

ECO Modalities for signing Agreements with Regional and International Organizations, States and Institutions¹

I. Introduction

1. The present Modalities has been prepared by the Secretariat in pursuance of the decision of the 21st Regional Planning Council (RPC) Meeting (May 17-19, 2011-Tehran) as contained in Para 312 of its Report.

II. Scope

2. These Modalities sets forth procedure and formalities to be followed by ECO whilst entering into an agreement² for mutually beneficial cooperative relations with other Regional and International Organizations, States and Institutions, in keeping with the Articles II (m) and XIV (4) of the Treaty of Izmir. These Modalities are aimed at streamlining ECO's current procedure/practice with regard to initiating, signing and implementation/follow-up on the agreements in the sphere of external relations.

III. Objectives

3. In general, an agreement to be concluded by ECO provides a basis for mutually beneficial cooperation with other Regional and International Organizations, States and Institutions through, inter alia, exchange of information, preparation, implementation and coordination of joint activities/projects/programmes in areas of common interest, and reciprocal

¹ As approved by the 20th COM (15 Oct, 2012, Baku)

²- An agreement to be concluded by ECO can take, inter-alia, such forms as Memorandum of Understanding (MoU), Partnership/Relationship Agreement and Letter of Agreement as have been used previously by the ECO with other Regional and International Organizations, States and Institutions.

representation in relevant meetings. It shall, in the main, aim at furthering following ECO objectives as identified in the 'Comprehensive Plan of Action-Enhancing ECO's External Relations'³:

- i) Enhance ECO's stature among regional and international organizations.
- ii) Secure assistance, technical and financial both, especially in the priority areas of ECO activities
- iii) Reciprocate the support and cooperation of regional peers and partners, and contribute to common goals and objectives in the region
- iv) Lend support, to the extent possible, to the economic objectives of the ECO Member States which, in turn, supplement ECO's efforts for regional integration
- v) Improve the efficiency of the ECO Secretariat by adopting the best practices in regional cooperation.

IV. Criteria

4. The following criteria must be fulfilled by the prospective partner with which ECO intends to enter into an agreement:

- i) Shall be involved in promoting socio-economic development.
- ii) Have potential and willingness to make result-oriented and meaningful contributions towards realization of ECO's mandate/common ideals in conformity with the principles of the Treaty of Izmir.

V. Procedure

i) Preparation of a Comprehensive Proposal/Background Paper

5. When ECO intends to enter into an agreement with any Regional or International Organization, State or Institution, as a first step, the Secretariat shall prepare a Comprehensive Proposal/Background Paper containing inter-alia, the following information, for consideration of the Member States:

³- The Comprehensive Plan of Action was approved by the 151st meeting of the Council of Permanent Representatives (CPR) held on 4 August, 2009 at the Secretariat.

- i) Name of the Organization/State/Institution,
- ii) Address of the Headquarters,
- iii) Charter/Statute* ,
- iv) Brief background history, Overview of activities/key Objectives,
- v) Membership and Organizational structure* ,
- vi) Brief overview of cooperative relations of the prospective partner under question with other Regional/International organizations including ECO, States and Institutions, if any,
- vii) Potential benefits for ECO along with possible area (s) of cooperation.
- viii) Expected Outline of Plan of Action/Work Programme to be implemented by ECO in collaboration with the prospective partner.

6. In order for the Secretariat to prepare such a Comprehensive Proposal/Background Paper, the Secretary-General is authorized, if required, to undertake preliminary consultations with the prospective partner. In preparation of a Comprehensive Proposal, the Secretariat will ensure proper coordination and consultation within the Secretariat.

ii) Consent of the Member States

7. Once the Comprehensive Proposal has been prepared by the Secretariat and endorsed by the Secretary-General, it shall be circulated to the Member States for their comments as well as to seek authorization of the Council of Permanent Representatives (CPR) to enter into negotiations with the partner identified in the proposal in order to work out a draft agreement for mutually beneficial cooperation.

iii) Negotiations on draft Agreement

8. Upon approval of the CPR, the Secretary-General may authorize the Deputy- Secretary-General (DSG) in-charge of international relations to initiate negotiations with the prospective partner under question to work out draft text of agreement.

* Only in case of Organization and/or Institution

9. Any agreement to be entered into by ECO must be drawn up in conformity with the relevant provisions of the Izmir Treaty, principles of cooperation of ECO, relevant directives/decisions of the ECO Summit and Council of Ministers (COM) as well as with the relevant provisions of ECO's Basic documents (Rules of Procedures and Financial Regulations).

iv) Approval by the CPR

10. Once the negotiations on draft agreement have been successfully concluded, the draft text shall be circulated to the Member States for their views and subsequently submitted to the CPR for approval. To the extent possible, efforts shall be made by the Secretary-General to circulate the draft text to the Member States not later than 2 months before the issue is placed on the agenda of the CPR Meeting for final decision.

v) Signing of Agreement

11. Any agreement with other Regional and International Organizations, States and Institution shall be signed by the Secretary General. However, in the event that the Secretary General is unable to sign an agreement personally, he may delegate this responsibility to the DSG in-charge of international relations or another DSG under intimation and proper justification to the Member States.

vi) Safekeeping, Registration, Reporting and Certification

12. Following the signing of an agreement, appropriate arrangements shall be made by the Secretariat for safekeeping of the original version. Certified copies of the signed text will also be circulated to the Member States, for appropriate follow up.
13. The Secretariat would prepare and update, on regular basis, a list of Agreements to which ECO has become a party, to be submitted to the COM and RPC Meetings as part of Secretariat's Annual Reports. In addition, arrangements would also be made to make public, text of such Agreements as appropriate.

14. The Secretariat would also make necessary arrangements to effect registration, filing and recording, or, when required, deposit agreements of ECO with the Secretariat of the United Nations, as required under Article 102 of the Charter of the United Nations and Articles 4(2) and 10 of the General Assembly's regulations.
15. The Legal Adviser of the Secretariat will provide certified copies of ECO Agreements under approval of the Secretary General, as and when required.

VII. Follow-up

16. Subsequent to signing an agreement, the Secretary-General shall make necessary arrangements for its effective implementation. To this end, appropriate measures shall be taken including the following:

i) Designations of Focal Points

17. In order to ensure regular and efficient follow-up, focal points will be designated in the Secretariat, preferably at the time of signing of an Agreement. The Secretary-General may also issue necessary instructions to relevant focal points/staff to prepare reports on progress of implementation of agreements on regular basis.

ii) Plan of Action/Work Programme

18. Based on the 'Expected Outline' referred to in Para 5 (viii) of the present Modalities, the Secretariat shall finalize a Plan of Action/Work Programme in consultation with the concerned partner and in keeping with the framework of agreement, preferably within three months of signing of the agreement. Thereafter, the Plan of Action/Work Programme shall be submitted to the CPR for approval.
19. Subsequent to signing of an Agreement, if required, the CPR would be requested to allocate necessary funds out of the ECO Feasibility and General Purposes Fund for implementation of activities envisaged in the Plan of Action/Work Programme, as appropriate. The extent of such an allocation would be determined by the CPR on case by case basis. In this connection, the Member States may also wish to make voluntary contributions to facilitate implementation of activities in the Work

Programme. Further, the Secretariat would also explore possibilities of obtaining financial assistance from relevant regional/international Organizations and/or donor agencies for this purpose.

iii) Annual Consultative Mechanism

20. Where deemed useful, the Secretary General may put in place an Annual Consultative Mechanism with the partner to keep under review progress on implementation of Agreement. The details of such a consultative mechanism may be spelled out in final agreement or agreed upon through exchange of letters subsequent to signing the agreement.

iv) Annual Evaluation

21. A comprehensive status Report on implementation of agreements along with recommendations to speed-up their implementation shall be prepared by the Secretariat on annual basis in line with the recommendation of the Comprehensive Plan of Action for enhancing external relations. The status report shall be circulated to the Member States and subsequently submitted to the CPR/RPC meetings.

VIII. Implementation of Modalities

22. These Modalities would enter into force upon approval by the COM.
23. The Secretary-General may issue necessary instructions to the staff in order to ensure effective implementation of these Modalities. The DSG in-charge of international relations will devise a mechanism to ensure proper internal coordination/consultation during all stages envisaged in the present Modalities and report progress to the Secretary General on regular basis.
24. The follow up actions envisaged in the preceding Paras, where applicable, will also be followed in the case of agreements already signed by ECO.

IX. Amendments

25. The present Modalities may be amended by the COM on recommendation of the CPR.