

## **The 3<sup>rd</sup> ECO Ministerial Meeting on Transport and Communications**

### **Terms of Reference (TOR) of the ECO Permanent Commission on Transport & Communications**

*( Islamabad , 27-28 April, 2000 )*

*Annex-VI*

#### **Introduction**

After the expansion of its membership in 1992 the Economic Cooperation Organization (ECO) has felt the need to promote a modern road and railway network in the region providing the landlocked ECO countries with access to world markets.

The First Meeting of ECO Ministers of Transport held in Almaty on 25-27 October, 1993 adopted the Almaty Outline Plan for the Development of Transport Sector in the ECO Region covering the issues of interconnection of roads and railways, organization of international transportations and formulation of its regulatory framework.

The establishment of a modern transport and communications infrastructure in the ECO Region and the expedition of this process was the main agenda item of the Extraordinary ECO Summit Meeting held in Ashgabat on 13-14 May, 1997. It was agreed at that Summit to set up an ECO Permanent Commission on Transport and Communications which would monitor and facilitate the implementation of the projects reflected in the Ashgabat Declaration.

The Second ECO Ministerial Meeting on Transport and Communications (Ashgabat, 14 March, 1998) adopted the Programme of Action for ECO Decade of Transport and Communications (1998-2007) for the implementation of the provisions of the Ashgabat Declaration of 1997.

#### **Article 1**

##### **General Provisions**

The ECO Permanent Commission on Transport and Communications (hereinafter referred to as the «Permanent Commission») shall be set up in accordance with para 16 of the «Ashgabat Declaration on the Development of Transport and Communications Infrastructure and Transnational Pipelines Network in the ECO Region» dated 14 May 1997 within the ECO framework.

#### **Article 2**

##### **Composition**

1. The Permanent Commission shall represent the Ministries of Transport and Communications and/or other governmental bodies responsible for development of transport and communications in the ECO Member States.
2. The Permanent Commission shall be composed of the representatives of the relevant Ministries or the senior officials appointed by their Governments, responsible

for the development of transport and communications infrastructure. Each Member State shall have one representative in the Permanent Commission.

3. The Permanent Commission shall be headed by a Chairman nominated gratis by the Member Country hosting the annual meeting of the Commission with a Deputy Chairman from the Member Country next on the list for hosting the annual meeting of the Commission on rotational basis. The host country will appoint an Acting Chairman to preside over the meeting if the Chairman is not in a position to perform his functions or is no longer member of the Commission.

4. The Chairman of the Commission shall not attend the meetings as the representative of the government of his country. His authority to represent his country shall be delegated to some other member of his delegation.

### **Article 3**

#### **Functions**

1. The Permanent Commission will be responsible for implementation of the provisions of the Almaty Outline Plan for Development of Transport Sector in the ECO Region adopted in October 1993, the «Ashgabat Declaration for the Development of Transport and Communications Infrastructure and Transnational Pipelines Network in the ECO Region» dated 14 May 1996, Almaty Declaration, dated 11 May 1998, and other documents approved by ECO Council of Ministers in order to facilitate the cooperation in the field of transport and communications.

2. The main objectives of the Permanent Commission shall be as follows:
- a) Formulation and follow-up of the agreed measures for the expeditious development and monitoring of the physical infrastructure of transport and communications in the ECO region;
  - b) Technical advisory assistance to the Member States in expediting the construction of missing links and reconstruction of the existing roads and railways of the region by determining the required amount of funds and identifying investment needs as well as possible investors for each project;
  - c) Assistance to the Member States in designing, constructing, maintaining and operating the ECO roads and railways network within their national territories;
  - d) Monitoring of the implementation of projects/provisions of the Programme of Action for ECO Decade of Transport and Communications (1998-2007),(Chapter III);
  - e) Any other function entrusted to it by the ECO Ministerial Meeting on Transport and Communications and/or the ECO Council of Ministers.

3. The Permanent Commission may establish its own special task groups to carry out work on specific technical matters, etc.

4. Cooperation within the framework of activities of the Permanent Commission shall be based on the sovereign equality of the ECO Member States and without prejudice to bilateral and multilateral obligations.

#### **Article 4**

#### **Legal Status**

1. Activities of the Permanent Commission shall be undertaken within the framework of ECO Basic Documents.

2. The members of the Permanent Commission shall have the legal status with immunities and privileges as a body of the ECO in accordance with the conditions set forth in the Agreement on the Legal Status of the ECO, National Representatives and International Staff.

#### **Article 5**

#### **Permanent Commission Secretariat**

1. The Directorate of Transport and Communications of the ECO Secretariat will act as the Secretariat of the Permanent Commission.

2. The Secretariat shall:

- a) arrange the preparation and convening of the meetings of the Permanent Commission and ensure the timely circulation of the working documents, sending notifications about the dates and venues to the Member States;
- b) prepare draft agendas of the meetings of the Permanent Commission in consultation with the Members of the Permanent Commission, compile necessary annotational material for each agenda item and prepare working papers for each regular or extraordinary meeting of the Permanent Commission;
- c) inform the relevant ministries or any other governmental bodies responsible for the development of transport and communications infrastructure in the Member States about the decisions of the Permanent Commission and its activities;
- d) have contacts with other international and regional organizations on the issues related to the activities of the Permanent Commission within the overall framework of ECO's external relations.
- e) to carry out such other functions/duties as may be assigned to it by the Commission.

3. If needed, the Member States may second experts in the field of designing construction and maintenance of roads and railways, development of ports and terminals, etc., to assist the Secretariat of the Permanent Commission in discharge of its duties.

#### **Article 6**

#### **Meetings of the Commission**

1. The Permanent Commission shall meet at least once every year or as often as required. The Member States may host the meetings of the Permanent Commission on voluntary basis.
2. The regular meetings of the Permanent Commission shall be held according to its own decisions and on the dates provided in the ECO Calendar of Events to be endorsed by the ECO Council of Ministers.
3. The meetings of the Permanent Commission may be attended, apart from the authorized representatives, by their advisors and experts as well as representatives of the ECO Secretariat.
4. The quorum for the meetings of the Permanent Commission shall be simple majority of the total membership.

## **Article 7**

### **Agenda**

1. The draft agenda with annotations for the meetings of the Permanent Commission shall be prepared by the Secretariat keeping in view the proposals of the members of the Permanent Commission and will be circulated ten weeks in advance of the meetings.
2. The Member States shall convey their comments/amendments, if any, to the proposed agenda within four weeks.
3. A final draft agenda with annotations and/or working papers, if possible shall be circulated four weeks in advance of the meeting.
4. Any Member State may propose the inclusion of any new item before the adoption of the final agenda in the meeting.

## **Article 8**

### **Decision-making Mechanism**

1. Decisions in the framework of the Permanent Commission shall be taken by simple majority of its total membership provided that remaining members choose to abstain and/or are not against the decision in question.
2. Each Member State present and voting shall have one vote.
3. Decisions taken by the Permanent Commission on the issues within its jurisdiction shall be recommendatory unless they were approved by the higher ECO decision-making bodies as provided in the ECO Rules of Procedure.

4. A report containing decisions of the Permanent Commission shall be prepared and adopted at the end of each meeting of the Permanent Commission and circulated among the Member States.

5. Each regular meeting of the Permanent Commission shall hear the report on the implementation of the decisions of the previous meeting. The report shall be submitted by the Chairman who held this office during the preceding year.

### **Article 9 Reporting**

The Permanent Commission shall report on its work to the ECO Ministerial Meeting on Transport and Communications and ECO Council of Ministers through the ECO Secretariat.

### **Article 10 Amendments**

1. The Terms of Reference (TOR) of the Permanent Commission shall be endorsed by the Ministerial Meeting on Transport and Communications of the ECO Member States and approved by the ECO Council of Ministers.

2. Any amendment to the TOR shall be made by the Council of Ministers on a proposal made by the Ministerial Meeting on Transport and Communications.