2007 Charter of the Association of   
Southeast Asian Nations

1.The Purposes of ASEAN are To maintain and enhance peace, security and stability and further strengthen peace-oriented values in the region;

2.The Purposes of ASEAN are To enhance regional resilience by promoting greater political, security, economic and socio-cultural cooperation;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17.ASEAN and its Member States shall act in accordance with the following Principles: respect for the independence, sovereignty, equality, territorial integrity and national identity of all ASEAN Member States; shared commitment and collective responsibility in enhancing regional peace, security and prosperity; renunciation of aggression and of the threat or use of force or other actions in any manner inconsistent with international law; reliance on peaceful settlement of disputes; non-interference in the internal affairs of ASEAN Member States; respect for the right of every Member State to lead its national existence free from external interference, subversion and coercion;

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

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

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

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

22.In the case of a serious breach of the Charter or non­compliance, the matter shall be referred to Article 20.

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

24.Admission shall be based on the following criteria: location in the recognised geographical region of Southeast Asia; recognition by all ASEAN Member States; agreement to be bound and to abide by the Charter; and ability and willingness to carry out the obligations of Membership.

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

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

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

28.The ASEAN Summit shall be the supreme policy-making body of ASEAN; deliberate, provide policy guidance and take decisions on key issues pertaining to the realisation of the objectives of ASEAN, important matters of interest to Member States and all issues referred to it by the ASEAN Coordinating Council, the ASEAN Community Councils and ASEAN Sectoral Ministerial Bodies; instruct the relevant Ministers in each of the Councils concerned to hold ad hoc inter-Ministerial meetings, and address important issues concerning ASEAN that cut across the Community Councils. Rules of procedure for such meetings shall be adopted by the ASEAN Coordinating Council; address emergency situations affecting ASEAN by taking appropriate actions; decide on matters referred to it under Chapters VII and VIII; authorise the establishment and the dissolution of Sectoral Ministerial Bodies and other ASEAN institutions; and appoint the Secretary-General of ASEAN, with the rank and status of Minister, who will serve with the confidence and at the pleasure of the Heads of State or Government upon the recommendation of the ASEAN Foreign Ministers Meeting.

29.ASEAN Summit Meetings shall be: held twice annually, and be hosted by the Member State holding the ASEAN Chairmanship; and convened, whenever necessary, as special or ad hoc meetings to be chaired by the Member State holding the ASEAN Chairmanship, at venues to be agreed upon by ASEAN Member States.

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

31.The ASEAN Coordinating Council shall: prepare the meetings of the ASEAN Summit; coordinate the implementation of agreements and decisions of the ASEAN Summit; coordinate with the ASEAN Community Councils to enhance policy coherence, efficiency and cooperation among them; coordinate the reports of the ASEAN Community Councils to the ASEAN Summit; consider the annual report of the Secretary-General on the work of ASEAN; consider the report of the Secretary-General on the functions and operations of the ASEAN Secretariat and other relevant bodies; approve the appointment and termination of the Deputy Secretaries-General upon the recommendation of the Secretary-General; and undertake other tasks provided for in this Charter or such other functions as may be assigned by the ASEAN Summit. The ASEAN Coordinating Council shall be supported by the relevant senior officials.

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

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

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

35.In order to realise the objectives of each of the three pillars of the ASEAN Community, each ASEAN Community Council shall: ensure the implementation of the relevant decisions of the ASEAN Summit; coordinate the work of the different sectors under its purview, and on issues which cut across the other Community Councils; and submit reports and recommendations to the ASEAN Summit on matters under its purview.

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

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

38.ASEAN Sectoral Ministerial Bodies shall: function in accordance with their respective established mandates; implement the agreements and decisions of the ASEAN Summit under their respective purview; strengthen cooperation in their respective fields in support of ASEAN integration and community building; and submit reports and recommendations to their respective Community Councils.

39.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.

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

41.The Secretary-General shall: carry out the duties and responsibilities of this high office in accordance with the provisions of this Charter and relevant ASEAN instruments, protocols and established practices; facilitate and monitor progress in the implementation of ASEAN agreements and decisions, and submit an annual report on the work of ASEAN to the ASEAN Summit; participate in meetings of the ASEAN Summit, the ASEAN Community Councils, the ASEAN Coordinating Council, and ASEAN Sectoral Ministerial Bodies and other relevant ASEAN meetings; present the views of ASEAN and participate in meetings with external parties in accordance with approved policy guidelines and mandate given to the Secretary-General; and recommend the appointment and termination of the Deputy Secretaries-General to the ASEAN Coordinating Council for approval.

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

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

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

45.The four Deputy Secretaries-General shall comprise: two Deputy Secretaries-General who will serve a non-renewable term of three years, selected from among nationals of the ASEAN Member States based on alphabetical rotation, with due consideration to integrity, qualifications, competence, experience and gender equality; and two Deputy Secretaries-General who will serve a term of three years, which may be renewed for another three years. These two Deputy Secretaries-General shall be openly recruited based on merit.

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

47.The Secretary-General and the staff shall: uphold the highest standards of integrity, efficiency, and competence in the performance of their duties; not seek or receive instructions from any government or external party outside of ASEAN; and refrain from any action which might reflect on their position as ASEAN Secretariat officials responsible only to ASEAN.

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

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

50.The Permanent Representatives collectively constitute a Committee of Permanent Representatives, which shall: support the work of the ASEAN Community Councils and ASEAN Sectoral Ministerial Bodies; coordinate with ASEAN National Secretariats and other ASEAN Sectoral Ministerial Bodies; liaise with the Secretary-General of ASEAN and the ASEAN Secretariat on all subjects relevant to its work; facilitate ASEAN cooperation with external partners; and perform such other functions as may be determined by the ASEAN Coordinating Council.

51.Each ASEAN Member State shall establish an ASEAN National Secretariat which shall: serve as the national focal point; be the repository of information on all ASEAN matters at the national level; coordinate the implementation of ASEAN decisions at the national level; coordinate and support the national preparations of ASEAN meetings; promote ASEAN identity and awareness at the national level; and contribute to ASEAN community building.

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

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

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

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

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

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

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

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

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

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

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

63.The Permanent Representatives of the Member States to ASEAN and officials of the Member States participating in official ASEAN activities or representing ASEAN in the Member States shall enjoy such immunities and privileges as are necessary for the exercise of their functions.

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

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

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

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

68.In the case of a serious breach of the Charter or non­compliance, the matter shall be referred to the ASEAN Summit for decision.

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

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

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

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

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

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

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

76.Disputes which do not concern the interpretation or application of any ASEAN instrument shall be resolved peacefully in accordance with the Treaty of Amity and Cooperation in Southeast Asia and its rules of procedure.

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

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

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

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

81.Any Member State affected by non-compliance with the findings, recommendations or decisions resulting from an ASEAN dispute settlement mechanism, may refer the matter to the ASEAN Summit for a decision.

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

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

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

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

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

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

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

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

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

91.ASEAN shall have, in a calendar year, a single Chairmanship by which the Member State assuming the Chairmanship shall chair: the ASEAN Summit and related summits; the ASEAN Coordinating Council; the three ASEAN Community Councils; where appropriate, the relevant ASEAN Sectoral Ministerial Bodies and senior officials; and the Committee of Permanent Representatives.

92.The Member State holding the Chairmanship of ASEAN shall: actively promote and enhance the interests and well­being of ASEAN, including efforts to build an ASEAN Community through policy initiatives, coordination, consensus and cooperation; ensure the centrality of ASEAN; ensure an effective and timely response to urgent issues or crisis situations affecting ASEAN, including providing its good offices and such other arrangements to immediately address these concerns; represent ASEAN in strengthening and promoting closer relations with external partners; and carry out such other tasks and functions as may be mandated.

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

94.The working language of ASEAN shall be English.

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

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

97.The ASEAN flag shall be as shown in Annex 3.

98.The ASEAN emblem shall be as shown in Annex 4.

99.The eighth of August shall be observed as ASEAN Day.

100.ASEAN shall have an anthem.

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

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

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

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

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

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

107.ASEAN may conclude agreements with countries or sub-­regional, regional and international organisations and institutions. The procedures for concluding such agreements shall be prescribed by the ASEAN Coordinating Council in consultation with the ASEAN Community Councils.

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

109.In relations with the external partners, the Country Coordinators shall, inter alia: represent ASEAN and enhance relations on the basis of mutual respect and equality, in conformity with ASEAN’s principles; co-chair relevant meetings between ASEAN and external partners; and be supported by the relevant ASEAN Committees in Third Countries and International Organisations.

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

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

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

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

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

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

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

117.This Charter shall be signed by all ASEAN Member States.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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