

AGREEMENT
CONCERNING THE ESTABLISHMENT OF THE INTERNATIONAL VISEGRAD FUND

The Government of the Czech Republic, the Government of the Republic of Hungary, the Government of the Republic of Poland and the Government of the Slovak Republic (hereinafter referred to as the Contracting Parties) guided by the provisions of the Visegrad Joint Statement signed on May 14, 1999 in Bratislava, hereby agree as follows:

Article 1

The International Visegrad Fund (hereinafter referred to as the Fund) with its seat in Bratislava is hereby established.

Article 2

The Statute of the Fund is hereby adopted and shall constitute an annex hereto.

Article 3

This Agreement shall be adopted pursuant to the relevant national legislation of the States of each Contracting Party and shall enter into force as of the day on which the last instrument certifying adoption hereof is deposited with the Government of the Slovak Republic, acting as the Depositary.

Article 4

This Agreement shall apply provisionally from the date of its signing until the date of its entry into force in accordance with relevant national legislation of the States of the Contracting Parties.

Article 5

The Government of the Slovak Republic, acting as the Depositary, shall notify all Contracting Parties of the deposit of all instruments certifying adoption, the entry into force hereof, as well as of any other facts connected with this Agreement.

Article 6

The withdrawal of any Contracting Party from the Fund or the dissolution of the Fund in accordance with the Fund Statute shall constitute the withdrawal of that Party from this Agreement or termination of this Agreement in its relations with all other Contracting Parties.

Done at Štířín on the ninth day of June in the year two thousand in a single original in the English language to be deposited with the Government of the Slovak Republic.

The Depositary shall provide all Contracting Parties with certified copies hereof.

For the Government of the Czech Republic: **Miloš Zeman**

For the Government of the Republic of Hungary: **Viktor Orbán**

For the Government of the Republic of Poland: **Jerzy Buzek**

For the Government of the Slovak Republic: **Mikuláš Dzurinda**

STATUTE OF THE INTERNATIONAL VISEGRAD FUND

CHAPTER ONE PURPOSE AND OBJECTIVES

Article 1

The purpose of the Fund shall be to promote:

- the development of closer cooperation between the Contracting Parties;
- the strengthening of ties between the States of the Contracting Parties;
- common presentation of the States of the Contracting Parties in third countries.

Article 2

The objectives of the Fund shall be pursued through financial support of activities, in particular in the following areas:

- promotion and development of cultural cooperation;
- promotion and development of scientific exchanges, research and cooperation in the field of education between the Contracting Parties;
- promotion and development of exchanges between young people;
- promotion and development of cross-border cooperation;
- promotion and development of tourism of the Contracting Parties.

Cooperation between the Contracting Parties in these fields regulated under other international treaties shall not be affected.

Article 3

The Fund can support projects originating in countries other than the Contracting Parties, provided that they shall have at least two (2) co-organizing partners from the Contracting Parties and that the topic of the projects shall be related to the Visegrad Group region.

CHAPTER TWO SEAT AND MEMBERSHIP

Article 4

The Contracting Parties to the present Agreement shall be the founding Members of the Fund. The seat of the Fund shall be in Bratislava, Slovak Republic.

CHAPTER THREE ORGANISATIONAL STRUCTURE

Article 5

The governing bodies of the Fund shall be:
the Conference of Ministers of Foreign Affairs;
the Council of Ambassadors.

The executive body of the Fund shall be the Executive Director. The Executive Director shall have his/her Deputy Executive Director.

The administrative body of the Fund shall be the Secretariat.

**CHAPTER FOUR
CONFERENCE OF MINISTERS
OF FOREIGN AFFAIRS**

Article 6

The Conference of Ministers of Foreign Affairs shall be the supreme body of the Fund.

Article 7

The Conference of Ministers of Foreign Affairs shall be composed of the Ministers of Foreign Affairs of the Contracting Parties or their duly authorised representatives.

Article 8

The Conference of Ministers of Foreign Affairs shall designate from among its members its President, with the Presidency rotating in the English alphabetical order of the names of the States of the Contracting Parties.

Article 9

The term of office of the President of the Conference of Ministers of Foreign Affairs shall be one year and not renewable.

Article 10

The Conference of Ministers of Foreign Affairs shall determine the amounts of annual contributions and their due dates for each Contracting Party.

Article 11

The Conference of Ministers of Foreign Affairs shall approve the annual and long term plans regarding activities of the Fund.

Article 12

The Conference of Ministers of Foreign Affairs shall approve budget of the Fund, annual statements and clearance of budget presented by the Council of Ambassadors.

Article 13

The Conference of Ministers of Foreign Affairs shall approve the Rules of Procedure of the Secretariat and may decide on amendments thereto.

Article 14

The Conference of Ministers of Foreign Affairs shall adopt resolutions unanimously.

Article 15

The Conference of Ministers of Foreign Affairs shall meet at least once a year in order to estimate the implementation of the tasks set forth in the present Statute. The President of the Conference of Ministers of Foreign Affairs shall schedule the place and date of its session.

CHAPTER FIVE COUNCIL OF AMBASSADORS

Article 16

The Council of Ambassadors shall consist of:

- ambassadors of the Contracting Parties accredited to the Head of the State whose plenipotentiary currently holds the post of President of the Conference of Ministers of Foreign Affairs, or of chargé d'affaires a.i;
- and the plenipotentiary of the Contracting Party whose representative holds the post of President of the Conference of Ministers of Foreign Affairs.

Article 17

Sessions of the Council of Ambassadors shall be chaired by the plenipotentiary of the Contracting Party whose representative holds the post of President of the Conference of Ministers of Foreign Affairs.

Article 18

The Council of Ambassadors shall prepare programmes of activities of the Fund and reports on their implementation in the preceding year and submit them for approval to the Conference of Ministers of Foreign Affairs.

Article 19

The Council of Ambassadors shall prepare draft budgets of the Fund and reports on their utilisation in the preceding year and submit them for approval to the Conference of Ministers of Foreign Affairs.

Article 20

The Council of Ambassadors shall lay down binding guidelines for the activities of the Executive Director and rules governing the preparation, acceptance and implementation of projects submitted to the Fund, taking into account the rules regulating the rights and duties of the Executive Director set forth by the Conference of Ministers of Foreign Affairs.

Article 21

The Council of Ambassadors shall draft programmes and documents for sessions of the Conference of Ministers of Foreign Affairs.

Article 22

The Council of Ambassadors shall adopt resolutions unanimously.

Article 23

The Council of Ambassadors shall meet at least once every six months and in between these periods whenever it shall deem it appropriate for the implementation of the objectives defined in Chapter One. The Chairperson of the Council of Ambassadors shall schedule the place and date of its session.

Article 24

The Council of Ambassadors shall adopt its Rules of Procedure, which shall be subject to approval by the Conference of Ministers of Foreign Affairs.

Article 25

The Council of Ambassadors may propose to the Conference of Ministers of Foreign Affairs amendments to the Rules of Procedure of the Secretariat, to be approved in pursuant to Article 13.

CHAPTER SIX EXECUTIVE DIRECTOR, DEPUTY EXECUTIVE DIRECTOR AND THE SECRETARIAT

Article 26

1. The Executive Director shall be responsible for the implementation of the objectives of the Fund and its smooth performance.

The Executive director shall be empowered to make representations on behalf of the Fund. On behalf of the Fund the Executive Director shall be empowered by the Conference of Ministers of Foreign Affairs to sign The Agreement between the Slovak Republic and the International Visegrad Fund.

2. The Executive Director shall head the Secretariat.

3. The Deputy Executive Director shall perform the duties specified in the Rules governing rights and duties of the Executive Director and the Deputy Executive Director.

Article 27

Each Contracting Party of the Present Agreement has the right to nominate its own candidate for the position of the Executive Director and the Deputy Executive Director. The Executive Director and the Deputy Executive Director shall be appointed by the Conference of Ministers of Foreign Affairs. The term of the office of the Executive Director and the Deputy Executive Director shall be three years and may be renewed for one additional term.

Article 28

The Conference of Ministers of Foreign Affairs shall lay down rules regulating the rights and duties of the Executive Director and the Deputy Executive Director, the manner in which they are to be performed as well as the terms of office of the Executive Director and the Deputy Executive Director.

Article 29

The Executive Director shall participate in sessions of the Council of Ambassadors in an advisory capacity.

Article 30

The Executive Director shall be responsible for the functioning of the Secretariat and, in conformity with the legislation of the State in the territory of which the Fund has its seat, shall determine the terms and conditions of employment for the staff of the Secretariat pursuant to the rules adopted by the Conference of Ministers of Foreign Affairs.

Article 31

The Executive Director shall regularly inform the Chairperson of the Council of Ambassadors on the manner in which the programme of activities of the Fund is implemented, prepare annual statements and clearance of the budget of the Fund.

Article 32

The Secretariat shall be responsible for services provided during sessions of the Council of Ambassadors and services provided in connection with the sessions of the Conference of Ministers of Foreign Affairs as well as other services related to the functioning of the Fund.

Article 33

The responsibilities of the Executive Director shall be of an exclusively international character. In the performance of his duties the Executive Director shall follow the rules defined by the Conference of Ministers of Foreign Affairs and shall not receive instructions from the third parties.

Article 34

The official language of the Fund shall be the English.

CHAPTER SEVEN LEGAL STATUS OF THE FUND

Article 35

The Fund has full legal personality necessary for the fulfilment of the aims associated with its activities.

CHAPTER EIGHT FINANCES

Article 36

Activities of the Fund shall be financed from contributions made by the Contracting Parties and financial contributions from other resources approved by the Council of Ambassadors.

Article 37

Each Contracting Party shall undertake to provide an annual contribution to the Fund by the due date specified by the Conference of Ministers of Foreign Affairs. The first annual contribution to the Fund shall be one million euro to be paid by the Contracting Parties in equal shares. The amount of further annual contribution shall be determined by the Conference of Ministers of Foreign Affairs.

Article 38

The rules governing the use of the financial means of the Fund shall be determined by the Conference of Ministers of Foreign Affairs.

Article 39

The Fund shall open its bank account in the State providing the seat of the Fund. Financial means of the Fund shall be kept in this bank account. The funds shall be administered by the Executive

Director.

CHAPTER NINE TERMINATION OF MEMBERSHIP

Article 40

Each Contracting Party may at any time withdraw from the Fund by giving an instrument of denouncement to the Depository Government. Its membership shall be terminated twelve months following the receipt of such instrument by the Depository Government.

Article 41

When a Contracting Party withdraws from the Fund, a final settlement shall be made between such Contracting Party and the Fund on the basis of mutual agreement at the earliest session of the Conference of Ministers of Foreign Affairs.

CHAPTER TEN DISSOLUTION OF THE FUND

Article 42

The Fund may be dissolved exclusively by an unanimous decision of the Conference of Ministers of Foreign Affairs, subject to a prior consent of the Contracting Parties.

Article 43

Following a decision under Article 42 of the present Statute, the Executive Director shall forthwith terminate any and all activities except for activities related to the due collection and liquidation of assets and payment of liabilities.

Article 44

Within the disbursement of assets, the liabilities of the Fund shall have priority over the refund of the contributions.