

**MULTILATERAL AGREEMENT FOR THE
ESTABLISHMENT OF AN INTERNATIONAL
THINK TANK FOR LANDLOCKED
DEVELOPING COUNTRIES**



**UNITED NATIONS
2010**

PREAMBLE

The Landlocked Developing Countries (LLDCs), Parties to the present Agreement:

Referring to the outcomes of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Organizations and bodies of the United Nations system to mobilizing awareness at Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries, held in Almaty, Kazakstan, in August 2003 and to the importance of full and effective implementation of the Almaty Programme of Action;

Recalling the resolution 58/201 of the General Assembly on 23 December 2003 adopting the outcome of the International Ministerial Conference and the Almaty Programme of Action, and the resolution A/Res/64/214 of the General Assembly on the 22 December that welcomed the establishment of the think tank for the landlocked developing countries in Ulaanbaatar;

Further recalling the Resolution A/Res/64/214 of the General Assembly on 22 December 2009 that welcomed the establishment of the International Think Tank for the landlocked developing countries in Ulaanbaatar to enhance analytical capability of landlocked developing countries and to promote the exchange of experience and best practices needed to maximize their coordinated efforts for the full and effective implementation of the Almaty Programme of Action and the Millennium Development Goals. In that resolution, the General Assembly invited the Office of the High representative for Least Developed Countries, Landlocked Developing Countries and Small Island Developing States, other relevant organizations of the United Nations system, Member States, as well as relevant international and regional organizations, to assist the landlocked developing countries in implementing the activities of the international think tank;

Recalling the Ulaanbaatar Declaration adopted at the Meeting of Trade Ministers of LLDCs in August 2007, reaffirming the need for LLDCs to set up an international think tank, located at Ulaanbaatar and urging international organizations and donor countries to assist LLDC in achieving this project;

Recalling also the Final Outcome Document of the Mid-Term review of the Implementation of the Almaty Programme of Action, in New York, 3 October 2008, which welcomed the proposal to set up in Ulaanbaatar an international think tank to enhance analytical capability of landlocked developing countries in view to maximize the efficiency in implementing the Almaty Programme of Action;

Recalling, the Communiqué of the Eight Ministerial Meeting of LLDCs in New York, on the 25 September 2009, and the Ezulwini Declaration of the Third Meeting of LLDCs Trade Ministers in October 2009, which welcomed the establishment of the international think tank for the landlocked developing countries;

Recalling that the Group of Landlocked Developing Countries is composed of 31 Member States of the United Nations, that have no seacoast as defined in article 124 of the United Nations Convention on the Law of the Sea;

Referring to the Final Document of the XV Summit of Heads of State and Government of the Non Alignment Movement in Egypt in July 2009, that welcomed the Ulaanbaatar Declaration that adopted outcome documents of various meetings and conferences;

Further recognizing that lack of territorial access to the sea, aggravated by remoteness from world markets, and prohibitive transit costs and risks continue to impose serious constraints on export earnings, private capital inflow and domestic resource mobilization of landlocked developing countries and therefore adversely affect their overall growth and socio-economic development;

Recognizing also the need for LLDCs to establish a centre of excellence for analytical research and policy advice for LLDCs and contribute to strengthening analytical capacities of landlocked developing countries in key areas of economic growth and poverty reduction, in particular transit transport, aid for trade and trade facilitation, as well as provide to negotiators in LLDCs appropriate negotiation tools at World Trade Organization and other international institutions;

Stressing the need for close and effective cooperation among landlocked developing countries for the effective implementation of the Almaty Programme of Action;

Reaffirming the importance of establishing appropriate mechanisms to facilitate and promote cooperation within LLDCs and the need to expedite the operationalization and realization of the mandate of the international think tank with effective participation of all LLDCs and full support of international organizations and donor countries;

Have agreed the following:

ARTICLE I

ESTABLISHMENT AND HEADQUARTERS OF THE INTERNATIONAL THINK TANK

- 1.1. The Parties to this Agreement decide to establish the International Think Tank for Landlocked Developing Countries, hereinafter referred to as “The International Think Tank for LLDCs.”
- 1.2. The Headquarters of the Think Tank is located at Ulaanbaatar, Mongolia. The Think Tank may be authorized by the Parties to have representations elsewhere.

ARTICLE II

OBJECTIVES OF THE INTERNATIONAL THINK TANK

- 2.1. The overall goal of the International Think Tank is to use top-quality research and advocacy to improve the ability of landlocked developing countries to build capacity with a view to benefiting from the international trade including WTO negotiations, with the ultimate aim of raising human development and reducing poverty.
- 2.2. Within that framework, the International Think Tank shall pursue the following activities:
 - a) Producing and disseminating research and studies on trade-related topics, aid-for-trade, transport and transit, as well as databases on issues of interest to landlocked developing countries;

- b) Promoting cooperation between landlocked developing countries with a view to strengthening their analytical capacity in key areas of transit transport, infrastructure investment, aid and trade facilitation, trade negotiations, poverty reduction and economic growth;
- c) Sharing information, networking with a view to coming up with a better understanding of challenges facing landlocked developing countries;
- d) Contributing to the formulation of strategies and policies aimed at the effective implementation of the Almaty Programme of Action through analytical studies and research on key issues;
- e) Fostering convergent views and approaches among landlocked developing countries with respect to global economic issues of interest to landlocked developing countries, such as effects of the global economic and financial crisis, climate change and food security;
- f) Establishing continual relationships with international organizations, including the United Nations system, and development partners, with a view to mobilizing awareness of special needs of landlocked developing countries and financial and technical resources for the implementation of identified studies and research;
- g) Making available to all landlocked developing countries, development partners and other partner research institutions, publications, research results and studies for the use and benefit of landlocked developing countries.

ARTICLE III

FUNCTIONS

In order to fulfill its objectives, the Think Tank shall:

- 3.1. Set up relationships with specialized institutions in landlocked developing countries, international organizations including United Nations system organizations among others Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States, United Nations Development Programme, United Nations Conference on Trade and Development, United Nations University, World Bank, United Nations Regional Commissions, World Trade Organization, International Road Transport Union, World Customs Organization and

donor countries, research institutions in landlocked developing countries and in other countries, as well as key private sector and civil society institutions, and convene working group meetings and online discussions on identified subjects pertinent to landlocked and transit developing countries;

- 3.2. Generate ideas and action-oriented proposals for consideration by the Group of Landlocked Developing Countries at its various meetings and conferences;
- 3.3. Develop a website to promote all activities achieved by landlocked developing countries in the implementation of the Almaty Programme of Action, both at national, regional and international levels, research results by the Think Tank and other partner institutions, studies and outcomes of key meetings, conferences and summits;
- 3.4. Collect, systematize, analyze and disseminate through the website and other means relevant information concerning landlocked developing countries, as well as actions and programmes developed by international organizations and donor countries towards landlocked developing countries in the implementation of the Almaty Programme of Action.

ARTICLE IV

MEMBERSHIP AND ORGANIZATION OF WORK OF THE THINK TANK

- 4.1. Membership of the International Think Tank for Landlocked Developing Countries shall be open to all States who are Parties to this Agreement;
- 4.2. Representatives of a) any Member State of the United Nations; b) United Nations Institutions and related agencies as indicated in 3.1; c) inter-governmental and non-governmental organizations; and d) representatives from the private sector may be invited by the Board of Governors to join the Think Tank as Observers.

ARTICLE V

ORGANS

- 5.1. The Think Tank will consist of a Board of Governors and a Secretariat.

ARTICLE VI

BOARD OF GOVERNORS

- 6.1. a) The Board of Governors, hereinafter called “The Board” shall be the highest authority established by the present Agreement. It shall be composed of a representative from each Member State that is party to the present Agreement;
- b) Representatives to the Board shall be persons of high standing known for their commitment and contribution to the development of LLDCs and knowledgeable of key issues and challenges of trade policy and LLDCs;
- c) The Executive Director of the Think Tank shall serve as Secretary of the Board of Governors and in such capacity, shall keep and circulate minutes of the meetings of the Board to its Members;
- d) Observers may, at the Board discretion, be invited to attend meetings of the Board.
- 6.2. The Board may decide to set up an Advisory Council with the view to provide advices to the Board and Secretariat on issues of strategic and policy importance, including setting research and policy priorities for the Think Tank. Members of the Advisory Council shall also be called upon to provide peer review and support, including information dissemination and discussion for Think Tank’s programs and initiatives. The Advisory Council shall comprise international scholars and policy practitioners with expertise in LLDCs affairs. The members of the Advisory Council may participate time to time in meetings of the Board.
- 6.3. The Board shall, at each regular session, elect a Chairperson and the Vice-Chairperson. The Chair and Vice-Chair shall hold office until the next regular session of the Board. The Chairperson, or in his/her absence the Vice-Chairperson, shall preside at meetings of the Board. If the Chairperson is unable to serve for the full session for which he/she has been elected, the Vice-Chairperson shall act as Chairperson for the remainder of that session.
- 6.4. The members of the Board will serve for two years, with the possibility of renewal only once.
- 6.5. The Board will formulate and adopt its rules of procedures.

- 6.6. The Board shall review and approve all aspects of the Think Tank's activities including its budget, its programme of work and fund raising activities. The Executive Director shall submit an annual report to the Board for its review and approval.
- 6.7. The Board shall meet once every year in ordinary session. Extraordinary meetings may be called upon by its Chairperson.

ARTICLE VII

THE SECRETARIAT

- 7.1. The Secretariat of the Think Tank, headed by the Executive Director, shall consist of a small team comprising of: Director of Operations, a Chief Analyst, researchers and analysts, and an Administrative and Finance Assistant. Its small size shall be kept to the minimum number necessary for the proper execution of the Think Tank's activities.
- 7.2. The Executive Director shall be responsible for assisting the Board, its Chairperson and Vice-Chairperson in the performance of their official functions.
- 7.3. The Secretariat shall, under the Executive Director's supervision, perform the following functions:
 - a) Preparation and implementation of the annual programme of work;
 - b) Preparation of the budget;
 - c) Preparation and review of the staff regulations and rules and financial regulations and rules, as well as any other administrative issuances that are needed for the effective functioning of the Think Tank;
 - d) Preparation and development of fund-raising plans and outreach communication programmes; and
 - e) Establishment of networks with international organizations, LLDCs experts, members of the academia as well as representatives of civil society and the private sector for purpose of facilitating the Think Tank's activities.

ARTICLE VIII

FINANCE

- 8.1. The Chairperson of the Board, with the assistance of the Executive Director, is responsible for mobilizing financial and technical resources meant at implementing International Think Tank for Landlocked Developing Countries' programmes and activities.
- 8.2. Member States will be requested to make voluntary contributions to the Think Tank's budget. The Think Tank will also be entrusted with the mandate to mobilize funds from international organizations and other development partners, including private organizations, in particular for funding of development programmes, such as research activities, economic studies, seminars and conferences.
- 8.3. The Board and the Executive Director shall mobilize appropriate resources meant at financing key activities of the Think Tank. Those resources will be deposited in a Trust Fund. The management of the Trust Fund will be agreed upon by the members of the Board.
- 8.4. The financial situation and perspectives of the Think Tank will be reviewed by an independent audit and submitted to the Board of Governors at one of its meetings.

ARTICLE IX

PRIVILEGES AND IMMUNITIES OF THE THINK TANK

- 9.1. The Think Tank shall have an international status and enjoy privileges and immunities usually granted to similar international organizations working in Mongolia. In that context, the Think Tank shall conclude an agreement with the host country relating to its status, the privileges and immunities accorded to the International Think Tank and its staff.

ARTICLE X

SIGNATURE, RATIFICATION, ACCEPTANCE, APPROVAL

- 10.1. The present Agreement shall be open to signature by Landlocked Developing Countries at the United Nations Headquarters in New York from 1 November 2010 until 31 October 2011.

- 10.2. The present Agreement shall be subject to ratification, acceptance or approval by signatory States.
- 10.3. Instruments of ratification, acceptance or approval shall be deposited with the depositary.

ARTICLE XI

ACCESSION

- 11.1. The present Agreement shall be subject to accession by any Landlocked Developing Country which has not signed this Agreement. The instruments of accession shall be deposited with the depositary.

ARTICLE XII

ENTRY INTO FORCE

- 12.1. The present Agreement shall enter into force on the sixtieth day after the date of deposit of the tenth instrument of ratification, acceptance, approval or accession.
- 12.2. For each State which ratifies, accepts or approves this Agreement or accedes thereto after the deposit of the tenth instrument of ratification, acceptance, approval or accession, this Agreement shall enter into force on the sixtieth day after the date of deposit by such State of its instrument of ratification, acceptance, approval or accession.

ARTICLE XIII

AMENDMENTS

- 13.1. This Agreement may be modified by written agreement between the Parties. Any State Party may propose an amendment to the present Agreement. The Executive-Director shall communicate any proposed amendment to States Parties. Any amendment shall be adopted by a majority of two-thirds of the States Parties. The text of any adopted amendment shall be submitted to the depositary who shall communicate it to States Parties.

- 13.2. An amendment adopted in accordance with paragraph 1 of this article shall enter into force on the sixtieth day after the instruments of acceptance are deposited by all States Parties. Instruments of acceptance of the amendments shall be deposited with the depositary. A State that becomes Party after the entry into force of the amendment shall be bound by the Agreement as amended.

ARTICLE XIV

DISPUTE SETTLEMENT

- 14.1. Any dispute between the Parties concerning the interpretation or application of this Agreement shall be settled by negotiations or other agreed mode of settlement.

ARTICLE XV

DEPOSITORY

- 15.1. The Secretary-General of the United Nations shall be the depositary of the present Agreement.

IN WITNESS WHEREOF, the undersigned representatives, duly authorized by their respective Governments, have signed this Agreement.

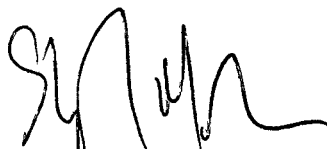
Done in New York, on 24 September of 2010 in a single copy in English.

I hereby certify that the foregoing text is a true copy of the Multilateral Agreement on the International Think Tank for Landlocked Developing Countries, done in New York on 24 September 2010 in a single copy in English, the original of which is deposited with the Secretary-General of the United Nations.

Je certifie que le texte qui précède est une copie conforme de l'Accord multilatéral portant création d'un groupe de réflexion international sur les pays en développement sans littoral, fait à New York le 24 septembre 2010 en un seul exemplaire en anglais, dont l'original se trouve déposé auprès du Secrétaire général des Nations Unies.

For the Assistant Secretary-General,
in charge of the Office of
Legal Affairs

Pour le Sous-Secrétaire général,
chargé du Bureau des
affaires juridiques



Stephen Mathias