



ACS/2013/TRANS.22/INF.008  
Original Language: English  
Last Update: 23<sup>rd</sup> September, 2013

**ASSOCIATION OF CARIBBEAN STATES**

XXII MEETING OF THE SPECIAL COMMITTEE ON TRANSPORT

Port-of-Spain, Trinidad and Tobago, October 25, 2013

**Ministerial Agreement 13/10**

## ASSOCIATION OF CARIBBEAN STATES

### PREPARATORY MEETING AND 15TH ORDINARY MEETING OF THE MINISTERIAL COUNCIL

Cartagena, Republic of Colombia, January 20-22, 2010

#### REAFFIRMATION OF NORMS AND PROCEDURES OF THE ASSOCIATION OF CARIBBEAN STATES

##### Agreement No. 13/10

##### The Ministerial Council

*Taking into account* the nature of the Association of Caribbean States as an organisation for consultation, cooperation and concerted action, whose purpose is to identify and promote the implementation of policies and programmes<sup>1</sup>,

*Taking further into account* that Members of the Association of Caribbean States have the right to participate in discussions and to vote at meetings of the Ministerial Council and Special Committees of the Association<sup>2</sup>,

*Mindful* of its Agreement No. 9/95 approved at its First Ordinary Meeting held in Guatemala City, Republic of Guatemala, on 1<sup>st</sup> December 1995, whereby the Council adopted its own Rules of Procedure,

*Also Mindful* of its Agreement No. 7/95, approved at its First Ordinary Meeting held in Guatemala City, Republic of Guatemala, on 1<sup>st</sup> December 1995, whereby the Council adopted the Terms of Reference of the Special Committees of the Association of Caribbean States<sup>3</sup>,

*Stressing the importance* of Agreement 10/2007 on the Procedures for the Proposal and Adoption of Activities, Projects and Programmes, approved at its Twelfth Ordinary Meeting held in Guatemala City, Republic of Guatemala on 26<sup>th</sup> January 2007,

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<sup>1</sup> ACS Convention, Art III, Par. 1

<sup>2</sup> ACS Convention, Art. IV, Par.1

<sup>3</sup> Terms of Reference of the Special Committees Art. 5, 6, 7, 8, 11

***Bearing in mind*** the Operating Statute and Rules of Procedure of the Caribbean Sea Commission, approved by the Ministerial Council

***Recognising*** the tradition of consensus-building, transparency and ownership of all ACS activities on the part of Members as a practice to be maintained and encouraged,

***Conscious*** of the need to strengthen the Association of Caribbean States amidst the serious global financial crisis which is affecting all Members,

***Pursuant*** to its attributions under the ACS Convention<sup>4</sup> and the aforementioned instruments,

1. **Agrees** that all meetings under the aegis of The Association of Caribbean States or any assembly which uses or displays the name and symbols of the Association or represents the commitment of any of the Association's human, financial or other resources fall under the provisions of Agreement 10/07 on the Procedures for the Proposal and Adoption of Activities, Projects and Programmes.
2. **Agrees** that as of the date of the adoption of this Ministerial Agreement, the following rules will apply to the convening of any Meetings under the aegis of The Association of Caribbean States or any assembly which uses or displays the name and symbols of the Association or represents the commitment of any of the Association's human, financial or other resources.
3. **Agrees** to the provision Annexed hereto:

#### **Annex**

- i. Members shall strive to be represented at the appropriate level at all Meetings of the Ministerial Council, including the Intersessional Preparatory Meeting of the Ministerial Council and the Executive Board.
- ii. Members shall strive to ensure their representation at the appropriate level and with the required expertise as relevant to the work of each Special Committee, the ACS Special Fund, the Caribbean Sea Commission and any other subsidiary bodies of the Ministerial Council.
- iii. Except in exceptional circumstances to be determined by the respective Chairs, Meetings of the Council, the Special Committees, the ACS Special

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<sup>4</sup> ACS Convention, Art. VIII, Par. 1 ; Art. IX, Lit. a), f), g) ; Art. XIV, Par. 7; Art. XV, Par. a), e)

Fund, the Caribbean Sea Commission and any other subsidiary bodies of the Ministerial Council will be convened a maximum of twice per calendar year, with one meeting per calendar year being the norm.

- iv. Except in exceptional circumstances to be determined by the respective Chairs, Meetings of the Ministerial Council (including the Intersessional Preparatory Meeting and the Meeting of the Executive Board), Special Committees, the ACS Special Fund, the Caribbean Sea Commission and any other subsidiary bodies of the Ministerial Council will be held at ACS Headquarters, the country that holds the relevant Chair or any Member which volunteers to host, at a previous meeting.
- v. In order to ensure the smooth functioning of the Association towards the achievement of agreed goals, programmes, projects and activities, in matters of an urgent nature the Secretariat may pursue the epistolary channels for consultation amongst all Members.
- vi. The deadline for responses from Members regarding point **v** supra shall not exceed 10 working days. In such instances a non-objection rule will apply.
- vii. With the exception of the yearly Inter-secretariat Meeting and instances referred to in point **viii** of these Rules, no ACS meeting nor any assembly which uses or displays the name and symbols of the Association or represents the commitment of any of the Association's human, financial or other resources shall be convened by the Secretariat without the express and clear consent of the Chair of the Ministerial Council, regardless of source of funding.
- viii. With respect to point **vii**, supra, for meetings within the purview of the Special Committees, the ACS Special Fund, the Caribbean Sea Commission and any other subsidiary bodies of the Ministerial Council, the express and clear consent of the respective Chair shall suffice.
- ix. With respect to points **vii** and **viii** supra, no non-objection mechanism shall be contemplated nor inferred.
- x. Except in exceptional circumstances to be determined by the Council or the respective Chair, no Meeting of the Special Committees, the ACS Special Fund, the Caribbean Sea Commission and any other subsidiary bodies of the Ministerial Council as well as any assembly which uses or displays the name and symbols of the Association or represents the commitment of any of the Association's human, financial or other resources will be convened within two months (60 calendar days) before the date agreed upon by the Chair of each body.

- xi.** Without prejudice to point **x** *supra*, the Secretariat may convene meetings of the established Technical or Expert Groups of the Special Committees or the Subsidiary Bodies of the Caribbean Sea Commission to fulfill specific mandates from said Committees for the advancement of programmes, projects and activities approved in accordance with Ministerial Agreement 10/07.
- xii.** Confirmation by at least 10 Members and at least 1 Member from each ACS sub-group, 10 calendar days before the date of each meeting will be required before the Secretary General (in the case of Ministerial Council Meetings and Meetings of the Special Committee on Budget and Administration) or relevant Unit Director of the Secretariat (in the case of the Special Committees) automatically proceed to postpone the meeting after informing the respective Chair.
- xiii.** At Meetings of the Special Committee on Budget and Administration and meetings of the Council of National Representatives of the Special Fund, the Secretariat will be represented by the Secretary General in his capacity as Chief Administrative Officer of the Association of Caribbean States, as established in the ACS Convention<sup>5</sup> and Staff Manual<sup>6</sup>.
- xiv.** At Meetings of the Special Committees other than those specified in point **xii** *supra*, the Secretariat will be represented by the respective Director, elected in accordance with the ACS Convention<sup>7</sup> and pursuant to the ACS Staff Manual<sup>8</sup>.
- xv.** Except in exceptional circumstances to be determined by the respective Chair, the Secretariat will transmit through electronic means the Draft Agenda, as approved by the Chair, within one month (30 calendar days) of the date of each meeting.
- xvi.** A period of 15 calendar days after receipt of the Draft Agenda is established for receipt by the Secretariat of comments, clarifications and proposed amendments to the Draft Agenda on the part of Members.
- xvii.** Except in exceptional circumstances to be determined by the respective Chair the Secretariat will transmit all other meeting documents which require action on the part of the Ministerial Council, the Special Committees, the ACS Special Fund and any other subsidiary bodies of the Ministerial Council, as

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<sup>5</sup> Art XIV, Para.1

<sup>6</sup> Ch. 4, Para 4.1

<sup>7</sup> Art. IX, Sub-para e)

<sup>8</sup> Ch. 4, Para. 4.2

well as any assembly which uses or displays the name and symbols of the Association or represents the commitment of any of the Association's human, financial or other resources within 15 calendar days of each meeting.

- xviii.** Except in exceptional circumstances to be determined by the respective Chair in agreement with the Rapporteur, the Secretariat shall submit the first Draft of any Rapporteur's Report within seven working days after the closing of each meeting.
- xix.** The Rapporteur of each meeting shall provide a second Draft of the Report to the Secretariat within 10 working days of each meeting.
- xx.** The Secretariat shall circulate the second Draft of the report and await comments from participants no longer than 5 working days before transmitting a Final Report to the ACS Membership.