



## REVIEW OF OUTSTANDING DECISIONS OF THE INTERGOVERNMENTAL COMMISSION TRACECA

### 1. Final Resolutions of the Second Annual Meeting of the IGC (25 April 2002, Tashkent, the Republic of Uzbekistan)

DECISIONS	STATUS OF IMPLEMENTATION	RECOMMENDATIONS
<p><b>Point 5. «On Development of Sea Transport»</b> <i>(we consider it expedient to resume the activities, and to establish a permanent IGC TRACECA Working Group on sea transport, and to elaborate the proposals aimed at increasing the competitiveness and safety of the sea-based routes within the TRACECA corridor)</i></p>	<p>Within the TRACECA project “Motorways of the Sea for the Black and Caspian Seas” (MoS) there have been created working groups at national and regional levels with an aim to increase the competitiveness and attractiveness of sea-based routes of the TRACECA corridor in multimodal transportation.</p> <p>In addition, within the TRACECA project “Development of Common Security Management and Maritime Safety and Ship Pollution Prevention for the Black Sea and the Caspian Sea” there have been created National and Regional Working Groups which, in cooperation with the Project and the PS with the EC support, developed a Draft Regional Action Strategy on Maritime Safety and Security and Environmental Protection for the period up to 2021</p>	<p>Activities regarding the increase of competitiveness and safety of sea-based routes of the TRACECA corridor have been carried out by the working groups created on a <u>permanent basis</u> within the MoS and SASEPOL projects respectively. Therefore, presently there is no need in creating an additional permanent structure with similar objectives and tasks.</p>

### 2. Final Resolutions of the Third Annual Meeting of the IGC

**(9-10 October 2003, Yerevan, the Republic of Armenia)**

DECISIONS	STATUS OF IMPLEMENTATION	RECOMMENDATIONS
<p><b>Point 3. Establishment of the IGC TRACECA Working Group (Council) of Heads of Railways, Ports and Shipping Companies</b> <i>(To approve the establishment of the IGC TRACECA Working Group (Council) of Heads of Railways, Ports and Shipping Companies as a coordinating body of the main infrastructure and transport operators of TRACECA countries)</i></p>	<p>The PS IGC TRACECA has been continuously holding meetings of the working group on the increase of competitiveness of the TRACECA corridor with participation of plenipotentiary representatives of Railways, Ports and Shipping Companies of MLA TRACECA countries.</p>	<p>Activities on coordination and elaboration of common competitive tariffs to be applied along the TRACECA corridor have been carried out through the Working Group on competitiveness within the framework of the TRACECA projects. Therefore, presently there is no need in creating an additional permanent structure with similar objectives and tasks.</p> <p>The Georgian Party suggests to enhance the status of the existing working group on tariffs competitiveness and to attract the representatives of the concerned railways at the level of the railway administrations of the MLA Parties for more efficient implementation of the Working Group decisions.</p>
<p><b>Point 4. Protocol on Amendments to the Basic Multilateral Agreement</b> <i>(the issues of accession and domestic procedures applied by the MLA Parties).</i></p>	<p><b>The Protocol came into effect on 23 November 2011 for those MLA Parties which signed and ratified it - Azerbaijan, Bulgaria, Romania, Georgia and Tajikistan.</b></p> <p>The Protocol was signed but not yet ratified by Armenia, Kyrgyzstan, Kazakhstan, Moldova, Turkey, Uzbekistan and Ukraine. Iran did not accede to the Protocol.</p>	<p>Parties to the MLA which signed but not yet ratified the Protocol need to speed up the completion of internal state procedures. It is recommended to the Islamic Republic of Iran to consider the possibility of accession to the Protocol.</p>

**3. Final Resolutions of the Fifth Annual Meeting of the IGC  
(2-3 May 2006, Sofia, the Republic of Bulgaria)**

DECISIONS	STATUS OF IMPLEMENTATION	RECOMMENDATIONS
<p><b>Point 9. Further institutionalization of the IGC TRACECA</b> <i>(IGC emphasized the importance of the transport corridors following the East-West direction and the necessity to</i></p>	<p>The PS IGC TRACECA has prepared a Draft Charter of the Organization of International Transport Corridor the Europe-the Caucasus-Asia and a Draft Protocol on privileges and</p>	<p>Further promotion of this issue will demand consensus and full backing of all MLA Parties and the European Commission. Therefore it is recommended at this stage to examine in</p>

<p><i>ensure the follow-up on further development of the initiatives already realized in the framework of the European Union Tacis/TRACECA programme. In this respect the IGC recognized the need of strengthening its international legal status and TRACECA institutional structure and considered necessary to carry out work on transformation of the IGC TRACECA <b>from the international body to an organization with international personality in accordance with the Article 9 of the Strategy of the IGC TRACECA.</b></i></p>	<p>immunities of TRACECA</p> <p><b>As of today the transformation of TRACECA into an International Organization has not yet been done.</b></p>	<p>detail international legal basis and practice of establishment of international organizations and the experience of other initiatives which were transformed into international organizations.</p> <p>The preparation of TRACECA for transformation into an international organization should develop step-by-step not arousing misunderstanding among the TRACECA countries and the European Commission.</p> <p>The essential prerequisite for TRACECA institutional building is preservation and further development of partnership and cooperation with the European Commission. Therefore possible institutional changes of TRACECA should take place only upon coordination and with full support of the main TRACECA partner.</p>
---	--	--

**4. Final Resolutions of the Sixth Annual Meeting of the IGC  
(12-13 December 2007, Astana, the Republic of Kazakhstan)**

DECISIONS	STATUS OF IMPLEMENTATION	RECOMMENDATIONS
<p><b>Point 6. Further participation of Bulgaria and Romania in the MLA in view of their accession to the EU. Signing of the Protocol on Amendments to the MLA in respect of further participation of Bulgaria and Romania and Declaration of the Parties to the MLA</b> <i>(issues on signing, accession and domestic procedures in the MLA Parties).</i></p>	<p><b>The Protocol came into effect on 4 April 2010 for those MLA Parties which signed and ratified it</b> - Bulgaria (23.04.2008), Azerbaijan, Armenia, Romania and Georgia (01.07.2010). The following Parties signed but not ratified the Protocol - Kazakhstan, Moldova, Tajikistan, Turkey and Ukraine. Iran, Kyrgyzstan and Uzbekistan did not accede to the Protocol.</p>	<p>Parties to the MLA which signed but not yet ratified the Protocol need to speed up the completion of internal state procedures. It is recommended to Kyrgyzstan, Iran and Uzbekistan to consider the possibility of accession to the Protocol.</p>
<p><b>Point 8. Draft Protocol on Amendments to the Technical Annex on Customs and Documentation Procedures to the MLA TRACECA</b> <i>(issues on signing, accession and domestic procedures in the MLA Parties).</i></p>	<p><b>As of today the Protocol did not come into effect.</b> The Protocol was signed and ratified by only one MLA Party - Azerbaijan (05.03.2010). The MLA Parties which signed the Protocol – Kazakhstan, Moldova, Tajikistan, Turkey and</p>	<p>Parties to the MLA which signed but not yet ratified the Protocol need to speed up the completion of internal procedures required for the Protocol to enter into force. It is recommended to Armenia, Georgia, Iran,</p>

	<p>Ukraine. The Protocol was not signed by Armenia, Georgia, Iran, Kyrgyzstan and Uzbekistan.</p> <p>Bulgaria and Romania due to their membership in the EU withdrew from the discussion, adoption and signing of the Protocol.</p>	<p>Kyrgyzstan and Uzbekistan to consider the possibility of accession to the Protocol after it comes into force.</p>
<p><b>Point 15. Discussion of setting-up of the IGC TRACECA Business Advisory Council</b> (<i>IGC approved the idea of creating a Business Advisory Council, and charged the PS in close cooperation with the Parties with the follow-up of this issue and preparation of the draft documents for establishing of this structure</i>).</p>	<p>The PS IGC TRACECA in cooperation with the Parties to the MLA prepared draft documents, required for founding the Business Advisory Council (BAC). The PS IGC TRACECA meeting of 25 April 2008 (Odessa, Ukraine) noted that it would be more reasonable to prepare final drafts of founding documents after the Conference of Donors and based on the outcomes of this Conference.</p> <p>The PS IGC TRACECA meeting of 28-29 April 2009 (Istanbul, Turkey) noted that the draft BAC founding documents prepared by the PS IGC TRACECA need to be further studied by the Parties and revised and in connection with this recommended at this stage not to present them to the upcoming meeting of the IGC.</p> <p><b>As of today, the BAC TRACECA has not yet been established.</b></p>	<p>The Parties to the MLA need to adopt a common, coordinated and systematic approach to the creation of specialized bodies and institutions of TRACECA. Moreover, there is a need in specific international legal conditions to be in place for effective functioning of such institutions. One of such conditions is appropriate international legal status of TRACECA and more advanced institutional structure of the organization, which would ensure harmonious and coordinated work of all bodies and institutions of TRACECA. In this connection, creation of BAC and Investment Fund of TRACECA needs to be linked to the issue of further institutional development of TRACECA. All specialized bodies and institutions have to be created and to function under the aegis of TRACECA.</p> <p>In this relation, it is recommended to learn the experience of the Organization for the Black Sea Economic Cooperation (BSEC) with its Business Council and Black Sea Trade and Development Bank operating within its framework.</p>
<p><b>Point 16. Discussion on the creation of the TRACECA Investment Fund</b> (<i>The IGC supported the initiative of the PS on the creation</i></p>	<p>The IGC at its 6<sup>th</sup> Meeting in 2007 supported the PS initiative on studying the issue related to the creation of the TRACECA Investment Fund and</p>	<p>Presently the efforts aimed at attracting investment to transport projects of TRACECA have been made through TRACECA</p>

<p><i>of the TRACECA Investment Fund, and recommended that the PS jointly with the Parties and supported by the EC should scrutinize this issue).</i></p>	<p>recommended the PS to study this issue in cooperation with the Parties to the MLA and with the EC assistance and to present the issue for consideration of the next IGC meeting.</p> <p>The PS IGC TRACECA meeting of 25 April 2008 (Odessa, Ukraine) noted that it would be more reasonable to prepare final drafts of founding documents of the Investment Fund after the Conference of Donors and on the basis of the outcomes of this Conference</p> <p><b>As of today the TRACECA Investment Fund has not yet been established.</b></p>	<p>Investment Forums. The Second TRACECA Investment Forum is scheduled for the beginning of 2012. While considering the issue of creating the TRACECA Investment Fund it is necessary to take into account the experience of TRACECA Investment Forums.</p> <p>Creation of the TRACECA Investment Fund as well as the BAC needs to be considered jointly with the issue of institutional development of TRACECA.</p>
---	---	--

**5. Final Resolutions of the Seventh Annual Meeting of the IGC  
(16 June 2009, Issyk-Kul, the Kyrgyz Republic)**

DECISIONS	STATUS OF IMPLEMENTATION	RECOMMENDATIONS
<p><b>Point 3. Agreement on the Development of Multi-modal Transport TRACECA</b> <i>(issues of signing, accession and domestic procedures in the MLA Parties)</i></p>	<p>On <b>9 July 2011</b>, the Agreement entered into force with respect to the countries which ratified it – Georgia, Azerbaijan, Tajikistan and Kyrgyzstan.</p> <p>Armenia signed this Agreement but not yet ratified it. The Agreement was not acceded by Iran, Kazakhstan, Moldova, Turkey, Uzbekistan and Ukraine.</p> <p>Bulgaria and Romania will consider the necessity of acceding to the Agreement after consultations with the European Commission.</p> <p>The Agreement is open for accession by the MLA Parties of TRACECA.</p> <p>The Agreement is open for accession of any other state subject to the consent of all the Parties to the Agreement, received by the Depository via diplomatic channels.</p>	<p>The Parties to the MLA which signed but not yet ratified the Agreement need to speed up the completion of internal procedures. It is recommended to Iran, Kazakhstan, Moldova, Turkey, Uzbekistan and Ukraine to consider the possibility of acceding to the Agreement.</p> <p>Bulgaria and Romania are recommended to speed up the completion of consultations with the European Commission.</p>

	<p>The Depository of the Agreement is the Republic of Azerbaijan.</p> <p>The States interested in accession to the Agreement are required to submit an appropriate note to the Depository.</p>	
--	--	--