CHAPTER – II

ORGANISATIONAL STRUCTURE OF SAARC

The SAARC is the manifestation of the determination of the people of South Asia to institutionalize cooperation to solve their common problems in a spirit of friendship, trust and understanding and also to create an order based on “mutual respect, equity and shared benefits. The main goal of the association is to accelerate the process of economic and social development in the member states through joint action in the agreed areas of cooperation.¹ The adoption of the Charter of SAARC at the Dhaka Summit in December 1985 was itself a clear indication of the priority and functions assigned to it.

NEED OF AN ORGANISATION/ASSOCIATION

Unlike earlier regional groups, recent ones were launched with elaborate structural set up. The reason was that they are supposed to perform diverse, yet specialized functions for member nations. The nature of relations among nations is fast changing. Today, it has become far more complex operating under the influence of varied dimensions of conflict – cooperation, defence – security, commerce and culture etc. Therefore, for any meaningful relations, organizations are deliberately created and restructured to achieve desired goals out of such relationships. An organization is “a fairly permanent system designed to achieve limited objectives through the coordinated activities of their members.”² The growing complexity of modern life has

necessitated establishment of an organization because it is based on effectively, efficiency and optimal utility of resources when they are becoming scarce due to rising demands.

The earlier initiatives for regional cooperation in Asia and Africa were failed because of many reasons. One of the important reason was absence of organizational set up. Their momentum waned away in the absence of an organization which could have consolidated at least minimal initial gains.³

Therefore, several international/regional organizations, including the SAARC’s structural organization launched with detailed bureaucratic structure having potential “for continuity, precision, speed….and to eliminate personal, irrational and emotional elements from official business”⁴ for the achievement of their goals. Their past experiences showed that a vague purpose and irrational decisions cause conflict instead of cooperation. Hence, there was need for an organization which imparts meaning, purpose and direction by –

Combining its personnel with its resources, weaving together its leaders, experts, workers, machines and raw materials…. Continually evaluates performance and tries to adjust itself in order to achieve its goals.⁵

Therefore, precision of purpose and its achievement depends upon the nature of institutional arrangements to evolve a group. Moreover, the level of success is proportionately related to the amount of fair play or

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implementation of basic principles of modern administration planning, moral (political will), division of labour, coordination and control etc. This is widely illustrated and exemplified in the case of the SAARC.\textsuperscript{6}

**Institutional Framework**

The Charter lays down the institutional framework of SAARC defining its administrative and operational machinery. It provides for a pyramidal structure with summit at the apex, supported by the Council of Ministers (Foreign Ministers of the Member states) and the standing Committee comprising of Foreign Secretaries of the Member States. A network of Technical Committees or each of the agreed areas of cooperation provides the base structure of the administrative organization. The Council of Ministers is to function as a cabinet, referring matters to the Summit for decisions and further, to carry them out through the standing Committee. The standing Committee is thus the important executive agency for the decisions taken by the council of Ministers and the Summit. There is also a programme committee to monitor the performance of Technical Committees.\textsuperscript{7} Institutional arrangements as discussed above are delineated under articles III to VIII of the SAARC Charter.\textsuperscript{8} These are explained as follows:

**CHARTER OF SAARC**

The Charter of SAARC is reaffirmation of the basic principles of international law and cooperation. Therefore, peace, progress and prosperity

\textsuperscript{6} Indra Mohan Jha, op.cit., p. 100.
\textsuperscript{8} Charter of SAARC, Dhaka, 8 December 1985.
have been the major areas of emphasis of the SAARC with an undertone of political and security concerns. The basic driving force behind the SAARC establishment of the SAARC was the desire of the seen contracting states for promoting peace, stability, amity and progress in the region through strict adherence to the principles of the UN Charter and non-alignment. The SAARC Charter also announces that, the states of South Asia are conscious that in an increasingly interdependent world, the objectives of peace, freedom, social justice and economic prosperity are best achieved in this region by fostering mutual understanding, good-neighbourly relations and meaningful cooperation. Article I-X of the SAARC Charter gives a full detail of its organizational set up or Institutional Arrangement. These are:

**OBJECTIVES (ARTICLE I)**

The SAARC Charter enunciates eight-fold objectives of the association. According to Article I of the Charter, these objectives of the Association are:

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 an opportunity to live in dignity and to realize their full potentials;

c) to promote and strengthen collective self-reliance among the countries of South Asia;

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10 Ibid. p.2.
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 and technical and scientific fields;

f) to strengthen cooperation with other developing countries,

g) to strengthen cooperation among themselves in international forum on matters of common interest, and

h) to cooperate with international and regional organizations with similar aims and purposes.”

These objectives of SAARC are the same as envisaged in the earlier declaration of the SAARC at New Delhi on 2 August 1983 at the end of the Foreign Ministers Meetings.

PRINCIPLES (ARTICLE II)

Article II of SAARC Charter highlights the principles of SAARC. Article II is based on respect for the principles of Sovereign equality, territorial integrity, political independence, non-interference in the internal affairs of other states and mutual benefits. Moreover, it states that, such cooperation should not be a substitute for the bilateral and multilateral cooperation and neither, should it be inconsistent with bilateral and multilateral obligations.\textsuperscript{11}

Here, one thing is noticeable and i.e. the absence of the principle of non-use of force in the inter-state relations and peaceful settlement of

\textsuperscript{11} Article II of Charter of the SAARC, SARRC Secretariat, Kathmandu, 1985, pp. 5-6.
disputes in the SAARC Charter. These two mutually complementary principles of international law are present in the BWP (Bangladesh White Paper).  

The SAARC has retained the institutional mechanism set up by the SAARC in 1983 with addition of the summit of the Heads of the States. The Declaration of SAARC in 1985 at the first summit meeting at Dhaka upheld the already established path of regional cooperation. The Charter of the SAARC clearly demarcates the functions and powers of each of the institutional part as well as laying down the principles of cooperation. The SAARC has a four tier institutional set-up including the Summits (Article III), Council of Ministers (Article IV), Standing Committee (Article V) and Technical Committees (Article VI).

**SUMMITS (ARTICLE III)**

The highest authority of the SAARC rests with the heads of the states or governments. Being at the apex level, the summit meetings of the heads of the states usually takes place once in a year. However, there was a proposal to hold the summit once in two years in the Foreign Ministers’ Meeting in Thimpu in May 1985. But Article III of the Charter has finally approve that “the heads of state or government shall meet once a year or more often as and when considered necessary by the member states.” The significance of the meetings of the Head of States list in the fact that they reinforce the bonds of

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friendship, mutual respect and understanding among the member-states, and rejuvenate the cooperative atmosphere in the region. The summit meetings also give the member states chances for informal discussions on the matters, which their formal agenda does not usually cover.

Fourteen SAARC summits has been held till 2007. The important declarations and details of the SAARC summits are given in the following figure:

**SAARC SUMMITS AND IMPORTANT DECLARATIONS TILL - 2007**

<table>
<thead>
<tr>
<th>S.No.</th>
<th>SUMMITS</th>
<th>IMPORTANT/MAJOR DECLARATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>FIRST SUMMIT - DEC. 1985 DHAKA (BANGLADESH)</td>
<td>SAARC charter was signed by the Heads of the State on Government and decided to set up a standing committee to examine the problems of terrorism and drug trafficking and abuse. Summit also planned cooperation in agriculture, rural development, telecommunication, Meteorology, health and population.</td>
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<td>2.</td>
<td>SECOND SUMMIT - NOV 1986 BANGLORE (INDIA)</td>
<td>SAARC leaders endorsed to intensify economic cooperation. It was agreed to implement an integrated plan for regional development and SAARC leaders called upon industrialized nations for rapid technological transfer to the developing states.</td>
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<table>
<thead>
<tr>
<th>No.</th>
<th>Summit</th>
<th>Date</th>
<th>Location</th>
<th>Highlights</th>
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<tbody>
<tr>
<td>3.</td>
<td>THIRD SUMMIT</td>
<td>NOV 1987</td>
<td>KATHMANDU (NEPAL)</td>
<td>Establishment of SAARC secretariat. An Agreement was signed for suppression of terrorism and establishment of South Asian Food security zone. The process of dealing with natural disasters was also initiated.</td>
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<tr>
<td>4.</td>
<td>FOURTH SUMMIT</td>
<td>DEC 1988</td>
<td>ISLAMABAD (PAKISTAN)</td>
<td>It was decided to declare 1989 as the SAARC year Against Drug Abuse and the year 1990 as the SAARC year of the child and also launched SAARC 2000:’A Basic Needs Perspective’ which called for a perspective regional plan.</td>
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<td>5.</td>
<td>FIFTH SUMMIT</td>
<td>NOV 1990</td>
<td>MALE (MALDIVES)</td>
<td>Launched special SAARC Trial Document that would exempt its holders from visas for travel within the region. The need for hiring regular exchange of views among member countries was emphasized and steps were taken to set up the SAARC TB Centre.</td>
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<td>6.</td>
<td>SIXTH SUMMIT</td>
<td>DEC 1991</td>
<td>COLOMBO (SRILANKA)</td>
<td>Summit gave an economic twist to SAARC.1 Manufacturing services and industrial ventures were given a boost to start peripheral economic cooperation. SAARC stressed the need to expand the scope of joint ventures, buy back agreements, and joint marketing. The seeds of South Asian preferential Trade Agreement (SAPTA) were laid at the Colombo summit.</td>
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<td>7.</td>
<td>SEVENTH SUMMIT</td>
<td>DEC 1993</td>
<td>DHAKA (BANGLADESH)</td>
<td>SAPTA’s framework was finalized. Cooperation in the field of scene and technology was also given importance. Special emphasis on regional poetry alienation programme and an agreement was reached to establish the South Asia Development Fund (SADF)</td>
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<tr>
<td>8.</td>
<td>EIGHT SUMMIT</td>
<td>DEC 1995</td>
<td>NEW DELHI (INDIA)</td>
<td>Summit committed to eradication of poverty in South Asia and it was agreed to declare 1955 as the ‘SAARC year of poverty Eradication. The SAARC Documentation Centre in New Delhi and Meteorological Research Centre (SMRC) at Dhaka were established. SAARC Law was accorded recognition by SAARC and the functioning of SAARC chamber of Commerce and Industry was noted with satisfaction.</td>
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<tr>
<td></td>
<td>Event</td>
<td>Date</td>
<td>Location</td>
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<tr>
<td>9.</td>
<td>NINTH SUMMIT</td>
<td>DEC-1997</td>
<td>MALE (MALDIVES)</td>
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<td>SAPTA was finally made operational. The SAARC leaders pledged to establish South Asia Free Trade Area (SAFTA) as a logical corollary to SAPTA. It was decided to encourage the private sector in the region to strengthening of intra SAARC links in key areas of trade investment and finance.</td>
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<td>10</td>
<td>TENTH SUMMIT</td>
<td>DEC 1998</td>
<td>COLOMBO (SRILANKA)</td>
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<td>It was held in the backdrop of nuclear tests conducted by India and Pakistan. This led the Sri Lanka President Chandrika Kumarturga to advocate making use of SAARC as a forum for conflict resolution and discussing bilateral tensions to keep the momentum of regional body alive.</td>
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<tr>
<td>11</td>
<td>ELEVENTH SUMMIT</td>
<td>APR – 2002</td>
<td>KATHMANDU (NEPAL)</td>
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<td>Summit was agreed to accelerate cooperation in the core areas of trade, finance and investment, underlined the need to take measures to promote South Asia as a common tourist destination, recognized the debilitating Impact of the HIV/AIDS, 7B on the population of the South Asia. The Summit also reaffirmed their commitment to continue working with the NAM and democratization of the United Nations.</td>
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<tr>
<td>12</td>
<td>TWELFTH SUMMIT</td>
<td>JAN.-2004</td>
<td>ISLAMABAD (PAKISTAN)</td>
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<td>SAARC Countries signed the Additional Protocol of the SAARC Regional convention on Combating Terrorism to deal effectively with the finances of terrorism. SAFTA which is scheduled to move into the operational stage room 1 January 2006 was signed by SAARC leaders. Year 2005 was designated as “South Asia Tourism Year.”</td>
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<tr>
<td>13</td>
<td>THIRTEENTH SUMMIT</td>
<td>NOV 2005</td>
<td>DHAKA (BANGLADESH)</td>
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<td>The Heads of state on Government decided to declare the decade 2006-2015 as the SAARC Decade of poverty Alleviation. Afghanistan join SAARC as its eight member. The 53 point declaration granted observer status to China at Summit.</td>
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<td>14</td>
<td>FOURTEENTH SUMMIT</td>
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<td>The Heads of state or Government welcomed the historic entry of the Islamic Republic of</td>
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<td>Date</td>
<td>Place</td>
<td>Description</td>
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<tr>
<td>APR 2007</td>
<td>NEW DELHI (INDIA)</td>
<td>Afghanistan in the SAARC Fold Nepal along with Pakistan and Bangladesh announced their support for the membership of China.</td>
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<tr>
<td>AUG 2008</td>
<td>COLOMBO (SRILANKA)</td>
<td>15ᵗʰ SAARC summit revolves round the China as China applauded the work of SAARC as an observer member. Deputy Foreign Minister of China said that China is committed to building a harmonious Asia and a harmonious world and always helped South Asian Countries at times of need.</td>
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<tr>
<td>APR 2010</td>
<td>THIMPU (BHUTAN)</td>
<td>The summit was attended by eight heads of states from South Asia and nine observer members from outside the region. The theme of the summit was to promote a ‘Green and Happy South Asia’. This summit ended with a joint Declaration and a ‘Statement on climate change in the region and the organization to be plaint and useful for the people of South Asia and thereby the leaders signed two important agreements – Agreement on Convention on Cooperation on Environment and Climate Change and Agreement on Trade in services.</td>
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</table>

Though Article III of SAARC Charter says that the Heads of State or Government would meet once a year. But in these 23 year of SAARC’s genesis, only 15 summits has been held till now. The reason was the postponement of Summits. These postponement of summits were due to the regional tensions as the SAARC Summit in 1989 was postponed due to an abortive terrorist coup in the Maldives and the presence of IPKF (Indian Peace Keeping Force) in Sri Lanka.

The Summits of 1992, 1994, 1996 were also postponed. The Kargil incursion in 1999 and military coup in Pakistan by General Pervez Mushrraf
led to the postponement of SAARC summit in 2000. The failure of Agra summit between India and Pakistan on 14th July 2001 and terror attack on the Indian Parliament on 13th December 2001 further postponed the summit.\textsuperscript{15} There was no summit in year 2006 as it has been postponed twice, once in view of Tsunami (Dec. 2004) and again in the context of India’s reluctances to participate in the meetings due to the political developments in the region.\textsuperscript{16}

**COUNCIL OF MINISTERS (ARTICLE IV)**

The second tier of the institutional structure of the SAARC is the Council of Ministers. It is the most important organ of the SAARC from the functional point of view. It is endowed with a wide range of policy and decision making powers. Comprising the Foreign Ministers of the Member-States, the Council is responsible for formulating policies, reviewing progress, deciding on the new areas of cooperation, establishing additional mechanisms as deemed necessary and deciding on the other matters of general interest to the Association. The Council normally meets twice a year and may also meet in extraordinary sessions by an agreement of the member states.\textsuperscript{17}

**STANDING COMMITTEE (ARTICLE V)**

Standing committee is at the third tier of the institutional hierarchy of the SAARC. It is comprising of the Foreign secretaries of the member-states.

\textsuperscript{17} Ibid., p. 70.
It is entrusted with the task of an overall monitoring and coordination of programmes and the modalities of financing, determining inter-sectoral priorities, mobilizing regional and external resources and identifying the new areas of cooperation. It may meet as often as deemed necessary, but in practice it meets normally twice a year and submits its reports to the Council of Ministers.\(^\text{18}\)

**PROGRAMMING COMMITTEE**: The standing committee is assisted by a programming committee. It is an adhoc body comprising of the senior officials to scrutinize the secretariat's budget, to finalize the calendar year's activities and take up any other matter assigned to it by the standing committee. The programming committee has also been entrusted to consider the reports of the Technical Committees and the SAARC Regional Centres and submit its comments to the standing committee.\(^\text{19}\)

**TECHNICAL COMMITTEES (ARTICLE VI)**\(^\text{20}\)

Technical committees comprise of representatives of member countries for implementation, monitoring and coordination in their specific areas. These committees formulate programmes, prepare projects, their costs and financial implications. They send their reports to standing committees. These committees are chaired by member countries by rotation in alphabetical order every two year. Technical committees are the primary

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18  Article V in Charter of the SAARC, op.cit. n-11.
20  Charter of SAARC, Article VI, op.cit. n-11.
mechanism for continuous interaction and cooperation and provide momentum to the SAARC process. An Independent Expert Group as well as the Groups of Eminent persons (GEP) set up by the Ninth Summit realized the importance of these committees. They had reviewed the functioning of the Integrated Programme of Action (IPA) in 1998 and made appropriate recommendations to strengthen the functioning and effectiveness of the existing eleven Technical Committees. These were:

1. Agriculture
2. Communications (Postal Services and Telecommunications)
3. Education, culture, sports (Including Arts)
4. Environment and Meteorology (Including Green House Effect)
7. Rural development (Including SAARC Youth Volunteers Programme – SYVOP).
8. Science and Technology (including Energy)
9. Tourism
10. Transport
11. Women in development.\textsuperscript{21}

On that basis the Council of Ministers at its Nuwara Eliya Meeting in March 1999 decided that from 1 January 2000 there should be only seven Technical Committees,\textsuperscript{22} These are:

\textsuperscript{21} SAARC: A Profile, SAARC Secretariate, Kathmandu, 1995, pp. 7-8.
\textsuperscript{22} Op cit, Indra Mohan Jha, n-3.,p. 106.
1. Agriculture
2. Transport and communications
3. Forestry, Environment and Meteorology
4. Social Development
5. Science and Technology
6. Human Resource Development, and
7. Energy

Each member state would assume the chairmanship of a Technical Committee. They will held their annual meetings at the Secretariat unless a member country in its capacity as the Chairman desires to host the meetings.23

INTEGRATED PROGRAMME OF ACTION (IPA) :

The period of five years between the time when General Zia-ur-Rahman made his proposal and the first summit eventually took place was spent in much careful preparatory work at the level of high officials and later the Foreign Ministers. After sufficient groundwork was laid through consultations at diplomatic level the Foreign secretaries of the seven countries met formally in April 1981 at Colombo to prepare for a meeting at the level of Foreign Ministers of the seven countries. This meeting held at New Delhi in August 1983. It adopted a Declaration on South Asian Regional Cooperation and formally launched the Integrated Programme of Action (IPA).24 Initially there were five agreed areas of cooperation. These were :

23  SAARC Newsletter (Kathmandu), January-March 2000.
1. Agriculture – Bangladesh
2. Rural development – Sri Lanka
3. Telecommunication - Pakistan
4. Meteorology – India
5. Health and Population – Nepal.\(^{25}\)

This programme got under way even before the first Summit met at Dhaka and has now several achievements to its credit.

**ACTION COMMITTEE (ARTICLE VII)**

The standing committee may set up Action Committees.\(^{26}\) These committees were set up for implementation of projects involving more than two countries. However such Action Committees could be set up only with the prior approval of the standing Committee.\(^{27}\)

**SECRETARARATE (ARTICLE VIII)**

The Dhaka Charter authorized the Council of Ministers to consider specific details of establishing a secretariat as a nucleus of SAARC activities to coordinate and monitor the implementation of declarations. In the meanwhile the newly elected SAARC Chairman Lt. Gen. H.M. Ershad offered that a temporary secretariat would be located at Dhaka.\(^{28}\) A memorandum of understanding was signed by council of Ministers on 17 November 1986 to establish SAARC secretariat. The Secretariat was set up on January 16\(^{th}\), 1987 with its headquarters at Kathmandu. Secretariat’s

\(^{25}\) Joint Communiqué, First meeting of Foreign Secretaries of South Asian Countries, Colombo, 21-23 April, 1981.

\(^{26}\) Article VII of the SAARC Charter, SAARC Secretariat Kathmandu, p. 9.

\(^{27}\) Prakash Chandra, op.cit., n-11(f), p. 459.

\(^{28}\) *Hindustan Times*, 9 December, 1985.
responsibilities have increased with the expansion of area of cooperation and growing complexities. Therefore, the staff is now being augmented with technical expertise.

The role of Secretariat is to coordinate and monitor the implementation of SAARC activities, to function as the channel of communication between SAARC and other international organizations. The Secretariat being the headquarters of the organization utilized as the venue for meetings organized by the SAARC. The Secretariat comprises the Secretary General seven directors and the General Services staff.

SECRETARY GENERAL

Secretary General is the Chief administrative officer of the Secretariat. He is responsible for coordination and implementation of SAARC activities, including arrangements for SAARC meetings. He also works as a source of communication between SAARC and other international organizations. He is appointed by the Council of Ministers from amongst the member states in alphabetical order. Initially he was appointed by the Council of Ministers upon the nomination by a member-state on the basis of two years. The 9th SAARC Summit at Male, 1997 decided that, henceforth the tenure of the Secretary – General should be of non-renewable term of three years.²⁹ He holds the rank and status of an ambassador.³⁰

The first Secretary General Abul Ahsan took charge on 16 January 1987, when the Secretariat was inaugurated. The Secretary General is assisted

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²⁹ Declaration of Male Summit, 1997, Secretariat, Kathmandu, p. 3.
³⁰ Memorandum of understanding on the Establishment the Secretariat (Banglore, 17 November 1986).
by Directors of different Divisions assigned to them by the Secretary General, nominated by each country. They have the rank of a Councillor and hold office for a term of three years, which may be extended to one full term by the Secretary General in consultation with the particular country. The following have so far served as SAARC Secretary Generals:

<table>
<thead>
<tr>
<th>S.No.</th>
<th>NAME OF THE SEC. GENERAL</th>
<th>COUNTRY</th>
<th>TENURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>9.</td>
<td>Sheel Kant Sharma</td>
<td>India</td>
<td>March, 2008 to present</td>
</tr>
</tbody>
</table>

**FINANCIAL ARRANGEMENTS (ATICLE IX)**

Finances for the programmes of cooperation raised through voluntary contributions. The Technical Committees have power to make recommendations for the apportionment of the cost for the implementation of the proposed programmes. However, while making recommendations the Technical Committees were expected to keep the following points in mind:

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33 Prakash Chandra, op.cit., p. 459.
1) the cost of travel and subsistence for participants in seminars, workshops and training and other programmes shall be met by the respective governments and the cost of organizing seminars, workshops and training and other programmes may be met by the host country or apportioned among the participants in proportion of the facilities availed of.

2) The cost of subsistence for the experts shall be met by the receiving countries and cost of travel and/or salary of the experts may be paid for by the sending countries; or shares among participant countries.

3) Other costs including the cost of preparation of studies shall be shared on a mutually agreed basis; and

4) In the case of long-term projects the Technical Committee was to estimate the cost involved and make recommendations to the standing Committee the modalities for meeting the cost. The cost of the projects and programmes for which sufficient financial resources could not be mobilized within the region external assistance could be procured from regional or other appropriate sources with the approval of the Standing Committee.

GENERAL PROVISIONS (ARTICLE X)

Although the charter of SAARC shows the desire to ‘accelerate the economic growth, social progress and cultural development’, it includes the bilateral and contentious issues from the deliberations of the association. 34

the very first meeting of Foreign Secretaries it was agreed that “bilateral and contentious issues should be excluded from their deliberations… and that decisions should be taken on the basis of unanimity.” Exclusion of bilateral and contentious issues and decision by unanimity was an outcome of “lobbying by Indian Foreign Secretary R.D Sathe.” Actually India was suspicious about the role of its neighbours. It thought that SAARC might be turned into a forum for ganging up of its neighbours to regionalize – internationalize bilateral issues.

Thus in such an environment of mistrust and suspicion India gave its two important preconditions. One was no bilateral and contentious issues to be discussed in SAARC and another was the principle of unanimity for decision making. These two pre-conditions were incorporated in the SAARC charter as ‘General Provisions.’ India’s objective was to ensure SAARC’s smooth initial take of by eliminating anti-India political issues from SAARC Agenda.

Thus the political and conflicting bilateral issues were excluded from the general framework of cooperation. The Charter excluding ‘high politics’ that are crucial for tackling the problems of peace, stability, economic and social progress, includes only low political issues’ to be covered under the jurisdiction of the Association. It is argued that, avoiding the controversial areas and focusing n the on-contentious issues would pave the way for mutual

understanding and ultimately lead to ease tension.\textsuperscript{37} Apart from this there are certain other bodies which are important parts of the SAARC organization. These are:

**SPECIALISED MINISTERIAL MEETINGS**

Since the establishment of the association, a number of SAARC ministerial Meetings have been held to focus attention on specific areas of common concern, such as international economic issues, environment, housing, tourism, women, youth, health etc.

SAARC Secretariat is based in Kathmandu. It coordinates and monitors implementation of SAARC activities, prepares for SAARC meetings and serves as a channel of communication between the association and other regional organizations and inter-governmental institutions.

**TRADE AND ECONOMIC COOPERATION**

The regional approach to economic cooperation helps in enhancing and increases areas of independence. Interdependence breeds a sense of oneness in loss and gains, and reduces possibilities of political conflict. This very ideal lead to emphasize economic cooperation amongst the SAARC countries.\textsuperscript{38}

Cooperation in the core economic areas among SAARC Member Countries was initiated following the Study on Trade, Manufactures and Services (TMS), completed in June 1991. The Study considered economic

\textsuperscript{37} Ansau Basu Ray Chaudhary, op.cit., p. 66.
\textsuperscript{38} I.M. Jha, op.cit., p. 78.
cooperation among the countries of the SAARC region as an inevitable imperative for promoting all-round development of the region. The Council of Ministers at its Ninth Session in Male in July 1991 endorsed the study and established the Committee on Economic Cooperation (CEC) comprising Commerce/trade Secretaries of Member states.

Committee on Economic Cooperation (CES) is mandated to formulate and oversees implementation of specific measures, policies and programmes to strengthen and enhance intraregional cooperation in the fields of trade and economic relations. With the creation of CEC, regional economic cooperation was formally institutionalized as an integral component of the SAARC process.\(^39\)

Over ten years, the CEC has emerged as the central group within SAARC addressing economic and trade related issues. It has provided recommendations and guidance in identifying new areas of cooperation as well as considering reports of specially constituted groups. Its specific functions include analyzing intra-regional and global developments which impact on intra-regional cooperation; evolving joint strategies and common approaches at international forums; and recommending policies and measures for promoting intra-regional trade, joint ventures, industrial complementarily and investment. The mandate of CEC covers areas ranging from quality control, standards and measurements to customs cooperation, harmonization of documentations and procedures, preferential trading arrangements and

rules of origin, and the transition from the SAARC preferential trading Arrangement (SAPTA) to the South Asian Free Trade Area (SAFTA). The recommendations of the CEC are submitted through the standing Committee to higher SAARC bodies, namely the Council of Ministers and the summit.

ECONOMIC COOPERATION FROM SAPTA (SAARC Preferential Trading Arrangement) to SAFTA (South Asian Free trade Area)\textsuperscript{40}

The Agreement on SAARC preferential Trading Arrangement (SAPTA) was signed on 11 April 1993 during the Seventh SARC summit. It was recommended by CEC (Committee on economic cooperation). It entered into force on 7\textsuperscript{th} December 1995. So far four rounds of trade negotiations were concluded under SAPTA covering over 5500 commodities. Each round contributed to an incremental trend in the product coverage and the deepening of tariff concessions over previous rounds. The fourth round of trade negotiations under SAPTA was concluded at the second Meeting of Inter-Governmental Group (IGG) on Trade liberalization held at the SAARC Secretariat on 30 October - 1 November 2002. The Member States are in the process of completing the necessary procedural formalities to give effect to the concessions they have extended in the Fourth Round. The Meeting recommended that till such time as the South Asian Free Trade (SAFTA) is given effect to, the process of trade negotiations under SAPTA may be continued for further trade liberalization in the region. The basic principles underlying SAPTA are:

\textsuperscript{40} Ibid., O.P. Goel
a) Overall reciprocity and mutuality of advantages so as to benefit equitably all contracting states, taking into account their respective level of economic and industrial development, the pattern of the external trade, and trade and tariff policies and systems.

b) Negotiation of tariff reform step by step, improved and extended in successive stages through periodic reviews;

c) Recognition of the special needs of the least Developed contracting states and agreement on concrete preferential measures in their favour; and

d) Inclusion of all products, manufactures and commodities in their raw, semi-processed and processed forms.

**SOUTH ASIAN FREE TRADE AREA (SAFTA) :** The slow process of SAPTA is responsible for the birth of SAFTA. There was a proposal of transitions from SAPTA to SAFTA in the eight SAARC summit in New Delhi with total elimination of all tariff and non-tariff barriers by 2005. All member countries of SAARC show the keen interest in the Ninth SAARC summit held in Male during May 1997. Advanced the deadline for the implementation of SAFTA from 2001 to 2005.

The *Tenth* SAARC summit in Colombo decided to set up a committee of Experts to draft a comprehensive treaty framework for creating a free trade area within the region and bearing in mind the need to fix realistic and achievable targets.
REGIONAL CENTRES\textsuperscript{41}

a) **SARC Agricultural Information Centre (SAIC)**: SAIC, the first regional institution, was established in Dhaka in 1988. Its governing Board formulates policy matters, approves projects, recommends budget estimates, monitors and evaluates administrative and overall activities of SAIC. The SAIC Director is the Member Secretary of the Board.

b) **SAARC Tuberculosis Centre (STC)**: It is located at Thimpi, Bhaktapur (Nepal). It became operational in mid July 1992. The centre’s main objective is to work towards the prevention and control of tuberculosis in the SAARC region. Institutional structure of the Centre consists of a Governing Board. A Director appointed to head the centre is responsible for the implementation of the programmes and activities of the centre.

c) **SAARC Documentation Centre (SDC)**: SDC has been established at the Indian National Scientific Documentation Centre (INSDOC) in New Delhi in May 1994. The SAARC Documentation system (SDS) comprises the Central facility i.e. SDC and its sub-units in Member States which act as the centre’ repositories. In fulfilling the need for ready access to information, the SDC focuses on data in Member states and international database in the areas of biological, physical, chemical, engineering and life sciences as well as in development matters.

d) **SAARC Meteorological Research Centre (SMRC)**: The SMRC was inaugurated on 2 January 1995 in Dhaka. The Centre concentrates primarily on the research aspect of weather forecasting and monitoring. In addition to monitoring weather phenomena, the centre is also engaged in developing a networking system among member states.

e) **SAARC Human Resource development Centre (SHRDC)**: SHDC has been established in Islamabad with an objective to undertake research, training and dissemination of information on human resources development issues. The centre aims at developing human resources in Member States, inter-alia, in social, economic, educational and environmental fields. The Centre will have a Governing Board Comprising Members from all SAARC Countries.

**REGIONAL CONVENTIONS/AGREEMENTS**

*Agreement on Establishing the SAARC and Security Reserve*

During the third SAARC Summit (Kathmandu, 1987), an Agreement on establishing the SAARC Food Security Reserve was signed. The Agreement, which came into force on 12 August, 1988, provides for a reserve of food grains for meeting emergencies in Member countries. The SAARC Food Security Reserve Board (SFSRB) comprises representatives from each member country and meets once a year.

*SAARC Regional Convention on Suppression of Terrorism*

It was signed during the third SAARC summit held in Kathmandu in

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42 Ibid., pp. 72-73
November 1987. It came into force on 22nd August 1988. The convention provides a regional focus to man of the well established principles of international law in this respect. Under its provisions, member states are committed to extradite or prosecute alleged terrorist thus preventing them from enjoying safe havens. The SAARC Terrorist Offences Monitoring Desk (STMD) has been established in Colombo to collate analyses and disseminate information about the terrorist incidence, tactics, strategies and methods.

* **SAARC Convention on Narcotic drugs and Psychotropic substances**

It was signed on November 1990 in Male during the Fifth SAARC Summit. It came into force on 15 September 1993. The Convention seeks to reinforce and supplement at the regional level, the relevant international conventions and promote regional cooperation among member states in both law enforcement and demand reduction. Incorporating the generally accepted principle of extradition or prosecution consistent with the respective national legislative regimes, the convention envisages the widest measures for mutual legal assistance among Member states in investigation, prosecution and judicial proceedings in respect of drug offences.

**SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution** : The SAARC convention on preventing and combating Trafficking in women and children for prostitution was signed on 5 January 2002 at the Eleventh SAARC summit in Kathmandu. The Heads of state or Government while welcoming the signing of the Convention expressed their collective resolve to treat the trafficking in
women and children for commercial sexual exploitation as a criminal offence of a serious nature. They also recommended that the feasibility of establishing a Regional Fund for Rehabilitation of Victims of Trafficking in Women and Children for Prostitution on a voluntary basis might be explored. The convention will enter into force upon ratification by all Member States.

SAARC Convention on Regional Arrangements for the Promotion of child Welfare in South Asia: The Convention was signed on 5 January 2002 during Eleventh Summit in Kathmandu. The objective of the convention is to facilitate the development and protection of full potential of the South Asian Child, with the understanding of their rights, duties and responsibilities. The convention will enter into force upon ratification by all Member states.

VARIOUS FUNDS

South Asian Development Fund (SADF): The idea of establishment of South Asian Development Fund (SADF) was mooted at the Sixth SAARC Summit in Colombo in December 1991 to mobilize the global surpluses for the development of South Asia. The basic objective to establish SADF was to provide finances for industrial development, poverty alleviation, protection of environment and balance of payments support. The SADF was formally established in 1996 with the merger of the two earlier SAARC funds namely SAARC Fund for Regional Projects (SFRP) and SARC Regional Fund (SRF). SADF has three windows for:

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43 M.H.Syed, op.cit., p. 40.
i) Identification and Development of Projects (WIDFP)

ii) Institutional and Human Resource Development Project (WIHRDP)

iii) Social and Infrastructural Development Projects (WSIDP)

The fund has since provided finance for conducting feasibility studies for various projects.

**SAARC – Japan Special Fund**: The SAARC-Japan special Fund has been established through a Memorandum exchanged between the two sides in Kathmandu on 27 September, 1993. The fund established entirely with contribution of the Government of Japan consists of two components. The allocation under component-I is to be used to finance selected programmes/activities identified and managed by the Member states. Component II is for the programmes/activities identified and managed by the Government of Japan.

**PUBLIC CONTACT**

Promotion of people to people contact in the region to strengthening mutual understanding and goodwill among the peoples of South Asia, has always received a high priority among SAARC leaders. In order to give effect to this concept a number of initiatives have been taken under the aegis of SAARC.

- **Audio-Visual Exchange Programme (SAVE)**: It was established by the Council of Ministers at its Third Session (New Delhi, June 1987). It aimed at increasing the awareness of SAARC among the peoples of the

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44 Ibid. pp. 41-42.
region and disseminating information about member countries. SAVE programmes comprise regular TV and Radio Programmes. These are telecast/Broadcast on the 1st and 15th of Each month, respectively in SAARC member countries.

- **Scheme for Promotion of Organised Tourism**: It was initiated with the overall objective of strengthening people – to – people contact in the region. The Scheme is specifically aimed at facilitating intra-regional tourism. It was envisaged that the scheme would facilitate exchange of organized group tours between the member countries, with provision of concessional air-fare, and arrangement for limited convertibility of foreign exchange through a travel voucher system.

- **Chairs, Fellowships and Scholarships Scheme**: It was instituted with the aim of providing increased cross-fertilization of ideas through greater interaction among students, scholars and academics in the SAARC countries.

- **Youth Volunteers Programmes (SYVOP)**: The SYOP is aimed at harnessing the idealism of youth for regional cooperation programmes. The programme enables young people to work in other countries in the field of agriculture and forestry extension work, SYVOP is implemented by the Technical Committee on Rural Development.

- **Visa Exemption Scheme**: It was initiated in 1988 and became operational on March 1, 1992. Under the scheme, visa requirements are waived for specific categories of persons to travel within the region.
- **Youth Awards Scheme (SYAS)**: The SYAS was established in 1996. The aim of the scheme is to provide suitable recognition to extraordinary young talents and encourage the overall development of youth in the region. An annual award is presented to an outstanding youth selected from the Member states.

- **South Asian Festivals**: The holding of the South Asian Festival at regular intervals is regarded as a desirable activity by all member states to promote intercultural exchange, understanding and friendship among the artists of the region.

- **Collaboration with Regional NGOs**: SAARC has emphasized the need for strengthening intergovernmental efforts with increased people-to-people contacts through greater participation of NGOs, including professional bodies in the private sector, to promote socio-economic and cultural development of South Asia. In appreciation of the contributions of the NGOs and professional bodies to the official SAARC process, SAARC has set in motion a process of granting recognition to such deserving bodies. These organizations fall under two categories:

  a) SAARC Regional Apex bodies, and

  b) SAARC Recognized bodies

**REGIONAL APEX BODIES**

a) **SAARC Chamber of Commerce and Industry (SCCI)**: It was granted the status of SAARC Regional Apex body in December in

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45 Ibid. p. 43
1992. The SCCI brings together the national chambers of commerce and industry of seven SAARC countries under one umbrella. It played a significant role in promoting the core area of economic and trade cooperation in the region. It was instrumental in bringing into fruition the SAARC Preferential Trading Arrangement (SAPTA). It has been very active in the promotion of trade and interaction of business community of the SAARC region.

b) **SAARC Law** : It is an association for persons of the legal communities of SAARC countries. It was established in 1991 and was accorded recognition as a SAARC Regional Apex body in July 1994. It was established with the twin objectives of bringing together the legal communities of the Region for closer cooperation and developing law as a source of social change for development. SAARC law has been convening periodic conferences covering important areas of common interest to member states. These conferences focused on themes such as: law and development in the region; law as an instrument of social justice; law as an instrument of economic change; law and justice for the common people; and development through law; legal education; public interest litigation; money laundering; child abuse and violence against women and investment climate in the region.
RECOGNIZED BODIES

South Asian Association for regional Cooperation of Architects (SAARCH)

It was founded in 1991 in Colombo with the objective of assisting the development of national Architectural bodies within the South Asian region so that it would provide opportunities for consultation on holding of conferences of architects to discuss professional matters and interchanges ideas. It was granted SAARC recognized body status in May 1997. The SARRC Secretariat is located in Sri Lanka.

- Association of Management Development Institutions (AMDISA) : It was established in June 1988 for the promotion of management education and management development activities in South Asian region. It has brought under its umbrella the leading institutions, both public and private, involved in the teaching, training and research in management and development oriented fields. AMDISA was granted SAARC Recognized Body status in 1997. Its general office is located in India.

- SAARC Federation of University Women (SAARCFUW) : Its objective was to bring together the university women of the region to promote understanding and cooperation and share responsibility in society for the social upliftment in the region. It was granted the SAARC Recognized body status in 1997. Its secretariat is located in Sri Lanka.

- South Asian Federation of Accountants (SAFA) : It was established in

46 Ibid. p. 44-45.
1984 with the objective of developing a coordinated accountancy profession in the region. Its membership is open to accountancy bodies in the South Asian Region. At present the Institutes of chartered Accountants and/or the Institutes of Cost and Management Accountants in Bangladesh, India, Pakistan and Sri Lanka are the members of SAFA. It was granted the status of SAARC Recognized Body in May 1997. Its Secretariat is located at South Asian Federation and Accountants, Institute of Charted Accountants of India.

- **SAARC Association of Town Planners**: It was granted SAARC recognition in August 1998. The main objective of the Association is to promote coordinated town planning in the region. At present, its country chapters are in Bangladesh, India, Pakistan and Sri Lanka. Its headquarters are located in Colombo.

- **SAARC Cardiac Society**: It was granted the SAARC’s recognized body in November 1998. The main objectives of the society is to faster cooperation and exchange of information in the field of cardiovascular science including its research, training and rehabilitation programmes. It has country chapters in Bangladesh, India, Nepal, Pakistan and Sri Lanka. Its headquarters are located at Dhaka.

- **Association of SAARC Speakers and Parliamentarians**: The Association of SAARC speakers and Parliamentarians was formally launched in 1992 in Kathmandu. The Heads of State or Government at their Seventh SAARC Summit (Dhaka, April 1993) had welcomed the
initiative of the speakers of Parliaments of SAARC countries in forming the Association.

**Besides the above mentioned regional bodies, there are several other bodies like** SAARC Teacher’s Federation (STF), Foundation of SAARC writers and Literature (FSWL), Federation of state insurance Organization of SAARC Countries (FSIO), Radiological Society of SAARC Countries (RSSC), SAARC Surgical care Society (SSCS). And many more will develop whenever the need arise.

**Cooperation with Regional and International Organisations**\(^{47}\) : The Successive SAARC Summits have accorded priority to establishing contacts with regional groupings that have experience in economic and functional regional cooperation. In keeping with the above, the Association pursues collaborative efforts of mutual entered with a number of regional and international organizations with which it has finalized cooperation agreements.

**UNCTAD** : A memorandum of understanding on the Trade Analysis and Information system (TRAINS) was signed between SAARC and UNCTAD in February 1993. This was the first Agreement of cooperation signed by SAARC with an international organisation under this Agreement, since 1993, UNCTAD has been providing updated copies of its TRAINS to the SAARC Secretariat on a regular basis. TRAINS, which is now available on CD-ROM, contains latest data on trade control measures prevailing in ninety one developed and developing countries.

\(^{47}\) R.S.Kher, op.cit., pp. 55-59.
UNICEF: A cooperation Agreement between SAARC and UNICEF, was signed in December 1993. The Agreement envisages cooperation in implementing the relevant SAARC decisions relating to children through an annual agenda which include joint studies, exchange of documentation and monitoring of implementation.

APT: The SAARC – APT Memorandum of understanding (MoU) signed in February 1994 envisages cooperation between the two organisations to promote the growth of telecommunications in order to accelerate economic and social development in the region.

ESCAP: A framework Agreement for cooperation between SAARC and Economic and social commission for Asia and the pacific (ESCAP) was signed in February 1994. The Agreement provides for cooperation on development issues through joint studies, workshops and seminars and exchange of information and documentation in poverty alleviation, human resource development, trade promotion, foreign direct investment, environmental protection and prevention of drug trafficking, infrastructure, development, etc.

UNDP: The SAARC UNDP Memorandum of understanding (MoU) was signed in July 1995 and embodies a general agreement for broad-based collaboration with the aims and purposes of promoting sustainable human development for eradicating poverty, preservation and protection of environment, regeneration of natural resources, employment creation, and the goals of women in development; undertaking periodic consultation for
joint activities; publishing studies on priority concerns and exchanging relevant reports.

**UNDCP**: SAARC signed the MoU with UNDP in August 1995 to coordinate efforts in combating drug trafficking and drug abuse in the region. The Memorandum envisages mutual consultation and exchange of information between the two organizations, development and implementation of such activities as human resource development; improving regional cooperation on drug intelligence through the SAARC Drug offences Monitoring Desk; legislation; financial investigation; money laundering; precursor control; and the establishment of a networking arrangement among existing institutions in drug abuse prevention etc.

**EC**: Since the conclusion of the MoU on Administrative Cooperation with the EC in July, 1996, the Secretariat has been in regular touch with the European Commission to concretize SAARC-EC cooperation through the implementation of specific projects/programmes. The MoU mainly focuses on exchange of information, institutional support and training, and technical assistance. The MoU envisages cooperation between the two organisation in the areas of staff training of SAARC Secretariat and SAARC institutions, technical assistance for institutions and institutional support to strengthen the capacities and effectiveness of SAARC Secretariat and SAARC institutions.

**ITU**: The MoU between SAARC and International Telecommunication Union (ITU) was signed in March 1997. Providing a framework agreement for ensuring closer cooperation and coordination of efforts between SAARC
and ITU. The areas covered by the MoU include development of telecommunications and telemetric services as well as improvement of the quality of voice and non-voice telecommunication services in the region.

**CIDA**: SAARC and the Canadian International Development Agency (CIDA) signed a Memorandum of Cooperation in July, 1997 for promotion of cooperation and mutually beneficial relationships between the two organizations in the core areas of mutual concern, which, among others, include poverty eradication; economic and trade cooperation, social and human resource development; sustained economic growth; and sustainable development.

**SAARC AND MEMBERSHIP OF AFGHANISTAN**

Afghanistan joined SAARC organization as its eight member in 2005, at its 13th summit held in Dhaka. Although there are many conflicting interpretations of the geographic status of Afghanistan as being part of central, as opposed to South Asia, its long border with Pakistan gives it a natural advantage to have an impact on the political and economic ambience of the South Asian region. Afghanistan situated between Central and South Asia, was not only determined by the old and new great power politics but has a history of bloodshed as well. Membership of SAARC has ended its search for identity among the West and Central Asian grouping. Moreover, its involvement within the SAARC orbit can lead to its benefits accrued from various ongoing SAARC programmes, like collective anti-terrorism measures for domestic and regional security, economic enhancement under
the existing free trade agreement (SAFTA) as well as its chances of better negotiation over a land route to India via Pakistan and a seaport facility with the later. SAARC expands its wings and gave observer status to the following countries:

1. Australia
2. China
3. European union
4. Iran
5. Japan
6. Mauritius
7. Myanmar
8. South Korea
9. United States of America

A complete SAARC organizational structure evolved in less than a decade, and increasing areas of cooperation are being added to the list of the SAARC activities at every summit and other meetings. Organizational, structure of SAARC is so designed that it appeals for cooperation at large scale. This cooperation can be among the members of SAARC at regional level or among the SAARC and other international organizations at international level. SAARC’s institutional arrangement covered almost all the fields of cooperation for e.g. social, economic, cultural etc.