

No. 22028

MULTILATERAL

**Charter of the Asian and Pacific Development Centre.
Adopted by the United Nations Economic and Social
Commission for Asia and the Pacific on 1 April 1982**

Authentic texts: Chinese, English, French and Russian.

Registered ex officio on 1 July 1983.

MULTILATÉRAL

Statuts du Centre de développement pour l'Asie et le Pacifique. Adoptés par la Commission économique et sociale des Nations Unies pour l'Asie et le Pacifique le 1^{er} avril 1982

Textes authentiques : chinois, anglais, français et russe.

Enregistrés d'office le 1^{er} juillet 1983.

CHARTER¹ OF THE ASIAN AND PACIFIC DEVELOPMENT CENTRE

Article I. ESTABLISHMENT OF THE CENTRE

The Asian and Pacific Development Centre (hereinafter referred to as the “Centre”) is hereby established as an intergovernmental institution for policy research and training relating to development to serve the Asian and Pacific region.

Article II. PURPOSE AND FUNCTIONS

1. The purpose of the Centre shall be to assist Governments of countries members of the Centre and, on such terms as the Centre may deem appropriate, Governments of countries of the ESCAP region not members of the Centre, and collaborate with governmental and non-governmental research and training institutions and other institutions of public education in the Asian and Pacific region, in the study, formulation, implementation, management and evaluation of development strategies and policies.

2. For this purpose, the Centre shall have the following functions:

- (a) To conduct research on its own in areas where research is deemed necessary and where a regional research effort is most appropriate;
- (b) To encourage, among institutions in the region, research on current development issues and problems;
- (c) To conduct programmes for exchange of experience in development in the countries of the region through meetings of senior researchers, officials and other persons at the policy-making level related to development;
- (d) To facilitate and arrange training at the working level in countries of the region and, for this purpose, utilize networks of national, subregional and regional research and training institutions and also conduct training at the Centre as appropriate;
- (e) To serve, through its publications and high-level meetings, as a clearing-house for information on development;

¹ Came into force in respect of the following States on 1 July 1983 (date set forth in article XVIII (1)), as five countries, including Malaysia, which were members or associate members of the Commission, had more than 30 days before that date definitively signed the Statutes or deposited an instrument of ratification, acceptance, approval or accession with the Secretary-General of the United Nations, in accordance with article XVIII (1). Definitive signatures were affixed as follows:

<i>State</i>	<i>Date of definitive signature</i>	<i>State</i>	<i>Date of definitive signature</i>
Bangladesh	9 September 1982	Maldives	25 April 1983
China	18 February 1983	Nepal	25 April 1983
Cook Islands	29 March 1983	Pakistan	9 September 1982
India	25 April 1983	Philippines	15 December 1982
Indonesia	7 January 1983	Republic of Korea	9 September 1982
Japan	9 September 1982	Viet Nam	9 September 1982
Malaysia	9 September 1982		

Subsequently, the Charter came into force for the State listed below on the thirtieth day after the date of definitive signature, in accordance with article XVIII (2):

<i>State</i>	<i>Date of definitive signature</i>
Thailand	27 June 1983

(With effect from 27 July 1983.)

(f) To provide consultancy services, in co-operation with national institutions, where appropriate, to countries of the region.

3. In carrying out these functions, the Centre shall maintain a judicious balance between research and training activities.

4. Special organizational identity shall be given to the programme area related to issues concerning women, youth, children and the handicapped, and sufficient emphasis shall be given to activities in the field of social welfare and development.

Article III. MEMBERSHIP

1. All countries that are members or associate members of the United Nations Economic and Social Commission for Asia and the Pacific (also referred to in this Charter as "ESCAP") shall be eligible for membership in the Centre. Any such country shall become a member of the Centre on becoming a party to this Charter.

2. Each such country, on becoming a member of the Centre, recognizes that the financial viability of the Centre is the responsibility of its member countries. Members shall ensure that voluntary contributions to the Centre are made in a timely and adequate manner.

Article IV. STATUS, STRUCTURE AND HEADQUARTERS

1. The Centre shall have juridical personality and shall have the capacity, in accordance with the national laws and regulations of the members of the Centre:

- (a) To contract;
- (b) To acquire and dispose of immovable and movable property;
- (c) To institute legal proceedings.

2. The Centre shall have a General Council, a Management Board and a Director and staff.

3. The headquarters of the Centre shall be at Kuala Lumpur, Malaysia.

Article V. GENERAL COUNCIL: COMPOSITION

1. The General Council shall be composed of all the members of the Centre.

2. The Director of the Centre shall serve as Secretary of the General Council.

Article VI. GENERAL COUNCIL: FUNCTIONS

The General Council shall:

- (a) Establish policies and principles which will govern the activities of the Centre, approve the broad framework of the programmes of the Centre, and approve the budget estimates and accounts of the Centre for each biennium;
- (b) Establish the Management Board of the Centre in accordance with the provisions of article VIII;
- (c) Establish such other subsidiary bodies as it may deem appropriate;
- (d) Appoint the Director of the Centre in accordance with the provisions of article IX, paragraph 1;
- (e) Receive and consider the reports of the Management Board and the Director on the functions delegated to them;
- (f) Exercise such other functions as it may be authorized to perform or as may be necessary under this Charter.

Article VII. GENERAL COUNCIL: MEETINGS AND PROCEDURE

1. The General Council shall meet in regular session once every two years.
2. The first, and inaugural, regular session of the General Council shall be convened by the Executive Secretary of ESCAP as soon as possible after the entry into force of this Charter.
3. The General Council shall meet in special session whenever a majority of the members of the Centre requests the Chairman of the General Council to convene a special session.
4. A quorum for meetings of the General Council shall be a majority of the members of the Centre.
5. Each member of the Centre shall have one vote in the General Council.
6. The General Council shall endeavour to reach its decisions by consensus. Where consensus is not possible, decisions of the General Council shall, unless otherwise provided in this Charter, be made by a majority of the members present and voting.
7. The General Council shall at each regular session elect a Chairman and a Vice-Chairman. They shall hold office until the next regular session of the General Council. The Chairman or, in his absence, the Vice-Chairman shall preside at meetings of the General Council.
8. Representatives of Governments not members of the Centre, representatives of ESCAP and other appropriate United Nations bodies and specialized agencies, representatives of such other organizations as the General Council may deem appropriate and experts in fields of interest to the General Council may be invited to participate in meetings of the General Council in the capacity of observers without the right to vote.
9. The General Council shall, subject to the provisions of this Charter, adopt its own rules of procedure.

Article VIII. MANAGEMENT BOARD

1. The General Council shall at its first, and inaugural, session establish the Management Board of the Centre.
2. The Management Board shall be composed of the following members: (a) a representative of the host country of the Centre; (b) up to fourteen persons from within the Asian and Pacific region elected by the General Council to serve in their individual capacities; (c) up to three persons from within or outside the region who may be co-opted by the Management Board and who will also serve in their individual capacities; and (d) the Director of the Centre.
3. The General Council shall, in establishing the Management Board, define its terms of reference and delegate to the Board the authority necessary to enable it to serve as an effective management authority, without prejudice to the responsibilities of the Director, as provided in article IX. It shall be the responsibility of the Management Board to ensure the proper implementation of the work programme and ensure that expenditure is incurred in a properly accountable manner.
4. The Management Board, which shall be responsible to the General Council in the performance of its functions, shall ensure that the activities of the Centre are conducted in accordance with this Charter and the resolutions and decisions of the General Council.

5. The Management Board shall meet at least once every year and shall elect its own Chairman and two Vice-Chairmen each year.

Article IX. DIRECTOR AND STAFF

1. The Director of the Centre shall be appointed by the General Council for a term of three years on the recommendation of the Management Board. The Director shall be eligible for reappointment for an additional term of two years only, provided, however, that the first Director may serve for no longer than a cumulative period of five years, including service as Director of the Centre prior to the entry into force of this Charter.

2. If the post of the Director falls vacant, the Management Board shall appoint a suitable person as Acting Director during the interim period until such time as a new Director is appointed by the General Council.

3. The Director shall be responsible to the General Council and to the Management Board in the performance of his functions.

4. The Director shall:

- (a) Administer the Centre and its programmes with a view to ensuring that the Centre becomes an institution of high academic standing;
- (b) Prepare and submit to the General Council through the Management Board, for review and approval, a report on the areas identified for research and proposals for their development, a report on the areas identified for training, seminars and workshops, and the budget estimates and the accounts of the Centre;
- (c) Report on the Centre and its programmes to the Management Board and the General Council;
- (d) Appoint the other staff of the Centre;
- (e) Arrange all matters relating to the publication of materials produced by the Centre, having in view the objectives of the Centre and its academic character;
- (f) Perform such other duties as may be required of him under this Charter or pursuant to decisions of the General Council or of the Management Board.

Article X. RESOURCES

1. The financial resources of the Centre shall be composed of:

- (a) The voluntary contributions of the members of the Centre in accordance with a formula for the determination of the periodic targets of such contributions as agreed to by the General Council from time to time;
- (b) Funds received from Governments not members of the Centre;
- (c) Funds received from international and national institutions;
- (d) Moneys received for services furnished by the Centre;
- (e) Other funds or moneys received by the Centre.

2. The Centre may also receive contributions of a non-financial nature.

3. The General Council shall at each session review the state of the resources of the Centre, as presented by the Management Board, and make such recommendations to the members of the Centre as it may deem appropriate, to ensure that timely and adequate resources are always available to the Centre and its programmes, and that a balance between these resources and programmes is maintained.

4. The Centre shall be administered on a sound economic and financial basis.

5. Regulations for receipt, custody and expenditure of the financial and non-financial resources of the Centre shall be established.

Article XI. RELATIONS WITH THE UNITED NATIONS ECONOMIC AND SOCIAL COMMISSION FOR ASIA AND THE PACIFIC

1. The Centre shall establish and maintain a close consultative, co-operative and working relationship with ESCAP.

2. The Centre may enter into an agreement with ESCAP on the modalities of that relationship.

3. The Executive Secretary of ESCAP or his representative shall be invited to attend meetings of the General Council and of the Management Board and may make such statements and present such papers as he may deem appropriate.

4. The General Council or the Management Board, as appropriate, shall each year submit to ESCAP at its annual session a report on the Centre and its programmes.

Article XII. RELATIONS WITH OTHER UNITED NATIONS BODIES AND SPECIALIZED AGENCIES AND OTHER INTERNATIONAL INSTITUTIONS

The Centre may establish and maintain such relations as it may deem appropriate with other United Nations bodies and specialized agencies and other international institutions.

Article XIII. FACILITIES, PRIVILEGES AND IMMUNITIES

The Centre shall conclude with Malaysia, as the country in which the headquarters of the Centre shall be located, a headquarters agreement relating to the facilities, privileges and immunities which the Centre, representatives of its members, its officials and its consultants will receive while in Malaysia for the purpose of exercising official duties.

Article XIV. WITHDRAWAL FROM THE CENTRE

1. Any member of the Centre may withdraw from the Centre and this Charter by giving written notification of withdrawal to the Chairman of the General Council and to the Secretary-General of the United Nations as depositary of this Charter.

2. The Chairman of the General Council shall inform all other members of the Centre and the Secretary-General of the United Nations as depositary of this Charter of his receipt of such notification.

3. A notification of withdrawal shall take effect six months after the date of receipt of the notification by the Secretary-General of the United Nations.

4. A member withdrawing from the Centre shall continue to be responsible for obligations incurred within the period of its membership.

Article XV. DISSOLUTION OF THE CENTRE

1. The General Council may, by a two-thirds majority of the total membership of the Centre, resolve that the Centre be dissolved.

2. On approval of such a resolution by two thirds of the members of the Centre, in notifications addressed to the Chairman of the General Council, the necessary steps shall be taken by the General Council for the dissolution of the Centre. These steps shall include establishment by the General Council of a committee to advise the

General Council on the manner in which the assets and obligations of the Centre should be liquidated prior to the dissolution of the Centre.

3. The General Council shall, at the appropriate stage, adopt a final declaration stating that on a specified date the Centre shall be deemed dissolved. The declaration shall be communicated by the Chairman of the General Council to the members of the Centre and to the Secretary-General of the United Nations as depositary of this Charter.

Article XVI. SIGNATURE, RATIFICATION AND ACCESSION

1. Countries eligible, under article III, to become members of the Centre may become parties to this Charter by:

- (a) Signing the Charter without reservations as to ratification, acceptance or approval;
- (b) Signing the Charter subject to ratification, acceptance or approval and, thereafter, depositing instruments of ratification, acceptance or approval;
- (c) Acceding to the Charter.

2. This Charter shall be open for signature at the headquarters of ESCAP in Bangkok from 1 September 1982 to 30 April 1983 and thereafter at the Headquarters of the United Nations in New York.

3. Instruments of ratification, acceptance, approval or accession shall be deposited with the Secretary-General of the United Nations.

Article XVII. ASSOCIATE MEMBERS OF ESCAP

If an associate member of ESCAP is not fully responsible for the conduct of its international relations, it shall when signing, ratifying, approving, accepting or acceding to this Charter present a document issued by the Government of the State responsible for the conduct of the international relations of the associate member confirming that the associate member has authority to be a party to, and to assume rights and obligations under, this Charter.

Article XVIII. ENTRY INTO FORCE

1. This Charter shall enter into force on the thirtieth day after five countries eligible under article III to become members of the Centre, including Malaysia, the country in which the headquarters of the Centre shall be, have become contracting parties to this Charter in accordance with article XVI, paragraph 1. It is understood, however, that the Charter shall not enter into force prior to 1 July 1983.

2. For countries signing this Charter under article XVI, paragraph 1 (a), or depositing instruments of ratification, acceptance, approval or accession after the date of the five signatures, ratifications, acceptances, approvals or accessions required under paragraph 1 of this article for the entry into force of this Charter, the Charter shall enter into force on the thirtieth day after such signature or deposit, provided, however, that such entry into force shall not occur prior to 1 July 1983.

Article XIX. AMENDMENT

- 1. Any party to this Charter may propose an amendment to it.
- 2. The proposed amendment shall be considered by the General Council and if approved by a two-thirds majority in the General Council shall enter into force for all parties to this Charter on the thirtieth day after the deposit with the Secretary-

General of the United Nations of instruments of acceptance of the proposed amendment by two thirds of the parties to this Charter.

Article XX. DEPOSITARY

1. The Secretary-General of the United Nations is hereby designated as the depositary of this Charter.

2. The original text of this Charter shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned, being duly authorized to do so by their respective Governments, have signed this Charter, opened for signature at the headquarters of ESCAP in Bangkok on 1 September 1982.

代表阿富汗：

In the name of Afghanistan:
Au nom de l'Afghanistan :
От имени Афганистана:

代表澳大利亚：

In the name of Australia:
Au nom de l'Australie :
От имени Австралии:

代表孟加拉国：

In the name of Bangladesh:
Au nom du Bangladesh :
От имени Бангладеш:

Md. ZAMIR
9/9/82

代表不丹：

In the name of Bhutan:
Au nom du Bhoutan :
От имени Бутана:

代表文莱国：

In the name of Brunei Darussalam:
Au nom de Brunei Darussalam :
От имени Брунея Даруссалама:
En nombre de Brunei Darussalam:

代表缅甸：

In the name of Burma:
Au nom de la Birmanie :
От имени Бирмы:

代表中国：

In the name of China:

Au nom de la Chine :

От имени Китая:

SHEN PING
1983/2/18**代表库克群岛：**

In the name of Cook Islands:

Au nom des Iles Cook :

От имени островов Кука:

JON JONASSEN
29 March 1983**代表民主柬埔寨：**

In the name of Democratic Kampuchea:

Au nom du Kampuchea démocratique :

От имени Демократической Кампучии:

代表斐济：

In the name of Fiji:

Au nom de Fidji :

От имени Фиджи:

代表法国：

In the name of France:

Au nom de la France :

От имени Франции:

代表关岛：

In the name of the Guam:

Au nom de Guam :

От имени Гуама:

代表香港：

In the name of Hong Kong:

Au nom de Hong-Kong :

От имени Гонконга:

代表印度：

In the name of India:

Au nom de l'Inde :

От имени Индии:

SHRI A. B. GOKHALE

25 April 1983

代表印度尼西亚：

In the name of Indonesia:

Au nom de l'Indonésie :

От имени Индонезии:

SOEBAMBANG

7-1-1983¹

代表伊朗伊斯兰共和国：

In the name of the Islamic Republic of Iran:

Au nom de la République islamique d'Iran :

От имени Исламской Республики Иран:

代表日本：

In the name of Japan:

Au nom du Japon :

От имени Японии:

MOTOO OGISO

September 9, 1982

¹ 7 January 1983 — 7 janvier 1983.

代表基里巴斯：

In the name of Kiribati:

Au nom de Kiribati :

От имени Кирибати:

代表老挝人民民主共和国：

In the name of the Lao People's Democratic Republic:

Au nom de la République démocratique populaire lao :

От имени Лаосской Народно-Демократической Республики:

KHAMPHAN SIMMALAVONG

9-9-82

代表马来西亚：

In the name of Malaysia:

Au nom de la Malaisie :

От имени Малайзии:

DATUK SHAHUDDIN BIN MOHAMAD TAIB

September 9, 1982

代表马尔代夫：

In the name of Maldives:

Au nom des Maldives :

От имени Мальдивов:

MOHAMED SHAREEF

25/4/1983

代表蒙古：

In the name of Mongolia:

Au nom de la Mongolie :

От имени Монголии:

代表瑙鲁：

In the name of Nauru:
Au nom de Nauru :
От имени Науру:

代表尼泊尔：

In the name of Nepal:
Au nom du Népal :
От имени Непала:

Dr. MOHAN MAN SAINJU
April 25, 1983

代表荷兰：

In the name of the Netherlands:
Au nom des Pays-Bas :
От имени Нидерландов:

代表新西兰：

In the name of New Zealand:
Au nom de la Nouvelle-Zélande :
От имени Новой Зеландии:

RAYMOND LESLIE JERMYN
Subject to ratification¹
9 September 1982

代表纽埃岛：

In the name of Niue:
Au nom de Nioué :
От имени Ниуэ:

¹ Sous réserve de ratification.

代表巴基斯坦：

In the name of Pakistan:

Au nom du Pakistan :

От имени Пакистана:

KAMAL MATINUDDIN

9 September 1982

代表巴布亚新几内亚：

In the name of Papua New Guinea:

Au nom de la Papouasie-Nouvelle-Guinée :

От имени Папуа-Новой Гвинеи:

代表菲律宾：

In the name of the Philippines:

Au nom des Philippines :

От имени Филиппин:

RAFAEL M. ILETO

15 December 1982

代表大韩民国：

In the name of the Republic of Korea:

Au nom de la République de Corée :

От имени Корейской Республики:

TAE WOONG KWAN

September 9th, 1982

代表萨摩亚：

In the name of Samoa:

Au nom du Samoa :

От имени Самоа:

代表新加坡：

In the name of Singapore:
Au nom de Singapour :
От имени Сингапура:

代表所罗门群岛：

In the name of Solomon Islands:
Au nom des Iles Salomon :
От имени Соломоновых Островов:

代表斯里兰卡：

In the name of Sri Lanka:
Au nom de Sri Lanka :
От имени Шри Ланки:

IRANGANIE MANEL ABEYSEKERA
9th September 1982

代表泰国：

In the name of Thailand:
Au nom de la Thaïlande :
От имени Таиланда:

APINAN PAVANARIT
27 June 1983

代表汤加：

In the name of Tonga:
Au nom des Tonga :
От имени Тонга:

代表太平洋岛屿托管领土：

In the name of the Trust Territory of the Pacific Islands:
Au nom du Territoire sous tutelle des Iles du Pacifique :
От имени подопечной территории Тихоокеанские острова:

代表图瓦卢：

In the name of Tuvalu:

Au nom de Tuvalu :

От имени Тувалу:

代表苏维埃社会主义共和国联盟：

In the name of the Union of Soviet Socialist Republics:

Au nom de l'Union des Républiques socialistes soviétiques :

От имени Союза Советских Социалистических Республик:

代表大不列颠及北爱尔兰联合王国：

In the name of the United Kingdom of Great Britain and Northern Ireland:

Au nom du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :

От имени Соединенного Королевства Великобритании и Северной Ирландии:

代表美利坚合众国：

In the name of the United States of America:

Au nom des Etats-Unis d'Amérique :

От имени Соединенных Штатов Америки:

代表瓦努阿图：

In the name of Vanuatu:

Au nom de Vanuatu :

От имени Вануату:

代表越南社会主义共和国：

In the name of Viet Nam:

Au nom du Viet Nam :

От имени Вьетнама:

Lu Ky
September 9th 1982