invite representatives of the European Union, regional economic integration organisations, and representatives from international organisations concerned with international transport matters to attend Meetings of the IGC.
- 3.5. The IGC shall decide about scope of activity, rights and liabilities of an organization of regional economic integration acceding to the Basic Agreement under its clause 4 article 14. The IGC shall decide about the Terms of Association on a case-by-case basis when an organization of regional economic integration accedes to the Basic Agreement.
- 3.6. The IGC may decide to grant the status of observer following the procedures specified in the Annex to this Rules of Procedure of the IGC on the status of observer.
- 3.7. The IGC is not a legal body.
- 3.8. The PS, which is based in Baku, the Republic of Azerbaijan, and registered as a body with international legal personality, shall function according to its own Statute being at the disposal of the IGC in order to implement the Decisions and Recommendations of the IGC.
- 3.9. The IGC shall establish the structure of the PS and decide other issues regarding the organisation and functioning of the PS.
- 3.10. The IGC shall elect the Secretary General of the PS.

RULE 4 **Purposes**

- 4.1. The purposes of the IGC are to promote the objectives of the MLA, to facilitate the application of its provisions and to supervise their implementation through the PS. In order to fulfil its mission, it requests the PS to carry out the following tasks, employing for these purposes WGs established for international road transport, railway transport, commercial maritime navigation, customs and documentation procedures and other fields of international transport as defined in the MLA:
- 4.1.1. to identify problems linked to the implementation of the MLA and to undertake studies to reach solutions and propose to the Parties the measures needed to achieve the effective implementation of the MLA;
- 4.1.2. to provide upon request of the Parties its assistance and consulting services on all relevant draft laws and by-laws elaborated in accordance with the MLA to implement Decisions and Recommendations of the IGC;

- 4.1.3. to provide upon request of the Parties its assistance and consulting services on the initiatives in their relations with relevant international organisations;
- 4.1.4. to develop conciliation, mediation and arbitration services as methods of settling disputes arising in the context of international economic relations, in accordance with Article 12 of the MLA;
- 4.1.5. to develop and co-ordinate the activities among the National Commissions in each Party;
- 4.1.6. to propose, study and approve projects within the framework of the MLA;
- 4.1.7. to present a yearly assessment report on the work carried out in relation to the implementation of the provisions of the MLA and the further measures that need to be taken.

RULE 5 Budget

The annual budget of the PS and its Permanent Representations and Working Groups within the framework of MLA shall be proposed by the PS, approved by the IGC and managed by the PS.

RULE 6 Meetings

- 6.1 The IGC shall meet regularly, not less than once a year in accordance with Article 8 of the MLA.
- 6.2. The IGC may hold extraordinary meetings at the request of no less than one third of the Parties or, as a matter of urgency, at the request of the Secretary General, approved by one third of the Parties.
- 6.3. The Chairmanship of the IGC shall rotate every year, according to the English alphabetical order. If a Party is not prepared to assume the Chairmanship, the Chairmanship shall pass to the subsequent Party, according to the same alphabetical order.
- 6.4. Meetings shall be chaired by the Chairman of the IGC.
- 6.5. Meetings may comprise open sessions and in-camera sessions. The IGC may invite representatives of the states, which obtained observer status in the IGC TRACECA to participate in the open sessions.
- 6.6. The meetings may be held in the web-conference format, in case of necessity, related to minimization of the risks for health and lives of the participants, if there are corresponding decisions of the competent authorities of the receiving party, or - of the international healthcare authorities.
- 6.7. The draft agenda of the sessions shall be agreed by the Secretary General with the Chairman of the IGC prior to the Meeting.
- 6.8. The draft agenda prepared by the Permanent Secretariat shall be discussed and adopted during the Meeting. The draft agenda, any draft documents and the invitations to the Meeting shall be forwarded by the Permanent Secretariat to the Parties, associate members and observers at least thirty days before the Meeting by fax or e-mail. At the opening of the Meeting a new item may be included in the Agenda by consensus, in case its consideration does not require special internal approval procedures.

6.9. Invitations, the drafts of the agenda and documents for an extraordinary IGC meeting in case of convening a conference on the issues requiring prompt decision, shall be forwarded by e-mail or by fax not later than 30 days prior to the meeting.

RULE 7
Decisions and Recommendations of the IGC

The Inter-Governmental Commission shall formulate decisions for adoption by the Parties and appropriate recommendations on questions, related to subjects listed in Articles 3, 8 and 9 of the MLA.

Decisions and Recommendations of the IGC TRACECA are subject to signature by the Chairman of the IGC.

RULE 8
Consensus and Quorum

8.1 All decisions of the IGC are taken by consensus.

8.2. Consensus shall be understood as the absence of any objections expressed by any MLA Party, presenting an obstacle for making a decision under consideration.

8.3. The IGC shall not meet unless a minimum of two-thirds of the Parties is present or represented. The decisions duly taken at the Meetings are binding for the absent Parties.

RULE 9
Working Groups

9.1. Upon proposals made by the PS the IGC may establish WG, which shall work on questions related to international road transport, railway transport, commercial maritime navigation, customs and documentation procedures and other relevant matters in accordance with the MLA provisions.

9.2. Subject to approval by the IGC, the WGs may establish their own Rules of Procedure with the assistance of the PS.

9.3 WG shall prepare proposals and draft documents for consideration by the IGC.

9.4 The IGC may invite the representatives of the states granted with the observer status, to participate in the Working Group meetings.

RULE 10
Chairman Party in the IGC

10.1. The Chairman Party in the IGC is the MLA member state, which assumed the chairmanship during a regular IGC meeting in accordance with the English alphabetical order. The term of the IGC chairmanship shall be one year.

10.2 During the chairmanship in the IGC, the Chairman Party shall be represented by the IGC Chairman.

10.3. The IGC Chairman shall be authorized with inalienable right to fulfil monitoring of the PS activity during the term of chairmanship of his Party in the IGC TRACECA, including administrative and financial monitoring in accordance with the provisions of the Agreement of Joint Financing of the PS IGC TRACECA.

10.4. The IGC Chairman shall maintain close cooperation with the Permanent Secretariat to address the IGC decisions and to promote the initiatives for the development of the TRACECA corridor;

10.5. The IGC Chairman in the absence of objections of the MLA Parties shall authorize the PS Secretary General to conclude Memorandums of Understanding and Cooperation with international organizations and international financial institutions;

10.6. The IGC Chairman shall not put pressure on the PS Secretary General in the issues within his competence.

RULE 11 Election of the Secretary General of the PS

11.1 The Secretary General shall be elected during the IGC meeting on the consensus basis for the period of no more than two terms of chairmanship in the IGC out of the candidates proposed by the MLA Parties.

11.2. Candidates for the post of the Secretary General shall be introduced to the MLA Parties no later than 2 months before the scheduled meeting of the IGC.

11.3. In case of nomination of three and more candidates from the MLA Parties, the elections shall be performed in two rounds, the first of which is conducted by secret vote. On the results of the first round, two candidates who received most number of votes and advanced to the second round shall be designated.

11.4. Open vote shall be performed to designate one of two candidates and consist of open vote of the MLA Parties in the English alphabetical order, beginning from the Party following the MLA Chairman Party.

11.5 The elections of the Secretary General shall be performed only in the presence of the heads of the delegations of the MLA Parties at the IGC, unless it was otherwise determined in the course of the meeting.

RULE 12 Official Languages

12.1. English and Russian shall be both the official and working languages of the IGC, the WG and the PS.

12.2. Speeches made and documents submitted in either of the two languages shall be interpreted / translated into the other one.

RULE 13 Amendments

Any amendments and additions to these Rules of Procedure shall be adopted by the IGC and incorporated in these Rules of Procedure.