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Charter South Asian Association for Regional Cooperation (SAARC)

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CHARTER
of the
South Asian Association
for
Regional Cooperation

Charter of the South Asian Association for Regional Cooperation

We, the Heads of State or Government of BANGLADESH, BHUTAN, INDIA, MALDIVES, NEPAL, PAKISTAN and SRI LANKA;

1. Desirous of promoting peace, stability, amity and progress in the region through strict adherence to the principles of the UNITED NATIONS CHARTER and NON-ALIGNMENT, particularly respect for the principles of sovereign equality, territorial integrity, national independence, non-use of force and non-interference in the internal affairs of other States and peaceful settlement of all disputes;
2. Conscious that in an increasingly interdependent world, the objectives of peace, freedom, social justice and economic prosperity are best achieved in the SOUTH ASIAN region by fostering mutual understanding, good neighbourly relations and meaningful cooperation among the Member States which are bound by ties of history and culture;
3. Aware of the common problems, interests and aspirations of the peoples of SOUTH ASIA and the need for joint action and enhanced cooperation within their respective political and economic systems and cultural traditions;
4. Convinced that regional cooperation among the countries of SOUTH ASIA is mutually beneficial, desirable and necessary for promoting the welfare and improving the quality of life of the peoples of the region;
5. Convinced further that economic, social and technical cooperation among the countries of SOUTH ASIA would contribute significantly to national and collective self-reliance;
6. Recognising that increased cooperation, contacts and exchanges among the countries of the region will contribute to the promotion of friendship and understanding among their peoples;
7. Recalling the DECLARATION signed by their Foreign Ministers in NEW DELHI on August 2, 1983 and noting the progress achieved in regional cooperation;
8. Reaffirming their determination to promote such cooperation within an institutional framework;

DO HEREBY AGREE to establish an organisation to be known as SOUTH ASIAN ASSOCIATION FOR REGIONAL COOPERATION hereinafter referred to as the ASSOCIATION, with the following objectives, principles, institutional and financial arrangements:

Article I

OBJECTIVES

The objectives of the ASSOCIATION shall be:

- a) to promote the welfare of the peoples of SOUTH ASIA and to improve their quality of life;
- b) to accelerate economic growth, social progress and cultural development in the region and to provide all individuals the opportunity to live in dignity and to realise their full potentials;
- c) to promote and strengthen collective self-reliance among the countries of SOUTH ASIA;
- d) to contribute to mutual trust, understanding and appreciation of one another's problems;
- e) to promote active collaboration and mutual assistance in the economic, social, cultural, technical and

- scientific fields;
- f) to strengthen cooperation with other developing countries;
 - g) to strengthen cooperation among themselves in international forums on matters of common interests; and
 - h) to cooperate with international and regional organisations with similar aims and purposes.

Article II

PRINCIPLES

Cooperation within the framework of the ASSOCIATION shall be based on respect for the principles of sovereign equality, territorial integrity, political independence, non-interference in the internal affairs of other States and mutual benefit.

- 2. Such cooperation shall not be a substitute for bilateral and multilateral cooperation but shall complement them.
- 3. Such cooperation shall not be inconsistent with bilateral and multilateral obligations.

Article III

MEETINGS OF THE HEADS OF STATE OR GOVERNMENT

The Heads of State or Government shall meet once a year or more often as and when considered necessary by the Member States.

Article IV

COUNCIL OF MINISTERS

A Council of Ministers consisting of the Foreign Ministers of the Member States shall be established with the following functions:

- a) formulation of the policies of the ASSOCIATION;
 - b) review of the progress of cooperation under the ASSOCIATION;
 - c) decision on new areas of cooperation;
 - d) establishment of additional mechanism under the ASSOCIATION as deemed necessary;
 - e) decision on other matters of general interest to the ASSOCIATION.
- 2. The Council of Ministers shall meet twice a year. Extraordinary session of the Council may be held by agreement among the Member States.

Article V

STANDING COMMITTEE

The Standing Committee comprising the Foreign Secretaries shall have the following functions:

- a) overall monitoring and coordination of programme of cooperation;

- b) approval of projects and programmes, and the modalities of their financing;
 - c) determination of inter-sectoral priorities;
 - d) mobilisation of regional and external resources;
 - e) identification of new areas of cooperation based on appropriate studies.
2. The Standing Committee shall meet as often as deemed necessary.
 3. The Standing Committee shall submit periodic reports to the Council of Ministers and make reference to it as and when necessary for decisions on policy matters.

Article VI

TECHNICAL COMMITTEES

Technical Committees comprising representatives of Member States shall be responsible for the implementation, coordination and monitoring of the programmes in their respective areas of cooperation.

2. They shall have the following terms of reference:
 - a) determination of the potential and the scope of regional cooperation in agreed areas;
 - b) formulation of programmes and preparation of projects;
 - c) determination of financial implications of sectoral programmes;
 - d) formulation of recommendations regarding apportionment of costs;
 - e) implementation and coordination of sectoral programmes;
 - f) monitoring of progress in implementation.
3. The Technical Committees shall submit periodic reports to the Standing Committee.
4. The Chairmanship of the Technical Committees shall normally rotate among Member States in alphabetical order every two years.
5. The Technical Committees may, *inter-alia*, use the following mechanisms and modalities, if and when considered necessary:
 - a) meetings of heads of national technical agencies;
 - b) meetings of experts in specific fields;
 - c) contact amongst recognised centres of excellence in the region.

Article VII

ACTION COMMITTEES

The Standing Committee may set up Action Committees comprising Member States concerned with implementation of projects involving more than two but not all Member States.

Article VIII

SECRETARIAT

There shall be a Secretariat of the ASSOCIATION.

Article IX

FINANCIAL ARRANGEMENTS

The contribution of each Member State towards financing of the activities of the ASSOCIATION shall be voluntary.

2. Each Technical Committee shall make recommendations for the apportionment of costs of implementing the programmes proposed by it.
3. In case sufficient financial resources cannot be mobilised within the region for funding activities of the ASSOCIATION, external financing from appropriate sources may be mobilised with the approval of or by the Standing Committee.

Article X

GENERAL PROVISIONS

Decisions at all levels shall be taken on the basis of unanimity.

2. Bilateral and contentious issues shall be excluded from the deliberations.

IN FAITH WHEREOF We Have Set Our Hands And Seals Hereunto.

DONE In DHAKA, BANGLADESH, On This The Eighth Day Of December Of The Year One Thousand Nine Hundred Eighty Five.

Hussain Muhammad Ershad
PRESIDENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

PRESIDENT OF THE
REPUBLIC OF MALDIVES

Jigme Singye Wangchuck
KING OF BHUTAN

Birendra Bir Bikram Shah Dev
KING OF NEPAL

Rajiv Gandhi
PRIME MINISTER OF THE REPUBLIC OF INDIA
Maumoon Abdul Gayoom

Muhammad Zia-ul-Haq
PRESIDENT OF THE ISLAMIC REPUBLIC OF PAKISTAN

Junius Richard Jayewardene
PRESIDENT OF DEMOCRATIC SOCIALIST
REPUBLIC OF SRI LANKA

Provisional Rules of Procedure

Provisional Rules of Procedure

The Rules shall apply to the meetings of the Council of Ministers, the Standing Committee, the Programming Committee, the Technical Committees or any other *ad hoc* SAARC bodies that may be set up by the Heads of State or Government, or the Council of Ministers, or the Standing Committee.

COMPOSITION OF DELEGATION

Rule 1

1. Each State participating in the Meeting shall be represented by a Head of Delegation and other representatives of the State, as may be required.
2. The names of the representatives shall be submitted to the host country and the Secretary-General as early as possible, preferably not less than one week before the date fixed for the opening of the Meeting.

APPOINTMENT OF OFFICERS OF THE MEETING

Rule 2

The Meeting may appoint the following officers from among the representatives of the states participating in it: a Chairperson, a Vice-Chairperson and other officers for sub-committees, working groups, drafting groups.

ACTING CHAIRPERSON

Rule 3

1. If the Chairperson finds it necessary to be absent from a meeting or any part thereof, he/she shall designate the Vice-Chairperson to take his/her place.
2. The Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.

PARTICIPATION BY THE SECRETARY-GENERAL

Rule 4

The Secretary-General, or, in his/her absence, an officer of the Secretariat who shall be designated by the Secretary-General, shall act in that capacity at the Meeting.

STATEMENT BY THE SECRETARIAT

Rule 5

The Secretary-General, or any officer of the Secretariat designated by the Secretary-General for the purpose, may, subject to Rule 10, make statements concerning any questions under consideration.

CONCLUSIONS OF THE MEETING

Rule 6

The Meeting shall adopt a report at the conclusion of its session.

CONDUCT OF BUSINESS

Rule 7*

The Chairperson may declare a meeting open and permit the debate to proceed only when the representatives of at least five Member States are present. The presence of all the Member States shall be required for any decision to be taken.

GENERAL POWERS OF THE CHAIRPERSON

Rule 8

1. The chairperson shall preside over the Meeting. He/she shall declare the opening and the closing of each sitting, direct the discussions, ensure observance of the Rules of Procedure, accord the right to speak and announce decisions. He/she shall rule on points of order. The Chairperson, subject to these Rules, shall have complete control of the proceedings and over the maintenance of order thereat.

2. The Chairperson in the exercise of his/her functions remains under the authority of the Meeting.

POINTS OF ORDER

Rule 9

During the discussions on any matter, a representative may at any time raise a point of order, which shall be immediately decided by the Chairperson in accordance with these Rules.

SPEECHES

Rule 10

1. No one may address the Meeting without having previously obtained the permission of the Chairperson. Subject to Rule 9, the Chairperson shall call upon speakers from member countries in the order in which they signify their desire to speak.

2. Debate shall be confined to the question before the Meeting and the Chairperson may call the speaker to order if his/her remarks are not relevant to the subject under discussion.

3. The Meeting may limit the time allowed to speakers and the number of times participants may speak on a question.

BASIC PROPOSALS

Rule 11

All draft proposals or reports submitted to the Meeting following its last session shall constitute the basic proposals for consideration by the Meeting.

SUBMISSION OF OTHER PROPOSALS AND SUBSTANTIVE AMENDMENTS

Rule 12

Other proposals and substantive amendments shall normally be introduced in writing and handed over to the Chairperson of the Meeting for circulation to delegates in the language of the Meeting. As a general rule, no proposal shall be discussed unless copies of it have been circulated to all delegations. The Chairperson may, however, permit discussion and consideration of amendments even though these have not been circulated in advance, if the Meeting so decides.

DECISION MAKING

* This Rule shall not apply to bodies established with a membership less than the total membership of SAARC

Rule 13

The Meeting shall adopt its decisions and make recommendations on the basis of unanimity.

LANGUAGE OF THE MEETING

Rule 14

1. English shall be the language of the Meeting.
2. A representative may deliver his/her statement(s) in his/her national language if he/she provides for interpretation into English.

RECORD OF MEETING

Rule 15

Sound recordings of the meetings of the plenary may be kept.

PUBLIC AND CLOSED MEETINGS

Rule 16

1. All the meetings under SAARC shall be closed meetings.
2. If it is decided to have inaugural and closing ceremonies of some of the meetings, these shall be held in public.

STATUS AND PARTICIPATION OF INVITEES

Rule 17

1. Representatives of the international organizations of the United Nations System or those international organizations outside the System with which SAARC has reached an agreement for cooperation shall be admitted as invitees to inaugural and closing ceremonies.
2. They may also be invited to be present during discussions on proposals or projects involving collaboration with their organizations.
