

## **Guidelines for Updating Annex 1 of the ASEAN Charter**

\*\*\*\*\*

1. These Guidelines are made in pursuance of Article 10 Paragraph 2 of the ASEAN Charter which provides that *“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.”*
  
2. Annex 1 may be regularly updated under the following instances:
  - a. Inclusion or deletion of any ASEAN Sectoral Ministerial Body (ASMB) pursuant to the decision of the ASEAN Summit in accordance with Article 7.2 (f) of the ASEAN Charter;
  - b. Inclusion or deletion of Senior Officials or the Subsidiary Bodies under the purview of the concerned ASMB upon the latter’s recommendation;
  - c. Change of name of an existing ASMB, its Senior Officials and Subsidiary Bodies;
  - d. Movement of any ASMB from one Community Council to another, following the decision of the respective Community Council(s); and
  - e. Movement of any Senior Officials and Subsidiary Body from one ASMB to another, following the decision of the respective ASMB.

The ASEAN Secretariat is tasked to regularly monitor and update the list of ASMBs pursuant to the circumstances described above for reference and consideration of the Committee of Permanent Representatives to ASEAN (CPR). The CPR may also request the ASEAN Secretariat to initiate the process of updating Annex 1 if it is so required.

3. All requests to update Annex 1 as prescribed in Paragraph 2 above shall be channeled through the ASEAN Secretariat.
4. If the provisions in Paragraph 2 are not complied with, the CPR shall request the ASEAN Secretariat to inform the relevant bodies of the matter for their further action.
5. The ASEAN Secretariat shall notify the CPR if it receives any request from any ASMB in relation to changes to Annex 1, or if it initiates the process of update.
6. In considering the proposed update of Annex 1, the CPR may request the ASEAN Secretariat to seek more information from and consult with the concerned ASMBs with a view to soliciting further their views and inputs.
7. For the purposes of the consideration of the CPR, the relevant Division of the ASEAN Secretariat that deals with the relevant ASMB that made the request to update Annex 1 shall provide a report with recommendations to the CPR taking into account all the relevant factors, including views and inputs from the concerned ASMBs in the report. The CPR's decision shall be recorded in the Report of the Meeting of the CPR to ASEAN.
8. The CPR Chair will then convey the CPR's recommendation to the Secretary-General of ASEAN in writing to update Annex 1 of the ASEAN Charter.
9. If the recommendation of the CPR is to agree to any changes to Annex 1, the Secretary-General of ASEAN shall inform the relevant bodies of the decision. The following steps should then be taken by the ASEAN Secretariat:
  - 9.1 Officially inform the ASEAN Coordinating Council, the 3 Community Councils, and concerned ASMBs of an update of Annex 1; and

- 9.2 Proceed to update Annex 1 of the ASEAN Charter in both the ASEANWEB version and printed copies. The updated Annex 1 shall indicate the date on which such an update takes effect.

00000000