



Asian Parliamentary Assembly

Preliminary Report by the Secretary-General

Submitted to the First Meeting of the
Sub-Committee of the APA Political Committee on

Friendship Pact in Asia

SG/Rep/2008/04
3 June 2008



I. **Background**

1. In its first Plenary Session in November 2006, the Asian Parliamentary Assembly (APA) adopted the Tehran Declaration in paragraph 9 of which it welcomed the adoption of a “decision to set up a working group in the Islamic Republic of Iran to study and draw up a plan of action” for subjects including the “promotion of solidarity, friendship and good neighborly relations among Asian states leading to a friendship pact in Asia.”
2. In paragraph 42 of the Tehran Declaration of 2006, the APA Plenary also recognized *inter alia* “the need for developing a Friendship Pact in Asia and request the Asian Parliaments to consider this issue thoroughly in order to enhance amity and friendship among Asian countries. In this regard they decided to set up a working group to study the subject and submit a draft Friendship Pact to the Assembly next year for its further consideration.”
3. Pursuant to this mandate, the APA Secretariat set up an expert group comprised of parliament members, lawyers, diplomats, policy makers, and scholars from various fields to study the subject matter and prepare a draft to be considered by the APA. The Second APA Plenary annexed to its resolution (APA/Res/2007/06) the text of the Friendship Pact of Asia in September 2007.
4. In the said resolution, the APA Plenary decided to establish a sub-committee under the APA Political Committee “to consider the best strategies leading to the signing, ratifying, and acceding to Friendship Pact of Asia as annexed to the resolution by Asian States and to pursue the objectives delineated therein.”
5. The Plenary further “requested the APA Secretary General to prepare a report for consideration by the sub-committee.” This is the report of the Secretary-General to the first meeting of the sub-committee which is scheduled to be held on June 23-24 in Bahrain. It is expected that the deliberations in the sub-committee on the basis of this report, would result in a report



containing a set of recommendations to be considered by the Third APA Plenary for a decision.

II. Consolidating Integration in Asia through the Friendship Pact

Considering the fundamental developments occurred at the international level in the aftermath of the end of the Cold War era, the crucial role of Asia in the world order is increasingly unfolding.

The global community is undergoing rapid, vast, and deep changes in all aspects of its public life. Technological advancements have facilitated, broadened and upgraded both quantity and quality of interactions among individuals, groups, organizations, nations and states. In result, there has emerged a global context which provides a fertile ground for increasing integration at various levels and in various regions.

Both global context and situational elements of integration make Asia an outstanding case for a successful regional integration: not only the geographical span of this continent, but also the interplay of its rich history and civilizations; the sizable natural resources and developmental imperatives; massive production capabilities and vast consuming markets; enormous cross-national interactions and transnational networks of communications; have made the regional integration for Asia an imperative rather than an option.

While geographical proximity is a substantive element of regional integration, elements of such integration are not limited to geography. Indeed, historical, cultural, economic, political, and security ties have their own distinctive effects in shaping up a viable regional integration within the global context. Furthermore, solid and enduring institutions of cooperation and competition in sports, media, arts, and sciences across the continent; unique assortment of natural and artistic attractions for tourism; growing commonalities in public aspirations; and Asia's great potentials for the maintenance of international peace and security; all point to a fertile field for increasing and promising integration in Asia.



The Friendship Pact in Asia is a bold initiative that would considerably contribute to the process of regional integration in Asia. It provides a framework for agreement and a platform for active interaction at a macro level throughout Asia. The contents of the Friendship Pact in Asia, as articulated by the APA Plenary, cover common purposes and principles and encompass a wide range of subjects vital to further convergence in the Asian community at large.

From a regional perspective, the Friendship Pact in Asia as initiated by the APA signifies the deep-rooted ties of history, geography, culture, and civilization which bind Asia together. The common interests of all Asian states, as well as the shared challenges and opportunities facing their peoples, have been the guidelines for drawing up the Friendship Pact in Asia as a road towards further integration at the continental level.

From a global perspective, the Friendship Pact in Asia will definitely contribute to the promotion of Asia's prominence at the world level. The great capabilities of Asia as a whole are essential to the world peace, security, and prosperity. There is every reason to believe that an integrated Asia will play an even more constructive role in the future of world affairs in conformity with the interests of all Asian Nations and beyond.

III. Friendship Pact in Asia: Challenges and Concerns

Like any other innovative proposition, the idea of the Friendship Pact in Asia faces certain challenges and concerns. Part of these challenges has to do with its distinctive novelty. While there are certain precedents to the Friendship Pact in Asia and in other continents, the Friendship Pact in Asia as initiated by the APA has distinctive features: previous instances of friendship pacts are mostly bilateral but the APA proposed Friendship Pact in Asia is multilateral the scope of which is to cover a whole continent. Furthermore, the Friendship Pact is a comprehensive document embracing a range of economic, political, cultural, and legal subjects for cooperation among Asian states.



Other challenges to the Friendship Pact initiative arise from the very fact that its contents are mostly policy-oriented in nature thus usually fall in the executive branch's domain of authority. Therefore, the degree of progress in this initiative will be dependent upon the degree of cooperation and coordination between the APA and the Asian governments as well as on the political will of their respective states.

While the Friendship Pact of Asia, as annexed to the APA Resolution APA/Res/2007/06 dated 19 November 2007, should be given much credit for effectively incorporating substantive issues of concern for all Asian Nations and States, from a political point of view, its title may seem too ambitious. Since the contents of the Friendship Pact involves decisions and arrangements to be made in partnership of Parliaments and Governments, it seems both appropriate and more effective to get the Governments involved in a piecemeal process with a view to reach an agreement.

IV. Suggestions for Further Progress

In light of the above, there may be several ways forward. The Subcommittee may wish to deliberate different approaches to this Pact. There are three obvious approaches to take the Friendship pact forward:

- 1- How to proceed with a Friendship Pact in Asia as annexed to APA Resolution APA/Res/2007/06. Generally, a Pact is negotiated by representatives of governments and after their signature it would become available for parliaments to review it and based on their constitutional laws and procedure, ratify or accede to the pact. This would be a very formal approach to the Friendship Pact in Asia.

Theoretically, since the Friendship Pact in Asia was initiated by the parliaments, the Sub-Committee may wish to consider how best each Member Parliament can formally engage its respective government in a legislative process it initiates.



- 2- Another option which is less ambitious is to replace the title: "Friendship Pact in Asia" with "Declaration on Principles of Friendship and Cooperation in Asia." This change of title is very significant both legally and politically. How to proceed with a "Declaration on Principles of Friendship and Cooperation in Asia"? Generally, this Declaration can simply be adopted as an annex to an APA resolution. However, it would be best if the Sub-Committee explores the possibility of holding a joint APA and Foreign Ministers meeting in which the APA Resolution which is not binding on the governments but enjoys their political support is adopted.

- 3- The Third option is even less ambitious and more likely to be achieved in the upcoming APA Plenary. This option is a version of the second option without direct involvement of the Foreign Ministers. In this approach, the APA Resolution with the "Declaration on Principles of Friendship and Cooperation in Asia" is adopted without being binding on the governments. However, the APA Resolution is to be considered at each national parliament in order to give it the political and legislative support. At the same time, the APA Resolution may include some provisions on the need to promote the Declaration through the media, hearings and briefings by the executive officials, and public campaigns through the civil society and the NGOs at the national level.

Annex I

The Text of the APA Resolution on Friendship Pact of Asia (APA/Res/2007/06 dated 19 November 2007)

Annex II

The Text of the Friendship Pact of Asia as Annexed to the APA Resolution: APA/Res/2007/06 dated 19 November 2007



APA/Res/2007/06
19 November 2007

Resolution on Friendship Pact of Asia

We, the Members of the Asian Parliamentary Assembly,

Cognizant of the deep-rooted ties of history, geography, culture, and civilization which bind our peoples together;

Conscience of the common challenges and opportunities facing the people of Asia as well as their mutual interests pointing to the need for further collaboration;

Being Aware of the crucial role Asia plays in shaping the world future by reliance on its great human and natural resources, as well as its technological advancements;

Emphasizing the importance of regional arrangements for consolidation of ties among Asian countries in all fields;

Encouraging various methods of dialogue and peaceful interactions among Asian cultures and civilizations fostering cultural diversity and tolerance throughout the Asian continent;

Recognizing the constructive role of the Asian Parliamentary Assembly in paving the way for and strengthening the amity and friendly relations among the people of Asia with reliance on commonalities of the Asian States in all areas;

Convinced that effective structures for cooperation among Asian countries could augment the benefits of globalization and diminish its harmful effects in Asia,

Committed to promote peace and security, at global as well as continental levels, on the basis of justice and the rule of law through expanding cooperation with all peace-loving nations within and outside Asia;

Decide to establish a Sub-Committee under the APA Political Committee composed of delegates from at least (7) Member Parliaments to meet at least once a year prior to the APA Executive Council session and consider the best strategies leading to the signing, ratifying, and acceding to Friendship Pact of Asia as annexed to this resolution by Asian States and to pursue the

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objectives delineated therein.

Request the APA Secretary General to prepare a report for consideration by the sub-committee and to service its meetings. The sub-committee shall hold two meetings per year in a volunteer country or in the country of the president of the APA and submit its report to the APA Executive Council for its consideration and recommendation to the APA Plenary.



THE FRIENDSHIP PACT OF ASIA

CHAPTER I PURPOSES AND PRINCIPLES

Article 1

The term "Contracting Parties" under this Pact hereby refers to the Governments of the Asian States.

Article 2

The purposes of this Pact consist of the following:

- a) Promoting permanent peace, enduring friendship and constructive cooperation among States and peoples of Asia;
- b) Strengthening friendly relations among Asian States on the basis of equality and mutual respect;
- c) Facilitating further advancement and sustainable development of all Asian States in economic, social, scientific and technological fields; and
- d) Exploring potential capabilities of all Asian States for expanding collaboration in all areas of common interests;

Article 3

To achieve the aforementioned purposes, the Contracting Parties shall be guided by the following fundamental principles:

- a) Mutual respect to independence, territorial integrity and national sovereignty of all states on the basis of non-interference in others internal affairs;
- b) The right to self-determination of all Nations under foreign occupation;
- c) Respect for fundamental human rights and human dignity;



- d) Renunciation of the threat or use of force and the utilization of peaceful means in international relations; and
- e) Cooperation on the basis of the rule of law.

CHAPTER II FRIENDSHIP AND COOPERATION

Article 4

In pursuance of the purposes of this Pact, the Contracting Parties shall endeavor to develop and strengthen their traditional, cultural, economic and historical ties of friendship. In this respect, they shall move to expand their diplomatic and commercial relations and facilitate communication and interaction among their peoples.

Article 5

Consistent with the provisions of the Chapter VIII of the United Nations Charter, the Contracting Parties shall undertake mutual confidence-building measures through appropriate regional arrangements in order to promote peace and stability throughout Asia and in the World.

Article 6

The Contracting Parties shall enhance collaboration within the United Nations to promote the role of Asia in the world community.

Article 7

The Contracting Parties shall uphold cooperation with APA and Parliaments in Asia, in fulfilling and achieving the purposes and principles of this Pact, and the ultimate goal of establishing an Asian Parliament.

Article 8

The Contracting Parties shall collaborate for the acceleration of the economic growth in Asia. To this end, they shall promote greater utilization of their capabilities in research and development, exchange of information, transfer of technology and foreign investment towards a viable and sustainable growth.

Article 9

The Contracting Parties shall intensify their concerted efforts in combating illiteracy, poverty, and environmental degradation. For this purpose, they shall adopt appropriate strategies at continental and regional levels for the mutual



benefit of all Asian countries.

Article 10

To promote and consolidate peace in Asia, the Contracting Parties shall encourage inter-faith and inter-cultural dialogue among Asian civilizations.

Article 11

To strengthen their economic and commercial relations, the Contracting Parties shall undertake appropriate measures to create an integrated energy market in Asia.

Article 12

The Contracting Parties shall provide for the exchange of information and experiences pertinent to reducing damages and alleviating the trauma inflicted by natural disasters.

Article 13

The Contracting Parties shall collaborate in eradicating all roots of terrorism and other organized crimes in order to make a strong and secure community of nations in Asia.

Article 14

The Contracting Parties shall intensify their efforts through bilateral and multilateral modalities in combating all sorts of illegal trafficking including the illegal trafficking of human beings, goods, weapons, and drugs.

Article 15

Denouncing all sorts of aggression and foreign occupation, the Contracting Parties shall refrain from any activity in their territories that would constitute a threat or use of force against the security, national sovereignty and territorial integrity of other Parties.

Article 16

The Contracting Parties shall maintain regular contacts and consultations with one another on international and regional matters in order to harmonize their views, actions and policies.



**CHAPTER III
PROCEDURES**

Article 17

The signatory States shall ratify this Pact in accordance with their own constitutional procedures.

Article 18

This Pact shall enter into force on the date of the deposit of the twenty first instrument of ratification with a Government of the signatory State which will be designated as the Depository of this Pact and the instruments of ratification or accession.

Article 19

The Pact shall remain open to accession by all Asian States.

Article 20

Any modification or amendments to this Pact shall be agreed upon by the Contracting Parties and formalized in accordance with the rules of procedure of the APA.

Article 21

Any Contracting Party may withdraw from this Pact upon giving a ninety days written notification to the Depository. The Depository shall inform the other Contracting Parties within thirty days from the date of receipt of the notification.

Article 22

This Pact is drawn up in the English language. Any divergent interpretation of the text shall be settled amicably through negotiation.