

SEAMEO CHARTER



The Southeast Asian Ministers of Education Organization

CHARTER

OF

**The Southeast Asian
Ministers Of Education
Organization**

SEAMEO Charter

16 pp.

Revised 2012

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Printed in Thailand

PREAMBLE

We, the Peoples of Southeast Asia,

DESIROUS of attaining the benefits of peace, prosperity and security through an enlightened citizenry,

RECOGNIZING the forces and the challenge of change in the contemporary world,

ANXIOUS to provide for constructive direction to these forces of change, and

RESOLVED upon joint and cooperative efforts for regional educational development,

HAVE, through our Governments, adopted hereby this Charter of the Southeast Asian Ministers of Education Organization.

ARTICLE I

PURPOSE AND FUNCTIONS

1. The purpose of the Organization is to promote cooperation among the Southeast Asian nations through education, science and culture in order to further respect for justice, for the rule of law and for the human rights and fundamental freedoms which are the birthrights of the peoples of the world.
2. To realize this purpose the Organization will:
 - (a) Collaborate in the work of advancing the mutual knowledge and understanding of the peoples in Southeast Asia as well as the rest of the world;
 - (b) Promote and collaborate with the Member States, at their request, in joint projects and programmes of mutual benefit concerning education, science and culture and assist the members in the development of educational activities;
 - (c) Maintain, increase and diffuse knowledge;
 - (d) Assist in articulating education to the economic and social goals in the individual Member States.

3. With a view to preserving the independence, integrity and fruitful diversity of the cultures and educational systems of the Member States, the Organization is prohibited from intervening in matters which are essentially within their domestic jurisdiction.

ARTICLE II

MEMBERSHIP

1. The original Member States of this Organization shall be: Indonesia, Laos, Malaysia, the Philippines, Singapore, Thailand and the Republic of Viet-Nam.
2. Southeast Asian States not members of this Organization may be admitted as Member States by a two-third majority vote of the Southeast Asian Ministers of Education Council.
3. The Organization may admit Associate Members and Affiliate Members under terms and conditions determined by the Council¹.
4. Any Member State of the Organization may withdraw from the Organization by notice addressed to the

1. Amended to admit Associate Members, January 1972, 7th SEAMEC Conference, Vientiane; further amended to admit Affiliate Members, January 1983, 18th SEAMEC Conference, Penang.

Secretariat. Such notice shall take effect on 31 December of the year following the year during which the notice is given. Such withdrawal shall not affect the financial obligations owed to the Organization on the date the withdrawal takes effect.

ARTICLE III

ORGANS

The Organization shall include a Southeast Asian Ministers of Education Council and a Secretariat.

ARTICLE IV

THE SOUTHEAST ASIAN MINISTERS OF EDUCATION COUNCIL

1. The Southeast Asian Ministers of Education Council, hereinafter referred to as the "Council", shall consist of the Ministers of Education or accredited representatives of the Member States of the Organization.
2. The Council shall determine the policies and the main lines of work of the Organization.

3. The Council shall appoint the Director of the Secretariat.
4. The Council shall receive the reports of the Director and approve the programme and budget of the Organization.
5. The presence of at least two-thirds of the Member States is necessary for the Council to do business. Each Member State shall have one vote. Decisions shall be made by a simple majority of the Member States present and voting, except in cases in which a two-third majority is required by the provision of this Charter.

Should a decision be required when the Council is not meeting, the Director may present in writing to all the Council members the issues in question and the written approval of a simple majority of the members or by a two-third majority in cases required by the provision of this Charter shall constitute approval as though the meeting has been held².

6. The Council shall meet biennially² in ordinary session; it may meet in extraordinary session if it so decides or if called by at least one-third of the Member States.

2. Adopted by referendum, February 2012 by the SEAMEO Council 2012.

7. At each session the location of its next ordinary session shall be designated by the Council. The location of an extraordinary session shall be designated by the Council, if the session is called by it, or otherwise by the Director after consultation with at least one-third of the Member States.
8. The Council shall adopt its own rules of procedure.
9. The Council shall, at each³ ordinary session, elect a President and other officers.
10. The Council shall set up special and technical committees and such other subordinate bodies as may be necessary for its purposes.

ARTICLE V

THE SECRETARIAT

1. The Secretariat of the Southeast Asian Ministers of Education Organization shall be called “The Southeast Asian Ministers of Education Secretariat” (SEAMES), hereinafter referred to as the “Secretariat”.

3. Adopted by referendum, February 2012 by the SEAMEO Council 2012.

2. The Secretariat shall consist of a Director and such staff as may be required.
3. The Director shall be appointed by the Council under such terms and conditions as the Council may approve. He shall be the chief administrative officer and the legal representative of the Organization.
4. The Director shall appoint the staff of the Secretariat in accordance with staff regulations to be approved by the Council. Subject to the paramount consideration of securing the highest standard of integrity, efficiency and technical competence, appointment to the staff shall be on as wide a geographical basis as possible.
5. In determining the salaries of the professional staff, the international organization scale shall be used.
6. The responsibilities of the Director and of the staff shall be exclusively international in character. In the discharge of their duties they shall not seek or receive instructions from any government or from any authority external to the Organization. They shall refrain from any action which might prejudice their position as international officials. Each Member State of the Organization undertakes to respect the international character of the responsibilities of the Director and staff, and not to seek to influence them in the discharge of their duties.

7. The Secretariat shall perform, under the authority of the Council, the following functions:
- (a) Implement the policies and execute the programmes adopted by the Council;
 - (b) Plan and study the feasibility of regional education project proposals;
 - (c) Hold conferences and seminars;
 - (d) Promote the utilization of academic facilities and professional competence within the region through exchange of students, faculty members, professional personnel and instructional materials;
 - (e) Administer small or temporary projects or centres of regional significance;
 - (f) Help secure financial support for the Organization from interested countries, organizations or other sources;
 - (g) Co-operate with other organizations and agencies in matters of common interest; and
 - (h) Carry out all other assignments given by the Council.
8. The Director shall prepare the agenda for the Council. The Director shall submit to the Council

the programmes of work for the Organization and corresponding budget estimates together with such recommendations as he considers desirable.

9. The Director, or a deputy designated by him, shall participate without the right to vote in all meetings of the Council, and of the Committees of the Organization.
10. The Director shall prepare and communicate to the Member States and to the Council periodical reports on the activities of the Organization. The Council shall determine the period to be covered by these reports.

ARTICLE VI

BUDGET

1. The budget shall be administered by the Council.
2. The Council shall approve and give final effect to the budget and to the apportionment of financial responsibility among the Member States of the Organization.
3. The Director, with the approval of the Council and on behalf of the Organization, may receive

gifts, bequests, and subventions directly from governments, public and private institutions, associations, and private persons.

ARTICLE VII

RELATIONS WITH OTHER INTERNATIONAL ORGANIZATIONS AND AGENCIES

1. This Organization may cooperate with other specialized regional and international organizations and agencies whose interests and activities are related to its purposes. To this end the Director, acting under the general authority of the Council, may establish effective working relationships with such organizations and agencies and make arrangements for establishing such joint committees as may be necessary to ensure effective cooperation. Any formal arrangements entered into with such organizations and agencies shall be subject to the approval of the Council.
2. This Organization may make appropriate arrangements with other specialized regional and international organizations and agencies for reciprocal representation at meetings.
3. This Organization may make suitable arrangements for Consultation and co-operation with governmental and non-governmental organizations and agencies

concerned with matters within its competence, and may invite them to undertake specific tasks.

ARTICLE VIII

LEGAL STATUS OF THE ORGANIZATION

1. The Organization shall possess full juridical personality and, in particular, full capacity:
 - (a) to contract;
 - (b) to acquire, and dispose of, immovable and movable property; and
 - (c) to institute legal proceedings.
2. The Organization shall enjoy in the territory of each of its Member States such privileges and immunities as are necessary for the fulfilment of its purposes.
3. Representatives of the Member States and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

ARTICLE IX

AMENDMENTS

1. Proposals for amendments to this Charter shall become effective upon receiving the approval of a two-third majority of the Member States. The draft texts of the proposed amendments shall be communicated by the Director to the Member States at least six months in advance of their consideration by the Council.
2. The Council shall have the power to adopt, by a two-third majority of the Member States present and voting, rules of procedure for carrying out the provisions of this Article.

ARTICLE X

INTERPRETATION

Any question or dispute concerning the interpretation of this Charter shall be decided by the Council.

ARTICLE XI

ENTRY INTO FORCE

1. This Charter shall be subject to acceptance. The instruments of acceptance shall be deposited with the Royal Government of Thailand.
2. This Charter shall come into force when it has been accepted by five of the original Member States. Subsequent acceptance shall take effect immediately.
3. The said Government will inform all the Member States of the receipts of all instruments of acceptance and of the date on which the Charter comes into force in accordance with the preceding paragraph.

IN FAITH WHEREOF, the undersigned, duly authorized to that effect, have signed this Charter.

DONE in the capital city of Singapore the 7th day of February, one thousand nine hundred and sixty-eight, in a single copy, in the English language, of which certified copies will be communicated by the Royal Government of Thailand to the Governments of all the other Member States.

APPENDIX⁴

Terms and Conditions of Associate Membership and Affiliate Membership of SEAMEO

I. Associate Membership

1. Associate Membership shall be open to any country which is willing to promote co-operation among Southeast Asian nations through education, science and culture.
2. (i) Associate Membership shall be approved by a two-third majority of the Council

(ii) This approval may be given by referendum.

4. Adopted as terms and conditions of Associate Membership, January 1973, 8th SEAMEC Conference, Phnom Penh; revised to cover Affiliate Membership, January 1983, 18th SEAMEC Conference, Penang.

3. The withdrawal procedure of an Associate Member from the Organization shall be the same as that of a Member State, namely: any Associate Member of the Organization may withdraw from the Organization by notice addressed to the Secretariat. Such notice shall take effect on 31 December of the year following the year during which the notice is given. Such withdrawal shall not affect the financial obligations owed to the Organization on the date the withdrawal takes effect.
4. An Associate Member may participate in the programmes of the various Centres/Projects and the number of participants in each programme is to be decided by the Centre/Project concerned; the cost of such participation shall be at the same rates as charged to participants of Member States and shall be borne by the Associate Member.
5. (i) An Associate Member shall have the right to send representatives to Council, and other SEAMEO meetings and participate in their proceedings but shall have no voting rights.

(ii) An Associate Member shall have the same number of representatives on each Governing Board as a Member State has but without voting rights. The expenses of the representatives shall be borne by the Associate Member.

6. An Associate Member shall make an annual financial contribution to the Organization, the amount of which shall be fixed by the Council.
7. As in the case of Member States of the Organization an Associate Member will consider making voluntary contributions to the SEAMEO Educational Development Fund.

II. Affiliate Membership

1. Affiliate Membership shall be open to a semi-governmental institution or non-governmental organization which is willing to promote co-operation among Southeast Asian nations through education, science and culture.
2. The terms and conditions relating to Associate Membership shall be applied *mutatis mutandis* to Affiliate Membership in all respects except that Affiliate Members shall have no right to participate in the in-camera sessions of the Meetings of Members and Associate Members of SEAMEO.



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