



**SIXTH ANNUAL MEETING
OF THE INTERGOVERNMENTAL COMMISSION TRACECA**
Astana / Republic of Kazakhstan, 12-13 December, 2007

**ШЕСТОЕ ЕЖЕГОДНОЕ ЗАСЕДАНИЕ
МЕЖПРАВИТЕЛЬСТВЕННОЙ КОМИССИИ ТРАСЕКА**
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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 includes the feminine and the use of the singular includes the plural and vice versa.

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

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

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

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

“CHAIRMAN-IN-OFFICE” means the Head of Delegation of the Party, which assumes the Chairmanship of the IGC or any other High Official designated for this purpose 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 by the MLA to regulate the issues regarding the implementation and the application of provisions of the MLA.
- 3.2. The IGC functions as a Meeting of representatives of the Highest Governmental Authorities 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. Exceptionally, Parties may arrange to be represented by another Party. No Party may, however, represent more than [one] ^{*1}other Party.
- 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 decides about scope of operations, rights and liabilities of an Organization of Regional Economic Integration acceding the Basic Agreement under its clause 4 article 14. The IGC shall decide about the Terms of Association on a case-by-case basis.
- 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, Republic of Azerbaijan and registered as a body with international legal personality, functions 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 establishes the structure of the PS and decide other issues regarding the organisation and functioning of the PS.
- 3.10. The IGC elects the Secretary General of the PS.

RULE 4

Purposes

- 4.1. The purposes of the IGC are to promote the objectives of the MLA, facilitate the application of its provisions and to supervise its implementation through the PS. In order to fulfil its mission it requests the PS to carry out the following tasks, employing for these purposes WG 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 undertake studies to reach solutions and propose to the Parties the measures needed to achieve efficient implementation of the MLA;
 - 4.1.1 to provide upon request of the Parties its assistance and consulting services on all relevant draft laws and regulations elaborated in accordance with the MLA to implement Decisions and Recommendations of the IGC;

¹ Number of countries in the article 3.3 is still under discussion.

- 4.1.2 to provide upon request of the Parties its assistance and consulting services in their relations with relevant international organisations;
- 4.1.3 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;
- 4.1.4 to develop and co-ordinate the activities among the National Commissions in each Party;
- 4.1.6. It shall propose study and approve projects within the framework of the MLA;
- 4.1.7. It shall issue 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 not 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 go to the subsequent Party, according to the same alphabetical order.
- 6.4. Meetings shall be chaired by the Chairman-in-Office.
- 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 draft agenda of the sessions shall be agreed by the Secretary General with the Chairman in Office prior to the Meeting.
- 6.7. The draft agenda prepared by the PS shall be discussed and adopted during the Meeting. The draft agenda, any draft documents and the invitation to a Meeting shall be communicated by the PS 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.

RULE 7

Decisions and Recommendations of the IGC

The Inter-Governmental Commission formulates 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-in-Office of the IGC and the Secretary General of the PS.

RULE 8

Consensus and Quorum

8.1 All decisions of the IGC are taken by consensus.

8.2. The IGC shall not meet unless a minimum of two-thirds of the Parties is present or represented. The decisions taken in Meetings duly convened 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.

9.2. Subject to approval by the IGC, the WG may establish their own Rules of Procedure with the assistance of the PS. They shall report quarterly to the PS on the results of their work.

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

9.4 The IGC can also invite the representatives of the countries granted with the observer status, to participate in the Working Group meetings.

RULE 10

Languages

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

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

RULE 11

Amendments

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