



## **STANDING COMMITTEE: THIRTY-EIGHTH SESSION**

**Thimphu, Bhutan, 6-7 February 2011**

**SAARC/CM.33/SC.38/10**

### **AGENDA NO. 8**

#### **CONSIDERATION OF THE REPORT OF THE INTER-GOVERNMENTAL MEETING ON SAARC CHARTER OF DEMOCRACY (DHAKA, 4-5 SEPTEMBER 2010)**

#### **REPORT**

##### **Background**

During the Sixteenth Summit, the leaders, while appreciating that all the Member States had evolved into multi-party democracies, underlined the challenge faced by them in ensuring effective, efficient, transparent and accountable governments. In this regard, they emphasized the need for regional cooperation to strengthen good governance through sharing the experiences, best-practices and establishing institutional linkages.

2. The leaders noted the proposal by Bangladesh to convene an Inter-Governmental Meeting in Dhaka on the idea of SAARC Charter of democracy. As a follow up, the Government of Bangladesh circulated the Concept Paper and convened an Inter-Governmental Meeting on 4-5 September 2010 in Dhaka. The meeting was attended by all Member States. The list of participants is at **Annex-I**.

##### **I. Opening of the Meeting**

3. As per SAARC practice, the Meeting was called to order by Mr. Ghulam Dastgir, Director and representative of the Secretary General of SAARC.

##### **II. Adoption of the Agenda**

4. The Meeting considered the draft Provisional Agenda and the Annotated Provisional Agenda contained in Documents No. **SAARC/ETS/IGM- SCD/1** and **SAARC/ETS/IGM- SCD/2** respectively. The Agenda as adopted by the meeting is at **Annex-II**.

##### **III. Election of the Chairperson**

5. In accordance with the SAARC practice, H.E Mr. Mohamed Mijarul Quayes, Foreign Secretary and Leader of the Delegation of Bangladesh was elected as Chairperson of the Meeting by acclamation. The Chairman extended warm welcome to delegates from all the Member States.

6. In his opening remarks, the Chairman observed that the Association was in the process of evolution and incrementally addressing issues not explicitly mentioned in its Charter. The need for deliberation on subjects like democracy, good governance and reforms are now being felt strongly. He stated that it was opportune that all SAARC Members States are today functioning democracies and reiterated his conviction that good governance is only attainable in a truly democratic environment.

7. The Chairman recalled that Sri Lanka hosted a Meeting of SAARC Parliamentary Affairs Ministers in February 2009 in order to examine issues related to good governance. The Meeting had identified many common challenges and agreed on various measures needed towards good governance. These provide a template for further galvanizing our resolve towards good governance and development through the practice of participatory democracy.

#### **IV. Consideration of the Concept Paper on SAARC Charter of Democracy**

8. The Meeting considered the Concept Paper on “SAARC Charter of Democracy” which was also circulated to Member States in advance for views/comments. The Meeting, after having detailed deliberations, finalized the draft SAARC Charter of Democracy which is attached at Annex-III. The meeting recommended that the Charter be placed before the Standing Committee for consideration during its forthcoming session.

#### **V. Any Other Matter**

9. No issue was discussed under this agenda item.

#### **VI. Adoption of the Report**

10. A Report as adopted by the meeting is contained in Document No. **SAARC/ETS/IGM- SCD/3**.

#### **VII. Closing of the Meeting**

11. The leader of the delegation of Bhutan Mr. Dasho Sangay Khandu offered a vote of thanks on behalf of all the delegates. He expressed appreciation to the Government of Bangladesh for hosting the Inter-Governmental Meeting and extending warm hospitality to all the delegates. He also congratulated the Chairman, H.E Mr. Mohamed Mijarul Quayes, the Foreign Secretary of Bangladesh, for conducting the Meeting in an effective and professional manner. He also thanked the SAARC Secretariat, for coordination and assistance extended during the Meeting.

12. The Chairman, in his closing remarks, thanked the delegates for their co-operation and for their contribution to the drafting process. He then declared the Meeting closed.

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Annex-III“SAARC Charter of Democracy”

**Inspired** by the common objectives of all South Asian States to promote the welfare of their peoples, to provide all individuals with the opportunity to live in dignity, and to realise their full potentials as enshrined in the SAARC Charter;

**Also inspired** by the general objectives of all South Asian States to promote peace, freedom and social justice;

**Further inspired** by their shared commitment to the rule of law, liberty and equal rights of all citizens;

**Reaffirming** faith in fundamental human rights and in the dignity of the human person as enunciated in the Universal Declaration of Human Rights and as enshrined in the respective Constitutions of the SAARC Member States;

**Recognizing** that inclusive policies, including constitutional protection developed in keeping with the wishes of the people, are essential for developing trust and understanding between and among communities;

**Affirming** that broad-based participation of people in institutions and processes of governance creates ownership and promotes stability;

**Convinced** that economic growth and social development based on justice and equity and democracy are interdependent and mutually reinforcing;

**Reaffirming** that the pursuit of inclusion, good governance, and poverty alleviation, especially the elimination of extreme poverty, are essential to the promotion and consolidation of democracy;

**Aware** that tolerance and diversity are critical in creating effective foundations for a pluralistic democratic society; and

**Convinced** that undemocratic and unrepresentative governments weaken national institutions, undermine the Constitution and the rule of law and threaten social cohesion and stability in the long-run.

***The Member States of the South Asian Association for Regional Cooperation (SAARC), in the spirit of consolidating democracy in South Asia, hereby commit to:***

- Reaffirm the sovereignty of each Member State;
- Ensure the supremacy of their respective Constitutions and uphold their spirit;
- Continue to strengthen democratic institutions and reinforce democratic practices, including through effective coordination as well as checks and balances among the Legislature, the Executive and the Judiciary as reflected in the respective Constitutions;
- Guarantee the independence of the Judiciary and primacy of the rule of law, and ensure that the processes of appointments to the Judiciary as well as the Executive are fair and transparent;

- Adhere to the UN Charter and other international instruments to which Member States are parties;
- Recognise the role of political parties and the civil society in a democracy; and
- Renounce unequivocally any unconstitutional change of an elected government in a Member State;

**Accordingly, Member States undertake to:**

- Reinforce the linkage of development and democracy;
- Promote sustainable development and alleviation of poverty through good governance, equitable and participatory processes;
- Promote democracy at all levels of the Government and the society at large;
- Strengthen democratic institutions and processes in all national endeavors with due focus on decentralisation and devolution;
- Promote equality of opportunity, equality of access and equality of treatment at the national level, in keeping with the respective constitutional provisions, as safeguards against social injustices and stratification;
- Inculcate democratic values in society through education and awareness building;
- Ensure gender mainstreaming in government and society;
- Uphold participatory democracy characterised by free, fair and credible elections, and elected legislatures and local bodies;
- Encourage all democratic forces in South Asia, including elected representatives of the people, to unite against any unconstitutional change in government in any South Asian country, and work towards the restoration of democracy in keeping with the SAARC Charter; and
- Promote adherence to these decisions and fulfillment of this Charter, if necessary through an institutional mechanism.

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