

DRAFT 06

**Cooperation Framework between the Association of South East Asian Nations and the International Federation of the Red Cross and Red Crescent Societies**

The Association of South East Asian Nations (ASEAN) and the International Federation of the Red Cross and Red Crescent Societies (IFRC) herein after are referred to singularly as the “Party” and collectively as the “Parties”.

***WHEREAS*** ASEAN is an inter-governmental organisation whose purposes, as embodied in the ASEAN Charter, are, among others, to accelerate economic growth, social and cultural progress, strengthen peaceful communities among the Southeast Asian Nations and promote a regional peace, security and stability through abiding respect for justice and the rule of law, and upholding the United Nations Charter and international law, including international humanitarian law;

***WHEREAS***, the IFRC is an International Organisation headquartered in Geneva on the basis of a status agreement executed with the Government of Switzerland. The IFRC is the world’s largest humanitarian network comprising and governed by its 187 Red Cross and Red Crescent national society members, and its objective is to “inspire, encourage, facilitate and promote at all times all forms of humanitarian activities by the National Societies, with a view to preventing and alleviating human suffering and thereby contributing to the maintenance and the promotion of peace in the world”;

***RECALLING*** the entry into force of the ASEAN Agreement on Disaster Management and Emergency Response (AADMER) on 24 December 2009 and in particular the obligation of its Member States to undertake cooperation activities in order to increase preparedness and mitigate disasters;

***RECALLING*** the Fundamental Principles of the International Red Cross and Red Crescent Movement, namely the principles of humanity, impartiality, neutrality, independence, volunteerism, unity and universality as key guides for conducting humanitarian activities in favour of vulnerable people and to protect their lives and dignity;

***RECOGNISING***  the need to work closer and in a more coordinated way to contribute to the fulfilment of the objectives of the Parties.

The Parties have agreed as follows:

**Article 1,
Objectives**

1.1. This Cooperation Framework (hereinafter the “CF”) initiates deeper cooperation between the IFRC and ASEAN on matters of mutual interest in order to facilitate the achievements of the objectives and purposes of the Parties.

1.2. This CF facilitates the exchange of expertise between the Parties and encourages participation in specified meetings and other events of each Party. It serves as a framework for any additional cooperation activities between the Parties in specific activities and other areas of collaboration.

**Article 2,**

**General Principles of Cooperation**

2.1. The Parties shall act in a spirit of close cooperation through regular consultations on matters of common interest based on prioritized issues and programmes, including joint initiatives such as, but not limited to, assessment missions and possible programme activities at the regional and national levels, in order to coordinate their work and strengthen cooperation on behalf of the respective members of the Parties

2.2. The ASEAN sectoral bodies and the ASEAN Secretariat may be invited, in accordance with IFRC procedures, to take part as an observer in conferences organized by the IFRC or its members, and may take part in seminars, technical meetings and other events as convened under IFRC leadership whenever issues of mutual interest are discussed.

2.3. The IFRC may be invited, in accordance with ASEAN procedures and established practices, to undertake discussions and consultations with ASEAN relevant bodies to work on possible areas of cooperation. The IFRC may also be invited to take part in conferences, workshops and other events convened under ASEAN auspices during which matters of mutual interest are discussed. Such invitations may also be extended to South East Asia National Societies, through the IFRC.

2.4. The Parties may agree to convene, under joint auspices, workshops, training activities, conferences, specific technical agreements or other events on matters of mutual interest in accordance with separate procedures to be decided in each specific case. If conferences or other meetings convened by one of the Parties may require the cooperation and specific participation of the other, the extent of such cooperation shall be determined and agreed mutually by the Parties.

**Article 3,**

**Principles for Joint Initiatives**

The two Parties may decide to act jointly in the implementation of projects that are of common interest. In such case, the Parties shall determine and agree to the form and structure of each Party’s participation including possible financial commitments by the two Parties.

**Article 4,**

**Areas of Technical Cooperation and Key Priorities**

4.1. ASEAN welcomes the expertise and contribution of IFRC and its 11 member National Societies – Brunei Darussalam Red Crescent, Cambodian Red Cross Society, Lao Red Cross, Malaysian Red Crescent Society, Myanmar Red Cross Society, Philippine Red Cross, Indonesian Red Cross/Palang Merah Indonesia, Singapore Red Cross Society, Thai Red Cross Society, Timor Leste Red Cross Society, and the Red Cross of Viet Nam – to strengthen community safety and resilience in South East Asia in areas such as disaster preparedness and response, public health emergencies and other disaster management related areas of expertise.

4.2. The Parties agree once a year to convene a joint consultation to plan and examine areas for specific collaboration. The immediate objective of the joint consultations is to develop more detailed work plans for implementation of any agreed activities.

4.3. The IFRC recognizes in particular*,* the role of the ASEAN Committee on Disaster Management (ACDM) and the ASEAN Co-ordinating Centre for Humanitarian Assistance on disaster management (AHA) to pursue regional cooperation on disaster management via the ASEAN Agreement on Disaster Management and Emergency Response (AADMER), which outlines the commitment of ASEAN Members States.

**Article 5,**

**Implementation and Evaluation**

5.1. The Parties agree that this CF should be reviewed bi-annually and a joint assessment should be undertaken to assess the results achieved from the cooperation.

**Article 6,**

**Public Representation**

No public statement will be issued by either Party with respect to this CF or the projects initiated as a result of this CF, without prior approval by the other Party. The Parties maintain sole control over their respective names and emblems. No Party is authorized under this CF to make use of the other Party’s name nor emblem, except as separately agreed by the Parties in writing.

**Article 7,**

**Publication of Reports**

Any joint activity reports or papers shall, as far as possible, be published in a collaborative manner. In case this is not feasible, either Party may publish such reports on its own or in collaboration with others, giving due recognition to the contribution of the other Party. Such publication shall be shared with the other Party for prior agreement. In case of objections to such publication, or disagreement in relation to content, such independent publication shall not be permitted.

**Article 8,**

**Dispute Settlement**

This CF shall be governed by, and construed in accordance with, general principles of law, to the exclusion of national jurisdiction. Any differences in the interpretation or application of this CF shall be resolved by common agreement of the Parties.

**Article 9,**

**Privileges and Immunities**

Nothing in or related to this CF shall be deemed to constitute any waiver, express or implied, of the immunities, privileges, exemptions and facilities enjoyed by either Party under international or domestic law.

**Article 10,**

**General Provisions**

This CF shall be subject to the Parties’ internal procedures for its entry into force. The CF shall enter into force on the date on which the last Party notifies the completion of its internal procedures for the entry into force upon its signature by both parties and its ratification by the Governing Board of the IFRC. The CF shall be valid for an initial period of five years and may be renewed for a further term to be agreed upon in writing by the Parties.

ASEAN recognizes that all activities carried out pursuant to this Cooperation Framework by IFRC, will be consistent with the constitution of the IFRC, the Fundamental Principles of the International Red Cross and Red Crescent Movement, the Code of Conduct for the International Red Cross Red Crescent Movement and NGOs in Disaster Relief, the IFRC rules and policies, and all applicable domestic and international laws and regulation.

This CF may be amended by mutual agreement of the parties, recorded in writing. Such amendments shall specify the effective date of the modifications.

This CF may be terminated earlier by either of the parties with three months prior written notice

In witness whereof, the duly empowered representatives of the International Federation of Red Cross and Red Crescent Societies, and the Secretariat of the Association of South East Asian Nations (ASEAN) have signed the present CF in English.

SIGNED in Jakarta on XXXXX, XXXXX, on XX-XX 2011 in English in duplicate.

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For the International Federation For the Association of South East

of the Red Cross and Red Crescent Asian Nations

Societies

Mr. Jagan Chapagain Dr. Surin Pitsuwan

Director of Asia Pacific Zone Secretary General ASEAN

IFRC Secretary General with possible delegation of authorities to AP Director