

Protocol
to the Memorandum between the Governments of the Member States of the
Shanghai Cooperation Organization on Fundamental Goals and Directions of
Regional Economic Cooperation and Launch of the Process of Creating
Favourable Conditions for Trade and Investment dated September 14, 2001

- The Government of the Republic of Kazakhstan,
 - The Government of the People's Republic of China,
 - The Government of the Kyrgyz Republic,
 - The Government of the Russian Federation,
 - The Government of the Republic of Tajikistan,
 - And the Government of the Republic of Uzbekistan
- (hereinafter referred to as “the Parties”),

Pursuant to Paragraph 9 of the Declaration on the Establishment of the Shanghai Cooperation Organization of June 15, 2001 and Article 4 of the Memorandum between the Governments of the Member States of the Shanghai Cooperation Organization on Fundamental Goals and Directions of Regional Economic Cooperation and Launch of the Process of Creating Favourable Conditions for Trade and Investment dated September 14, 2001 (hereinafter referred to as “the Memorandum”),

Aiming to achieve the fundamental goals of the regional economic cooperation between the Member States of the Shanghai Cooperation Organization (hereinafter referred to as “the SCO”) and create more favourable conditions for trade and investments,

Guided by the principles of equality, mutual benefit and mutual understanding,

Having decided to establish the mechanism of meetings of the ministers of the Member States of the SCO responsible for foreign economic and foreign trade activities,

Have agreed as follows:

Article 1

The ministers of the Member States of the Shanghai Cooperation Organization in charge of foreign economic and foreign trade activities (hereinafter referred to as “the ministers”) shall hold meetings to achieve the goals set forth in the Memorandum by taking decisions within their competence or submitting recommendations to the governments of the Member States of the SCO.

Article 2

Regular meetings of ministers shall be held in the Member States of the SCO alternately, at least once every year.

Extraordinary meetings of ministers shall be convened by the decision of the heads of the Member States of the SCO and the heads of the governments of the Member States of the SCO, as well as on the proposal by one of the Member State agreed to by all Member States of the SCO.

Proposals with justification for the extraordinary meeting of ministers, drafts of agenda and relevant documents shall be forwarded to the ministers in a written form at least 15 days prior to the date of the proposed meeting.

The time and venue of extraordinary meetings of ministers shall be determined in consultation with all Member States.

The minister of the host country shall chair the meeting of ministers.

The chairperson shall open the meeting, submit the agenda and rules of procedure for approval, report the outcomes of the work of the Commission of Senior Officials (hereinafter referred to as “the Commission”) and special working groups, give the floor for making speeches and reports, submit for approval draft documents and recommendations on matters under review, and announce the decisions taken by the meeting (joint statements, communiqué, declarations, memorandum of understanding, programs, etc.).

Article 3

As part of the mechanism of the meeting of ministers the following shall be set up:

- Commission of Senior Officials;
- Special working groups.

Article 4

The Commission shall consist of the heads of structural units within ministries and agencies of the Member States of the SCO in charge of foreign economic and foreign trade activities.

The Commission shall negotiate the agenda and program of meetings, arrange, directly or through special working groups, drafting of documents for the signing and approval at the meetings of ministers.

The Commission shall monitor the implementation of the decisions adopted by the meeting of ministers, prepare recommendations regarding special working groups, and also control their work.

The Commission shall report the results of its work to the meetings of ministers.

Relevant experts shall be involved in the work of the Commission as appropriate.

The Commission shall meet as required, but at least twice every year.

Time, venue, agenda of the meetings shall be agreed as a rule 30 days prior to the meeting. Additional issues shall be included in the agenda with the consent of all participants.

A senior official of the host country shall chair the meeting of the Commission.

Article 5

Special working groups shall be established by the decisions of the ministers to analyze, consult and prepare proposals on specific issues of cooperation. Special working groups shall report the results of their work to the Commission.

Special working groups shall submit draft final documents for the Commission's review (draft agreements, analysis results, recommendations regarding the implementation of specific cooperation projects).

The composition, purposes, tasks and scope of work of every working group shall be approved by the decision of the ministers.

Special working groups shall be abolished by the decision of the ministers with due account of the recommendations of the Commission.

Article 6

Decisions at the meetings of ministers, of the Commission and Special working groups shall be deemed adopted in the absence of objections (consensus).

The meetings of ministers shall be legitimate if attended by the ministers of all Member States of the SCO. Should a minister be unable to attend the meeting for a good reason, he (she) shall authorize one of his (her) deputies to be present at this meeting.

The procedure for the entry into force of the final documents adopted at the meetings of ministers shall be specified in these documents.

Article 7

The lists of the delegations of Member States shall be forwarded to the organizers at least 10 days before the meeting or session.

Article 8

Expense related to the meetings of Ministers, Commission and Special working groups shall be covered by the host party.

Each sending party shall bear all costs associated with its participation in the meetings of ministers and sessions by itself.

Article 9

The official and working languages of the meetings and sessions shall be Russian and Chinese.

Article 10

Any change and amendment and to this Protocol, settlements of disputes concerning its implementation and/or interpretation shall comply with the procedure set forth in Article 6 of the Memorandum.

Article 11

This Protocol shall enter into force on the date of its signing.

DONE at Shanghai, on the twenty eighth day of May, two thousand and two, in a single original, in Chinese and Russian languages, both texts being equally authentic.

The Government of the People's Republic of China shall act as the Depositary that will forward a certified copy of the Protocol to other Parties.

Signatures