CHARTER OF THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS

PREAMBLE

WE, THE PEOPLES of the Member States of the Association of Southeast Asian Nations (ASEAN), as represented by the Heads of State or Government of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam:

NOTING with satisfaction the significant achievements and expansion of ASEAN since its establishment in Bangkok through the promulgation of The ASEAN Declaration;

RECALLING the decisions to establish an ASEAN Charter in the Vientiane Action Programme, the Kuala Lumpur Declaration on the Establishment of the ASEAN Charter and the Cebu Declaration on the Blueprint of the ASEAN Charter;

MINDFUL of the existence of mutual interests and interdependence among the peoples and Member States of ASEAN which are bound by geography, common objectives and shared destiny;

INSPIRED by and united under One Vision, One Identity and One Caring and Sharing Community;

UNITED by a common desire and collective will to live in a region of lasting peace, security and stability, sustained

economic growth, shared prosperity and social progress, and to promote our vital interests, ideals and aspirations;

RESPECTING the fundamental importance of amity and cooperation, and the principles of sovereignty, equality, territorial integrity, non-interference, consensus and unity in diversity;

ADHERING to the principles of democracy, the rule of law and good governance, respect for and protection of human rights and fundamental freedoms;

RESOLVED to ensure sustainable development for the benefit of present and future generations and to place the well-being, livelihood and welfare of the peoples at the centre of the ASEAN community building process;

CONVINCED of the need to strengthen existing bonds of regional solidarity to realise an ASEAN Community that is politically cohesive, economically integrated and socially responsible in order to effectively respond to current and future challenges and opportunities;

COMMITTED to intensifying community building through enhanced regional cooperation and integration, in particular by establishing an ASEAN Community comprising the ASEAN Security Community, the ASEAN Economic Community and the ASEAN Socio-Cultural Community, as provided for in the Bali Declaration of ASEAN Concord II;

HEREBY DECIDE to establish, through this Charter, the legal and institutional framework for ASEAN,

AND TO THIS END, the Heads of State or Government of the Member States of ASEAN, assembled in Singapore on the historic occasion of the 40th anniversary of the founding of ASEAN, have agreed to this Charter.

CHAPTER I
PURPOSES AND PRINCIPLES

ARTICLE 1
PURPOSES

The Purposes of ASEAN are:

1. To maintain and enhance peace, security and stability and further strengthen peace-oriented values in the region;

2. To enhance regional resilience by promoting greater political, security, economic and socio-cultural cooperation;

3. To preserve Southeast Asia as a Nuclear Weapon-Free Zone and free of all other weapons of mass destruction;

4. To ensure that the peoples and Member States of ASEAN live in peace with the world at large in a just, democratic and harmonious environment;

5. To create a single market and production base which is stable, prosperous, highly competitive and economically integrated with effective facilitation for trade and investment in which there is free flow of goods, services and investment; facilitated movement of business persons, professionals, talents and labour; and freer flow of capital;

6. To alleviate poverty and narrow the development gap within ASEAN through mutual assistance and cooperation;

7. To strengthen democracy, enhance good governance and the rule of law, and to promote and protect human rights and fundamental freedoms, with due regard to the rights and responsibilities of the Member States of ASEAN;

8. To respond effectively, in accordance with the principle of comprehensive security, to all forms of threats, transnational crimes and transboundary challenges;

9. To promote sustainable development so as to ensure the protection of the region's environment, the sustainability of its natural resources, the preservation of its cultural heritage and the high quality of life of its peoples;

10. To develop human resources through closer cooperation in education and life-long learning, and in science and technology, for the empowerment of the peoples of ASEAN and for the strengthening of the ASEAN Community;

11. To enhance the well-being and livelihood of the peoples of ASEAN by providing them with equitable access to opportunities for human development, social welfare and justice;

12. To strengthen cooperation in building a safe, secure and drug-free environment for the peoples of ASEAN;

13. To promote a people-oriented ASEAN in which all sectors of society are encouraged to participate in, and benefit from, the process of ASEAN integration and community building;

14. To promote an ASEAN identity through the fostering of greater awareness of the diverse culture and heritage of the region; and

15. To maintain the centrality and proactive role of ASEAN as the primary driving force in its relations and cooperation with its external partners in a regional architecture that is open, transparent and inclusive.

ARTICLE 2
PRINCIPLES

1. In pursuit of the Purposes stated in Article 1, ASEAN and its Member States reaffirm and adhere to the fundamental principles contained in the declarations, agreements, conventions, concords, treaties and other instruments of ASEAN.

2. ASEAN and its Member States shall act in accordance with the following Principles:

(a) respect for the independence, sovereignty, equality, territorial integrity and national identity of all ASEAN Member States;

(b) shared commitment and collective responsibility in enhancing regional peace, security and prosperity;

(c) renunciation of aggression and of the threat or use of force or other actions in any manner inconsistent with international law;

(d) reliance on peaceful settlement of disputes;

(e) non-interference in the internal affairs of ASEAN Member States;

(f) respect for the right of every Member State to lead its national existence free from external interference, subversion and coercion;

(g) enhanced consultations on matters seriously affecting the common interest of ASEAN;

(h) adherence to the rule of law, good governance, the principles of democracy and constitutional government;

(i) respect for fundamental freedoms, the promotion and protection of human rights, and the promotion of social justice;

(j) upholding the United Nations Charter and international law, including international humanitarian law, subscribed to by ASEAN Member States;

(k) abstention from participation in any policy or activity, including the use of its territory, pursued by any ASEAN Member State or non-ASEAN State or any non-State actor, which threatens the sovereignty, territorial integrity or political and economic stability of ASEAN Member States;

(l) respect for the different cultures, languages and religions of the peoples of ASEAN, while emphasising their common values in the spirit of unity in diversity;

(m) the centrality of ASEAN in external political, economic, social and cultural relations while remaining actively engaged, outward-looking, inclusive and non-discriminatory; and

(n) adherence to multilateral trade rules and ASEAN's rules-based regimes for effective implementation of economic commitments and progressive reduction towards elimination of all barriers to regional economic integration, in a market-driven economy.

CHAPTER II
LEGAL PERSONALITY

ARTICLE 3
LEGAL PERSONALITY OF ASEAN

ASEAN, as an inter-governmental organisation, is hereby conferred legal personality.

CHAPTER III
MEMBERSHIP

ARTICLE 4
MEMBER STATES

The Member States of ASEAN are Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam.

ARTICLE 5
RIGHTS AND OBLIGATIONS

1. Member States shall have equal rights and obligations under this Charter.

2. Member States shall take all necessary measures, including the enactment of appropriate domestic legislation, to effectively implement the provisions of this Charter and to comply with all obligations of membership.

3. In the case of a serious breach of the Charter or non-compliance, the matter shall be referred to Article 20.

ARTICLE 6
ADMISSION OF NEW MEMBERS

1. The procedure for application and admission to ASEAN shall be prescribed by the ASEAN Coordinating Council.

2. Admission shall be based on the following criteria:

(a) location in the recognised geographical region of Southeast Asia;

(b) recognition by all ASEAN Member States;

(c) agreement to be bound and to abide by the Charter; and

(d) ability and willingness to carry out the obligations of Membership.

3. Admission shall be decided by consensus by the ASEAN Summit, upon the recommendation of the ASEAN Coordinating Council.

4. An applicant State shall be admitted to ASEAN upon signing an Instrument of Accession to the Charter.

CHAPTER IV
ORGANS

ARTICLE 7
ASEAN SUMMIT

1. The ASEAN Summit shall comprise the Heads of State or Government of the Member States.

2. The ASEAN Summit shall:

   (a) be the supreme policy-making body of ASEAN;

   (b) deliberate, provide policy guidance and take decisions on key issues pertaining to the realisation of the objectives of ASEAN, important matters of interest to Member States and all issues referred to it by the ASEAN Coordinating Council, the ASEAN Community Councils and ASEAN Sectoral Ministerial Bodies;

   (c) instruct the relevant Ministers in each of the Councils concerned to hold ad hoc inter-Ministerial meetings, and address important issues concerning ASEAN that cut across the Community Councils. Rules of procedure for such meetings shall be adopted by the ASEAN Coordinating Council;

   (d) address emergency situations affecting ASEAN by taking appropriate actions;

   (e) decide on matters referred to it under Chapters VII and VIII;

(f) authorise the establishment and the dissolution of Sectoral Ministerial Bodies and other ASEAN institutions; and

(g) appoint the Secretary-General of ASEAN, with the rank and status of Minister, who will serve with the confidence and at the pleasure of the Heads of State or Government upon the recommendation of the ASEAN Foreign Ministers Meeting.

3. ASEAN Summit Meetings shall be:

(a) held twice annually, and be hosted by the Member State holding the ASEAN Chairmanship; and

(b) convened, whenever necessary, as special or ad hoc meetings to be chaired by the Member State holding the ASEAN Chairmanship, at venues to be agreed upon by ASEAN Member States.

ARTICLE 8
ASEAN COORDINATING COUNCIL

1. The ASEAN Coordinating Council shall comprise the ASEAN Foreign Ministers and meet at least twice a year.

2. The ASEAN Coordinating Council shall:

(a) prepare the meetings of the ASEAN Summit;

(b) coordinate the implementation of agreements and decisions of the ASEAN Summit;

(c) coordinate with the ASEAN Community Councils to enhance policy coherence, efficiency and cooperation among them;

(d) coordinate the reports of the ASEAN Community Councils to the ASEAN Summit;

(e) consider the annual report of the Secretary-General on the work of ASEAN;

(f) consider the report of the Secretary-General on the functions and operations of the ASEAN Secretariat and other relevant bodies;

(g) approve the appointment and termination of the Deputy Secretaries-General upon the recommendation of the Secretary-General; and

(h) undertake other tasks provided for in this Charter or such other functions as may be assigned by the ASEAN Summit.

3. The ASEAN Coordinating Council shall be supported by the relevant senior officials.

ARTICLE 9
ASEAN COMMUNITY COUNCILS

1. The ASEAN Community Councils shall comprise the ASEAN Political-Security Community Council, ASEAN Economic Community Council, and ASEAN Socio-Cultural Community Council.

2. Each ASEAN Community Council shall have under its purview the relevant ASEAN Sectoral Ministerial Bodies.

3. Each Member State shall designate its national representation for each ASEAN Community Council meeting.

4. In order to realise the objectives of each of the three pillars of the ASEAN Community, each ASEAN Community Council shall:

(a) ensure the implementation of the relevant decisions of the ASEAN Summit;

(b) coordinate the work of the different sectors under its purview, and on issues which cut across the other Community Councils; and

(c) submit reports and recommendations to the ASEAN Summit on matters under its purview.

5. Each ASEAN Community Council shall meet at least twice a year and shall be chaired by the appropriate Minister from the Member State holding the ASEAN Chairmanship.

6. Each ASEAN Community Council shall be supported by the relevant senior officials.

ARTICLE 10
ASEAN SECTORAL MINISTERIAL BODIES

1. ASEAN Sectoral Ministerial Bodies shall:

(a) function in accordance with their respective established mandates;

(b) implement the agreements and decisions of the ASEAN Summit under their respective purview;

(c) strengthen cooperation in their respective fields in support of ASEAN integration and community building; and

(d) submit reports and recommendations to their respective Community Councils.

2. Each ASEAN Sectoral Ministerial Body may have under its purview the relevant senior officials and subsidiary bodies to undertake its functions as contained in Annex 1. The Annex may be updated by the Secretary-General of ASEAN upon the recommendation of the Committee of Permanent Representatives without recourse to the provision on Amendments under this Charter.

ARTICLE 11
SECRETARY-GENERAL OF ASEAN AND ASEAN SECRETARIAT

1. The Secretary-General of ASEAN shall be appointed by the ASEAN Summit for a non-renewable term of office of five years, selected from among nationals of the ASEAN Member States based on alphabetical rotation, with due consideration to integrity, capability and professional experience, and gender equality.

2. The Secretary-General shall:

(a) carry out the duties and responsibilities of this high office in accordance with the provisions of this Charter and relevant ASEAN instruments, protocols and established practices;

(b) facilitate and monitor progress in the implementation of ASEAN agreements and decisions, and submit an annual report on the work of ASEAN to the ASEAN Summit;

(c) participate in meetings of the ASEAN Summit, the ASEAN Community Councils, the ASEAN

Coordinating Council, and ASEAN Sectoral Ministerial Bodies and other relevant ASEAN meetings;

(d) present the views of ASEAN and participate in meetings with external parties in accordance with approved policy guidelines and mandate given to the Secretary-General; and

(e) recommend the appointment and termination of the Deputy Secretaries-General to the ASEAN Coordinating Council for approval.

3. The Secretary-General shall also be the Chief Administrative Officer of ASEAN.

4. The Secretary-General shall be assisted by four Deputy Secretaries-General with the rank and status of Deputy Ministers. The Deputy Secretaries-General shall be accountable to the Secretary-General in carrying out their functions.

5. The four Deputy Secretaries-General shall be of different nationalities from the Secretary-General and shall come from four different ASEAN Member States.

6. The four Deputy Secretaries-General shall comprise:

(a) two Deputy Secretaries-General who will serve a non-renewable term of three years, selected from among nationals of the ASEAN Member States based on alphabetical rotation, with due consideration to integrity, qualifications, competence, experience and gender equality; and

(b) two Deputy Secretaries-General who will serve a term of three years, which may be renewed for another three years. These two Deputy Secretaries-General shall be openly recruited based on merit.

7. The ASEAN Secretariat shall comprise the Secretary-General and such staff as may be required.

8. The Secretary-General and the staff shall:

(a) uphold the highest standards of integrity, efficiency, and competence in the performance of their duties;

(b) not seek or receive instructions from any government or external party outside of ASEAN; and

(c) refrain from any action which might reflect on their position as ASEAN Secretariat officials responsible only to ASEAN.

9. Each ASEAN Member State undertakes to respect the exclusively ASEAN character of the responsibilities of the Secretary-General and the staff, and not to seek to influence them in the discharge of their responsibilities.

ARTICLE 12
COMMITTEE OF PERMANENT REPRESENTATIVES TO ASEAN

1. Each ASEAN Member State shall appoint a Permanent Representative to ASEAN with the rank of Ambassador based in Jakarta.

2. The Permanent Representatives collectively constitute a Committee of Permanent Representatives, which shall:

(a) support the work of the ASEAN Community Councils and ASEAN Sectoral Ministerial Bodies;

(b) coordinate with ASEAN National Secretariats and other ASEAN Sectoral Ministerial Bodies;

(c) liaise with the Secretary-General of ASEAN and the ASEAN Secretariat on all subjects relevant to its work;

(d) facilitate ASEAN cooperation with external partners; and

(e) perform such other functions as may be determined by the ASEAN Coordinating Council.

ARTICLE 13
ASEAN NATIONAL SECRETARIATS

Each ASEAN Member State shall establish an ASEAN National Secretariat which shall:

(a) serve as the national focal point;

(b) be the repository of information on all ASEAN matters at the national level;

(c) coordinate the implementation of ASEAN decisions at the national level;

(d) coordinate and support the national preparations of ASEAN meetings;

(e) promote ASEAN identity and awareness at the national level; and

(f) contribute to ASEAN community building.

ARTICLE 14
ASEAN HUMAN RIGHTS BODY

1. In conformity with the purposes and principles of the ASEAN Charter relating to the promotion and protection of human rights and fundamental freedoms, ASEAN shall establish an ASEAN human rights body.

2. This ASEAN human rights body shall operate in accordance with the terms of reference to be determined by the ASEAN Foreign Ministers Meeting.

ARTICLE 15
ASEAN FOUNDATION

1. The ASEAN Foundation shall support the Secretary-General of ASEAN and collaborate with the relevant ASEAN bodies to support ASEAN community building by promoting greater awareness of the ASEAN identity, people-to-people interaction, and close collaboration among the business sector, civil society, academia and other stakeholders in ASEAN.

2. The ASEAN Foundation shall be accountable to the Secretary-General of ASEAN, who shall submit its report to the ASEAN Summit through the ASEAN Coordinating Council.

CHAPTER V
ENTITIES ASSOCIATED WITH ASEAN

ARTICLE 16
ENTITIES ASSOCIATED WITH ASEAN

1. ASEAN may engage with entities which support the ASEAN Charter, in particular its purposes and principles. These associated entities are listed in Annex 2.

2. Rules of procedure and criteria for engagement shall be prescribed by the Committee of Permanent Representatives upon the recommendation of the Secretary-General of ASEAN.

3. Annex 2 may be updated by the Secretary-General of ASEAN upon the recommendation of the Committee of Permanent Representatives without recourse to the provision on Amendments under this Charter.

CHAPTER VI
IMMUNITIES AND PRIVILEGES

ARTICLE 17
IMMUNITIES AND PRIVILEGES OF ASEAN

1. ASEAN shall enjoy in the territories of the Member States such immunities and privileges as are necessary for the fulfilment of its purposes.

2. The immunities and privileges shall be laid down in separate agreements between ASEAN and the host Member State.

ARTICLE 18
IMMUNITIES AND PRIVILEGES OF THE SECRETARY-GENERAL OF ASEAN AND STAFF OF THE ASEAN SECRETARIAT

1. The Secretary-General of ASEAN and staff of the ASEAN Secretariat participating in official ASEAN activities or representing ASEAN in the Member States shall enjoy such immunities and privileges as are necessary for the independent exercise of their functions.

2. The immunities and privileges under this Article shall be laid down in a separate ASEAN agreement.

ARTICLE 19
IMMUNITIES AND PRIVILEGES OF THE PERMANENT REPRESENTATIVES AND OFFICIALS ON ASEAN DUTIES

1. The Permanent Representatives of the Member States to ASEAN and officials of the Member States participating in official ASEAN activities or representing ASEAN in the Member

States shall enjoy such immunities and privileges as are necessary for the exercise of their functions.

2. The immunities and privileges of the Permanent Representatives and officials on ASEAN duties shall be governed by the 1961 Vienna Convention on Diplomatic Relations or in accordance with the national law of the ASEAN Member State concerned.

CHAPTER VII
DECISION-MAKING

ARTICLE 20
CONSULTATION AND CONSENSUS

1. As a basic principle, decision-making in ASEAN shall be based on consultation and consensus.

2. Where consensus cannot be achieved, the ASEAN Summit may decide how a specific decision can be made.

3. Nothing in paragraphs 1 and 2 of this Article shall affect the modes of decision-making as contained in the relevant ASEAN legal instruments.

4. In the case of a serious breach of the Charter or non-compliance, the matter shall be referred to the ASEAN Summit for decision.

ARTICLE 21
IMPLEMENTATION AND PROCEDURE

1. Each ASEAN Community Council shall prescribe its own rules of procedure.

2. In the implementation of economic commitments, a formula for flexible participation, including the ASEAN Minus X formula, may be applied where there is a consensus to do so.

CHAPTER VIII
SETTLEMENT OF DISPUTES

ARTICLE 22
GENERAL PRINCIPLES

1. Member States shall endeavour to resolve peacefully all disputes in a timely manner through dialogue, consultation and negotiation.

2. ASEAN shall maintain and establish dispute settlement mechanisms in all fields of ASEAN cooperation.

ARTICLE 23
GOOD OFFICES, CONCILIATION AND MEDIATION

1. Member States which are parties to a dispute may at any time agree to resort to good offices, conciliation or mediation in order to resolve the dispute within an agreed time limit.

2. Parties to the dispute may request the Chairman of ASEAN or the Secretary-General of ASEAN, acting in an ex-officio capacity, to provide good offices, conciliation or mediation.

ARTICLE 24
DISPUTE SETTLEMENT MECHANISMS IN SPECIFIC INSTRUMENTS

1. Disputes relating to specific ASEAN instruments shall be settled through the mechanisms and procedures provided for in such instruments.

2. Disputes which do not concern the interpretation or application of any ASEAN instrument shall be resolved

peacefully in accordance with the Treaty of Amity and Cooperation in Southeast Asia and its rules of procedure.

3. Where not otherwise specifically provided, disputes which concern the interpretation or application of ASEAN economic agreements shall be settled in accordance with the ASEAN Protocol on Enhanced Dispute Settlement Mechanism.

ARTICLE 25
ESTABLISHMENT OF DISPUTE SETTLEMENT MECHANISMS

Where not otherwise specifically provided, appropriate dispute settlement mechanisms, including arbitration, shall be established for disputes which concern the interpretation or application of this Charter and other ASEAN instruments.

ARTICLE 26
UNRESOLVED DISPUTES

When a dispute remains unresolved, after the application of the preceding provisions of this Chapter, this dispute shall be referred to the ASEAN Summit, for its decision.

ARTICLE 27
COMPLIANCE

1. The Secretary-General of ASEAN, assisted by the ASEAN Secretariat or any other designated ASEAN body, shall monitor the compliance with the findings, recommendations or decisions resulting from an ASEAN dispute settlement mechanism, and submit a report to the ASEAN Summit.

2. Any Member State affected by non-compliance with the findings, recommendations or decisions resulting from an

ASEAN dispute settlement mechanism, may refer the matter to the ASEAN Summit for a decision.

ARTICLE 28
UNITED NATIONS CHARTER PROVISIONS AND OTHER RELEVANT INTERNATIONAL PROCEDURES

Unless otherwise provided for in this Charter, Member States have the right of recourse to the modes of peaceful settlement contained in Article 33(1) of the Charter of the United Nations or any other international legal instruments to which the disputing Member States are parties.

CHAPTER IX
BUDGET AND FINANCE

ARTICLE 29
GENERAL PRINCIPLES

1. ASEAN shall establish financial rules and procedures in accordance with international standards.

2. ASEAN shall observe sound financial management policies and practices and budgetary discipline.

3. Financial accounts shall be subject to internal and external audits.

ARTICLE 30
OPERATIONAL BUDGET AND FINANCES OF THE ASEAN SECRETARIAT

1. The ASEAN Secretariat shall be provided with the necessary financial resources to perform its functions effectively.

2. The operational budget of the ASEAN Secretariat shall be met by ASEAN Member States through equal annual contributions which shall be remitted in a timely manner.

3. The Secretary-General shall prepare the annual operational budget of the ASEAN Secretariat for approval by the ASEAN Coordinating Council upon the recommendation of the Committee of Permanent Representatives.

4. The ASEAN Secretariat shall operate in accordance with the financial rules and procedures determined by the ASEAN Coordinating Council upon the recommendation of the Committee of Permanent Representatives.

CHAPTER X
ADMINISTRATION AND PROCEDURE

ARTICLE 31
CHAIRMAN OF ASEAN

1. The Chairmanship of ASEAN shall rotate annually, based on the alphabetical order of the English names of Member States.

2. ASEAN shall have, in a calendar year, a single Chairmanship by which the Member State assuming the Chairmanship shall chair:

(a) the ASEAN Summit and related summits;

(b) the ASEAN Coordinating Council;

(c) the three ASEAN Community Councils;

(d) where appropriate, the relevant ASEAN Sectoral Ministerial Bodies and senior officials; and

(e) the Committee of Permanent Representatives.

ARTICLE 32
ROLE OF THE CHAIRMAN OF ASEAN

The Member State holding the Chairmanship of ASEAN shall:

(a) actively promote and enhance the interests and well-being of ASEAN, including efforts to build an ASEAN Community through policy initiatives, coordination, consensus and cooperation;

(b) ensure the centrality of ASEAN;

(c) ensure an effective and timely response to urgent issues or crisis situations affecting ASEAN, including providing its good offices and such other arrangements to immediately address these concerns;

(d) represent ASEAN in strengthening and promoting closer relations with external partners; and

(e) carry out such other tasks and functions as may be mandated.

ARTICLE 33
DIPLOMATIC PROTOCOL AND PRACTICES

ASEAN and its Member States shall adhere to existing diplomatic protocol and practices in the conduct of all activities relating to ASEAN. Any changes shall be approved by the ASEAN Coordinating Council upon the recommendation of the Committee of Permanent Representatives.

ARTICLE 34
WORKING LANGUAGE OF ASEAN

The working language of ASEAN shall be English.

CHAPTER XI
IDENTITY AND SYMBOLS

ARTICLE 35
ASEAN IDENTITY

ASEAN shall promote its common ASEAN identity and a sense of belonging among its peoples in order to achieve its shared destiny, goals and values.

ARTICLE 36
ASEAN MOTTO

The ASEAN motto shall be: "*One Vision, One Identity, One Community*"

ARTICLE 37
ASEAN FLAG

The ASEAN flag shall be as shown in Annex 3.

ARTICLE 38
ASEAN EMBLEM

The ASEAN emblem shall be as shown in Annex 4.

ARTICLE 39
ASEAN DAY

The eighth of August shall be observed as ASEAN Day.

ARTICLE 40
ASEAN ANTHEM

ASEAN shall have an anthem.

CHAPTER XII

EXTERNAL RELATIONS

ARTICLE 41

CONDUCT OF EXTERNAL RELATIONS

1. ASEAN shall develop friendly relations and mutually beneficial dialogue, cooperation and partnerships with countries and sub-regional, regional and international organisations and institutions.

2. The external relations of ASEAN shall adhere to the purposes and principles set forth in this Charter.

3. ASEAN shall be the primary driving force in regional arrangements that it initiates and maintain its centrality in regional cooperation and community building.

4. In the conduct of external relations of ASEAN, Member States shall, on the basis of unity and solidarity, coordinate and endeavour to develop common positions and pursue joint actions.

5. The strategic policy directions of ASEAN's external relations shall be set by the ASEAN Summit upon the recommendation of the ASEAN Foreign Ministers Meeting.

6. The ASEAN Foreign Ministers Meeting shall ensure consistency and coherence in the conduct of ASEAN's external relations.

7. ASEAN may conclude agreements with countries or sub-regional, regional and international organisations and institutions. The procedures for concluding such agreements

shall be prescribed by the ASEAN Coordinating Council in consultation with the ASEAN Community Councils.

ARTICLE 42
DIALOGUE COORDINATOR

1. Member States, acting as Country Coordinators, shall take turns to take overall responsibility in coordinating and promoting the interests of ASEAN in its relations with the relevant Dialogue Partners, regional and international organisations and institutions.

2. In relations with the external partners, the Country Coordinators shall, inter alia:

(a) represent ASEAN and enhance relations on the basis of mutual respect and equality, in conformity with ASEAN's principles;

(b) co-chair relevant meetings between ASEAN and external partners; and

(c) be supported by the relevant ASEAN Committees in Third Countries and International Organisations.

ARTICLE 43
ASEAN COMMITTEES IN THIRD COUNTRIES AND INTERNATIONAL ORGANISATIONS

1. ASEAN Committees in Third Countries may be established in non-ASEAN countries comprising heads of diplomatic missions of ASEAN Member States. Similar Committees may be established relating to international organisations. Such Committees shall promote ASEAN's interests and identity in the host countries and international organisations.

2. The ASEAN Foreign Ministers Meeting shall determine the rules of procedure of such Committees.

ARTICLE 44
STATUS OF EXTERNAL PARTIES

1. In conducting ASEAN's external relations, the ASEAN Foreign Ministers Meeting may confer on an external party the formal status of Dialogue Partner, Sectoral Dialogue Partner, Development Partner, Special Observer, Guest, or other status that may be established henceforth.

2. External parties may be invited to ASEAN meetings or cooperative activities without being conferred any formal status, in accordance with the rules of procedure.

ARTICLE 45
RELATIONS WITH THE UNITED NATIONS SYSTEM AND OTHER INTERNATIONAL ORGANISATIONS AND INSTITUTIONS

1. ASEAN may seek an appropriate status with the United Nations system as well as with other sub-regional, regional, international organisations and institutions.

2. The ASEAN Coordinating Council shall decide on the participation of ASEAN in other sub-regional, regional, international organisations and institutions.

ARTICLE 46
ACCREDITATION OF NON-ASEAN MEMBER STATES TO ASEAN

Non-ASEAN Member States and relevant inter-governmental organisations may appoint and accredit Ambassadors to ASEAN. The ASEAN Foreign Ministers Meeting shall decide on such accreditation.

CHAPTER XIII
GENERAL AND FINAL PROVISIONS

ARTICLE 47
SIGNATURE, RATIFICATION, DEPOSITORY AND ENTRY INTO FORCE

1. This Charter shall be signed by all ASEAN Member States.
2. This Charter shall be subject to ratification by all ASEAN Member States in accordance with their respective internal procedures.

3. Instruments of ratification shall be deposited with the Secretary-General of ASEAN who shall promptly notify all Member States of each deposit.

4. This Charter shall enter into force on the thirtieth day following the date of deposit of the tenth instrument of ratification with the Secretary-General of ASEAN.

ARTICLE 48
AMENDMENTS

1. Any Member State may propose amendments to the Charter.

2. Proposed amendments to the Charter shall be submitted by the ASEAN Coordinating Council by consensus to the ASEAN Summit for its decision.

3. Amendments to the Charter agreed to by consensus by the ASEAN Summit shall be ratified by all Member States in accordance with Article 47.

4. An amendment shall enter into force on the thirtieth day following the date of deposit of the last instrument of ratification with the Secretary-General of ASEAN.

ARTICLE 49
TERMS OF REFERENCE AND RULES OF PROCEDURE

Unless otherwise provided for in this Charter, the ASEAN Coordinating Council shall determine the terms of reference and rules of procedure and shall ensure their consistency.

ARTICLE 50
REVIEW

This Charter may be reviewed five years after its entry into force or as otherwise determined by the ASEAN Summit.

ARTICLE 51
INTERPRETATION OF THE CHARTER

1. Upon the request of any Member State, the interpretation of the Charter shall be undertaken by the ASEAN Secretariat in accordance with the rules of procedure determined by the ASEAN Coordinating Council.

2. Any dispute arising from the interpretation of the Charter shall be settled in accordance with the relevant provisions in Chapter VIII.

3. Headings and titles used throughout the Charter shall only be for the purpose of reference.

ARTICLE 52
LEGAL CONTINUITY

1. All treaties, conventions, agreements, concords, declarations, protocols and other ASEAN instruments which have been in effect before the entry into force of this Charter shall continue to be valid.

2. In case of inconsistency between the rights and obligations of ASEAN Member States under such instruments and this Charter, the Charter shall prevail.

ARTICLE 53
ORIGINAL TEXT

The signed original text of this Charter in English shall be deposited with the Secretary-General of ASEAN, who shall provide a certified copy to each Member State.

ARTICLE 54
REGISTRATION OF THE ASEAN CHARTER

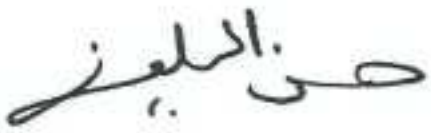
This Charter shall be registered by the Secretary-General of ASEAN with the Secretariat of the United Nations, pursuant to Article 102, paragraph 1 of the Charter of the United Nations.

ARTICLE 55
ASEAN ASSETS

The assets and funds of the Organisation shall be vested in the name of ASEAN.

Done in Singapore on the Twentieth Day of November in the Year Two Thousand and Seven, in a single original in the English language.

For Brunei Darussalam:



HAJI HASSANAL BOLKIAH
Sultan of Brunei Darussalam

For the Kingdom of Cambodia:

SAMDECH HUN SEN
Prime Minister

For the Republic of Indonesia:

DR. SUSILO BAMBANG YUDHOYONO
President

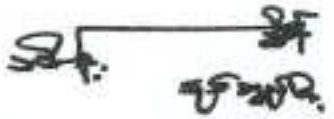
For the Lao People's Democratic Republic:

BOUASONE BOUPHAVANH
Prime Minister

For Malaysia:

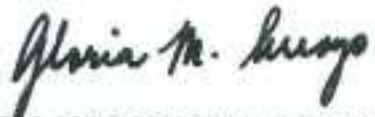
DATO' SERI ABDULLAH AHMAD BADAWI
Prime Minister

For the Union of Myanmar:



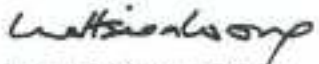
GENERAL THEIN SEIN
Prime Minister

For the Republic of the Philippines:



GLORIA MACAPAGAL-ARROYO
President

For the Republic of Singapore:



LEE HSIEN LOONG
Prime Minister

For the Kingdom of Thailand:

GENERAL SURAYUD CHULANONT (RET.)
Prime Minister

For the Socialist Republic of Viet Nam:

NGUYEN TAN DUNG
Prime Minister

ANNEX 1

ASEAN SECTORAL MINISTERIAL BODIES

I. ASEAN POLITICAL-SECURITY COMMUNITY

1. ASEAN Foreign Ministers Meeting (AMM)
   - ASEAN Senior Officials Meeting (ASEAN SOM)
     - o ASEAN Network of Regulatory Bodies on Atomic Energy (ASEANTOM)
   - Senior Officials Meeting on Development Planning (SOMDP)

2. Commission on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ Commission)
   - Executive Committee of the SEANWFZ Commission

3. ASEAN Defence Ministers Meeting (ADMM)
   - ASEAN Defence Senior Officials Meeting (ADSOM)

4. ASEAN Law Ministers Meeting (ALAWMM)
   - ASEAN Senior Law Officials Meeting (ASLOM)

5. ASEAN Ministerial Meeting on Transnational Crime (AMMTC)
   - Senior Officials Meeting on Transnational Crime (SOMTC)
   - Directors-General of Immigration Departments and Heads of Consular Affairs Divisions of Ministries of Foreign Affairs Meeting (DGICM)

6. ASEAN Ministerial Meeting on Drug Matters
   - ASEAN Senior Officials on Drug Matters (ASOD)

7. ASEAN Regional Forum (ARF)
   - ASEAN Regional Forum Senior Officials Meeting (ARF SOM)

II. ASEAN ECONOMIC COMMUNITY

1. ASEAN Economic Ministers Meeting (AEM)
   - High Level Task Force on ASEAN Economic Integration (HLTF-EI)
   - Senior Economic Officials Meeting (SEOM)
   - ASEAN Community Statistical System (ACSS) Committee

2. ASEAN Free Trade Area (AFTA) Council

3. ASEAN Investment Area (AIA) Council

4. ASEAN Finance Ministers Meeting (AFMM)
   - ASEAN Finance and Central Bank Deputies Meeting (AFDM)
   - ASEAN Directors-General of Customs Meeting (Customs DG)

5. ASEAN Ministers Meeting on Agriculture and Forestry (AMAF)
   - Senior Officials Meeting of the ASEAN Ministers on Agriculture and Forestry (SOM-AMAF)
   - ASEAN Senior Officials on Forestry (ASOF)

6. ASEAN Ministers on Energy Meeting (AMEM)
   - Senior Officials Meeting on Energy (SOME)

7. ASEAN Ministerial Meeting on Minerals (AMMin)
   - ASEAN Senior Officials Meeting on Minerals (ASOMM)

8. ASEAN Ministerial Meeting on Science and Technology (AMMST)
   - Committee on Science and Technology (COST)

9. ASEAN Telecommunications and Information Technology Ministers Meeting (TELMIN)
   - Telecommunications and Information Technology Senior Officials Meeting (TELSOM)
   - ASEAN Telecommunications Regulators' Council (ATRC)

10. ASEAN Transport Ministers Meeting (ATM)
    - Senior Transport Officials Meeting (STOM)

11. Meeting of the ASEAN Tourism Ministers (M-ATM)
    - Meeting of the ASEAN National Tourism Organisations (ASEAN NTOs)

12. ASEAN Mekong Basin Development Cooperation (AMBDC)
    - ASEAN Mekong Basin Development Cooperation Steering Committee (AMBDC SC)
    - High Level Finance Committee (HLFC)

13. ASEAN Centre for Energy

14. ASEAN-Japan Centre in Tokyo

III. ASEAN SOCIO-CULTURAL COMMUNITY

1. ASEAN Ministers Responsible for Information (AMRI)
   - Senior Officials Meeting Responsible for Information (SOMRI)

2. ASEAN Ministers Responsible for Culture and Arts (AMCA)
   - Senior Officials Meeting for Culture and Arts (SOMCA)

3. ASEAN Education Ministers Meeting (ASED)
   - Senior Officials Meeting on Education (SOM-ED)

4. ASEAN Ministerial Meeting on Disaster Management (AMMDM)
   - ASEAN Committee on Disaster Management (ACDM)

5. ASEAN Ministerial Meeting on the Environment (AMME)
   - ASEAN Senior Officials on the Environment (ASOEN)

6. Conference of the Parties to the ASEAN Agreement on Transboundary Haze Pollution (COP)
   - Committee (COM) under the COP to the ASEAN Agreement on Transboundary Haze Pollution

7. ASEAN Health Ministers Meeting (AHMM)
   - Senior Officials Meeting on Health Development (SOMHD)

8. ASEAN Labour Ministers Meeting (ALMM)
   - Senior Labour Officials Meeting (SLOM)
   - ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers

9. ASEAN Ministers on Rural Development and Poverty Eradication (AMRDPE)
   - Senior Officials Meeting on Rural Development and Poverty Eradication (SOMRDPE)

10. ASEAN Ministerial Meeting on Women (AMMW)
    - ASEAN Committee on Women (ACW)

11. ASEAN Ministerial Meeting on Social Welfare and Development (AMMSWD)
    - Senior Officials Meeting on Social Welfare and Development (SOMSWD)
    - ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC)

12. ASEAN Ministerial Meeting on Youth (AMMY)
    - Senior Officials Meeting on Youth (SOMY)

13. Heads of Civil Service Meeting for the ASEAN Cooperation on Civil Service Matters (ACCSM)
    - Senior Officials Meeting for the ASEAN Cooperation on Civil Service Matters (ACCSM SOM)

14. ASEAN Ministerial Meeting on Sports (AMMS)
    - ASEAN Senior Officials Meeting on Sports (SOMS)

15. ASEAN Centre for Biodiversity (ACB)

16. ASEAN Coordinating Centre for Humanitarian Assistance on disaster management (AHA Centre)

17. ASEAN Earthquakes Information Centre

18. ASEAN Specialised Meteorological Centre (ASMC)

19. ASEAN University Network (AUN)

Note: This Annex 1 was updated on 25 February 2016 pursuant to Article 10 (2) of the ASEAN Charter.

ANNEX 2

ENTITIES ASSOCIATED WITH ASEAN

I. PARLIAMENTARIANS

ASEAN Inter-Parliamentary Assembly (AIPA)

II. BUSINESS ORGANISATIONS

ASEAN Airlines Meeting
ASEAN Alliance of Health Supplement Association (AAHSA)
ASEAN Automotive Federation (AAF)
ASEAN Bankers Association (ABA)
ASEAN Business Advisory Council (ASEAN-BAC)
ASEAN Business Forum (ABF)
ASEAN Chamber of Commerce and Industry (ASEAN-CCI)
ASEAN Chemical Industries Council
ASEAN Federation of Textiles Industries (AFTEX)
ASEAN Furniture Industries Council (AFIC)
ASEAN Insurance Council (AIC)
ASEAN Intellectual Property Association (ASEAN IPA)
ASEAN International Airports Association (AAA)
ASEAN Iron & Steel Industry Federation
ASEAN Pharmaceutical Club
ASEAN Tourism Association (ASEANTA)
Federation of ASEAN Economic Associations (FAEA)
Federation of ASEAN Shippers' Council
US-ASEAN Business Council

III. THINK TANKS AND ACADEMIC INSTITUTIONS

ASEAN-ISIS Network

IV. ACCREDITED CIVIL SOCIETY ORGANISATIONS

ASEAN Academics of Science, Engineering and Technology (ASEAN CASE)
ASEAN Academy of Engineering and Technology (AAET)
ASEAN Association for Clinical Laboratory Sciences (AACLS)
ASEAN Association for Planning and Housing (AAPH)
ASEAN Association of Radiologists (AAR)
ASEAN Chess Confederation (ACC)
ASEAN Confederation of Employers (ACE)
ASEAN Confederation of Women's Organisation (ACWO)
ASEAN Constructors Federation (ACF)
ASEAN Cosmetics Association (ACA)
ASEAN Council for Japan Alumni (ASCOJA)
ASEAN Council of Teachers (ACT)
ASEAN Federation for Psychiatric and Mental Health (AFPMH)
ASEAN Federation of Accountants (AFA)
ASEAN Federation of Electrical Engineering Contractors (AFEEC)
ASEAN Federation of Engineering Organization (AFEO)
ASEAN Federation of Flying Clubs (AFFC)
ASEAN Federation of Forwarders Associations (AFFA)
ASEAN Federation of Heart Foundation (AFHF)
ASEAN Federation of Land Surveying and Geomatics (ASEAN FLAG)
ASEAN Federation of Mining Association (AFMA)
ASEAN Fisheries Federation (AFF)
ASEAN Football Federation (AFF)
ASEAN Forest Products Industry Club (AFPIC)
ASEAN Forestry Students Association (AFSA)
ASEAN Handicraft Promotion and Development Association (AHPADA)
ASEAN Kite Council (AKC)
ASEAN Law Association (ALA)
ASEAN Law Students Association (ALSA)
ASEAN Music Industry Association (AMIA)
ASEAN Neurosurgical Society (ANS)
ASEAN NGO Coalition on Ageing
ASEAN Non-Governmental Organizations for the Prevention of Drugs and Substance Abuse
ASEAN Oleochemical Manufacturers Group (AOMG)
ASEAN Orthopaedic Association (AOA)
ASEAN Paediatric Federation (APF)
ASEAN Para Sports Federation (APSF)

ASEAN Ports Association (APA)
ASEAN Thalassaemia Society (ATS)
ASEAN Valuers Association (AVA)
ASEAN Vegetable Oils Club (AVOC)
Asian Partnership for Development of Human Resources in Rural Asia (AsiaDHRRA)
Committee for ASEAN Youth Cooperation (CAYC)
Federation of ASEAN Consulting Engineers (FACE)
Federation of ASEAN Public Relations Organizations (FAPRO)
Federation of ASEAN Shipowners' Associations (FASA)
Medical Association of Southeast Asian Nations Committee (MASEAN)
Rheumatism Association of ASEAN (RAA)
Southeast Asia Regional Institute for Community and Education (SEARICE)
Southeast Asian Studies Regional Exchange Program (SEASREP) Foundation
Veterans Confederation of ASEAN Countries (VECONAC)

V. OTHER STAKEHOLDERS IN ASEAN

ASEANAPOL
Federation of Institutes of Food Science and Technology in ASEAN (FIFSTA)
Southeast Asian Fisheries Development Centre (SEAFDEC)
Working Group for an ASEAN Human Rights Mechanism

ANNEX 3

ASEAN FLAG

The ASEAN Flag represents a stable, peaceful, united and dynamic ASEAN. The colours of the Flag -- blue, red, white and yellow -- represent the main colours of the flags of all the ASEAN Member States.

The blue represents peace and stability. Red depicts courage and dynamism. White shows purity and yellow symbolises prosperity.

The stalks of padi represent the dream of ASEAN's Founding Fathers for an ASEAN comprising all the countries in Southeast Asia bound together in friendship and solidarity. The circle represents the unity of ASEAN.

The specification of Pantone Colour adopted for the colours of the ASEAN Flag are:
Blue: Pantone 19-4053 TC
Red: Pantone 18-1655 TC
White: Pantone 11-4202 TC
Yellow: Pantone 13-0758 TC

For the printed version, the specifications of colours (except white) will follow those for the colours of the ASEAN Emblem, i.e.:

Blue: Pantone 286 or Process Colour 100C 60M 0Y 6K
Red: Pantone Red 032 or Process Colour 0C 91M 87Y 0K
Yellow: Pantone Process Yellow or Process Colour 0C 0M 100Y 0K

The ratio of the width to the length of the Flag is two to three, and the size specifications for the following Flags are:

Table Flag: 10 cm x 15 cm
Room Flag: 100 cm x 150 cm
Car Flag: 10 cm x 30 cm
Field Flag: 200 cm x 300 cm

ANNEX 4

ASEAN EMBLEM

The ASEAN Emblem represents a stable, peaceful, united and dynamic ASEAN. The colours of the Emblem – blue, red, white and yellow – represent the main colours of the crests of all the ASEAN Member States.

The blue represents peace and stability. Red depicts courage and dynamism. White shows purity and yellow symbolises prosperity.

The stalks of padi represent the dream of ASEAN's Founding Fathers for an ASEAN comprising all the countries in Southeast Asia bound together in friendship and solidarity. The circle represents the unity of ASEAN.

The specification of Pantone Colour adopted for the colours of the ASEAN Emblem are:
Blue: Pantone 286
Red: Pantone Red 032
Yellow: Pantone Process Yellow

For four-colour printing process, the specifications of colours will be:
Blue: 100C 60 M 0Y 6K (100C 60M 0Y 10K)
Red: 0C 91M 87Y 0K (0C 90M 90Y 0K)
Yellow: 0C 0M 100Y 0K
Specifications in brackets are to be used when an arbitrary measurement of process colours is not possible.

In Pantone Process Colour Simulator, the specifications equal to:
Blue: Pantone 204-1
Red: Pantone 60-1
Yellow: Pantone 1-3

The font used for the word "ASEAN" in the Emblem is lower-case Helvetica in bold.