



**CONFERENCE ON INTERACTION AND
CONFIDENCE BUILDING MEASURES IN ASIA**

**СОВЕЩАНИЕ ПО ВЗАИМОДЕЙСТВИЮ И
МЕРАМ ДОВЕРИЯ В АЗИИ**

Signed at the CICA Summit

Almaty, 17 June 2006

**STATUTE
of the Secretariat of the Conference on Interaction
and Confidence Building Measures in Asia**

Member-States of the Conference on Interaction and Confidence Building Measures in Asia, hereinafter referred to as “the Member-States” and “the CICA” respectively,

Aiming at the implementation of the provisions of the Almaty Act of June 4, 2002 regarding establishment of the CICA Secretariat, hereinafter referred to as “the Secretariat”, as well as at defining its functions, structure and principles of financing,

Have agreed as follows:

**Article 1
General Provisions**

1. The Secretariat is hereby established. The Secretariat shall be a permanent body, which shall exercise its functions in accordance with the principles and purposes laid down in the Almaty Act of June 4, 2002 and the provisions of the CICA Rules of Procedure of October 22, 2004 and the present Statute and Financial Rules of the CICA Secretariat, which shall constitute an integral part of the present Statute.

2. The Secretariat shall have its seat in Almaty, the Republic of Kazakhstan, hereinafter referred to as “the Host Country”.

3. English and Russian shall be working languages of the Secretariat.

Article 2

Functions of the Secretariat

The Secretariat, within the scope of its competence, shall:

a) Provide administrative, organizational and technical support for meetings and other activities mentioned in the Almaty Act of June 4, 2002 and the CICA Rules of Procedure of October 22, 2004;

b) Establish and maintain an archive of the CICA documents;

c) Act as a clearing house for the documents and information provided by the Member-States and received from international organizations and fora, ensure their circulation, as defined by the CICA Catalogue of Confidence Building Measures of October 22, 2004 and other documents adopted within the CICA framework;

d) Disseminate general information on the CICA;

e) Also receive and disseminate information on the implementation of Confidence Building Measures among Member-States on the basis of information provided by them subject to their mutual consent;

f) Perform other tasks and duties assigned by the CICA Heads of State or Government and the Ministers of Foreign Affairs; perform such other tasks as may be assigned by the CICA Senior Officials Committee, hereinafter referred to as "the SOC", in accordance with the CICA Rules of Procedure, the present Statute and the Financial Rules of the CICA Secretariat.

Article 3

Personnel of the Secretariat

1. The Secretariat shall have the following personnel:

a) Executive Director, who shall be the Chief Executive Officer of the Secretariat;

b) Deputy Executive Director;

c) Professional personnel seconded by the Member-States to the Secretariat;

d) General/support personnel, hired on a contractual basis from among the nationals of the Host country and nationals of the Member-States to perform the administrative, technical and service functions of the Secretariat.

2. The Executive Director shall be appointed by the CICA Ministers of Foreign Affairs for a four-year term by consensus, upon the recommendation of the Member-State chairing the CICA, from its nationals, and shall perform his/her duties during the whole term of the chairmanship of the concerned Member-State.

3. The CICA Ministers of Foreign Affairs shall appoint the Deputy Executive Director for a three-year term by consensus upon the recommendation of the SOC. The SOC shall consult the Executive Director before making the recommendation.

4. The Deputy Executive Director shall perform functions of the Executive Director in case of his/her temporary absence/illness, or pending appointment of the new Executive Director.

5. The Executive Director, Deputy Executive Director and Professional personnel shall be appointed on the basis of the highest standards of efficiency, competence and integrity and taking into account equal opportunity requirements, widest possible representation of the Member-States and upon consent of the Member-States.

6. The Executive Director and Deputy Executive Director shall be nationals of different Member-States.

7. The Executive Director, with the approval of the SOC, shall appoint Members of the Professional personnel of the Secretariat, criteria for which would be worked out by the Member-States through consensus.

8. If Member of the Professional personnel of the Secretariat is not able to perform his/her duties, upon the application of the Sending State, a new Member of the Professional personnel of the Secretariat shall be appointed to the unexpired term of office.

9. Terms of employment of the members of the general/support personnel of the Secretariat shall be governed by legislation of the Host Country if otherwise is not envisaged by the present Statute or staffing regulations adopted by the CICA. In employing general/support Personnel in the Secretariat equal opportunities shall be afforded to the nationals of all the Member States without any discrimination on grounds of sex, race, religion and nationality.

10. The functions of the Executive Director are as follows:

a) Be responsible for the activities of the Secretariat, and to be fully accountable for its financial aspects. Prepare the budget of the Secretariat and submit it for approval of the SOC, taking into account the available financial resources of the Secretariat;

b) Report annually to the SOC on the activities of the Secretariat;

c) Propose to the SOC a Staffing Matrix of the Secretariat, including title, job description, terms of office and duties allocation scheme;

d) Assign responsibilities among the Members of the Personnel of the Secretariat;

e) Issue administrative decrees and internal instructions, sign contracts and agreements, on behalf of the Secretariat, required for its functioning;

f) May request the support of the Member-States for providing Professional personnel to assist in the work of the CICA Secretariat. For this purpose prior notification shall be sent to the Member-States;

g) Represent the Secretariat in its relationship with the authorities of the Host Country;

h) Initiate and establish contacts with secretariats or appropriate bodies and institutions of international organizations and fora, subject to the approval of the Member-States;

i) Attend events of international organizations and fora in order to inform on the CICA activities with prior notification to the Member-States and subject to their approval.

Article 4

Financial Rules and Regulations

1. Financial aspects of the Secretariat shall be defined in “Financial Rules of the CICA Secretariat” which are annexed and shall constitute an integral part of the Statute.

2. Upon the decision of the SOC and on the basis of the “Financial Rules of the CICA Secretariat”, detailed financial regulations governing financial aspects of different activities of the Secretariat shall be prepared and submitted for the approval of the SOC.

Article 5

Legal Capacity, Privileges and Immunities

1. The Member-States vest the Secretariat with the right to conclude a Host Country Agreement with the Government of the Republic of Kazakhstan regarding terms and conditions of the Secretariat’s location in the territory of the Republic of Kazakhstan, the draft of which has to be approved by the Ministers of Foreign Affairs of the Member-States.

2. Privileges and immunities of the Secretariat and Members of its Personnel on the territories of the Member-States shall be determined by a separate agreement to be concluded by the Member-States.

Article 6

Final Provisions

1. The present Statute shall be applied provisionally for those State Parties whose constitutional systems permit such an application from the date of its signing and shall enter into force definitively on the thirtieth day after 2/3 of the Signatory Member-States have notified the Depository on the completion of their respective constitutional formalities required for the entry into force of the present Statute.

2. The Depository of the present Statute is the Ministry of Foreign Affairs of the Republic of Kazakhstan. The Depository shall notify all the Member-States about the date of entry into force of the present Statute.

3. By consensus of the Member-States, the present Statute shall be open, as provided in Article 9 of the CICA Rules of Procedure, for accession to other States of the region which share the CICA objectives and principles set forth in the Almaty Act of June 4, 2002, as well as pledge to fulfil the provisions of other international agreements and documents signed or adopted within the CICA framework. The Depository shall notify all the Member-States about the date of such accession.

4. For the acceding State the present Statute shall enter into force from the date of the receipt of the accession instrument by the Depository or from the date of entry into force of the present Statute in the order envisaged by paragraph 1 of the present Article, depending on which date shall be later.

5. With mutual consent the Member States may amend the present Statute in the form of separate protocol. The protocol shall enter into force in accordance with paragraph 1 of the present Article. The Depository shall notify all the Member States about the date of entry into force of the protocol.

6. Any disagreement, which may arise from the application or interpretation of present Statute, shall be settled between the Member-States by consensus.

7. Each Signatory Member-State shall, in exercising its national sovereignty, have the right to withdraw from the present Statute. It shall give notice of such withdrawal to the Depository three months in advance, which shall notify the other Member-States.

8. Twelve years after the entry into force of the present Statute, Member-States shall decide whether the Statute shall continue to be in force indefinitely, or shall be extended for an additional fixed period at a time. This decision shall be taken by a consensus of the Signatory Member-States.

In witness whereof the undersigned Plenipotentiaries, being duly authorized thereto, have signed this Statute.

Done at Almaty on this 17th day of June, 2006 in one original in English language.

The Depository shall transmit a certified copy of the present Statute to each Member-State.

**Annex
to the Statute of
the CICA**

Secretariat

**FINANCIAL RULES
of the CICA Secretariat**

**Article 1
General Provisions**

The Financial Rules of the Secretariat of the Conference on Interaction and Confidence Building Measures in Asia, hereinafter referred to as “the Secretariat” and “the CICA” respectively; are an integral part of the Statute of the CICA Secretariat, which shall define the sources of financing, order of forming and implementation of budget of the Secretariat, and regulate the basic financial aspects of Secretariat’s activities.

**Article 2
Sources of Financing for Secretariat’s Activities**

Financing for support the Secretariat’s activities shall be from the following sources:

a) Means for renting/construction of the building of the CICA Secretariat and expenditure concerning establishment of the Secretariat, shall be provided by the Host Country;

b) Means for remuneration, rent of residences/premises and accompanying expenditure, related to the maintenance of the Executive Director, Deputy Executive Director, Members of the Professional Personnel of the Secretariat, shall be provided by the Sending States;

c) Means for remuneration of the Members of the general/support personnel of the Secretariat, purchase of goods, services, assets, business trips of the Members of the Secretariat and other current expenditures, including expenditures for day-to-day functioning of the Secretariat, shall be provided from voluntary contributions.

Article 3

Budget of the Secretariat

1. Budget of the Secretariat includes all incomes and expenditure of a financial period in a monetary and/or other forms.

2. The income shall comprise of:

a) Payments to budget of the Secretariat from voluntary contributions by the Member States, volume of which shall be unlimited;

b) Voluntary contributions in a monetary and/or other forms, could also be accepted from CICA Observer-States, other States, CICA Observer-Organizations, other international organizations and fora, legal and physical persons, subject to the approval of Member-States;

c) Other income.

3. The expenditure shall comprise of:

a) Remuneration of the Members of the General/Support staff of the Secretariat;

b) Purchase of goods and services;

c) Purchase of office furniture and equipment, motor vehicles and other means necessary for the functioning of the Secretariat;

d) Business trips of the Members of the Professional Personnel of the Secretariat;

e) Other current expenditure, including expenditure for day-to-day functioning of the Secretariat.

Article 4

Estimate of Expenditure

1. The Secretariat's budget shall be implemented in accordance with the Estimate of Expenditure - the document that covers expenditures for a financial period.

2. The draft Estimate of Expenditure of a financial period shall be prepared and circulated to all Member-States by the Executive Director by the first half of the year for the approval of the Senior Officials Committee, hereinafter referred to as “the SOC”.

3. Transfer from one item to another within the limits of the approved budget might be made as may be agreed upon by the Member-States or at the next SOC meeting through consideration and approval of the new revised Estimate of Expenditure for the current financial year.

4. Balance of budgetary funds of the Secretariat, which is not utilized for its intended purpose by the end of a financial period, shall be incorporated into the income of the budget of the next financial period.

Article 5 Financial Period

The financial period shall be the calendar year from 1 January through 31 December.

Article 6 Custody of Funds

The Executive Director shall designate the banking account/accounts where the Secretariat funds shall be kept.

Article 7 Accountability

1. Executive Director shall exercise control over and be accountable to the SOC for the management of financial resources of the Secretariat.

2. Executive Director shall present the annual accounts/report for each financial period to the SOC not later than March, 31st of the year following the accounted financial period.

3. The accounts of the Secretariat shall be maintained in USD and in the national currency of the Host Country. Accounting rates of exchange shall be

fixed according to the rates of the National Bank of the Host Country on the date of preparing the financial report.

4. At the end of each financial year the cash surplus or deficit shall be determined by calculating excess of income over expenditure, or excess of expenditure over income. In case of a cash deficit of the budget of the Secretariat the Executive Director shall inform the SOC and make proposals regarding the necessary financial measures to be taken.

Article 8

Audit

1. External Audit for the financial activities of the Secretariat shall be carried out at the discretion of the SOC not less than once in every four years by a body authorized by the SOC. The Executive Director shall present documents, necessary for conducting external audit, to the body so authorized.

2. After the audit is carried out, the audit report shall be circulated by the Executive Director to all the Member-States.