



**Secretariat**  
**Bay of Bengal Initiative for Multi-Sectoral**  
**Technical and Economic Cooperation (BIMSTEC)**

**URGENT**

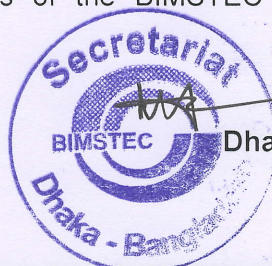
BIMSTEC/SEC/08/07

The Secretariat of the 'Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) in Dhaka presents its compliments to the Ministries of External Affairs/Foreign Affairs of the BIMSTEC Member States and has the honour to refer to the **First Meeting of the BIMSTEC Permanent Working Committee (BPWC)** held in **Colombo, Sri Lanka on 17-18 January 2019**.

The Secretariat is pleased to forward herewith the **Report of the First Meeting of the BPWC** [BIMSTEC/BPWC/01/2019/18] including the following documents:

- (i) The Secretariat's revised budget for FY 2018 [Annex V]
- (ii) The Secretariat's budget for FY 2019 [Annex VI]
- (iii) The draft Template Memorandum of Association (MoA) on the Establishment of the BIMSTEC Centres/Entities [Annex VII]
- (iv) The updated draft text of the Procurement Procedure of the Secretariat [Annex VIII]
- (v) The draft text of Administrative and Disciplinary Rules of the BIMSTEC Secretariat [Annex IX]
- (vi) The preliminary draft text of the BIMSTEC Charter [Annex X]
- (vii) The finalized draft Terms of References (ToR) for the BIMSTEC Network of Policy Think Tanks (BNPTT) [Annex XI]
- (viii) The updated draft text of the Memorandum of Understanding (MoU) on Mutual Cooperation between Diplomatic Academies/Training Institutions of BIMSTEC Member States [Annex XII]
- (ix) Revised draft Terms of Reference (ToR) of BIMSTEC Eminent Persons' Group (EPG) [Annex XIII]
- (x) The updated draft schedule/calendar of BIMSTEC Meetings for 2019 [Annex XIV]

The Secretariat of the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) in Dhaka avails itself of this opportunity to renew to the Ministries of External Affairs/Foreign Affairs of the BIMSTEC Member States the assurances of its highest consideration.



Dhaka, 24 January 2019

**Ministries of External Affairs/Foreign Affairs of the BIMSTEC Member States**  
**[Kind attention: National Focal Points of the BIMSTEC]**

Copy for kind attention and necessary action to:

**Diplomatic Missions of the BIMSTEC Member States in Dhaka**



Document Number: BIMSTEC/BPWC/01/2019/18  
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**SECRETARIAT  
BAY OF BENGAL INITIATIVE FOR MULTI-SECTORAL  
TECHNICAL AND ECONOMIC COOPERATION  
DHAKA**

**First Meeting of the BIMSTEC Permanent Working Committee  
17-18 January 2019  
Colombo, Sri Lanka**

**Report of the First Meeting of the BIMSTEC Permanent Working Committee**

**Agenda Item 01: Opening of the Meeting**

01. The First Meeting of the BIMSTEC Permanent Working Committee (BPWC) was held in Colombo, Sri Lanka on 17-18 January 2019.

02. Delegations from the People's Republic of Bangladesh, the Kingdom of Bhutan, the Republic of India, the Republic of the Union of Myanmar, Nepal, the Democratic Socialist Republic of Sri Lanka and the Kingdom of Thailand participated in the Meeting. The list of the participants is at **Annex I**.

03. Ambassador Ravinatha Aryasinha, Foreign Secretary of the Government of the Democratic Socialist Republic of Sri Lanka welcomed all the delegations to the Meeting and delivered the Inaugural Remarks. In his Remarks, Ambassador Aryasinha expressed deep appreciation to the delegates for their presence in the Meeting. He expressed appreciation to Nepal for their able chairmanship of BIMSTEC until the Fourth BIMSTEC Summit. He mentioned that as BIMSTEC enters its third decade, Sri Lanka remains committed towards achieving the objectives of the organization and stands ready to strengthen its institutional framework. He urged for deepening and broadening the existing economic linkages and to form partnerships and to tap the potentials. Underscoring the potentials of BIMSTEC, he also highlighted the importance of blue economy and mountain economy as the emerging sectors of cooperation in the Bay of Bengal region. He recalled that the Leaders at the Fourth BIMSTEC Summit welcomed the proposal of rationalizing the priority areas in order to maximize the utilization of the resources of the Members and expressed hope that the Meeting would endeavour to outline a concrete way forward to rationalize the existing sectors to make the organization result oriented with a view to delivering direct benefits to the peoples. The full text of the Inaugural Remarks is at **Annex II**.

04. Special Remarks was delivered by the Secretary General of BIMSTEC, Ambassador M Shahidul Islam. In his Remarks, he expressed deep gratitude to the Government of the Democratic Socialist Republic of Sri Lanka for hosting the First Meeting of the BPWC and thanked the delegations from all the Member States for attending the Meeting. He underscored the importance of the Meeting since it would be deliberating on some key agenda items like BIMSTEC Charter, Rules of Procedure for the BIMSTEC Mechanisms,

BIMSTEC Development Fund (BDF), rationalization of the areas of cooperation, Procurement Procedure, Administrative and Financing Mechanisms for the Establishment of the BIMSTEC Centres/Entities, Administrative and Disciplinary Rules of the Secretariat, ToRs of BIMSTEC Eminent Persons' Group (EPG) and the BIMSTEC Network of Policy Think Tanks (BNPTT) as well as strengthening BIMSTEC Secretariat and its administrative and budgetary issues. He expressed hope that the Meeting would be able to come up with practical and pragmatic recommendations to the next session of the BIMSTEC Senior Officials' Meeting. The full text of the Special Remarks is at **Annex III**.

#### **Agenda Item 02: Election of the Chairperson**

05. As per the approved terms of reference of the BIMSTEC Permanent Working Committee, Mrs. Saroja Sirisena, Director General, Economic Affairs and Public Diplomacy, Ministry of Foreign Affairs, Government of the Democratic Socialist Republic of Sri Lanka, as the Head of Delegation of the Chair country of BIMSTEC, was elected to chair the Meeting.

#### **Agenda Item 03: Adoption of the Agenda**

06. The Meeting decided to merge Agenda Items 06 and 15 as Agenda Item 06 and dropped Agenda Item 10 of the draft Provisional Agenda. The Meeting adopted the amended Provisional Agenda as contained in the Secretariat's Document Number BIMSTEC/BPWC/01/2019/01/Rev.2, which is at **Annex IV**.

#### **Agenda Item 04: Discussion on joining of the Directors from the remaining Member States**

07. The Meeting considered the Secretariat's Note containing budgetary implication of the joining of the new Directors as contained in the Secretariat's **Document Number BIMSTEC/BPWC/01/2019/02**. After extensive deliberation, in line with the directives given by the Leaders at the Fourth BIMSTEC Summit (Kathmandu, 30-31 August 2018), *i.e.*- to raise the numbers of Directors to seven, one from each Member State, in a staggered manner, the Meeting recommended the following:

- (i) Director from Nepal may join the Secretariat with effect from 07 March 2019. A new Director from Bhutan will replace the incumbent Director from Bhutan Mr. Kunzang N Tshering upon completion of his tenure on 06 March 2019;
- (ii) A new Director from Bangladesh will replace the incumbent Director from Bangladesh, Mr. S. M. Nazmul Hasan upon completion of his tenure on 17 May 2019;
- (iii) Director from Sri Lanka may join the Secretariat on 01 June 2020. A new Director from India will replace the incumbent Director from India, Mr. Pankaj Hazarika upon completion of his tenure on 31 May 2020;
- (iv) Director from Thailand may join the Secretariat on 18 May 2021. A new Director from Myanmar will replace the incumbent Director from Myanmar, Mr. Han Thein Kyaw upon completion of his tenure on 17 May 2021.

**Agenda Item 05: Discussion on the Secretariat's revised budget for FY 2018 and estimated budget for FY 2019**

08. The Meeting considered the Secretariat's Notes on the Secretariat's revised budget for FY 2018 and estimated budget for FY 2019, which are contained in the Secretariat's **Documents Number BIMSTEC/BPWC/01/2019/03** and **BIMSTEC/BPWC/01/2019/04** respectively. After extensive deliberations and examination, the Meeting recommended the Secretariat's revised budget for FY 2018 (**Annex V**) and budget for FY 2019 amounting to US\$13,49,145.00 (**Annex VI**) to the Twentieth Session of the BIMSTEC Senior Officials' Meeting (SOM) for approval. The Meeting also recommended the following:

- (i) The house rent ceiling of the Secretary General of BIMSTEC will be fixed at US\$ 5,000.00 per month for a furnished residence with effect from 01 July 2019, which will be reviewed after every three years considering the inflation rate;
- (ii) The Meeting requested the Secretariat to adjust the savings accrued in FY 2018 in the budget for FY 2019 before projecting Member States' assessed contribution. The Secretariat clarified that the practice is already in existence;
- (iii) The Delegation of Thailand requested the Secretariat to circulate the budget for FY 2019 with justifications. Thailand will revert in writing to the Secretariat within one month.

**Agenda Item 06: Discussion on the finalization of the administrative and financing mechanisms for the establishment of the BIMSTEC Centres and finalization of the Model Memorandum of Association (MoA) on the Establishment of the BIMSTEC Centres/Entities**

09. The Meeting considered the Secretariat's Notes on the finalization of the administrative and financing mechanisms for the establishment of the BIMSTEC Centres and finalization of the Model Memorandum of Association (MoA) on the Establishment of the BIMSTEC Centres/Entities as contained in the Secretariat's **Document Number BIMSTEC/BPWC/01/2019/05 & BIMSTEC/BPWC/01/2019/05/14** respectively. The Meeting recommended the following:

- (i) The Model Memorandum of Association (MoA) on the Establishment of the BIMSTEC Centres/Entities will be renamed as the "Template of the Memorandum of Association (MoA) on the Establishment of the BIMSTEC Centres/Entities";
- (ii) The Secretariat will re-circulate the draft template of the Memorandum of Association (MoA) on the Establishment of the BIMSTEC Centres/Entities, which is at **Annex VII**. The Member States will convey their comments and observations on the draft template to the Secretariat within two months;
- (iii) All future MoAs that may be concluded for the establishment of BIMSTEC Centres/Entities will be based on the approved template of the MoA;
- (iv) Based on the approved Template of the MoA, the existing MoAs/MoUs already signed for the establishment of various BIMSTEC Centres/Entities will be reviewed and amendments, wherever necessary, will be carried out.

**Agenda Item 07: Discussion on the Procurement Procedure of the Secretariat**

10. The Meeting considered the Secretariat's Note on the Procurement Procedure of the Secretariat as contained in the Secretariat's **Document Number BIMSTEC/BPWC/01/2019/06**. The Meeting updated the draft text of the BIMSTEC Procurement Procedures (BPP), which is at **Annex VIII** and recommended that the Secretariat will re-circulate the updated draft text of the BPP among the Member States for comments and observations. The Member States will convey their comments and observations on the updated draft text of the BPP to the Secretariat within two months.

**Agenda Item 08: Discussion on the Administrative and Disciplinary Rules of the Secretariat**

11. The Meeting considered the Secretariat's Note on the Administrative and Disciplinary Rules of the Secretariat as contained in the Secretariat's **Document Number BIMSTEC/BPWC/01/2019/07** and recommended that the Secretariat will re-circulate the draft text of the Administrative and Disciplinary Rules of the Secretariat among the Member States. The Member States will convey their comments and observations on the draft text within two months. The draft text of the Administrative and Disciplinary Rules of the BIMSTEC Secretariat is at **Annex IX**.

**Agenda Item 09: Discussion on the modalities for the establishment of the BIMSTEC Development Fund (BDF)**

12. The Meeting considered the Secretariat's Note on the modalities for the establishment of the BIMSTEC Development Fund (BDF) as contained in the Secretariat's **Document Number BIMSTEC/BPWC/01/2019/08** and recommended the following:

- (i) The Secretariat will prepare a draft Concept Paper on BIMSTEC Development Fund (BDF), based on similar fund successfully implemented by other regional/international organizations;
- (ii) The Concept Paper should suggest important information like background, modalities, contribution and fund management etc;
- (iii) The Concept Paper prepared by the Secretariat may be examined and further discussed by an Expert Group comprising experts from relevant authorities/Ministries of the Member States.

**Agenda Item 10: Discussion on the Rules of Procedure for BIMSTEC Mechanisms**

13. The Meeting considered the Secretariat's Note on the Rules of Procedure for BIMSTEC Mechanisms as contained in the Secretariat's **Document Number BIMSTEC/BPWC/01/2019/10** and recommended that Rules of Procedure for BIMSTEC Mechanisms shall be discussed after the finalization of the text of the BIMSTEC Charter.

**Agenda Item 11: Discussion on the BIMSETC Charter**

14. The Meeting considered the Secretariat's Note on the BIMSETC Charter as contained in the Secretariat's **Document Number BIMSTEC/BPWC/01/2019/11** and recommended the following:

- (i) The Secretariat will re-circulate the preliminary draft of the BIMSETC Charter, as placed at **Annex X**, among the Member States for their comments and observations;
- (ii) The Member States will convey their primary comments and observations on the preliminary draft of the BIMSETC Charter to the Secretariat within two months.

**Agenda Item 12: Review and rationalization of sectors and sub-sectors of BIMSTEC**

15. The Meeting considered the Secretariat's Note on the Review and rationalization of sectors and sub-sectors of BIMSTEC as contained in the Secretariat's **Document Number BIMSTEC/BPWC/01/2019/12**. The Meeting deliberated on this issue based on Thailand's Concept Paper on the Reprioritization of BIMSTEC Pillars of Cooperation and decided to continue further discussion on the subject in the next Meeting of the BPWC.

**Agenda Item 13: Finalization of the Terms of References (ToR) for the BIMSTEC Network of Policy Think Tanks (BNPTT)**

16. The Meeting considered the Secretariat's Note on the Finalization of the Terms of References (ToR) for the BIMSTEC Network of Policy Think Tanks (BNPTT) as contained in the Secretariat's **Document Number BIMSTEC/BPWC/01/2019/13** and finalized the draft ToR, which is at **Annex XI**. The finalized draft ToR will be circulated among the Member States for approval.

**Agenda Item 14: Finalization of the Memorandum of Understanding (MoU) on Mutual Cooperation between Diplomatic Academies/Training Institutions of BIMSTEC Member States**

17. The Meeting considered the Secretariat's Note on the Finalization of the Memorandum of Understanding (MoU) on Mutual Cooperation between Diplomatic Academies/Training Institutions of BIMSTEC Member States as contained in the Secretariat's **Document Number BIMSTEC/BPWC/01/2019/15** and updated the draft text of the MoU. The Meeting noted the commitment of Bhutan to the initiative despite the absence of such diplomatic academy/institution in Bhutan at present. The Meeting recommended that the Secretariat will circulate the updated draft text of the MoU upon incorporation of all comments and observations received from Member States. The Member States will convey their further comments and observations on the updated draft text of the MoU within two months. The updated draft text of the MoU on Mutual Cooperation between Diplomatic Academies/Training Institutions of BIMSTEC Member States is at **Annex XII**.

**Agenda Item 15: Discussion on the finalization of Terms of Reference (ToR) of BIMSTEC Eminent Persons' Group (EPG)**

18. The Meeting deliberated on the Secretariat's Note on the finalization of Terms of Reference (ToR) of BIMSTEC Eminent Persons' Group (EPG) as contained in the Secretariat's **Document Number BIMSTEC/BPWC/01/2019/16**, which is at **Annex XIII**. The Member States will convey their further comments and observations within two months. The Meeting also directed the Secretariat to look at EPG systems in other regional organizations and share the information with the Member States.

**Agenda Item 16: Discussion on the schedule/calendar of BIMSTEC Meetings**

19. The Meeting considered the draft schedule/calendar of BIMSTEC Meetings as contained in the Secretariat's **Document Number BIMSTEC/BPWC/01/2019/17**. The Meeting updated the draft schedule/calendar of BIMSTEC Meetings for 2019, which is at **Annex XIV**. The Member States may add new events or activities as and when necessary.

**Agenda Item 17: Any Other Matters**

20. In response to a query of the Delegation of Bangladesh, the Secretariat clarified that *"The appointment in GSS I Category shall be made by the Secretary General on the recommendation of the Committee initially on a three-year contract renewable on mutual consent."*

21. The Delegation of India requested the Member States to convey their comments and observations on the Draft texts of the BIMSTEC Coastal Shipping Agreement and the BIMSTEC Motor Vehicle Agreement. Upon receipt of the comments and observations from all the Member States, India will host the Meetings of the respective Working Groups.

**Agenda Item 18: Date and Venue of the Second Meeting of the BIMSTEC Permanent Working Committee**

22. Sri Lanka will host the Second Meeting of the BIMSTEC Permanent Working Committee (BPWC) in 2019. The date will be circulated in due course.

**Agenda Item 19: Consideration and Adoption of the Report of the First Meeting of the BIMSTEC Permanent Working Committee**

23. The Meeting considered and adopted the Report of the First Meeting of the BIMSTEC Permanent Working Committee for submission to the Twentieth Session of the BIMSTEC Senior Officials' Meeting (SOM) for approval.

**Agenda Item 20: Closing of the Meeting**

24. The Meeting expressed deep appreciation to the Democratic Socialist Republic of Sri Lanka for the warm hospitality extended to the participants and for the excellent arrangement made for the Meeting. The Chair thanked the delegates for their active participation and their

valuable contributions in successful conclusion of the Meeting while the Delegates appreciated the Chair for steering of the Meeting effectively and efficiently.

25. The Meeting also expressed its sincere thanks to the Secretary General and the Secretariat for their hard work and contribution in facilitating the Meeting.

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## Annex I



**SECRETARIAT  
BAY OF BENGAL INITIATIVE FOR MULTI-SECTORAL  
TECHNICAL AND ECONOMIC COOPERATION  
DHAKA**

**First Meeting of the BIMSTEC Permanent Working Committee  
17-18 January 2019  
Colombo, Sri Lanka**

**List of Participants**

**Bangladesh**

01. **Mr. Md. Shamsul Haque**  
Director General (BIMSTEC and SAARC)  
Ministry of Foreign Affairs  
Dhaka, Bangladesh  
Telephone: +880-2-9562106  
Mobile: +880-175391161  
Fax: +880-2-9572259  
E-mail: dgsaarc@mofa.gov.bd
02. **Mst. Mir Nurani Rupoma**  
Assistant Secretary (BIMSTEC)  
Ministry of Foreign Affairs  
Dhaka, Bangladesh  
Mobile: +880-1772560650  
Fax: +880-2-9572259  
E-mail: asbimstec@mofa.gov.bd

**Bhutan**

01. **Mr. Rinchen Kuentsyl**  
Director  
Department of SAARC and Regional Organizations  
Ministry of Foreign Affairs  
Thimphu, Bhutan  
Telephone: +975-02-322459  
Mobile: +975-17951346  
Fax: +975-02-322380  
E-mail: rkuentysyl@mfa.gov.bt
02. **Mr. Sonam Dorji**  
Senior Budget Officer  
Department of National Budget  
Ministry of Finance  
Thimphu, Bhutan  
Telephone: +975-17512342  
Fax: +975-323034  
E-mail: sdorji@mof.gov.bt

## **India**

01. **Mr. Ramesh Babu**  
Counsellor  
High Commission of India  
Colombo, Sri Lanka
02. **Ms. Garima Paul**  
Under Secretary (BIMSTEC and SAARC)  
Ministry of External Affairs  
New Delhi, India  
Telephone: +91-11-49016671  
Fax: +91-11-49016724  
Email: ussaarc2@mea.gov.in

## **Myanmar**

01. **Mr. Win Zeyar Tun**  
Deputy Director General  
Ministry of Foreign Affairs  
Nay Pyi Taw, Myanmar  
Telephone: +95-67-412447  
Fax: +95-67-412396  
E-mail: winzeyartun@gmail.com
02. **Mr. Htin Linn Maung**  
Deputy Director  
Ministry of Foreign Affairs  
Nay Pyi Taw, Myanmar  
Telephone: +95-67-412447  
Fax: +95-67-412396  
E-mail: htinlinnmaung@gmail.com

## **Nepal**

01. **Mr. Krishna Prasad Dhakal**  
Joint Secretary  
Head of Regional Organisation Division  
Ministry of Foreign Affairs  
Kathmandu, Nepal  
Telephone: +977-1-4200145  
Mobile: +977-9841133515  
E-mail: dhakalkrishna2003@yahoo.com
02. **Ms. Prathama Uprety**  
Under Secretary  
Regional Organisation Division  
Ministry of Foreign Affairs  
Kathmandu, Nepal  
Mobile: +977-9843810871  
E-mail: uprathama4@gmail.com

03. **Ms. Dhana Kumari Joshi**  
First Secretary  
Embassy of Nepal  
Colombo, Sri Lanka  
E-mail: joshi\_d2003@yahoo.com

**Sri Lanka**

01. **Mrs. Saroja Sirisena**  
Director General/Economic Affairs  
Ministry of Foreign Affairs  
Colombo, Sri Lanka  
Telephone: +94-11-2431980  
E-mail: saroja.sirisena@mfa.gov.lk
02. **Mr. M. H. M. N. Bandara**  
Director/Economic Affairs  
Ministry of Foreign Affairs  
Colombo, Sri Lanka  
Telephone: +91-11-2424809  
E-mail: menik.bandara@mfa.gov.lk
03. **Mrs. Sesath Thambugala**  
Director/Economic Affairs  
Ministry of Foreign Affairs  
Colombo, Sri Lanka  
Telephone: +91-11-2320271  
E-mail: sesath.thambugala@mfa.gov.lk
04. **Ms. Dulanji Herath**  
Assistant Director/Economic Affairs  
Ministry of Foreign Affairs  
Colombo, Sri Lanka  
Telephone: +91-11- 2424809  
E-mail: dulanji.herath@mfa.gov.lk

**Thailand**

01. **Ms. Kundhinee Aksornwong**  
Director  
Division of Economic Relations and Cooperation  
Department of International Economic Affairs  
Ministry of Foreign Affairs  
Bangkok, Thailand  
Telephone: +66-02-2035000  
E-mail: kundhina@mfa.go.th
02. **Ms. Chalida Chunark**  
Counsellor  
Division of Economic Relations and Cooperation  
Department of International Economic Affairs  
Ministry of Foreign Affairs

Bangkok, Thailand  
Telephone: +66-02-2035000  
E-mail: chalidac@mfa.go.th

**BIMSTEC Secretariat**

01. **His Excellency Mr. M Shahidul Islam**  
Secretary General of BIMSTEC  
BIMSTEC Secretariat  
Dhaka, Bangladesh  
Telephone: +880-2-9887663  
Fax: +880-2-9887565  
E-mail: sg@bimstec.org
  
02. **Mr. S. M. Nazmul Hasan**  
Director  
Administration and Trade & Investment Division  
BIMSTEC Secretariat  
Dhaka, Bangladesh  
Telephone: +880-2-9887579  
Fax: +880-2-9887565  
E-mail: nazmulhasan74@yahoo.com
  
03. **Mr. Tauhidul Islam Biplob**  
Senior Executive Secretary  
Administration and Trade & Investment Division  
BIMSTEC Secretariat  
Dhaka, Bangladesh  
Telephone: +880-2-9890096  
Mobile: +880-1716638539  
Fax: +880-2-9887565  
E-mail: biploboffice@gmail.com
  
04. **Mr. Md. Riasat Mufti**  
Accountant-cum-Administrative Assistant  
BIMSTEC Secretariat  
Dhaka, Bangladesh  
Telephone: +880-2-9890096  
Mobile: +880-1719323526  
Fax: +880-2-9887565  
E-mail: riasatprotik@gmail.com

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**Annex II**

**Inaugural Remarks by the Secretary/ Foreign Affairs on the occasion of the First Meeting of the BIMSTEC Permanent Working Committee - 17<sup>th</sup> January 2019**

His Excellency Ambassador Mohamed Shahidul Islam, Secretary General of BIMSTEC,  
Heads of Delegation of BIMSTEC Member States,  
Distinguished Delegates,

I am honoured to address you today at the First Meeting of the BIMSTEC Permanent Working Committee, incidentally the first BIMSTEC meeting being held since Sri Lanka assumed the Chairmanship of the Organization. On behalf of the Ministry of Foreign Affairs of Sri Lanka, I am extremely pleased to welcome you to Colombo.

I also avail myself of this opportunity to express sincere appreciation to Nepal for steering the work of our Group until the successful conclusion of the Fourth BIMSTEC Summit.

Sri Lanka attaches great importance to this premier organization in the Bay of Bengal bridging the two sub regions of South and South –East Asia. Our common history and shared cultural heritage is the backbone of multilateral understanding and respect.

It is our responsibility to further strengthen cooperation among the membership through regional integration creating a prosperous Bay of Bengal region. We need to deepen and broaden the existing economic linkages to form partnerships and seize opportunities within our region.

We are gathered here today, since we as a group recognize the potential of such cooperation. Our collective efforts and continuing engagement clearly demonstrate the commitment towards achieving the common goals that we adopted in the 1997 Bangkok declaration.

Despite achieving economic growth, poverty and growing inequality continue to plague our region, hence reinforcing the need to intensify our efforts to address the needs of our people in a sustainable manner.

Currently, BIMSTEC member states account for 21% of the world's population, have a collective GDP of USD 2.85 trillion and an average economic growth rate of 6.5%. We in this region are blessed with oceans as well as mountainous ecosystems which are yet to be fully utilized for improving livelihoods and economic growth. It is our responsibility to outline sustainable utilization of our resources to ensure benefits for future generations.

You would recall that our leaders at the Fourth BIMSTEC Summit welcomed the proposal of rationalizing our priority areas in order to maximize the utilization of our resources. It is with this in mind that this meeting should endeavour to outline a concrete way forward to rationalize existing sectors to make this Organization result-oriented with view to delivering



direct benefits to our peoples. We seek the cooperation of all Member States to make progress in this regard.

As BIMSTEC enters its third decade, Sri Lanka remains committed towards achieving the objectives of the Organization and stands ready to strengthen its institutional framework. In this regard, I am pleased to announce that the Government of Sri Lanka, during 2019, will be hosting the Nineteenth Senior Officials' Meeting and the Sixteenth Ministerial Meeting of the BIMSTEC in Colombo.

In conclusion, I wish you fruitful and effective deliberations with efficient time management so that it would provide adequate time for all delegates to experience a snapshot of Lonely Planet's number one tourist destination for 2019.

Thank you.

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Annex III



**SECRETARIAT  
BAY OF BENGAL INITIATIVE FOR MULTI-SECTORAL  
TECHNICAL AND ECONOMIC COOPERATION  
DHAKA**

First Meeting of the BIMSTEC Permanent Working Committee  
17-18 January 2019  
Colombo, Sri Lanka

**Special Remarks by the Secretary General of BIMSTEC**

Mr. Chairman,  
Distinguished Delegates,  
Senior officials of the government of Sri Lanka  
Ladies and gentlemen

Good morning.

First of all, I would like to express my sincere thanks and gratitude to the Government of Sri Lanka for hosting the first meeting of the BIMSTEC Permanent Working Committee (BPWC). I would also like to thank all the delegates of the respective Member States for their participation in this important Meeting, possibly the most important meeting taking place after the 4th BIMSTEC Summit held in Kathmandu, Nepal on 30-31 August 2018.

02. The 4th BIMSTEC Summit Declaration contained several important decisions pertaining to institutional reforms and reinvigorating sectoral activities. A major decision was the establishment of this very BIMSTEC Permanent Working Committee (BPWC) “to deal with administrative and financial matters of the Secretariat and the BIMSTEC Centers and Entities, as well as to prepare schedule of meetings, prioritize and rationalize the organization’s activities”.

03. The Fourth BIMSTEC Summit also decided to (i) begin the process of drafting BIMSTEC Charter and Rules of Procedures, (ii) rationalize and prioritize BIMSTEC sectors of cooperation to bring focus in the work of the organization, (iii) strengthen the Secretariat with adequate manpower and resources, and (v) establish a BIMSTEC Development Fund. These subjects have been included in the agenda of the First BIMSTEC Permanent Working Committee (BPCW) being held today. The Secretariat has circulated the preliminary draft of BIMSTEC Charter and the draft Rules of Procedures (RoP) for the BIMSTEC Mechanisms.

04. On the subject related to the establishment of BIMSTEC Development Fund (BDF), no appreciable progress has been reported since the 4<sup>th</sup> Summit. The Secretariat believes that the experience of ASEAN and SAARC could be useful in developing the modalities for the

establishment of the BIMSTEC Development Fund. As regards Restructuring and Rationalization of the existing areas of BIMSTEC cooperation, we hope that the Permanent Working Committee will be able to agree on the priority areas that are both important and achievable. The Administrative and Financing Mechanisms for the Establishment of the BIMSTEC Centres together with the Model Memorandum of Association (MoA) on the Establishment of the BIMSTEC Centres/Entities is another important subject that has assumed urgency for the smooth operationalization of a number of BIMSTEC Centres.

05. The agenda of the meeting also includes relatively less complicated but important issues like establishing schedule of meetings in 2019, finalization of the MoU on Mutual Cooperation between Diplomatic Academies/Training Institutions of BIMSTEC Member States, finalization of Terms of Reference (ToR) of BIMSTEC Eminent Persons' Group (EPG) and Terms of References (ToR) for the BIMSTEC Network of Policy Think Tanks (BNPTT). The administrative and budgetary questions include the estimated budget of the Secretariat for 2019, finalization of Procurement Procedure, finalization of the Administrative and Disciplinary Rules of the Secretariat. The Summit decided to increase the number of Directors at the Secretariat to seven; the modalities and budgetary aspects of their joining the Secretariat will also be discussed by the Meeting.

06. The Secretariat wishes to put on record its deep appreciation for the Member States for timely payment of their assessed contributions towards the budget of the Secretariat. The proposed budget for the Secretariat for the year 2019 is higher than the last year's, primarily because of two reasons: First, an amount of US\$ 317,750 has been proposed to fund three studies to be conducted by three BNPTT member think tanks; Second, expenditure related to the joining of at least one more Director in the Secretariat in 2019. It is also important to note that the commitment of Bangladesh to provide a free furnished accommodation for the Secretary General for five years will end in June 2019. Accordingly, the house rent of the Secretary General beginning July 2019 will have to be paid from the Secretariat's own budget. All proposals have been supported by context and justification.

07. I hope that the delegates got the opportunity to examine the notes circulated by the Secretariat, and will actively participate in today's Meeting in order to come up with practical and pragmatics recommendations to the next session of the BIMSTEC Senior Officials' Meeting for consideration. The Secretariat would like to assure the esteemed delegates of our full support in their deliberations during the course of the Meeting. I wish you all the best in your deliberations.

Thank you.

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**Annex IV**

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Date: 17 January 2019



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**SECRETARIAT  
BAY OF BENGAL INITIATIVE FOR MULTI-SECTORAL  
TECHNICAL AND ECONOMIC COOPERATION  
DHAKA**

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**First Meeting of the BIMSTEC Permanent Working Committee  
17-18 January 2019  
Colombo, Sri Lanka**

**Agenda<sup>1</sup>**

***ORGANIZATIONAL AND PROCEDURAL MATTERS***

01. Opening of the Meeting
02. Election of the Chairperson
03. Adoption of the Agenda

***ADMINISTRATIVE AND FINANCIAL ISSUES***

04. Discussion on joining of the Directors from the remaining Member States
05. Discussion on the Secretariat's revised budget for FY 2018 and estimated budget for FY 2019
06. Discussion on the finalization of the administrative and financing mechanisms for the establishment of the BIMSTEC Centres and finalization of the Model Memorandum of Association (MoA) on the Establishment of the BIMSTEC Centres/Entities
07. Discussion on the Procurement Procedure of the Secretariat
08. Discussion on the Administrative and Disciplinary Rules of the Secretariat
09. Discussion on the modalities for the establishment of the BIMSTEC Development Fund (BDF)

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<sup>1</sup>The First Meeting of the BPWC decided to merge Agenda Items 06 and 15 as Agenda Item 06 and dropped Agenda Item 10 of the draft Provisional Agenda. The Meeting adopted the amended Provisional Agenda.

***REVIEW AND RATIONALIZATION OF INSTITUTIONAL MECHANISM AND SECTORS OF BIMSTEC***

10. Discussion on the Rules of Procedure for BIMSTEC Mechanisms
11. Discussion on the BIMSETC Charter
12. Review and rationalization of sectors and sub-sectors of BIMSTEC
13. Finalization of the Terms of References (ToR) for the BIMSTEC Network of Policy Think Tanks (BNPTT)
14. Finalization of the Memorandum of Understanding (MoU) on Mutual Cooperation between Diplomatic Academies/Training Institutions of BIMSTEC Member States
15. Discussion on the finalization of Terms of Reference (ToR) of BIMSTEC Eminent Persons' Group (EPG)

***SCHEDULE/CALENDAR OF BIMSTEC MEETINGS***

16. Discussion on the schedule/calendar of BIMSTEC Meetings

***OTHER ISSUES***

17. Any Other Matters
18. Date and Venue of the Second Meeting of the BIMSTEC Permanent Working Committee

***REPORT ADOPTION***

19. Consideration and Adoption of the Report of the First Meeting of the BIMSTEC Permanent Working Committee

***CLOSING OF THE MEETING***

20. Closing of the Meeting

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## Revised Budget for BIMSTEC Secretariat for the Fiscal year 2018<sup>1</sup>

Object Code	Sub Object Code	Category / Object Title	Approved Budget for the year of 2018	Expenditure in FY 2018	Balance	Remarks
		<b>RECURRENT EXPENDITURE</b>	<b>\$ USD</b>	<b>\$USD</b>	<b>\$USD</b>	
<b>1000</b>		<b>Personal Emoluments</b>				
<b>1001</b>	100101	Salaries and Wages	400,000.00	359,076.04	40,923.96	
	100102	Overtime and Holiday Pay	7,000.00	5,647.51	1,352.49	
<b>1003</b>		<b>Other Allowances</b>				
	100301	Representational Allowance	43,200.00	40,451.61	2,748.39	
	100302	Educational Allowance	133,500.00	65,489.10	68,010.90	
	100303	Medical Allowance	38,000.00	17,692.73	20,307.27	
	100304	Festival Allowance	6,500.00	4,344.00	2,156.00	
	100305	Conveyance Allowance	10,000.00	7,153.31	2,846.69	
	100306	Housing Allowance	37,500.00	31,329.21	6,170.79	
	100307	Travelling Allowance	8,000.00	522.50	7,477.50	
	100308	Residential Telephone Allowance	4,000.00	299.63	3,700.37	
	100309	Liveries Allowance	3,000.00	1,218.78	1,781.22	
	100310	Transfer Grant	10,000.00	0.00	10,000.00	
	100311	Internet/Data Allowance	4,900.00	3,836.77	1,063.23	
<b>1101</b>		<b>Traveling Expenses</b>				
	110101	Air Fare	55,000.00	31,148.33	23,851.67	
	110102	Combined and Incidental Expenses	50,000.00	40,381.29	9,618.71	
	110103	Transport of Personal Effects	20,000.00	2,969.00	17,031.00	
	110104	Transport of Vehicle	4,500.00	1,500.00	3,000.00	
	110105	Children's Educational Passage	2,000.00	0.00	2,000.00	
	110106	Emergency Passage	3,500.00	0.00	3,500.00	
	110107	Emergency Medical Passage	4,000.00	0.00	4,000.00	
	110108	Home Leave Passage	6,000.00	7,314.06	-1,314.06	
<b>1201</b>		<b>Supplies</b>				
	120101	Stationary and Office Requisites	8,000.00	8,285.76	-285.76	
	120102	News Papers, Magazines and Journals	1,400.00	531.96	868.04	
	120103	Fuel and Lubricants	12,000.00	12,620.37	-620.37	
<b>1301</b>		<b>Maintenance Expenditure for Vehicles</b>				
	130101	Servicing and maintenance of Secretariat vehicles	6,000.00	8,725.60	-2,725.60	
	130102	Insurance Premium	2,500.00	1,170.73	1,329.27	
<b>1302</b>		<b>Maintenance of Buildings and Capital Assets</b>				
	130201	Repair and maintenance (R & M) of Building	8,000.00	4,977.34	3,022.66	

<sup>1</sup>The First Meeting of the BIMSTEC Permanent Working Committee (BPWC) held in Colombo, Sri Lanka on 17-18 January 2019 recommended the Secretariat's revised budget for FY 2018 to the Twentieth Session of the BIMSTEC Senior Officials' Meeting (SOM) for approval.

<b>1401</b>		<b>Communication Services</b>				
	140101	Telecommunications (office Phone)	1,500.00	608.56	891.44	
	140102	Postal and Courier Charges	500	95.71	404.29	
	140103	ICT Related Expenses	3,500.00	3,541.80	-41.80	
	140104	Maintenance and Hosting of Website	3,000.00	0.00	3,000.00	
<b>1402</b>		<b>Hire Charges (Others)</b>				
	140201	Hire Charges of handyman	1,000.00	174.39	825.61	
<b>1403</b>		<b>Electricity and Water</b>				
	140301	Electricity	9,500.00	10,482.01	-982.01	
	140302	Water	3,000.00	711.26	2,288.74	
	140303	Gas	600	119.02	480.98	
<b>1404</b>		<b>Rents</b>				
	140401	Rents	90,000.00	60,450.00	29,550.00	
	140402	House Furnishing Grants	11,000.00	0.00	11,000.00	
<b>1405</b>		<b>Other Services</b>				
	140501	Bank Charges	100	0.00	100.00	
	140502	Security Expenses	4,800.00	2,042.68	2,757.32	
	140503	Water Purification System	200	454.45	-254.45	
	140504	Others/Miscellaneous	12,000.00	11,030.75	969.25	
<b>1501</b>		<b>Servicing of Meetings</b>				
	150101	Meetings and Events by the Secretariat	2,000.00	739.82	1,260.18	
	150102	BIMSTEC Day Celebration (special Occasion)	7,000.00	5,957.48	1,042.52	
<b>1601</b>		<b>Publications and Outreach</b>				
	160101	Publications by the Secretariat	1,500.00	0.00	1,500.00	
	160102	Outreach and Awareness Programs	4,000.00	134.15	3,865.85	
	160103	20 <sup>th</sup> Celebration of BIMSTEC	15,000.00	8,665.82	6,334.18	
	160104	BIMSTEC Studies/Short Course	0	0.00	0.00	
	160105	Honorarium for the seminars/meetings	5,000.00	365.85	4,634.15	
	160106	Honorarium for Interns	4,500.00	0.00	4,500.00	
<b>1701</b>		<b>Procurement of capital items</b>				
	170101	Procurement of vehicle	30,000.00	29,500.00	500.00	
<b>Total (USD)</b>			<b>1,098,200.00</b>	<b>791,759.35</b>	<b>306,440.65</b>	
<b>Contingencies 5% of the total recurrent</b>			<b>54,910.00</b>		<b>54,910.00</b>	
<b>Grant Total</b>			<b>1,153,110.00</b>	<b>791,759.35</b>	<b>361,350.65</b>	

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## Annex VI

**Budget for BIMSTEC Secretariat for the Fiscal Year 2019<sup>1</sup>**

Object Code	Sub Object Code	Category / Object Title	Approved Budget for the year of 2018	Proposed Budget for the year of 2019	Remarks
		<b>RECURRENT EXPENDITURE</b>	<b>\$ USD</b>	<b>\$ USD</b>	
<b>1000</b>		<b>Personal Emoluments</b>			
<b>1001</b>	100101	Salaries and Wages	<b>400,000.00</b>	<b>480,000.00</b>	
	100102	Overtime and Holiday Pay	<b>7,000.00</b>	<b>8,500.00</b>	
<b>1003</b>		<b>Other Allowances</b>			
	100301	Representational Allowance	<b>43,200.00</b>	<b>60,000.00</b>	
	100302	Educational Allowance	<b>133,500.00</b>	<b>150,000.00</b>	
	100303	Medical Allowance	<b>38,000.00</b>	<b>40,000.00</b>	
	100304	Festival Allowance	<b>6,500.00</b>	<b>7,000.00</b>	
	100305	Conveyance Allowance	<b>10,000.00</b>	<b>10,000.00</b>	
	100306	Housing Allowance	<b>37,500.00</b>	<b>43,000.00</b>	
	100307	Travelling Allowance	<b>8,000.00</b>	<b>8,000.00</b>	
	100308	Residential Telephone Allowance	<b>4,000.00</b>	<b>3,000.00</b>	
	100309	Liveries Allowance	<b>3,000.00</b>	<b>3,000.00</b>	
	100310	Transfer Grant	<b>10,000.00</b>	<b>12,250.00</b>	
	100311	Internet/Data Allowance	<b>4,900.00</b>	<b>4,900.00</b>	
	<b>100312</b>	<b>Contributory Provident fund</b>	<b>N/A</b>	<b>8,150.00</b>	
<b>1101</b>		<b>Traveling Expenses</b>			
	110101	Air Fare	<b>55,000.00</b>	<b>55,000.00</b>	
	110102	Combined and Incidental Expenses	<b>50,000.00</b>	<b>60,000.00</b>	
	110103	Transport of Personal Effects	<b>20,000.00</b>	<b>20,000.00</b>	
	110104	Transport of Vehicle	<b>4,500.00</b>	<b>4,500.00</b>	
	110105	Children's Educational Passage	<b>2,000.00</b>	<b>2,000.00</b>	
	110106	Emergency Passage	<b>3,500.00</b>	<b>3,500.00</b>	
	110107	Emergency Medical Passage	<b>4,000.00</b>	<b>4,000.00</b>	
	110108	Home Leave Passage	<b>6,000.00</b>	<b>6,000.00</b>	

<sup>1</sup>The First Meeting of the BIMSTEC Permanent Working Committee (BPWC) held in Colombo, Sri Lanka on 17-18 January 2019 recommended the Secretariat's budget for FY 2019 amounting to US\$13,49,145.00 to the Twentieth Session of the BIMSTEC Senior Officials' Meeting (SOM) for approval.

<b>1201</b>		<b>Supplies</b>			
	120101	Stationary and Office Requisites	<b>8,000.00</b>	<b>10,000.00</b>	
	120102	News Papers, Magazines and Journals	<b>1,400.00</b>	<b>1,400.00</b>	
	120103	Fuel and Lubricants	<b>12,000.00</b>	<b>17,000.00</b>	
<b>1301</b>		<b>Maintenance Expenditure for Vehicles</b>			
	130101	Servicing and maintenance of Secretariat vehicles	<b>6,000.00</b>	<b>12,000.00</b>	
	130102	Insurance Premium	<b>2,500.00</b>	<b>3,000.00</b>	
<b>1302</b>		<b>Maintenance of Buildings and Capital Assets</b>			
	130201	Repair and maintenance (R & M) of Building	<b>8,000.00</b>	<b>8,000.00</b>	
<b>1401</b>		<b>Communication Services</b>			
	140101	Telecommunications (office Phone)	<b>1,500.00</b>	<b>1,500.00</b>	
	140102	Postal and Courier Charges	<b>500</b>	<b>500</b>	
	140103	ICT Related Expenses	<b>3,500.00</b>	<b>5,000.00</b>	
	140104	Maintenance and Hosting of Website	<b>3,000.00</b>	<b>3,000.00</b>	
<b>1402</b>		<b>Hire Charges (Others)</b>			
	140201	Hire Charges of handyman	<b>1,000.00</b>	<b>1,000.00</b>	
<b>1403</b>		<b>Electricity and Water</b>			
	140301	Electricity	<b>9,500.00</b>	<b>12,000.00</b>	
	140302	Water	<b>3,000.00</b>	<b>3,000.00</b>	
	140303	Gas	<b>600</b>	<b>600</b>	
<b>1404</b>		<b>Rents</b>			
	140401	Rents	<b>90,000.00</b>	<b>150,500.00</b>	
	140402	House Furnishing Grants	<b>11,000.00</b>	<b>16,000.00</b>	
<b>1405</b>		<b>Other Services</b>			
	140501	Bank Charges	<b>100</b>	<b>100.00</b>	
	140502	Security Expenses	<b>4,800.00</b>	<b>6,500.00</b>	
	140503	Water Purification System	<b>200</b>	<b>1,000.00</b>	
	140504	Others/Miscellaneous	<b>12,000.00</b>	<b>15,000.00</b>	

<b>1501</b>		<b>Servicing of Meetings</b>			
	150101	Meetings and Events by the Secretariat	<b>2,000.00</b>	<b>3,000.00</b>	
	150102	BIMSTEC Day Celebration (special Occasion)	<b>7,000.00</b>	<b>7,000.00</b>	
<b>1601</b>		<b>Publications and Outreach</b>			
	160101	Publications by the Secretariat	<b>1,500.00</b>	<b>1,500.00</b>	
	160102	Outreach and Awareness Programs	<b>4,000.00</b>	<b>4,000.00</b>	
	160103	20 <sup>th</sup> Celebration of BIMSTEC	<b>15,000.00</b>	<b>0.00</b>	
	160104	BIMSTEC Studies/Short Course	<b>N/A</b>	<b>0.00</b>	
	160105	Honorarium for the seminars/meetings	<b>5,000.00</b>	<b>5,000.00</b>	
	160106	Honorarium for Interns	<b>4,500.00</b>	<b>4,500.00</b>	
<b>1701</b>		<b>Procurement of capital items</b>			
	170101	Procurement of vehicle	<b>30,000.00</b>	<b>0.00</b>	
<b>Total (USD)</b>			<b>1,098,200.00</b>	<b>1,284,900.00</b>	
<b>Contingencies 5% of the total recurrent</b>			<b>54,910.00</b>	<b>64,245.00</b>	
<b>Grant Total</b>			<b>1,153,110.00</b>	<b>1,349,145.00</b>	

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**Annex VII**



**SECRETARIAT  
BAY OF BENGAL INITIATIVE FOR MULTI-SECTORAL  
TECHNICAL AND ECONOMIC COOPERATION  
DHAKA**

**First Meeting of the BIMSTEC Permanent Working Committee  
17-18 January 2019  
Colombo, Sri Lanka**

*[As of 18 January 2018]*

**DRAFT TEXT OF THE TEMPLATE MEMORANDUM OF ASSOCIATION (MoA)  
ON THE ESTABLISHMENT OF BIMSTEC CENTRE /ENTITY**

[The nature/title of the instrument establishing a BIMSTEC Centre will generally be a Memorandum of Association (MoA), but such instrument can also be a Memorandum of Understanding (MOU) or an Agreement, as may be decided by the Member States.]

**Preamble**

The Governments of the People's Republic of Bangladesh, the Kingdom of Bhutan, the Republic of India, the Republic of the Union of Myanmar, Federal Democratic Republic of Nepal, the Democratic Socialist Republic of Sri Lanka and the Kingdom of Thailand, the Member States of the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC);

**Desirous** of concluding a Memorandum of Association (hereinafter referred to as "MoA") to define the terms and conditions of the establishment and operation of the BIMSTEC Centre [full name];

Have agreed as follows:

**Article 1**

**Establishment of the BIMSTEC Centre/Entity**

1. The BIMSTEC Centre for [full name of the Centre/Entity] (hereinafter referred to as the "Centre") is hereby established within the framework of BIMSTEC, of which it shall be an integral part. The date of operationalization of the Centre shall be decided in accordance with Article 9 of this MoA.
2. The Centre shall have its seat in [city], [country] (hereinafter referred to as the "Host Country").

## **Article 2**

### **Legal Personality**

The Centre, as an inter-governmental organization, shall possess legal personality as may be necessary for the exercise of its functions and the achievement of its purposes including *inter alia* the capacity to enter into contract, acquire and dispose of property, and be a party to legal proceedings.

## **Article 3**

### **Purposes and Functions**

1. The purposes of the Centre shall be [preferably one sentence]
2. The Centre shall perform the following functions:

## **Article 4**

### **Governance and Organizational Structure**

#### **A) Governing Board**

1. There shall be a Governing Board (hereinafter referred to as the "Board") which shall have overall responsibility for the policy direction and supervision of the Centre.
2. The Board shall have the following composition:
  - i. The Board shall consist of the Leader of the Sectoral Senior Officials' Meeting from the relevant sector. [It shall be up to the Member State concerned to decide the term of office of the Member of the Board.]
  - ii. [One representative from the Foreign Ministry of the Host Country shall be a Member of the Governing Board.]
  - iii. [A representative of the BIMSTEC Secretariat shall be an ex-officio Member of the Board].
3. The Chairperson of the Board shall be appointed out of its Members according to the alphabetical rotation of the names of the Member States. The Chairperson shall have a one-year term or until such time as the next Board Meeting is held.
4. The Board shall have the following responsibilities:
  - i. To formulate policies and oversee the functions of the BIMSTEC Centre/Entity

- ii. To make rules, procedures and regulations as may be required for functioning of the BIMSTEC Centre/Entity
  - iii. To adopt an annual schedule of activities, programmes and budget
  - iv. To consider the structure, recruitment and staffing of the Centre
  - v. To consider any matter referred to it by the Member States from time to time
  - vi. To provide to the BIMSTEC Member States through the Secretariat annual report containing substantive information on the progress of the various programme undertaken by the BIMSTEC Centre and its output/result
5. The Board shall meet at least once a year. Special meetings may be called by the Chairman at the request of any Member of the Board. The Board may make rules and procedures regarding the holding and proceeding of its meetings.
6. The Executive Director of the BIMSTEC Centre/Entity shall be the Member-Secretary of the Board.
7. The cost of participation of Members of the Board in its meetings shall be borne by the respective Member States.

**B. Executive Director**

- 1. A full time Executive Director shall be responsible and accountable for the management of the Centre/Entity in respect of administration, finance, planning and implementation of all tasks/activities/projects and all other functions that may be directed by the Board.
- 2. The Executive Director shall have a term of office of three (3) years which may be extended on an annual basis not exceeding two (2) years. The extension is subject to the consensus of all Board Members and is based on the annual performance appraisal of the Executive Director as conducted by the Board.
- 3. The First Executive Director of the BIMSTEC Centre shall be from [Host Member State] and shall be appointed by the Government of [Host Member State]. Subsequent Executive Directors shall be appointed from among the nationals of BIMSTEC Member States by the Governing Board upon approval of the BIMSTEC Ministerial Meeting.
- 4. The Executive Director shall be assisted by professional and supporting staff as may be necessary to carry out the assigned responsibilities and functions.

## **Article 4**

### **Reporting Mechanism**

1. The Board, through its Chairman, shall submit its annual report to the Sectoral Ministerial Meeting, through the Sectoral Senior Officials Meeting, for consideration. In the absence of related Sectoral Senior Officials' Meeting and Sectoral Ministerial Meeting, the report of BIMSTEC Centres may be presented directly to the BIMSTEC Ministerial Meeting through the Senior Officials' Meeting (SOM).
2. Recruitment and Staffing arrangements/norms as finalized by the Governing Board shall be placed by its Chairman before the BIMSTEC Permanent Working Committee, who will, in turn, place it before the BIMSTEC Senior Officials Meeting and the Ministerial Meeting.
3. Any administrative and budgeting/financial issue concerning the functioning of the BIMSTEC Centre needing attention of the Member States shall be submitted to the BIMSTEC Permanent Working Committee by the Chairman of the Board.

## **Article 5**

### **Funding**

1. The budget of the BIMSTEC Centre/Entity shall have three components:
  - (a) Capital Expenditure, which will include the physical infrastructure including buildings, equipment, furniture and vehicles.
  - (b) Institutional Expenditure, which will include salaries, perquisites, office expenditure, stationery etc.
  - (c) Programme Expenditure, which will include direct expenditure on the programme activities of the Centre. This cost will also include honorarium of the faculty and engagement of consultancy services.
2. The Centre/Entity shall have the following source of funding:
  - (a) **Capital expenditure:** The host country will bear the Capital Expenditure of the Centre/Entity.
  - (b) **Institutional Expenditure:** Institutional Expenditure will be shared by all BIMSTEC Member States as per the same rate of assessed contribution by Member States as applied for the budget of the BIMSTEC Secretariat.
  - (c) **Programme Expenditure:** The Programme Expenditure will be met from multiple sources, including but not limited to, the following:
    - i. **Grants from the BIMSTEC Development Fund:** The BIMSTEC Centre/Entity shall be eligible to receive grants from the proposed BIMSTEC Development Fund for their projects/schemes.

- ii. **Establishment of Endowment Funds/Corpus Fund:** The Member States may also establish an Endowment Fund for each BIMSTEC Centre/Entity to generate funds for the programme activities. While the contribution to the Fund will be voluntary and the amount of contribution will be decided by each Member State according to its convenience, all contributions will be paid within a stipulated timeframe.
  - iii. The BIMSTEC Centre/Entity may seek and generate funds from within and other possible funding sources including development/technical assistance, as approved by the Senior Officials' Meeting (SOM) on a case by case basis, to finance its programmes and activities.
  - iv. The BIMSTEC Centre/Entity shall render services to the Member States free of charge. However, specific services as decided by the Governing Board would be on actual cost basis. The BIMSTEC Centre/Entity may also generate funds from the sale proceeds of publication and services.
3. The following procedure shall be followed by the BIMSTEC Centre/Entity for approval of Institutional Expenditures and Programme Expenditures:
- a) The BIMSTEC Centre/Entity shall follow a Budget Cycle from March to February.
  - b) The Executive Director of the BIMSTEC Centre/Entity will submit the annual budget (Institutional Expenditure and Programme Expenditure) of the Centre/Entity before the Governing Board for approval.
  - c) The proposed Budget will be placed by the Chairman of the Governing Board of the BIMSTEC Centre/Entity before the BIMSTEC Permanent Working Committee Meeting to be held in the month of November. The BIMSTEC Permanent Working Committee shall seek approval of BIMSTEC Senior Officials' Meeting on the Budget of the BIMSTEC Centre/Entity. In case the BIMSTEC Senior Officials Meeting is not scheduled before February of the next year, the budget will be released by the Member States based on the recommendations of the BIMSTEC Permanent Working Committee. As and when the next BIMSTEC Senior Officials Meeting is held, the BIMSTEC Permanent Working Committee will place the BIMSTEC Centre/Entity Budget before the Senior Officials Meeting for information and ex-post facto endorsement.
  - d) In case the prescribed procedure for Budget approval mentioned above could not be followed by the BIMSTEC Centre/Entity due to unavoidable circumstances, the Governing Board will place a proposal to the Foreign Ministry of the host Member State, which will in turn seek comments/approval from the Member States through the BIMSTEC Secretariat.
  - e) The budget of the first year of the operation of a BIMSTEC Centre/Entity will be prepared by the Government of the host Member State and submitted to the BIMSTEC Permanent Working Committee.

- f) The host Member State will provide the institutional expenditure for a maximum period of one year from the date of confirmation of the physical infrastructure including building and furniture.
- g) The Executive Director of the BIMSTEC Centre/Entity shall open a bank account in a bank recommended by the Governing Board.

## **Article 6**

### **Auditing of the Accounts**

1. The Accounts of the BIMSTEC Centre/Entity shall be audited by such persons as may be nominated by the Governing Board.
2. While submitting Budget proposal for the succeeding year before the BIMSTEC Permanent Working Committee, the Audited Accounts and the Utilization Certificate as per the format given in Annexure-I of the previous year will also be submitted for consideration of the BIMSTEC Permanent Working Committee. For example, for consideration of the Budget for the year March 2021-February 2022, Audited Accounts and the Utilization Certificate of the year March 2019 - February 2020 will be placed before the BIMSTEC Permanent Working Committee who will in turn place the Audited Accounts before the BIMSTEC Senior Officials Meeting and the Ministerial Meeting.

## **Article 7**

### **Privileges and Immunities**

A Host Country Agreement shall be executed regarding legal status, privileges, immunities etc. of the BIMSTEC Centre/Entity and its personnel.

## **Article 8**

### **Language**

English shall be the working language of the Centre/Entity.

## **Article 9**

### **Operationalization of the Centre**

The BIMSTEC Centre/Entity shall become operational upon fulfillment of the following:

- i. The Host Member State shall confirm the readiness of the physical infrastructure including building and furniture to commence operation of the BIMSTEC Centre/Entity. The confirmation of the fulfillment of the Host Country obligation in respect of Capital Expenditures shall be communicated by the host Member State to all the Member States through the BIMSTEC Secretariat.

- ii. The Host Member State shall release the Institutional Expenditure for the first year of operation of the Centre/Entity to a temporary account to be operated by the Foreign Ministry or by the Sectoral Ministry.

### **Article 10**

#### **Amendment**

1. Any Member State may propose, in writing, amendments to this Memorandum of Association.
2. The Governing Board of the BIMSTEC Centre/Entity may also recommend amendment to the provisions of the due to administrative or operational or any other reasons. The recommendation of amendment will be placed by the Chairman of the Governing Board before the BIMSTEC Permanent Working Committee.
3. An amendment to this Memorandum of Association shall require approval of the BIMSTEC Ministerial Meeting and shall come into effect on such date, as may be specified.
4. The amendment will be part of the , each being numbered as Amendment no 1 and so on and to be affixed with the .

### **Article 11**

#### **Settlement of Dispute**

1. Any dispute concerning the interpretation or implementation of this Agreement shall be settled amicably through consultations or negotiations among the Member States.

### **Article 12**

#### **Termination**

1. The Leaders of the Member States may decide to close down a BIMSTEC Centre/Entity due to administrative, operational or any other reasons.
2. The BIMSTEC Permanent Working Committee shall recommend to the BIMSTEC Senior Officials Meeting on modalities of utilization of the balance amount left under the Institutional Expenditure and the Programming Expenditure while the capital assets of the BIMSTEC Centre/Entity shall be taken over by the host Member State.

### **Article 13**

#### **Final Provisions**

1. This shall enter into force on the date of its signature.

2. This shall be deposited with the Secretary General.

In witness thereof, the undersigned, being duly authorized by their respective Governments, have signed this MoA.

Done at .....on.....,in Eight originals, in the English language, each text being equally authentic.

**For the Government of the People's Republic of Bangladesh**

.....

**For the Government of the Kingdom of Bhutan**

.....

**For the Government of the Republic of India**

.....

**For the Government of the Republic of the Union of Myanmar**

.....

**For the Government of the Federal Democratic Republic of Nepal**

.....

**For the Government of the Democratic Socialist Republic of Sri Lanka**

.....

**For the Government of the Kingdom Thailand**

.....



**Annexure-1**

**Form of Utilization Certificate**

Certified that out of USD..... of allotment given by the Member States for meeting Institutional Expenditure and Programme Expenditure during the year ..... in favour of the BIMSTEC centre.... and USD..... on account of unspent balance of the previous year, a sum of USD. .... has been utilized for the purpose of ..... for which it was allotted and that the balance of USD ..... remaining unutilized at the end of the year will be adjusted towards the allotment due from the Member States during the next year .....

Certified that I have satisfied myself that the conditions on which the Member States have allocated budget, have been duly fulfilled / are being fulfilled and that I have exercised the following checks to see that the money was actually utilized for the purpose for which it was allotted.

Kinds of checks exercised:

- 1.
- 2.
- 3.
- 4.
- 5.

Signature of Executive Director

Name of Executive Director

Date

\*\*\*\*\*

## Annex VIII



**SECRETARIAT  
BAY OF BENGAL INITIATIVE FOR MULTI-SECTORAL  
TECHNICAL AND ECONOMIC COOPERATION  
DHAKA**

**First Meeting of the BIMSTEC Permanent Working Committee  
17-18 January 2019  
Colombo, Sri Lanka**

**UPDATED DRAFT***[As of 18 January 2019]***BIMSTEC Procurement Procedures (BPP)<sup>1</sup>****I. Background**

- a. The Seventh BIMSTEC Joint Working Group (JWG) on the Establishment of the BIMSTEC Permanent Secretariat held in Kathmandu, Nepal on 05 February 2017 recommended that the Secretariat formulate a draft Procurement Procedures for the BIMSTEC Secretariat and table for discussion during the Eight Meeting of the JWG to be held in due course of time. The recommendation was endorsed by the Seventeenth SOM held on 07 February 2017 in Nepal.
- b. The Secretariat, based on the scope, relevance and applicability of the procedures has drafted a comprehensive procurement manual titled **‘BIMSTEC Procurement Procedures’ (BPP)** to be used by the Secretariat as a guideline, while entering into agreements for procurement of goods and services (e.g. Annual maintenance Contract, Outsourcing, Engagement of Consultants, Works, Technologies etc). While, the Secretariat referred to the procurement procedures and manuals of as many BIMSTEC Member States as possible, the Secretariat was of the view that given its location, it would be more practical to adapt to the local procurement norms, standards and practices to achieve the objective and purpose of having a procurement procedures in place. However, the Secretariat has attempted to make the rules practical duly considering the need of the Secretariat while adhering to the basic principles of financial propriety.

**Comment [D1]:** Added to bring clarity

**II. Preface**

The core objective of having a Standard Procurement Procedure is to get “*Value for Money*”. Procurement of goods and services is an indispensable part of operations of government or any formal entities. The nature and intensity of procurement, however,

<sup>1</sup>Comments of Bangladesh and India has incorporated in the text and

varies in accordance with the size of the entities and the stage of its development. Nevertheless, *a standard guideline is required to ensure that the procurement undertaken by an established public office is transparent, accountable, competitive and cost-effective and reasonable, ensures fair and equitable treatment of suppliers, while maintaining the highest level of integrity and accountability in procurement practices, besides ensuring that procedures are pragmatic.*

### ***Basic Rules***

#### **Rule 1: Policy**

The BIMSTEC Procurement Procedures (BPP) shall act as a guideline for procurement of goods, services including outsourcing and technologies for smooth functioning of the Secretariat depending on the scope of the procurement. The BPP shall be subject to revision from time to time. However, for practicality, wherever possible the host government Procurement Rules and Regulations shall be made applicable, in cases not covered in these rules. Law of the Land shall be applied in the event of disputes.

#### **Rule 2: Effective Date**

The BIMSTEC Procurement Procedures will be effective on receipt of approval of BIMSTEC Senior Officials Meeting. Past purchases/contracts made by the Secretariat shall not be governed by these Rules.

#### **Rule 3: Amendment**

The BIMSTEC Procurement Procedures will be reviewed and republished every five years with the approval in the BIMSTEC Senior Official Meeting. However, any amendment in the rules, other than the rules laying down the financial limits, may be carried out with the approval of BIMSTEC Permanent Working Committee with the recommendation of the Secretary General of BIMSTEC. This amendment will be part of the BIMSTEC Procurement procedures each being numbered as Amendment no 1 and so on.

#### **Rule 4: Power to enter into contract**

The Secretary General of BIMSTEC will accord administrative approval and Financial Sanction for procurement of goods and services for the Secretariat. However, he may delegate powers of procurement up to a financial limit, as deemed appropriate. Only those officials who have duly received a Delegation of Procurement Authority issued under the authority of the Secretary General of BIMSTEC may enter into financial commitments relating to procurement activities on behalf of the BIMSTEC.

## Rules governing procurement of goods

### Rule 5: Purchase with rate contract

This will be the preferred mode of procurement process for the Secretariat. All the items for which consumption pattern is known e.g. stationeries etc, rate contracts will be resorted to. Either Limited Tendering or Open Tendering will be resorted to for concluding rate contracts based on the total estimated value of contracts of all the items to be covered in the rate contract. The list of items for concluding rate contract will be reviewed every year to bring in maximum items under the purview of the rate contract. For meeting emergency requirements or items not covered in the rate contract, Rules 6 & 7 may be followed.

### Rule 6: Purchase of goods without quotation/tendering

Purchase of goods upto the value of BDT 50000 (Bangladesh Taka Fifty Thousand) only on each occasion may be made without inviting quotations or bids on the basis of a certificate to be recorded by the Competent Authority in terms of Rule 4 above, in the following format,

"I, \_\_\_\_\_, am personally satisfied that these goods purchased are of the requisite quality and specification and have been purchased from a reliable supplier at a reasonable price."

Though no formal supply order will be issued in these cases, payment will be released only after delivery of items and after obtaining financial sanction of the Secretary General of BIMSTEC or delegated authority.

Total financial implication of purchases being made under this Rule shall not exceed BDT 10,00,000.00 (Bangladesh Taka Ten Lakhs) in a Financial year.

**Comment [BD2]:** Bangladesh proposed a yearly ceiling. The Secretariat proposes BDT 10,00,000.00

### Rule 7: Purchase of goods by purchase committee

#### Rule7(1): Procedure

Purchase of goods costing above BDT 50000 (Bangladesh Taka Fifty Thousand) only and upto BDT 3,00,000/- (Bangladesh Taka Three lakh) only on each occasion may be made on the recommendations of a BIMSTEC Local Procurement Committee (BLPC), to be constituted by the Secretary General of BIMSTEC, consisting of the following three members:

1. Director(Administration) as Chairperson
2. Another Director as a Member
3. One General Services Staff

The committee will survey the market to ascertain the reasonableness of rate, quality and specifications and identify the appropriate supplier. The Committee will obtain quotations on the spot from at least three different suppliers. Before recommending placement of the purchase order, the members of the committee will jointly record a certificate as under:

"Certified that we \_\_\_\_\_, members of the purchase committee are jointly and individually satisfied that the goods recommended for purchase are of the requisite specification and quality, priced at the prevailing market rate and the supplier recommended is reliable and competent to supply the goods in question. "

#### **Rule 7(2): Contract/Supply Order Conditions**

Contract/Supply order containing the following basic elements, but not limited to, may be issued, by an authority authorized to do so, to the recommended supplier, after obtaining financial sanction of the Secretary General of BIMSTEC or the delegated authority, in terms of Rule 4 above.

- i. Description of the goods (name, quantities, specifications etc)
- ii. Name and address of the supplier
- iii. Payment terms and conditions including mode of payment
- iv. Total value of the supply order including taxes and duties and delivery charges, if any
- v. Place of delivery/consignee details
- vi. Delivery period
- vii. Warranty/guarantee requirements
- viii. Inspection requirements

**Comment [D3]:** Amended in view of India's comments on Rule 4.

#### **Rule 8: Purchase of goods by obtaining bids**

Except in cases covered under Rules 6 and 7 above, the BIMSTEC Secretariat shall procure goods by obtaining bids in :

- (i) Open Tender Enquiry;
- (ii) Limited Tender Enquiry;
- (iii) Single Tender Enquiry

**Comment [D4]:** As proposed by Bangladesh

**Comment [D5]:** As proposed by India

#### **Rule 9: Open Tender Enquiry**

This mode of tendering will be used for procurement of goods of estimated value BDT 25 lakh (Bangladesh Taka Twenty Five Lakh) and above. Advertisement in such case should be given in at least one prominent daily local newspaper having wide circulation. The Secretariat will also post the complete bidding document in the web site of BIMSTEC. The bidding document will be sent to the Member States for circulation for participation at the regional level.

**Comment [D6]:** The word "Advertised" is replaced by "Open"

**Comment [D7]:** As proposed by India

**Rule 10: Limited Tender Enquiry**

This method may be adopted when estimated value of the goods to be procured is more than BDT 3 Lakhs and up to BDT Twenty-Five Lakhs. Copies of the bidding document should be sent directly by speed post/registered post/courier/e-mail to firms which are borne on the list of registered suppliers (with the BIMSTEC Secretariat) for the goods in question and to reputed suppliers, if sufficiently large number of suppliers are not registered with the BIMSTEC Secretariat. The number of supplier firms should be more than five. Further, web based publicity will also be given.

**Comment [D8]:** Now added

**Comment [D9]:** Now added

**Rule 11: Single Tender Enquiry (STE)**

This mode of tendering wherein tender invitation is issued to only one firm may be resorted to under the following conditions:

- a. In case of existing or prospective emergency relating to operational or technical requirements to be certified by the indenter, the required goods are necessarily to be purchased from a particular source subject to the reason for such decision being recorded and approval of the competent authority obtained.
- b. For standardization of machinery or components or spare parts to be compatible to the existing sets of machinery/equipment (on the advice of a competent technical expert and approved by the competent authority), the required goods are to be purchased only from a selected firm.

**Comment [D10]:** New Rule 11 incorporated with inputs provided by India

Depending on the financial implication, for Single Tender Enquiry, purchase procedures as specified in Rules for Purchase of goods without quotation/tendering, Purchase of goods by purchase committee and Limited Tender Enquiry will be followed provided that quotation will be obtained from a single vendor.

**Comment [D11]:** Incorporated to elaborate the purchase procedure for STE

**Rule 12: Purchase Committee**

The Secretary General of BIMSTEC will constitute a BIMSTEC Procurement Committee (BPC) comprising of minimum of 4 and maximum of 5 members for undertaking procurement including Annual Maintenance Contract (AMC), outsourcing following Open Tender Enquiry or Limited Tender Enquiry and shall comprise of the following:

**Comment [D12]:** The word "Advertised" is replaced by "Open"

- i. One of the Directors as Chairperson
- ii. Director responsible for Administration and Finance
- iii. One General Services Staff
- iv. One General Services Staff from Administration and Finance as Member Secretary
- v. Additional Member

**Rule 13: Vetting of bidding documents**

Secretary General of BIMSTEC will vet the bidding documents prepared by the BPC.

**Rule 14: Registration of bidders**

The BIMSTEC Secretariat may ask interested suppliers to register with the BIMSTEC Secretariat for supply of goods. The Secretariat will lay down few categories of generalized goods each needing separate registration. The Secretariat will formulate norms like annual turnover, past experience, tax compliance etc for registration of willing suppliers. Publication to that effect will be given in the BIMSTEC website.

**Comment [D13]:** Now added

**Comment [D14]:** Now added

**Rule 15: Contents of Bidding Documents**

The Bidding documents will contain both Standard Bidding Document and Specific Bidding documents/conditions, both for Limited Tender Enquiry and Open Tender Enquiry.

**Comment [D15]:** The word "Advertised" is replaced by "Open"

**Rule 16: Standard Bidding Document**

There shall be a *Standard Bidding Documents (SBD)* in place for Inviting Bidders, Evaluating the bids and Award of bids or tenders. The SBD shall consist of the following documents. However, additional clauses may be incorporated wherever necessary with the approval of the Secretary General of BIMSTEC.

- i. Notice Inviting Tender (NIT)
- ii. Instructions to the Bidders
- iii. Opening of the Tender or Bids
- iv. Evaluation of the Tender/Bids
- v. Award of the Tender

**Rule 17: Notice Inviting Tenders**

This will be applicable only in case of Open Tender Enquiry i.e for procurement above the estimated expenditure of BDT 25 lakhs, not for Limited Tender Enquiry and Single Tender Enquiry. It should contain salient features of the requirement in brief to give a clear idea to the prospective suppliers about the requirements. The tender notice should normally contain the following information:

**Comment [D16]:** The word "Advertised" is replaced by "Open"

**Comment [D17]:** Incorporated in view of India's comment

- (a) Description and specification of the goods and quantity
- (b) Period and terms of delivery

- (c) Cost of the tender/bidding document
- (d) Place(s) and timing of sale of tender documents
- (e) Address of the website from where the tender documents could be downloaded
- (f) Place and deadline for receipt of tenders
- (g) Place, time and date for opening of tenders
- (h) Any other important information

#### Rule 18: Instructions To Bidders (ITB)

The following broad instructions to the bidders shall be applicable :

- i. Eligibility: A firm registered with BIMSTEC Secretariat or with any Procurement/Registering Authority of the Government of Bangladesh for the supply of the tendered goods would be eligible to bid. In case of Single Tender Enquiry, Rule 11 will determine the eligibility condition.
- ii. Quotations to be submitted under original memos: Bids should be forwarded by vendors under their original memo /letter pad, inter alia, furnishing the VAT Registration/TIN, Bank Address with EFT account No. and the complete postal and e-mail address of the firm.
- iii. Amendment of Bidding Documents: At any time prior to the date of submission of bids the Secretariat may, whether at its own initiative or in response to a clarification requested by a prospective bidder, may modify bid documents by amendments. The amendments shall be notified in writing to all prospective bidders. In order to afford prospective bidders a reasonable time to take the amendment into account in preparing their bids, the BIMSTEC Secretariat may, at its discretion, extend the deadline for submission of bids.
- iv. Bid Validity: A bid shall remain valid for ninety days unless otherwise specified, from the date of the opening of the tender. A bid valid for shorter period can be rejected by the BIMSTEC Secretariat, as being nonresponsive. In exceptional circumstances the Secretariat may request the consent of the bidder for an extension to the period of bid validity. Such requests shall be made in writing. A bidder accepting the request and granting extension shall not be permitted to modify his bid.
- v. Late Bids: In the case of Open Tender Enquiry or Limited Tender Enquiry, late bids (i.e. bids received after the specified date and time) should not be considered and returned unopened to the bidder.
- vi. Modification and Withdrawal of Bids: A bidder may modify or withdraw his bid after submission provided that the written notice of modification or withdrawal is received by the BIMSTEC Secretariat prior to deadline prescribed for submission of bids.
- vii. Clarification regarding contents of the Bids: During evaluation and comparison of bids, the BIMSTEC Secretariat may, at its discretion, ask the bidder for clarification of his bid. The request for clarification shall be

**Comment [D18]:** In view of Rule 11 now incorporated

**Comment [D19]:** Incorporated in view of India's comment

**Comment [D20]:** Now added

**Comment [D21]:** The word "Advertised" is replaced by "Open"

**Comment [D22]:** Now added

**Comment [D23]:** Now added



in writing and no change in prices or substance of the bid shall be sought, offered or permitted. No post bid clarification on the initiative of the bidder shall be entertained.

#### **Rule 19: Opening of Bids**

Bids will be opened by the BPC on the date and time as specified in the tender documents, in the presence of the bidders or their representatives who choose to attend the opening of the bids. The Bidders may depute their representatives, duly authorized in writing, to attend the opening of Bids on the due date and time. Rates and important commercial/technical clauses quoted by all Bidders will be read out in the presence of the representatives of all the Bidders. This event will not be postponed due to non-presence of bidder's representative. Total bid amount will be announced which is subject to the evaluation result. The bidders or their representatives shall sign on the final sheet of the document containing details of the un-evaluated total bids for reference and record.

#### **Rule 20: Bid Evaluation**

The evaluation will be based the criteria specified in the bidding documents. There shall be a Sub-Committee for Evaluation of Bids appointed by the BIMSTEC Procurement Committee (BPC) based on the relevance of the subject matter. The Sub-Committee will evaluate the bids diligently within three working days and submit the carefully tabulated result to the BPC, accompanied by their findings and recommendations. While evaluating the bids, the Evaluation Committee shall consider the 'best-bid, item-wise' and not necessarily the lowest bid or the lowest quoted rate for each item. However, wherever recommendations is made for awarding contract to a bidder other than the lowest bidder, appropriate justification is to be recorded. The BPC shall review the score sheet and recommendations of the Sub-Committee within 3 days of submission of the report to facilitate early award of the tender.

#### **Rule 21: Award of the Tender:**

The best evaluated bids or bidders will be awarded the tender for a period of one year following the BIMSTEC Financial Year of January to December each year. Multiple bidders may be awarded the contracts for the items for which they are the best-bid, item wise /lowest bid. In case a particular bidder refuses to entertain part supply, the BIMSTEC Secretariat may negotiate with the next higher bidder for the item for matching the rate of the lowest bidder and awarding contract.

**Comment [D24]:** Now added

#### **Rule 22: Specific Bidding documents/contract conditions**

These may contain:

**Comment [D25]:** Reframed in view of India's comments on Rule 14

- i. Schedule of Requirements
- ii. Specifications and allied technical details
- iii. Price schedule (to be utilized by the bidders for quoting their prices)
- iv. Specific contract conditions

All the requirements as quoted above will invariably be included as special conditions, specific to the instant procurement proposal, both in the bidding documents and the contract.

#### **Rule 23: Purchase of Technology Equipment:**

While purchasing technology equipment, the bid documents may include a clause that the bidder to whom contract will be awarded will be determined based on the equipment cost and maintenance cost for a reasonable life span (to be specified in years) of the equipment. Specifications of technology items should not refer to brand names, types of equipment from a particular manufacturer, or country of origin of materials, except when it has been determined that it is necessary to do so in order to guarantee the inclusion of a particular essential design or characteristic of functioning, construction or fabrication. In those cases, the references should be followed by the words “or equivalent” together with the criteria for determining such equivalence.

**Comment [D26]:** As proposed by India

#### **Rule 24: Buy-Back Offer**

When it is decided with the approval of the Secretary General of BIMSTEC to replace an existing old item(s) with a new and better version, the BIMSTEC Secretariat may trade the existing old item while purchasing the new one. For this purpose, a suitable clause is to be incorporated in the bidding document so that the prospective and interested bidders formulate their bids accordingly. Vendor eligible for contract will be determined based on quoted/negotiated rates for supply and buy back.

**Comment [D27]:** Now added

**Comment [D28]:** Now added

#### **Rule 25: Annual Maintenance Contract (AMC)**

The BIMSTEC Secretariat may enter into Annual Maintenance Contract for equipment maintained by the Secretariat needing periodical maintenance services. While it will be preferable to enter into AMC with the authorized service provider of the equipment, the Secretariat may consider Limited tendering with reputed service providers. Considering standard AMC rate as 15% of the hardware i.e. excluding installation and other miscellaneous cost elements, the Secretariat may decide to call a simple Limited tendering or go for a detailed Limited tendering similar to the provisions as provided above. It will be appropriate to enter into comprehensive AMC wherever feasible, covering both preventive and periodical maintenance and urgent repair as well as supply of consumables. Some of the conditions to be incorporated in the bidding documents as well as in the contracts,

**Comment [D29]:** Now added

besides the standard conditions of service requirements, payment schedule, contract value, consignee details etc may be (reasons for deviation or non compliance may be recorded) :

- i. The Seller will provide a minimum of four Preventive Maintenance Service visits during a year to the BIMSTEC Secretariat to carry out functional checkups and minor adjustments/ tuning as may be required.
- ii. In case of any breakdown of the equipment/system, on receiving a call from the BIMSTEC Secretariat, the AMC vendor is to provide maintenance service to make the equipment/system serviceable.
- iii. The response time of the AMC vendor should not exceed 24 hours, excluding holidays, from the time the breakdown intimation is provided by the BIMSTEC Secretariat.
- iv. Serviceability of at least 95% per year is to be ensured. This amounts to total maximum downtime of 18 days per year. Also unserviceability should not exceed 3 days at one time.

Comment [D30]: Now added

Comment [D31]: Now added

## Rule 26: Outsourcing

### Rule 26(1):

The BIMSTEC Secretariat may outsource certain services eg. security (additional to security provided by the Government of Bangladesh) etc. in the interest of necessity, economy and efficiency.

### Rule 26(2):

For meeting emergency requirement (eg. hiring daily wage laborers for cleaning, housekeeping, special occasions etc) , if the estimated value is less than BDT 50,000, provision as laid down in Rule 6 may be followed.

### Rule 26(3):

For meeting regular outsourcing needs, The BIMSTEC Secretariat shall prepare a list of likely and potential contractors on the basis of formal or informal enquiries from Ministry of Foreign Affairs, Government of Bangladesh or any other Government Agency for undertaking Limited Tender Enquiry. The Secretariat will prepare a tender enquiry containing the following besides provisions as in Rule 16:

Comment [D32]: Amended

- (i) The details of the work or service to be performed by the contractor;
- (ii) The facilities and the inputs which will be provided to the contractor by the BIMSTEC Secretariat;
- (iii) Eligibility and qualification criteria to be met by the contractor for performing the required work / service; and
- (iv) The statutory and contractual obligations to be complied with by the contractor.

**Rule 26(4):**

Should it become necessary, in an exceptional situation to outsource a job to a specifically chosen contractor, the BIMSTEC Secretariat may, in such cases record the circumstances leading to the outsourcing by choice and the special interest or purpose it shall serve .

**Rule 26(5):**

However, if the estimated value of the contract on year to year basis is more than BDT 25 lakhs, procedures as laid down for Open Tender Enquiry for purchase of goods may be followed. The bidding documents and the contracts may duly incorporate the special conditions as at Rule 25(3) above.

**Comment [D33]:** The word "Advertised" is replaced by "Open"

**Comment [D34]:** Amended

**Rule 27: Engagement of Consultants**

The BIMSTEC Secretariat will follow the norms laid down by the BIMSTEC Permanent Working Committee (BPWC)/SOM for engaging external consultant for undertaking any studies/consultancies.

**Comment [D35]:** Now added

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## General Comments by the Secretariat

Rules	Comment of Bangladesh	Views of the BIMSTEC Secretariat
<b>Rule 23</b> (now renumbered as Rule 24)	'Buy Back' is not procurement or acquisition. Rules and formulation of separate rules and policies are required for this purpose.	It is stated in the Proposed Rule that a suitable clause is to be incorporated in the bidding document so that the prospective and interested bidders formulate their bids accordingly. Vendor eligible for contract will be determined based on quoted rates for supply and buy back. Buy back clause may be incorporated for technology equipment.
<b>Rules</b>	<b>Comment of India</b>	<b>Views of the BIMSTEC Secretariat</b>
<b>Rule 10:</b> Limited Tender Enquiry	Rule 10 is not clear. It needs to be redrafted	Following have been proposed in the BPP: <ul style="list-style-type: none"> <li>a. Rule 6: Purchase of goods without quotation/tendering (Upto BDT 50000)</li> <li>b. Rule 7: Purchase of goods by purchase committee (BDT 50001 to BDT 300000)</li> <li>c. Rule 10: Limited Tender Enquiry: BDT 300001 to BDT 2500000.</li> <li>d. Open Tender Enquiry: BDT above 25 lakhs</li> </ul>
	Though the Preface speaks of 'goods and services', the sections speak only of goods.	Different rules have been proposed for AMC, Outsourcing and Engagement of Consultants.
<b>Rule 14:</b> Contents of Bidding Documents <b>Rule 15:</b> Standard Bidding Document <b>Rule 21:</b> Special Conditions of bidding documents/contract	<ul style="list-style-type: none"> <li>a. Specific Bidding Document as stated in Rule 14 is not defined.</li> <li>b. How is Rule 21 aligned with Rules 14 and 15.</li> </ul>	<ul style="list-style-type: none"> <li>c. Rule 21 has been reframed as Specific Bidding documents/contract conditions.</li> <li>d. Bidding Documents (Rule 14) will have Standard Bidding Documents (Rule 15) and Specific Bidding documents (Rule 21)</li> <li>e. Rules 14,15 and 21 are now renumbered as Rules 15,16, 22 respectively.</li> </ul>
<b>Rule 17</b> (now renumbered as Rule 18): Instructions to Bidders (ITB)	In Rule 17 who is the Secretariat and from where does it derive the authority to modify the bid document?	Word ' <b>BIMSTEC</b> ' has been incorporated before 'Secretariat'. BPP once approved by the Member States will be the basis for modifying the bid documents for necessities as stated in the Rule.
<b>Rule 15</b> (now renumbered as Rule 16): Standard Bidding Document	(iii), (iv) and (v) of Rule 15 are not clear	These are general conditions which will form part of the Tender Document, as elaborated in Rules (renumbered) 19, 20 and 21

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## Annex IX



**SECRETARIAT**  
**BAY OF BENGAL INITIATIVE FOR MULTI-SECTORAL**  
**TECHNICAL AND ECONOMIC COOPERATION**  
**DHAKA**

**First Meeting of the BIMSTEC Permanent Working Committee**  
**17-18 January 2019**  
**Colombo, Sri Lanka**

**DRAFT**

*[As of 18 January 2019]*

**ADMINISTRATIVE AND DISCIPLINARY RULES FOR THE GENERAL  
SERVICES STAFF OF THE BIMSTEC SECRETARIAT**

**GENERAL CONDUCT AND DISCIPLINE**

**1. General Conduct**

The existing Service Rules of the Secretariat represent the fundamental conditions of service, rights, duties and obligations of the personnel employed at the BIMSTEC Secretariat. The conduct and obligations of the staff members are described in detail in the Service Rules. Chapter VIII of the Service Rules exclusively deals with the Duties, Obligations and Privileges applicable to all the General Service Staff appointed by the Secretary General. They embody the broad principles of personnel policy, which are applicable to all General Service staff members.

- 1.1 An official is expected to give his undivided allegiance to the Secretariat at all times and on all occasions when the Secretariat has a claim of his services;
- 1.2 An official is required to discharge with diligence and efficiency any duty in which the Secretariat may think it desirable to engage him;
- 1.3 An official is required to familiarize himself with and to observe the provisions of the Financial and Administrative Regulations, Service Rules, Circulars, Instructions and other Manuals and Instructions issued from time to time;
- 1.4 An official should at all times act in a manner befitting his office. He should not commit any act that would bring the Secretariat service or the post he holds into disrepute;
- 1.5 An official shall not do anything which will bring his private interest into conflict with his official duty or which compromises his office interest;

- 1.6 Canvassing whether done directly or indirectly, by an official for promotion in the Secretariat service, will be regarded as an act of misconduct rendering liable to disciplinary action;
- 1.7 Arranging an interchange of duties or attempting to do so for a pecuniary consideration will render the official concerned liable to disciplinary action;
- 1.8 An official must be courteous towards the people and fellow members of the staff, and readily assist all persons visiting the Secretariat on business. An official should always be polite in his official acts and correspondence;
- 1.9 An official should be temperate and restrained in his language while corresponding or writing reports and minutes;
- 1.10 No official shall utilize Secretariat labour on private jobs of any kind whether during or outside the official hours of work, or put any Secretariat property to his personal use without the special sanction of the Secretary General;
- 1.11 No official may furnish supplies on Secretariat account or furnish specimens of any institution without the special prior sanction of the Secretary General.

## 2. Penalties

- A. **Nature of Penalties:** Any of the following penalties may be imposed on a member of the staff who has been found guilty of an offence or breach of discipline under these rules:
  - i. **Minor Penalties:** Censure, OR withholding for a specified period, of promotion or of increment, OR deduction of an amount equivalent to basic pay for 7 (seven) days;
  - ii. **Major Penalties:** Reduction to a lower scale or lower rank, OR recovery from pay or any other account due to the staff member of the whole or part of pecuniary loss caused to the Secretariat by the staff member, OR termination from service.

## 3. Disciplinary Measures

The following disciplinary measures shall be taken into consideration:

- i. The Secretary General shall appoint a Disciplinary Committee consisting of 02 (two) Directors to examine and advise him on disciplinary cases. A Director assigned by the Secretary General will be the Chairman of the Committee.

- ii. The Disciplinary Committee shall examine all such disciplinary cases as are referred to it and after examining the facts of each case as per procedure prescribed by the rules and by the standing instructions issued by the Secretary General from time to time make such recommendations as considered appropriate under the circumstances of such case.

#### 4. Procedure for handling Disciplinary Cases

- i. Whenever a case calling for disciplinary proceedings is brought to notice or comes to the notice of the Secretary General and he is satisfied on the *prima facie* evidence, Secretary General may appoint an Inquiry Officer who is senior in rank to the staff member being proceeded against to conduct an inquiry;
- ii. The Inquiry Officer shall, after giving due and proper notice to all concerned parties, examine such witnesses, scrutinize such documents and go through such other evidences as having a bearing on the case before recording his findings on the case. He shall proceed with utmost care in dealing with such departmental proceedings;
- iii. In all disciplinary proceedings the staff member who is being proceeded against shall be presented with clear and specific charges in writing and given reasonable opportunity and time of seven (07) days to explain his conduct or rebut the charge or charges made against him.
- iv. The staff member who is being proceeded against shall appear before the Inquiry Officer, if asked to do so in person.
- v. After completing the inquiry, the Inquiry Officer shall forward the records of the case along with his report and recommendations to the Secretary General through the Disciplinary Committee within twenty one (21) days. The report of Inquiry Officer shall be based on the facts and evidences and supported by the following documents:
- vi. The Report of the Inquiry Officer shall contain:
  - a) The allegations of misconduct;
  - b) The response of the staff member;
  - c) A synopsis of the evidence and evaluation thereof;
  - d) The findings, indicating which of the allegations, if any, appear to be supported by the evidence;
  - e) Any aggravating or mitigating factors that might be relevant;
  - f) Dissenting or separate opinion, if any;
  - g) The recommendations for the Disciplinary Committee to the Secretary General.



- vii. The Secretary General may refer the report of the Inquiry Officer to the Disciplinary Committee for further examination, recommendations, etc. Such reference shall, however, be made in all cases where imposition of a major penalty is contemplated.
- viii. After consideration of the recommendations of the Disciplinary Committee and the inquiry report and taking into consideration all facts of the case, the Secretary General shall pass such orders as considered just and fair in the particular case.
- ix. Before imposing any penalty the staff member concerned shall be served notice along with the gist of the findings against him and asking him to show cause in writing within a specified time-period (07 days) as to why the specified penalty or penalties should not be imposed on him.
- x. After examining any explanation given by the staff member proceeded against or on the expiry of the stipulated time, if no explanation is provided by him, the Secretary General shall pass such orders imposing the minor penalty or major penalty (suspension of staff member in case of major penalty) or exonerating him as considered just and fair in the particular case.

## **5. Suspension Pending Investigation**

If the Secretary General is convinced that there is *prima facie* evidence or serious misconduct by a staff member and that the staff member's continuance in service, pending a decision on his case would prejudice the interests of BIMSTEC, the Secretary General may suspend the staff member from his functions, without prejudice to his acquired rights, with pay amounting to not less than half of his monthly salary. If the staff member is absolved of the offence or charges relating to the suspension, the Secretary General shall forthwith restore to him the full amount of his salary so withheld.

## **6. Appeals**

The concerned staff member shall have the right to file appeal as per the following procedure:

- (a) The aggrieved person may submit an appeal to the Secretary General against the decision under Administrative and Disciplinary Rules within 30 days of the receipt of the order.
- (b) The Secretary General shall review the case to ensure:
  - i. Whether the procedure prescribed in the rules have been complied with and, if not, whether such non-compliance has resulted in failure of justice;

- ii. Whether the findings on the charges are justified; and
- iii. Whether the penalty imposed is excessive, adequate or inadequate, and shall pass such orders as he deems appropriate.

## **7. Final Authority**

The Secretary General shall have the full authority to impose penalties under Administrative and Disciplinary Rules, as deemed appropriate.

## **8. Definitions**

For the purpose of Disciplinary Rules, the words:

- (a) “Secretariat” means the BIMSTEC Secretariat.
- (b) “Official” means GSS Category.
- (c) “he” includes “she” also.
- (d) “Secretary General” means Secretary General of BIMSTEC.
- (e) Definitions of offences caused or committed by officials are at ***Annex-A***

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[Annex-A]

## DEFINITION OF OFFENCES CAUSED OR COMMITTED BY OFFICIALS

(1) Offences committed by officials may be broadly defined as follows, but this definition should not be treated as a comprehensive list of offences. It will also not preclude taking action against an official for any other offence not covered by these definitions, but for which it is considered that an official should be punished.

(2) Offences may be broadly categorized under the following heads:

Inefficiency,  
Incompetence,  
Negligence,  
Lack of Integrity,  
Improper Conduct (whether connected with official duties or not), and  
Indiscipline.

**Inefficiency** may or may not arise from a lack of competence. It consists of failure due to indifference, inadvertence or other defects on the part of an official to discharge the duties expected of him to reasonable standards.

**Incompetence** arises from a lack of intellectual, temperamental, physical or other qualities that an official is presumed to possess or to have developed for the efficient discharge of his duties, considering his position, seniority, the level of responsibility at which he functions, his age, experience, the qualifications normally stipulated for recruitment to the post he holds, etc. It could be technical, professional or administrative incompetence, or incompetence in the handling of staff, labour, or other personal relationship in his office.

**Negligence** is a neglect of the duties entrusted to him and would cover such matters as errors and mistakes arising out of lack of care or diligence, failure to supervise programmes, staff, etc., to ensure that Secretariat funds are not wasted or Secretariat property is damaged.

**Lack of Integrity** relates to acts or omissions arising from motives of improper personal gain, fraud, cheating, theft, forgery, dishonesty, concealment of truth or portions of truth in writing reports, suppression of documents or facts, bribery, use of his official position or exercise of his official functions for his own private advantage or the advantage of his friends or relatives; use of Secretariat property or services of subordinates for private purposes; acceptance of gifts or favours from members of the public or firms with whom an official has official dealings or on whom he is in a

position to bestow some present or future favour; any act which brings his private interest into real conflict with his official duties.

**Improper Conduct** when connected with official duties, relates to such matters as betrayal of confidence enjoyed officially; acts of indiscretion in the place of work, or outside the place of work but in relation to an official's subordinates; speaking in public or publishing articles on matters in which the official is prohibited from expressing opinions in public, engaging in political activities; inciting his subordinates to disloyalty; doing anything that might seem to compromise his official position or any other act which demoralizes the Secretariat service, or bring the Secretariat service or the office he holds into disrepute; any act which appears to bring his private interest into conflict with his official duties even if the conflict is not in fact real. Improper conduct not connected with his official duties relates to such matters as habitual drunkenness, use of narcotic drugs, disorderly behavior, immorality of a type that becomes a scandal or any other act which brings the Service or the Secretariat into disrepute.

**Indiscipline** relates to such matters as unpunctuality, refusal to carry out lawful orders, rudeness whether to his superiors, subordinates or members of the public, drunkenness when on duty, use of narcotic drugs, leaving office without permission, etc.

Breaches of the Financial Regulations, the Service Rules, any Secretariat Orders, Regulations, etc., are specific offences, which may also arise from Incompetence, Negligence or the Lack of Integrity.

- (3) Unsatisfactory Conduct of a staff member which may be investigated and for which disciplinary measures may be imposed includes, but is not limited to:
- a. Acts or omissions in conflict with the general obligations of staff members set for in the Financial, Administrative Regulations, Rules and Instructions;
  - b. An unlawful act (e.g. theft, fraud, possession or sale of illegal substances, smuggling) wherever it occurs, and whether or not the staff member was on official duty at the time;
  - c. Misrepresentation, forgery, or certification in connection with any official claim or benefit, including failure to disclose a fact material to that claim or benefit;
  - d. Assault, harassment, or threats affecting other staff members or third parties;
  - e. Misuse of official property, assets, equipment or files, including electronic files;

- f. Misuse of office, abuse of authority, breach of confidentiality, abuse of Secretariat privileges and immunities;
- g. Acts or behaviors that could discredit the Secretariat;
- h. Gross negligence, wanton disregard or reckless mishandling of property and assets leading to a loss for the Secretariat;
- i. Premeditated action or omission to avoid or to deviate from Financial Regulations, Rules and Procedures, including inappropriate use of certification for approval authority;
- j. Gross mishandling of contract obligations and relations with third parties leading to loss of property/assets, or generating liabilities for the Secretariat;
- k. Breach of fiduciary obligations *vis-à-vis* the Secretariat;
- l. Failure to disclose an interest or relationship with a third party benefiting from a decision in which the staff member takes part and/or favoritism in the award of a contract to a third party;
- m. Failure to disclose promptly the receipt of gifts, remuneration or incentive payments or other benefits received by the staff member from an external source;
- n. Exaction of funds from a colleague or a third party related to the Secretariat;
- o. Failure by the staff member to comply with professional and related ethical standards applicable to his profession;
- p. An official found intoxicated or smelling of liquor or to have used narcotic drugs whilst on duty;
- q. Serious pecuniary embarrassment from whatever cause, is to be regarded as a circumstance which impairs the efficiency of an official and renders him less valuable and worthy of trust than he would otherwise be;
  - i. Such embarrassment, if occasioned by extravagance, imprudence or other reprehensible cause may be regarded as an offence affecting the repute of the Secretariat service and the degree of confidence which may be reposed in the office;
  - ii. An official is prohibited from borrowing money on the security of a salary receipt;

- r. Failure by a staff member to inform the Secretary General on being arrested for debt or on insolvency proceedings being taken against him.
  - s. Abetting, concealing or conspiring in any of the above actions;
  - t. Giving information even when confined to statements of facts, where the publication may embarrass the Secretariat or a Member State, without prior approval of the Secretary General;
  - u. Turpitude and moral degradation of any form.
- (4) For the purpose of paragraphs (h) to (k) above, the conduct of the staff member is culpable where failures in his performance is of such extreme dimension, or where gross negligence involves an extreme and reckless failure to act as a reasonable person with a reasonably foreseeable risk, regardless of whether intent was involved or not in the commission of the act or that the staff member benefited from it.

Reference to the paragraph (q) where it appears that his offence has been occasioned by unavoidable misfortune, such fact may be given sympathetic consideration when imposing a punishment on him even though he is found guilty of the offence.

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Annex X



**SECRETARIAT  
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**First Meeting of the BIMSTEC Permanent Working Committee  
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*[As of 18 January 2019]*

**Preliminary draft of the Charter of BIMSTEC**

**PREAMBLE**

We, the peoples of the Member States of the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC), represented by the Heads of State or Government of the People's Republic of Bangladesh, Kingdom of Bhutan, the Republic of India, the Republic of the Union of Myanmar, Nepal, the Democratic Socialist Republic of Sri Lanka, and the Kingdom of Thailand;

*Reaffirming* the firm commitment to the principles and purposes of BIMSTEC as enshrined in the 1997 Bangkok Declaration;

*Affirming* the solemn commitment to making the Bay of Bengal Region peaceful, prosperous and sustainable by building on our common strengths through our collective efforts;

*Being convinced* that geographical contiguity, abundant natural and human resources, rich historical linkages and cultural heritage present great potentials for promoting deeper cooperation in identified core areas in the region;

*Recognizing* that eradication of poverty is the greatest regional challenge in the realization of development objectives and that the Member States need to work together to eradicate poverty from the Bay of Bengal region;

*Acknowledging* that enhanced inter-linkages and inter-dependence within the economies and societies in the BIMSTEC Member States provide greater opportunity to advance regional cooperation;

*Underlining* the importance of multidimensional connectivity, which promotes synergy among connectivity frameworks in our region, as a key enabler to economic integration for shared prosperity;

*Taking into consideration* the importance of trade and investment as a major contributing factor for fostering economic and social development in the region,

*Recognizing* the special needs and circumstances of the least developed and land-locked developing countries in the region and underlining the necessity to provide meaningful support to their development process;

*Recognizing* that terrorism and transnational organized crimes continue to pose a great threat to international peace and security including in the BIMSTEC countries and stressing that combating terrorism and transnational organized crimes require sustained efforts and cooperation and comprehensive approach involving active participation and collaboration of the Member States;

*Reaffirming* strong commitment to making BIMSTEC a dynamic, effective and result-oriented regional organization for promoting a peaceful, prosperous and sustainable Bay of Bengal Region through meaningful cooperation and deeper integration;

*Stressing* the need for a fair, just, rule-based, equitable and transparent international order and reaffirming faith in the multilateralism with the United Nations at the centre and the rule-based international trading system;

*Underscoring* the importance of robust institutional arrangements to effectively steering the process of regional cooperation under BIMSTEC;

*Recalling* the decision of the Fourth BIMSTEC Summit of 2018 to begin the process of drafting the Charter for the organization, building on the 1997 Bangkok Declaration, defining a long-term vision and priorities for cooperation, clearly delineating roles and responsibilities of different layers of institutional structure and decision-making processes;

*Hereby decide* to establish, through this Charter, the legal and institutional framework for BIMSTEC;

*And to this end*, the Heads of State or Government of BIMSTEC Member States, assembled in Colombo on the occasion of the Fifth BIMSTEC Summit, have agreed to this Charter.



## **CHAPTER I**

### **PURPOSES AND PRINCIPLES**

#### **Article 1**

#### **Purposes**

The purposes of the BIMSTEC shall be:

1. To create an enabling environment for rapid economic development through identification and implementation of specific cooperation projects in the sectors of trade, investment and industry, technology, human resource development, tourism, agriculture, energy, and infrastructure and transportation.
2. To accelerate the economic growth and social progress in the Bay of Bengal region through joint endeavours in a spirit of equality and partnership.
3. To promote active collaboration and mutual assistance on matters of common interest in the economic, social, technical and scientific fields.
4. To provide assistance to each other in the form of training and research facilities in the educational, professional and technical spheres.
5. To cooperate more effectively in joint efforts that are supportive of and complementary to national development plans of Member States which result in tangible benefits to the people in raising their living standards, including through generating employment and improving transportation and communication infrastructure.
6. To cooperate in projects that can be dealt with most productively on a regional basis among the BIMSTEC Member States and that make best use of available synergies.
7. To maintain peace and stability in the Bay of Bengal region through close collaboration in combating international terrorism, transnational organized crimes and trans-boundary security challenges relating to natural disasters, climate change and communicable diseases.
8. To maintain close and beneficial cooperation with existing international and regional organizations with similar aims and purposes.

## **Article 2**

### **Principles**

The Organization and its Member States, in the pursuit of the purposes stated in Article 1, shall observe the following principles in all the activities:

1. Cooperation within the BIMSTEC will be based on respect for the principle of sovereign equality, territorial integrity, political independence, non-interference in internal affairs, peaceful co-existence and mutual benefit.
2. Cooperation within the BIMSTEC will constitute an additionality to and not be a substitute for bilateral, regional or multilateral cooperation involving the Member States.
3. Cooperation within the BIMSTEC Member States shall be based on renunciation of aggression and of the threat or use of force against any Member State and reliance on peaceful settlement of disputes.

## **CHAPTER II**

### **LEGAL PERSONALITY**

#### **Article 3**

#### **Legal Personality of BIMSTEC**

BIMSTEC as an inter-governmental organization is hereby conferred legal personality.

## **CHAPTER III**

### **MEMBERSHIP**

#### **Article 4**

#### **Members of BIMSTEC**

The Member States of BIMSTEC are the People's Republic of Bangladesh, the Kingdom of Bhutan, the Republic of India, the Republic of the Union of Myanmar, Nepal, the Democratic Socialist Republic of Sri Lanka, and the Kingdom of Thailand.

#### **Article 5**

#### **Rights and Obligations**

1. The Member States of BIMSTEC shall have equal rights and obligations under this Charter.

2. The Member States of BIMSTEC shall take all necessary measures, including enactment of appropriate domestic legislations to effectively implement provisions of this Charter and to comply with all obligations of membership.
3. In case of a serious breach of the Charter or non-compliance, the matter shall be referred to the BIMSTEC Summit for decision.

## **Article 6**

### **Admission of New Members**

1. The process for application and admission to BIMSTEC shall be prescribed by the BIMSTEC Ministerial Meeting.
2. The admission of new member shall be based on the following criteria:
  - (a) The applicant State shall satisfy the conditions of territorial contiguity to, or direct opening into, or primary dependence on the Bay of Bengal for trade and transport purposes, bearing in mind that countries having access to the Andaman Sea also enjoy, by definition, a direct opening into the Bay of Bengal.
  - (b) The applicant State shall agree to abide by the aims, purposes and principles of BIMSTEC.
  - (c) The applicant State shall possess the ability and willingness to carry out the obligations of Membership.
3. The procedure for admission of new Member States shall be as follows:
  - (a) Any State which desires to become a Member of the BIMSTEC shall submit an application to the Secretary General. Such application shall contain a declaration, made in a formal instrument that the State in question fulfils the eligibility criteria for membership as set out in the Charter and accepts the obligations contained in the Charter.
  - (b) The Secretary General shall, for information, send a copy of the application to the Members of the BIMSTEC and shall include the item in the agenda of the next meeting of the Ministerial Meeting.
  - (c) If the Ministerial Meeting recommends the Applicant State for membership, the Summit shall consider the application for membership.

- (d) The Secretary General shall inform the Applicant State of the decision of the Summit. If the application is approved, the applicant State shall be admitted to BIMSTEC upon signing of an Instrument of Accession.

## **Article 7**

### **Admission of Observers**

1. The process for application and admission of an Observer to BIMSTEC shall be prescribed by the BIMSTEC Ministerial Meeting.
2. The admission of an Observer shall be based on the following criteria:
  - (a) The applicant State shall satisfy BIMSTEC Member States that the applicant for Observership has shown interest in, and is able to contribute to the activities of BIMSTEC.
  - (b) The applicant international/regional organization shall satisfy BIMSTEC Member States that the applicant for Observership is in a position to contribute to the work programme of BIMSTEC.
  - (c) The applicant State and international/regional organization shall bear in mind that granting of Observer status does not automatically lead to rights to membership.
3. The procedure for admission of a Observer shall be as follows:
  - (a) Any State, international organization or regional organization desires to become an Observer of the BIMSTEC shall submit an application to the Secretary General. Such application shall contain a declaration, made in a formal instrument that the State or international organization or regional organization in question fulfils the eligibility criteria for observer status as set out in the Charter and accepts the obligations contained in the Charter.
  - (b) The Secretary General shall, for information, send a copy of the application to the Members of the BIMSTEC and shall include the item in the agenda of the next Ministerial Meeting.
  - (c) If the Ministerial Meeting recommends the Applicant State or international organization or regional organization for observer status, the Summit shall consider the application for observer status.

- (d) The Secretary General shall inform the Applicant State or international organization or regional organization of the decision of the Summit. If the application is approved, observer status shall become effective on the date on which the Summit takes its decision on the application.

## **CHAPTER IV ORGANS**

### **Article 8 BIMSTEC Summit**

1. The BIMSTEC Summit shall comprise the Heads of State or Government of the Member States.
2. The BIMSTEC Summit shall have the following powers and functions:
  - (a) Be the supreme policy-making body of BIMSTEC;
  - (b) Deliberate, provide policy guidance and take decisions on key issues pertaining to the realization of the objectives of BIMSTEC, important matters of interest to Member States and all issues referred to it by the BIMSTEC Ministerial Meeting and BIMSTEC Sectoral Ministerial Bodies;
  - (c) Address emergency situations affecting BIMSTEC by taking appropriate measures;
  - (d) Decide on application for admission of new Member States and Observers;
  - (e) Appoint the Secretary General of BIMSTEC, with the rank and status of Cabinet Minister, upon the recommendation of the Ministerial Meeting, who will serve with the confidence and at the pleasure of the BIMSTEC Heads of State and Government.
  - (f) Authorize the establishment and dissolution of Sectoral Ministerial Bodies and other BIMSTEC institutions;
3. The BIMSTEC Summit Meetings shall be:
  - (a) Held once every two years, in the month of October preceded by the Ministerial Meeting, and be hosted by the Member State holding the BIMSTEC Chairmanship; and

(b) Convened, whenever necessary, as special Summit to be chaired by the Member State holding the BIMSTEC Chairmanship, at venues to be agreed upon by BIMSTEC Member States.

4. All decisions of the Summit Meetings shall be made on the basis of consensus.

## **Article 9**

### **BIMSTEC Ministerial Meeting**

1. The BIMSTEC Ministerial Meeting shall comprise the External Affairs/Foreign Ministers of the Member States.

2. The BIMSTEC Ministerial Meeting shall have the following powers and functions:

(a) Coordinating overall BIMSTEC cooperation;

(b) Prepare the meeting of the BIMSTEC Summit;

(c) Coordinate the implementation of agreements and decisions of the BIMSTEC Summit;

(d) Coordinate with the Sectoral Ministerial Bodies to enhance policy coherence, efficiency and cooperation with them;

(e) Approve the budget of the Secretariat and BIMSTEC Centres/Establishments as proposed by the Senior Officials' Meeting; and

(f) Undertake such other functions as may be assigned by the BIMSTEC Summit.

3. The BIMSTEC Ministerial Meetings shall:

(a) Meet annually, in the month of October, preceded by the BIMSTEC Senior Officials' Meeting (SOM), and to be hosted by the Member State holding the BIMSTEC Chairmanship; and

(b) Convene, whenever necessary, as special meeting to be chaired by the Member State holding the BIMSTEC Chairmanship, at venues to be agreed upon by the Member States.

4. All decisions of the Ministerial Meeting shall be made on the basis of consensus.

## **Article 10**

### **BIMSTEC Sectoral Ministerial Meetings**

1. The BIMSTEC Sectoral Ministerial Bodies shall comprise the relevant Ministers of line Ministries responsible for carrying out the activities of the respective sectors.
2. The BIMSTEC Sectoral Ministerial Bodies shall have the following powers and functions:
  - (a) Function in accordance with their respective established mandates;
  - (b) Implement the agreements and decisions of the BIMSTEC Summit under their respective purview;
  - (c) Strengthen cooperation in their respective fields in support of promoting BIMSTEC objectives; and
  - (d) Submit report and recommendations to the BIMSTEC Ministerial Meeting for the consideration of the BIMSTEC Summit.
3. The Sectoral Ministerial Bodies shall meet as and when necessary, to be hosted and chaired by Member States in alphabetical rotation. Each Sectoral Ministerial Body may have under its purview the relevant Senior Officials, Sectoral Working Groups and Sub-sectoral Expert Groups/Sub-groups etc. , all to be hosted and chaired by Member States in alphabetical rotation.
4. All decisions of the Sectoral Ministerial Bodies and its subsidiary bodies shall be made on the basis of consensus.

## **Article 11**

### **BIMSTEC Senior Officials' Committee**

1. The BIMSTEC Senior Officials' Committee shall comprise Foreign Secretaries of the BIMSTEC Member States.
2. The Senior Officials' Committee shall have the following powers and functions:
  - (a) Prepare the meeting of the BIMSTEC Ministerial Meeting;
  - (b) Follow up and coordinate the implementation of agreements and decisions of the BIMSTEC Ministerial Meeting;

- (c) Coordinate with the Sectoral Bodies in Sectors where there is no Ministerial body;
  - (d) Initiate proposals on all administrative and budgetary matters for the consideration of the Ministerial Meeting; and
  - (e) Undertake such other functions as may be assigned by the Ministerial Meeting.
3. The BIMSTEC Senior Officials' Committee shall be:
- (a) Held twice a year, once in February and once more in the same year in October preceding the BIMSTEC Ministerial Meeting, both to be hosted by the Member State holding the BIMSTEC Chairmanship; and
  - (b) Convened, whenever necessary, as special meeting of the Senior Officials' Committee to be chaired by the Member State holding the BIMSTEC Chairmanship, at venues to be agreed upon by BIMSTEC Member States.
4. All decisions of the Senior Officials' Committee shall be made on the basis of consensus.

## **Article 12**

### **BIMSTEC Permanent Working Committee**

1. The BIMSTEC Permanent Working Committee (PWC) shall comprise the Joint Secretary/Director General acting as the National Focal Point of each BIMSTEC Member State.
2. The BIMSTEC Permanent Working Committee shall have the following powers and functions:
- (a) Deliberate on the administrative and financial matters of the Secretariat and BIMSTEC Centres/Entities;
  - (b) Prepare, in consultation with the Secretariat, schedule/calendar of BIMSTEC meetings;
  - (c) Prioritize and rationalize BIMSTEC activities/projects; and
  - (d) Undertake such other functions as may be assigned by the BIMSTEC Senior Officials' Meeting.



3. The BIMSTEC Permanent Working Committee (PWC) shall :
  - (a) Be held at least twice a year in January and again in October back-to-back with the BIMSTEC Senior Officials' Meeting, both to be hosted by the Member State holding the BIMSTEC Chairmanship;
  - (b) In addition, the Committee shall meet as and when necessary.
4. All decisions of the BIMSTEC Permanent Working Committee shall be made on the basis on consensus.

### **Article 13**

#### **BIMSTEC National Focal Point**

1. Each BIMSTEC Member State shall establish a BIMSTEC National Focal Point (NFP) at their respective Ministry of External Affairs/Foreign Affairs.
2. The National Focal Point shall have the following powers and functions:
  - (a) Serve as the national point of contact for all communications with the BIMSTEC Secretariat;
  - (b) Be the repository of information on all BIMSTEC matters at the national level;
  - (c) Coordinate the implementation of BIMSTEC decisions at the national level; and
  - (d) Coordinate and support the national preparations of BIMSTEC meetings.

### **Article 14**

#### **Secretary General and the Secretariat**

1. The Secretary General of BIMSTEC shall be appointed by the BIMSTEC Summit, upon recommendation by the Ministerial Meeting, for a non-renewable term of office of three years, upon nomination by a Member State based on the principle of alphabetical rotation.
2. The Secretary General shall have the following duties and responsibilities:
  - (a) carry out the duties and responsibilities of this high office in accordance with the provisions of this Charter and relevant BIMSTEC instruments, protocols and established practices;

(b) facilitate and monitor progress in the implementation of BIMSTEC agreements and decisions, and submit annual report on the work of the organization to the BIMSTEC Ministerial Meeting;

(c) participate in meetings of the BIMSTEC Summit, BIMSTEC Ministerial Meeting, BIMSTEC Sectoral Ministerial meetings and other relevant BIMSTEC meetings;

(d) present the views of BIMSTEC and participate in meetings with external parties in accordance with approved policy guidelines and mandate given to the Secretary General;

3. The Secretary General shall also be the Chief Administrative Officer of BIMSTEC.

4. The BIMSTEC Secretariat shall comprise the Secretary General and such other staff as may be required.

5. In performance of their duties, the Secretary General and the staff shall:

(a) uphold the highest standards of integrity, efficiency and competence;

(b) not seek or receive instructions from any government or from any other authority external to the Organization. and government or external party outside of BIMSTEC; and

(c) refrain from any action which might not commensurate with their respective position as BIMSTEC Secretariat officials.

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

### **Article 15**

#### **Other subsidiary bodies**

Such subsidiary organs including BIMSTEC centres/establishments as may be found necessary may be established in accordance with the present Charter.

## **CHAPTER V**

### **IMMUNITIES AND PRIVILEGES**

#### **Article 16**

#### **Immunities and Privileges of BIMSTEC**

1. BIMSTEC shall enjoy in the territories of the Member States such immunities and privileges as are necessary for the fulfillment of its purposes.
2. The immunities and privileges shall be laid down in separate agreements between BIMSTEC and the host Member State.

#### **Article 17**

##### **Immunities and Privileges of the Secretary General and staff of the BIMSTEC Secretariat**

1. The Secretary General and staff of the BIMSTEC Secretariat participating in official BIMSTEC activities or representing the organization in the Member States shall enjoy such immunities and privileges as are necessary for the independent exercise of their functions.
2. The immunities and privileges under this Article shall be laid down in a separate BIMSTEC agreement.

#### **Article 18**

##### **Immunities and Privileges of the officials on BIMSTEC duties**

1. The officials of the Member State participating in official BIMSTEC activities in the Member States shall enjoy such immunities and privileges as are necessary for the exercise of their functions.
2. The immunities and privileges of the officials on BIMSTEC duties shall be governed by the 1961 Vienna Convention on Diplomatic Relations [or in accordance with the national laws of the BIMSTEC Member States concerned.]

### **CHAPTER VI DECISION MAKING**

#### **Article 19**

##### **Consensus**

1. Decision making in BIMSTEC shall be based on consensus.
2. Nothing in paragraph 1 of this Article shall affect the modes of decision making as contained in the relevant BIMSTEC legal instrument.

## **CHAPTER VII DISPUTE SETTLEMENT**

### **Article 20 Peaceful settlement of dispute**

Member States shall endeavor to resolve peacefully all disputes through dialogue, consultation and negotiation.

### **Article 21 Good offices, conciliation and mediation**

1. 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 disputes within an agreed time limit.
2. Parties to the dispute may request the Chairman of BIMSTEC or the Secretary General in ex-officio position, to provide good offices, conciliation or mediation.

## **CHAPTER VIII ADMINISTRATIVE AND PROCEDURAL MATTERS**

### **Article 22 Chairman of BIMSTEC**

1. The Chairmanship of BIMSTEC shall rotate based on the alphabetical order of the English names of Member States. The changeover of Chairmanship shall take place during the Summit meeting in a manner whereby the Member State chairing BIMSTEC shall host BIMSTEC Summit and hand over the chairmanship to the Member State next in alphabetical order.
2. The Member State assuming the Chairmanship shall chair:
  - (a) The BIMSTEC Summit and related summits and retreats;
  - (b) The BIMSTEC Ministerial Meetings;
  - (c) The BIMSTEC Senior Officials' Committee; and
  - (d) The BIMSTEC Permanent Working Committee

3. The Member State holding the Chairmanship of BIMSTEC shall actively promote and enhance the interests of BIMSTEC through policy initiatives, coordination, consensus building and cooperation. The Chairman shall represent the organization to external partners.

**Article 23**  
**Working language of BIMSTEC**

English shall be the working language of BIMSTEC.

**CHAPTER IX**  
**BUDGET AND FINANCING**

**Article 24**  
**General Principles**

1. BIMSTEC shall establish financial rules and procedures to ensure observance of sound financial management and budgetary discipline.
2. Financial accounts shall be subject to internal and external audits.

**Article 25**  
**Operational budget and finances of the Secretariat**

1. The Secretariat shall be provided with the necessary financial resources to perform its functions effectively.
2. The operational budget of the Secretariat shall be met by the BIMSTEC Member States through annual contributions, as per the rate determined by the Ministerial Meeting, which shall be remitted in a timely manner.
3. The Secretary General shall prepare the annual operational budget of the BIMSTEC Secretariat for approval by the Ministerial Meeting upon the recommendation of the Senior Officials' Meeting.
4. The Secretariat shall operate in accordance with the financial rules and procedures determined by the Ministerial Meeting upon the recommendation of the Senior Officials' Meeting.

## **CHAPTER X EXTERNAL RELATIONS**

### **Article 26 Conduct of External Relations**

1. BIMSTEC shall develop friendly relations and mutually beneficial dialogue, cooperation and partnerships with countries and sub-regional, regional and international organizations and institutions.
2. The external relations of BIMSTEC shall adhere to the purposes and principles set forth in this Charter.
3. In the conduct of external relations of BIMSTEC, Member States shall coordinate and endeavor to develop common positions and pursue joint actions.
4. BIMSTEC may conclude agreements with countries or sub-regional, regional and international organizations. The procedure for concluding such agreements shall be prescribed by the BIMSTEC Ministerial Meeting.
5. External parties may be invited to BIMSTEC meetings or cooperative activities, with or without being conferred any formal status, in accordance with rules of procedure.

## **CHAPTER XI FINAL PROVISIONS**

### **Article 27 Signature, ratification, depositary and entry into force**

1. This Charter shall be signed by all BIMSTEC Member States.
2. This Charter shall be subject to ratification by all BIMSTEC Member States in accordance with their respective internal procedures.
3. Instrument of ratification shall be deposited with the Secretary General who shall promptly notify all Member State of each deposit.
4. This Charter shall enter into force on the thirtieth day following the deposit of the seventh instrument of ratification with the Secretary General of BIMSTEC.

## **Article 28**

### **Amendments**

1. Any Member State may propose amendments to the Charter. Proposed amendments to the Charter shall be submitted by the Ministerial Meeting to the BIMSTEC Summit for its decision.
2. Amendments to the Charter agreed by consensus by the Summit shall be ratified by all Member States in accordance with Article 26.
3. An amendment shall enter into force on the thirtieth day following the deposit of the last instrument of ratification with the Secretary General.

## **Article 29**

### **Terms of reference and rules of procedure**

Unless otherwise provided for in this Charter, the BIMSTEC Ministerial Meeting shall determine the terms of reference and rules of procedure and shall ensure their consistency.

## **Article 30**

### **Review**

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

## **Article 31**

### **Interpretation of the Charter**

1. Upon request of any Member State, the interpretation of the Charter shall be undertaken by BIMSTEC Secretariat in accordance with the rules of procedure determined by the BIMSTEC Ministerial Meeting.
2. Any dispute arising out of the Charter shall be settled in an amicable manner in accordance with the relevant provisions of Chapter .
3. Headings and titles used through this Charter shall only be for the purpose of reference.

**Article 32**  
**Legal Continuity**

1. All treaties, conventions, agreements, declarations and other BIMSTEC instruments which have been in effect before the entry into force of this Charter shall continue to be valid.
2. In case of inconsistency between the rights and obligations of Member States under such instruments, the Charter shall prevail.

**Article 33**  
**Original Text**

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

**Article 34**  
**Registration of the BIMSTEC Charter**

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

**Article 35**  
**BIMSTEC Assets**

The assets and funds of the organization shall be vested in the name of BIMSTEC.

**Article 36**  
**BIMSTEC Flag**

The BIMSTEC Flag shall be as shown in Annex-I.

**Article 37**  
**BIMSTEC Emblem**

The BIMSTEC Emblem shall be as shown in Annex-II.

**Article 38**  
**BIMSTEC Day**

The sixth of June shall be observed as BIMSTEC Day.



Done in Colombo on the – day of – in the year Two Thousand and Twenty, in a single original in the English language.

**For the People’s Republic of Bangladesh**

(Name and designation of the Head of Government)

**For the Kingdom of Bhutan**

(Name and designation of the Head of Government)

**For the Republic of India**

(Name and designation of the Head of Government)

**For the Republic of the Union of Myanmar**

(Name and designation of the Head of Government)

**For Nepal**

(Name and designation of the Head of Government)

**For the Democratic Socialist Republic of Sri Lanka**

(Name and designation of the Head of State)

**For the Kingdom of Thailand**

(Name and designation of the Head of Government)

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## Annex XI



**SECRETARIAT**  
**BAY OF BENGAL INITIATIVE FOR MULTI-SECTORAL**  
**TECHNICAL AND ECONOMIC COOPERATION**  
**DHAKA**

**First Meeting of the BIMSTEC Permanent Working Committee**

**17-18 January 2019**

**Colombo, Sri Lanka**

(As of 18 January 2019)

**Finalized Draft Terms of Reference (ToR) for the BIMSTEC Network of Policy Think-Tanks (BNPTT)<sup>1</sup>**

**01. Background**

‘People-to-People Contact’ is one of the key areas of cooperation under BIMSTEC’s fourteen priority areas. During the First BIMSTEC Summit held in Bangkok, Thailand on 31 July 2004, the Leaders agreed to focus on specific areas of cooperation, which includes “People-to-People Contact”. The Leaders also decided to increase interaction among peoples of the Member States through various programmes of exchanges and interactions.

The Second BIMSTEC Summit held in New Delhi, India on 13 November 2008, decided to establish a BIMSTEC Network of Policy Think Tanks [BNPTT] to promote People-to-People Contact among BIMSTEC Member States. Accordingly, the BNPTT was established as a Track-II initiative of BIMSTEC to foster and enhance cooperation and integration among the Member States, through the holding of its first meeting in New Delhi on 18-19 February, 2010. BNPTT consists of seven leading policy Think Tanks from the seven Member States nominated by the respective Governments.

At the BIMSTEC Leaders’ Retreat held in Goa, India on 16 October 2016, the Leaders reiterated their commitment to promote People-to-People Contact in the BIMSTEC region. The Leaders stated, *inter alia*:

*“We resolve to create a deeper understanding and trust across the region and reiterate our commitment to promote people-to-people contact at various levels among Member States. ....and encourage BNPTT to organize regular consultations and programmes with stakeholders from the Member States with a view to intensifying people-to-people contact. We agree to expand linkages among our educational and research institutions.”*

<sup>1</sup>The First Meeting of the BIMSTEC Permanent Working Committee (BPWC) held in Colombo, Sri Lanka on 17-18 January 2019 finalized the ToR for the BNPTT for approval by the Member States.

In order to make the BNPTT more effective, functional and result oriented, it has become necessary to develop modalities for operational aspects. This ToR would serve as guiding principles in this regard.

## **02. Composition**

The Members of the BNPTT shall be appointed by the BIMSTEC Member States consisting of designated Think Tanks from each Member State. The Secretary General of BIMSTEC shall act as the Chief Coordinator of the BNPTT.

## **03. Objective**

The prime objective of the BNPTT shall be to promote People-to-People Contact among the BIMSTEC Member States including providing policy options to the Member States on how to deepen regional cooperation, integration and the future directions of BIMSTEC.

## **04. Scope and Responsibilities**

BNPTT should be used for research purposes and recommend topics relevant to BIMSTEC to be researched and published.

The Scope and Responsibilities of the BNPTT shall include, but not limited to the following:

- (i) The BNPTT shall act as a Track-II dialogue platform among the Member States in advancing the objectives and functions identified in the Bangkok Declaration of 1997 and subsequent Summit/Ministerial Declarations.
- (ii) The Members of the BNPTT shall maintain the highest standards of academic and research capabilities with innovative and pragmatic ideas on the aspects related to BIMSTEC including its 14 priority and new areas of cooperation.
- (iii) The BNPTT shall contribute through its opinion and advocacy programs to the Member States on issues pertaining to the priority areas of cooperation.
- (iv) The BNPTT shall assist the Member States and the Secretariat with innovative and pragmatic ideas including new areas of cooperation, based on empirical evidence or research outcome with a view to promote regional cooperation and integration. The BNPTT shall also propose modalities of implementation on a time bound manner.
- (v) The BNPTT shall conduct critical assessment of any relevant studies, papers, submissions, interviews and consultations on the future of BIMSTEC.
- (vi) The BNPTT shall conduct research on contemporary issues, *i.e.*, unemployment in Member States particularly affecting the youth.

## **05. Administrative Framework**

### **i. Frequency of the Meeting**

The BNPTT shall meet annually. However, interim Meetings and consultations may also be held as and when necessary.

### **ii. Hosting of the Meeting**

The Member States shall host the Meetings of BNPTT on alphabetical rotation.

### **iii. Financing of BNPTT**

a. The BNPTT will submit comprehensive proposal of research/activities along with estimate for the research/activities. Member States, upon consideration of the proposal, may provide funding on case by case basis through the Secretariat.

b. The BNPTT shall propose the budget for activities/research which can be circulated through the Secretariat for concurrence of the Member States. After which it will be sent to the Secretariat and the Secretariat can then disburse the amount.

### **iv. Hospitality Norms**

Though BIMSTEC norms are to provide only local hospitality for delegates by Host State while airfares is provided by the nominating State, BNPTT being a Track II initiative, an exception can be made where Host country can also provide for airfare to the participants (Both Local hospitality and Airfare).

### **v. Chairing of the Meeting**

The Meeting shall be chaired by the BNPTT Member of the host Member State.

### **vi. Participation of others**

a. The Secretary General, in consultation with the designated Think Tanks of the Lead and the Host Countries, may invite Think-Tanks/experts with similar interests for their participation and contribution at the BNPTT Meetings.

b. The expenditure relating to the participation of the others in the Meetings may not be covered under the hospitality norms of the host Member State.

**vii. Secretariat**

The BIMSTEC Secretariat shall provide secretarial support, including the preparation of draft agenda, documents, notification and organisation of Meetings as well as preparation and circulation of the Meeting Reports.

**viii. Quorum of the Meeting**

The quorum for the BNPTT Meetings shall be five (05) BNPTT Members.

**ix. Work Plan**

The BNPTT shall have a Work Plan and every BNPTT Meeting shall review the implementation of the Work Plan.

**06. Amendment**

This ToR may be updated and amended by the Members of the BNPTT, as and when necessary, on the basis of consensus.

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## Annex XII



**SECRETARIAT  
BAY OF BENGAL INITIATIVE FOR MULTI-SECTORAL  
TECHNICAL AND ECONOMIC COOPERATION  
DHAKA**

First Meeting of the BIMSTEC Permanent Working Committee  
17-18 January 2019  
Colombo, Sri Lanka

[As of 18 January 2019]

**UPDATED DRAFT**

**MEMORANDUM OF UNDERSTANDING ~~(MOU)~~ ON MUTUAL COOPERATION IN  
THE FIELD OF DIPLOMATIC TRAINING<sup>1</sup>**

**Comment [TH1]:** Thailand proposes to delete

**Comment [TH2]:** Thailand proposes to add

**BETWEEN**

**~~THE~~ BANGLADESH FOREIGN SERVICE ACADEMY OF THE MINISTRY OF  
FOREIGN AFFAIRS OF THE PEOPLE'S REPUBLIC OF BANGLADESH**

**Comment [TH3]:** Thailand proposes to add

**~~THE~~ .....(name of foreign service academy) OF THE MINISTRY OF FOREIGN  
AFFAIRS OF THE ROYAL GOVERNMENT OF BHUTAN**

**Comment [TH4]:** Thailand proposes to add

**~~THE~~ FOREIGN SERVICE INSTITUTE OF THE MINISTRY OF EXTERNAL  
AFFAIRS OF THE REPUBLIC OF INDIA**

**Comment [TH5]:** Thailand proposes to add

**~~THE~~ STRATEGIC STUDIES AND TRAINING DEPARTMENT OF THE MINISTRY  
OF FOREIGN AFFAIRS OF THE REPUBLIC OF THE UNION OF MYANMAR**

**Comment [TH6]:** Thailand proposes to add

**~~THE~~ INSTITUTE OF FOREIGN AFFAIRS OF THE MINISTRY OF FOREIGN  
AFFAIRS OF THE FEDERAL DEMOCRATIC REPUBLIC OF NEPAL**

**Comment [TH7]:** Thailand proposes to add

**~~THE~~ BANDARANAIKE INTERNATIONAL DIPLOMATIC TRAINING INSTITUTE  
OF THE MINISTRY OF FOREIGN AFFAIRS OF THE DEMOCRATIC SOCIALIST  
REPUBLIC OF SRI LANKA**

**Comment [TH8]:** Thailand proposes to add

**AND**

**~~THE DEVAWONGSE VAROPAKARN INSTITUTE OF FOREIGN AFFAIRS ~~THAI~~  
DIPLOMATIC ACADEMY~~ OF THE MINISTRY OF FOREIGN AFFAIRS OF THE  
KINGDOM OF THAILAND**

**Comment [TH9]:** Thailand proposes to add and delete

<sup>1</sup>Incorporating comments and observations received from Bangladesh and Thailand. Myanmar conveyed that cooperation enhancement amongst Diplomatic Academics of BIMSTEC Member States could be implemented if there is a political will among the Member States and agreeable to all members in this regard.

**The** Bangladesh Foreign Service Academy of the Ministry of Foreign Affairs of the People's Republic of Bangladesh

**Comment [TH10]:** Thailand proposes to add

**The** .....(name of foreign service academy) of the Ministry of Foreign Affairs of the Royal Government of Bhutan

**Comment [TH11]:** Thailand proposes to add

**The** Foreign Service Institute of the Ministry of External Affairs of the Republic of India

**Comment [TH12]:** Thailand proposes to add

**The** Strategic Studies and Training Department of the Ministry of Foreign Affairs of the Republic of the Union of Myanmar

**Comment [TH13]:** Thailand proposes to add

**The** Institute of Foreign Affairs of the Ministry of Foreign Affairs of the Federal Democratic Republic of Nepal

**Comment [TH14]:** Thailand proposes to add

**The** Bandaranaike International Diplomatic Training Institute of the Ministry of Foreign Affairs of the Democratic Socialist Republic of Sri Lanka, and

**Comment [TH15]:** Thailand proposes to add

**The** Devawongse Varopakarn Institute of Foreign Affairs ~~Thai Diplomatic Academy~~ of the Ministry of Foreign Affairs of the Kingdom of Thailand (hereinafter referred to as the "Participants"),

**Comment [TH16]:** Thailand proposes to add and delete

**RECOGNISING** the spirit of cooperation that exists among their respective countries;

**TAKING** into consideration the importance of enhancing cooperation through the execution of ~~multilateral~~ activities among the Participants;

**Comment [TH17]:**

**Comment [TH18]:** Thailand proposes to delete

**DESIRING** to promote closer collaboration among the Participants;

**BEING AWARE** of immense potentiality of cooperation in the field of foreign service of the BIMSTEC countries in general, and among their diplomatic training institutions in particular;

**APPRECIATING** the value of special training, re-training/orientation and exchange between the diplomatic cadres;

**Comment [BD19]:** Bangladesh proposes to add these two paragraphs.

**And WISHING** to further enhance cooperation among the Participants and develop mutually beneficial relationships between members of the BIMSTEC countries through the exchange of information and the implementation of joint activities **in the field of diplomatic training**;

Have reached the following understanding:

**PARAGRAPH CLAUSE I**

1. The ~~purpose objective~~ of the present Memorandum of Understanding (MOU) is to create a framework for closer cooperation ~~among-between~~ the Participants and to facilitate collaboration ~~in the area of diplomatic training among them to-for~~ the fulfillment of the following objectives:

- a) To carry out joint programmes and projects that may contribute to improving the quality of training and retraining, studies and projects serving the agreed common objectives, priorities and activities of the BIMSTEC countries;
- b) To increase the exchange of knowledge, experiences and achievements in application of new teaching methods ~~used in diplomatic training~~ among the BIMSTEC countries; and
- c) To ensure and achieve high-quality education and qualification in diplomatic training ~~and skill development~~.

**Comment [TH20]:** Thailand proposes to use word 'PARAGRAPH' instead of "CLAUSE"

**Comment [TH21]:** Thailand proposes to amend

**Comment [TH22]:** Thailand proposes to amend

**Comment [TH23]:** Thailand proposes to amend

**Comment [TH24]:** Thailand proposes to add

**Comment [BD25]:** Bangladesh proposes to add

**CLAU~~SE~~ PARAGRAPH II**

The Participants ~~will cooperate in areas of mutual interests, which inter alia may include exchange of information on the structure and content~~ Modules of training programmes, international trends and advances in training, training techniques and the use of technology in training, including design and content of e-learning; as well as jointly ~~identification-identify~~ of experts and carry out joint research in ~~mutually agreed areas~~ mutually decided upon by the Participants.

**Comment [BD26]:** Bangladesh proposes to replace the word "structure and content" by "Modules"

**Comment [TH27]:** Thailand proposes to amend

**PARAGRAPH CLAUSE III**

The Participants will, exchange experience, information and publications on subjects of common ~~interests~~, including training programmes, curricula of studies and other academic, educational and training activities undertaken by the Participants in the field of diplomacy ~~and other activities of common interest~~.

**Comment [BD28]:** Bangladesh proposes "interests" instead of 'interest'

**Comment [TH29]:** Thailand proposes to delete

**Comment [BD30]:** Bangladesh proposes "interests" instead of 'interest'

**PARAGRAPH CLAUSE IV**

The Participants will promote the exchange of experts, scholars, ~~lecturers~~ faculties and diplomatic trainees in fields of mutual interest.

**Comment [BD31]:** Bangladesh proposes to use word "faculties" instead of 'lecturers'

**PARAGRAPH CLAUSE V**

The Participants will encourage coordinated research, joint studies and seminars on ~~the~~ subjects of mutual interest.



**PARAGRAPH ~~CLAUSE VI~~**

The Participants ~~may~~ will mutually decide to explore ~~the possibilities of~~ other forms of cooperation which can be mutually beneficial to the Participants ~~and are mutually agreed upon.~~

**Comment [BD32]:** Bangladesh proposes to use "will" instead of 'may'

**Comment [TH33]:** Thailand proposes to amend

**PARAGRAPH ~~CLAUSE VII~~**

1. The Participants will decide upon the specifics and logistics of each ~~every~~ project they jointly undertaken, ~~through direct discussion or diplomatic channel.~~

**Comment [TH34]:** Thailand proposes to amend

**Comment [BD35]:** Bangladesh proposes to add

2. If necessary, a separate ~~For this purpose, a~~ protocol laying down the terms and conditions of the proposed project may ~~exchanges will be concluded, if necessary.~~ However, as a general rule, the host institution will meet expenses as local hospitality and logistics while the sending institution will bear expenses on international travel and other incidental entitlement/expenditure, if not otherwise agreed upon. This, however, will not limit any voluntary offer of any of the Participants.

**Comment [TH36]:** Thailand proposes to amend

**Comment [BD37]:** Bangladesh proposes to add

3. ~~Any dispute between the Participants concerning the interpretation and/or implementation of this Memorandum shall be settled amicably through consultations and negotiations.~~

**Comment [TH38]:** Thailand proposes to delete

**PARAGRAPH VIII**

This MOU does not create any legally binding obligations upon the Participants and does not constitute a treaty under international law.

**Comment [TH39]:** Thailand proposes to add new "Paragraph VIII"

Termination of the MoU by any single Participant will not cause to cease the continuation of cooperation by other Participants under the MoU. However, termination by any three of the Participants will automatically terminate the MoU for all which will be effective 90 days after such termination and this eventuality of termination will, however, not affect ongoing any project or event under the MoU, unless otherwise agreed upon.

**Comment [BD40]:** Bangladesh proposes to add this para in a appropriate place

**PARAGRAPH IX**

Any differences between the Participants concerning the interpretation and/or implementation of this MOU will be settled amicably through consultations.

**Comment [TH41]:** Thailand proposes to add new "Paragraph IX"

**PARAGRAPH ~~CLAUSE VIII X~~**

1. This ~~Memorandum~~ MOU will come into effect on the date of its signature and will continue to have effect for a period of three (3) years, ~~thereafter~~ Thereafter the MOU will automatically be renewed for similar three (3) year periods at a time, unless terminated in

accordance with the following sub-paragraph ~~by any of the Participants by giving a written note to other Participants.~~

Comment [TH42]: Thailand proposes to amend

2. Any of the Participants may, at any time, ~~give a written notification to notify~~ the other Participants, through diplomatic channels, of its intention to terminate ~~the this MOU present Memorandum of Understanding.~~ Termination will be effective ninety (90) days after the date of notification and will not affect the ongoing projects, unless otherwise ~~agreed decided upon~~ by the Participants.

Comment [TH43]: Thailand proposes to amend

3. ~~The Memorandum of Understanding~~ This MOU may be amended at any time, by mutual consent of the Participants, through diplomatic channels. Such revisions or amendments ~~shall will come enter into force~~ effect on such date as may be determined by the Participants and ~~shall will~~ form an integral part of this ~~Memorandum~~ MOU.

Comment [TH44]: Thailand proposes to amend

4. *This shall be deposited with the Secretary General. [Secretariat's submission]*

~~IN WITNESS WHEREOF, the undersigned, have s~~ Signed this Memorandum of Understanding at ..... on the ..... day of ..... 2018, in ~~seven eight~~ *[Secretariat's submission]* originals in the English language, each text being equally authentic.

Comment [TH45]: Thailand proposes to amend

On behalf of the Bangladesh Foreign Service  
Academy of the Ministry of Foreign Affairs  
of the **PEOPLE'S REPUBLIC OF  
BANGLADESH**

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On behalf of the....(name of foreign service  
academy)..of the Ministry of Foreign Affairs  
of the **ROYAL GOVERNMENT OF  
BHUTAN**

-----

On behalf of the Foreign Service Institute of  
the Ministry of External Affairs of the  
**REPUBLIC OF INDIA**

-----

On behalf of the Strategic Studies and  
Training Department of the Ministry of  
Foreign Affairs of the **REPUBLIC OF THE  
UNION OF MYANMAR**

-----

On behalf of the Institute of Foreign Affairs

of the Ministry of Foreign Affairs of the  
**FEDERAL DEMOCRATIC REPUBLIC  
OF NEPAL**

-----

On behalf of the Bandaranaike International  
Diplomatic Training Institute of the Ministry  
of Foreign Affairs of the **DEMOCRATIC  
SOCIALIST REPUBLIC OF SRI LANKA**

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On behalf of the ~~Thai—Diplomatic  
Academy~~ Devawongse Varopakarn Institute  
of Foreign Affairs of the Ministry of Foreign  
Affairs of the **KINGDOM OF THAILAND**

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## Annex XIII



**SECRETARIAT**  
**BAY OF BENGAL INITIATIVE FOR MULTI-SECTORAL**  
**TECHNICAL AND ECONOMIC COOPERATION**  
**DHAKA**

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**First Meeting of the BIMSTEC Permanent Working Committee**
**17-18 January 2019**
**Colombo, Sri Lanka**

*[As of 18 January 2019]*

**Revised Draft Terms of Reference of the Eminent Persons' Group (EPG) on the  
 Future Directions of BIMSTEC<sup>1</sup>**

**Background**

01. The idea of constituting a BIMSTEC Eminent Persons' Group (EPG) was floated by the Secretariat at the Preparatory Meeting to the Seventeenth Session of the Senior Officials' Meeting which was held at the BIMSTEC Secretariat in Dhaka on 03-04 March 2015 under the Agenda Item: Discussion on the Future Directions of BIMSTEC.

02. The Meeting recommended that *an Eminent Persons' Group (EPG) of representative(s) from Member States may be constituted, which may include participants from Government, business, civil society, academicians and others.*

03. The Second Meeting of the BIMSTEC Network of Policy Think Tanks (BNPTT), which was held in Bangkok on 08-09 October 2015 also recommended that *an Eminent Persons' Group (EPG) may be constituted in order to prepare a roadmap on the Future Directions of BIMSTEC.* The implementation of the recommendations of the above Meetings was subject to the endorsement by the BIMSTEC Senior Officials' Meeting.

04. The BIMSTEC Leaders' Retreat Agenda of Action calls for, *inter alia*, the establishment of an Eminent Persons' Group (EPG), comprising highly distinguished and well respected citizens from BIMSTEC Member States, with the mandate to examine and provide pragmatic and sustainable recommendations on the Future Directions of BIMSTEC in line with the objectives and founding principles of BIMSTEC as well as the subsequent Summit Declarations.

**Purpose**

05. The EPG will examine BIMSTEC activities in all areas of its cooperation, codify and build upon all BIMSTEC norms, principles, values and goals as contained in BIMSTEC's

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<sup>1</sup>As of **18 January 2019**, with the inclusion of the **comments and observations from Bangladesh, India, Myanmar, Nepal, Sri Lanka and Thailand.**

milestone Agreements, MoUs, Conventions, Declarations and outcome documents since its inception, as well as undertake a thorough and comprehensive review of the existing BIMSTEC institutional framework and propose appropriate improvements if so required.

06. It will put forth bold and visionary recommendations on the Future Directions of BIMSTEC, which will serve as guideline to move BIMSTEC forward, aimed at enabling the building of a strong, prosperous, and caring and sharing BIMSTEC Community that is cohesive, successful and progressing in the 21<sup>st</sup> century. To this end, the group will provide the BIMSTEC Leaders with policy guidelines as well as the Secretariat a roadmap on how BIMSTEC should proceed in the days ahead.

### Scope of the Work

[07. The EPG is to take formal guidance and instructions from BIMSTEC Ministers and Leaders at the Ministerial Meetings and Summits. [SUBMITTED BY THAILAND]

07. The EPG will review BIMSTEC work and priorities in addition to ~~should reflect on~~ [SUBMITTED BY THAILAND] [should reflect on] [SUBMITTED BY INDIA to retain the words] the Future Directions of BIMSTEC in order to make the BIMSTEC more relevant, meaningful and result oriented in the context of the contemporary regional status, with particular attention to development; trade and investment; connectivity; ~~terrorism~~ security [SUBMITTED BY INDIA to replace the words]; energy; disaster management; and climate change issues. The scope of the EPG includes but ~~is~~ not limited to, the following:

- a. ~~Nature, p~~Principles, objectives and areas of BIMSTEC cooperation ~~under BIMSTEC~~ particularly; Security (in its all manifestations), Economic and financial integration and connectivity (in its all manifestations)
- b. BIMSTEC Centres and their functions and working methods
- ~~b.——Vision of BIMSTEC beyond 2030~~
- ~~c.——Security (in its all manifestations)~~
- ~~d.——Economic and financial integration~~
- ~~e.——Connectivity (in its all manifestations)~~
- f. Culture and people-to-people contact [SUBMITTED BY INDIA to retain the original a-k and added f]
- ~~f.——Regional Cooperation and Integration in the context of Sustainable Development Goals~~

gc. BIMSTEC structure, including decision-making process, administrative modalities, working methods, cross-sectoral coordination, conduct of meetings, documentation of meetings, roles of the Secretary-General and the BIMSTEC Secretariat

~~h. BIMSTEC Centres and their functions and working methods~~

~~i. New areas of cooperation~~

jd. Future directions of BIMSTEC and Vision of BIMSTEC beyond 2030

Further areas of focus would include:

e. Regional Cooperation and Integration in the context of Sustainable Development Goals

f. New areas of cooperation] [SUBMITTED BY THAILAND]

[k. Critical assessment of any relevant studies, papers, submissions interviews and consultations on the future of BIMSTEC

l. Take stock of the BIMSTEC 20 years of existence based on identified

- Major achievements and shortcomings and assess current BIMSTEC cooperation as well as propose improvement to or strategies for including;
- BIMSTEC as a contemporary international organization
- Future relations with ASEAN, SAARC, EU and other partners
- Legal personality of BIMSTEC
- External Relations and visibility

m. Policy formulation to address the issue of increasing unemployment in Member States particularly affecting the youth.

n. Undertaking any other tasks or considering any other areas which are deemed by EPG to be relevant and conducive to the attainment of its objectives.

o. Links to other regional trade arrangements and possible cooperation with them (e.g., SAARC, APTA, ASEAN, etc) to synergies positive outcomes.] [SUBMITTED BY SRI LANKA]

- (i) [Rationalisation and prioritization of existing areas of cooperation and explore new areas of cooperation having potential to contribute to regional integration.”] [SUBMITTED BY NEPAL to reform “New areas of cooperation”]–
- (ii) Prioritization of the existing areas of cooperation and explore new areas of cooperation. [SUBMITTED BY BANGLADESH]

## Strategy

08. The EPG shall conduct national and regional consultations with all relevant stakeholders in the BIMSTEC process~~[, and especially including with BIMSTEC Network of Policy Think Tanks and Trade and Commerce Chambers Industry Associations.]~~ [SUBMITTED BY INDIA] The EPG shall work closely with the BIMSTEC Secretariat.

The EPG shall submit its Report in a time bound manner, within a period to be agreed during its First Meeting. [SUBMITTED BY INDIA]

## Composition and Chairmanship

09. The EPG shall consist of 14 eminent persons, two from each of the 07 Member States, who are nominated by their respective Governments. One of the EPG members from each Member State should be a prominent academician. ~~Another should be from either the Government (retired prominent bureaucrat), Politics (senior political leaders having at least Ministerial portfolio), or Business (at least President of Chamber), or Civil Society.~~ [SUBMITTED BY THAILAND] [SUBMITTED BY INDIA to delete the line: ‘One of the EPG members from each Member State should be a prominent academician.’]

10. The EPG members should be from the Government (retired prominent bureaucrat), Politics (senior political leaders having at least Ministerial portfolio), Business (at least President of Chamber), Civil Society and Academicians. [SUBMITTED BY THAILAND to delete the paragraph 10]

[10. The EPG members should be from the Government (retired prominent bureaucrat, ~~Ambassadors~~), Politics (senior political leaders ~~having at least with~~ Ministerial portfolio relevant to BIMSTEC priority areas), Business (CEO of business Chambers and businessman with outstanding credentials at least President of Chamber), Civil Society (non State actors) and Academicians (lead intellectuals Think-Tank and others).] [SUBMITTED BY SRI LANKA instead of paragraph 10]

10. The EPG members ~~should~~ may be considered from the Government (serving or retired ~~prominent bureaucrat~~), Politics (~~senior political leaders having at least Ministerial portfolio~~), Business (~~at least President of Chamber~~), Civil Society and ~~Academicians~~ Arts and Academies. [SUBMITTED BY INDIA instead of paragraph 10]

10. The EPG members should be **Citizens of the BIMSTEC Member Countries that are from** the Government (retired prominent bureaucrat), Politics (senior political leaders having at least Ministerial portfolio), Business (at least President of Chamber), Civil Society and Academicians. **[SUBMITTED BY MYANMAR instead of paragraph 10]**

10. Members of the EPG will be formed of the retired Government Officials/Ambassadors, Senior Politicians, leading Think Tanks. **[SUBMITTED BY BANGLADESH instead of paragraph 10]**

11. The EPG Members shall elect a ~~Chairman~~Chairperson and a Co-chairperson **[SUBMITTED BY INDIA]**at its Inception Meeting. **The chair shall be on an alphabetical rolling basis. [SUBMITTED BY THAILAND]**

12. The EPG Members shall participate in all EPG activities in their personal and independent capacity, and not as representatives of their respective Governments or Member States.

13. The work of the EPG shall be assisted by the BIMSTEC Secretariat **and with the support/consultant of the BIMSTEC Think Tank. [SUBMITTED BY THAILAND]**

### Frequency of Meetings

14. The EPG will decide on the frequency and venue of meetings **in consultation with BIMSTEC Secretariat [SUBMITTED BY INDIA].**

### Agenda

15. The Agenda of each EPG Meeting shall be prepared by the BIMSTEC Secretariat in consultation with the EPG ~~Members~~Chairperson **[SUBMITTED BY INDIA to replace the word Members with Chairperson]**and **circulated in advance of the Meeting. [SUBMITTED BY THAILAND]**

### Decision-Making

16. All decisions of the EPG shall be based on consultation and consensus.

17. All pertinent decisions of the EPG shall be kept in a summary record of each EPG Meeting for reference.

### Secretariat's Support

18. The BIMSTEC Secretariat will coordinate all Meetings related to EPG. The Secretariat will also keep the records of the relevant documents.



19. The Secretary-General of BIMSTEC will brief the EPG on pertinent BIMSTEC issues as and when requested by the EPG.

## Funding

20. International Air travel and daily subsistence allowance of the EPG Members will be borne by the nominating Member States. Optionally, this may be initially provided by BIMSTEC Secretariat, which would raise the debit against the concerned Member States, who would then reimburse such costs to the Secretariat. [SUBMITTED BY INDIA] Accommodation and transport and local hospitality will be borne by the Member State hosting the EPG Meetings.

20. International Air travel and daily subsistence allowance of the EPG Members will be borne [from the budget of the BIMSTEC Secretariat. Local hospitality including accommodation and local transport will be borne by the Member State hosting the EPG Meeting.] [SUBMITTED BY NEPAL to replace paragraph 20]

20. Airfare and subsistence allowance will be borne by the Member States, local hospitality to be borne by the host Member State. [SUBMITTED BY BANGLADESH]

21. The preparation of the report will be funded by the BIMSTEC Secretariat. [SUBMITTED BY SRI LANKA]

## Reporting

21. The EPG Report shall be transmitted to the Secretary General ~~who will place it before~~ and submitted to the Senior Officials' Meeting, which will make recommendations to the Ministerial Meeting. [SUBMITTED BY THAILAND]

23. The final report should be submitted in 06 months after the first meeting of the Committee. [SUBMITTED BY SRI LANKA]

[SUBMITTED BY MYANMAR to add "The BIMSTEC Secretariat will cover the cost for the preparation of the report."]

Report to be submitted to the SOM and in a time bound manner [SUBMITTED BY BANGLADESH]

## Amendment

22. These Terms of Reference can be amended by mutual agreement of the EPG Members through consultation and consensus and with approval of Member Countries [SUBMITTED BY INDIA].

[Final Provision]

23. The Terms of Reference will commence upon its endorsement by the BIMSTEC Ministerial Meeting] [SUBMITTED BY THAILAND]

[As the tenure of EPG members has not been specified in the draft, Government of Nepal proposes to have a separate heading on tenure with two years term.]

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## Annex XIV



**SECRETARIAT  
BAY OF BENGAL INITIATIVE FOR MULTI-SECTORAL  
TECHNICAL AND ECONOMIC COOPERATION  
DHAKA**

**First Meeting of the BIMSTEC Permanent Working Committee****17-18 January 2019****Colombo, Sri Lanka***[As of 18 January 2019]***Updated draft schedule/calendar of BIMSTEC Meetings<sup>1</sup>**

<b>CORE BIMSTEC MEETINGS</b>			
<b>#</b>	<b>Title of the Meeting</b>	<b>Venue</b>	<b>Date</b>
1.	First Meeting of the BIMSTEC Permanent Working Committee	Colombo Sri Lanka	<b>17-18 January 2019</b>
2.	Second Meeting of the BIMSTEC Permanent Working Committee	Sri Lanka	<b>2019</b>
3.	20 <sup>th</sup> Session of the BIMSTEC Senior Officials' Meeting (SOM)	Sri Lanka	<b>TBC</b>
4.	Third Meeting of the BIMSTEC Permanent Working Committee	Sri Lanka	<b>TBC</b>
5.	21 <sup>st</sup> Session of the BIMSTEC Senior Officials' Meeting (SOM)	Sri Lanka	<b>TBC</b>
6.	17 <sup>th</sup> BIMSTEC Ministerial Meeting	Sri Lanka	<b>TBC</b>
<b>TRADE AND INVESTMENT SECTOR</b>			
<b>#</b>	<b>Title of the Meeting</b>	<b>Venue</b>	<b>Date</b>
7.	Nineteenth Meeting of the BIMSTEC Working Group on Rules of Origin	New Delhi, India	<b>21-22 January 2019</b>
8.	BIMSTEC Start Up Conclave	India	<b>February, 2019</b>
9.	Second Meeting of the BIMSTEC Working Group on Trade Facilitation	Bangladesh	<b>First quarter of 2019</b>

<sup>1</sup>The Member States may add new events or activities as and when necessary.

10.	Ninth Meeting of the BIMSTEC Working Group on Investment	Sri Lanka	<b>First half of 2019</b>
11.	Third Meeting of the BIMSTEC Working Group on Customs Cooperation	India	<b>TBC</b>
12.	Ninth Meeting of the BIMSTEC Working Group on Trade in Services	Nepal	<b>2019</b>
13.	Nineteenth Meeting of the BIMSTEC Working Group on Legal Experts	TBC	<b>TBC</b>
14.	22 <sup>nd</sup> Meeting of Trade Negotiating Committee (TNC)	Bhutan	<b>TBC</b>
15.	Eighth BIMSTEC Business Forum Meeting	Bangladesh	<b>2019</b>
16.	Seventh BIMSTEC Economic Forum Meeting	TBC	<b>2019</b>
17.	23 <sup>rd</sup> Meeting of Trade Negotiating Committee (TNC)	Nepal	<b>2019</b>
18.	Fifth Senior Trade and Economic Officials' Meeting(STEOM)	Bangladesh	<b>2019</b>
19.	Sixth BIMSTEC Trade and Economic Ministers' Meeting	Bangladesh	<b>2019</b>
<b>TECHNOLOGY</b>			
20.	Fifth Meeting of the BIMSTEC Expert Group on the Establishment of BIMSTEC Technology Transfer Facility	TBC	<b>TBC</b>
<b>ENERGY</b>			
21.	First Expert Group Meeting on Energy	<b>Myanmar</b>	<b>January- March 2019 (Indicative)</b>
22.	Fifth Meeting of the BIMSTEC Senior Officials on Energy	<b>Nepal</b>	<b>TBC</b>
23.	Third BIMSTEC Energy Ministers' Meeting	<b>Nepal</b>	<b>TBC</b>
24.	Fourth BIMSTEC Energy Ministers' Meeting	<b>Bhutan</b>	<b>Proposed by Bhutan</b>
<b>TRANSPORT AND COMMUNICATION SECTOR</b>			
25.	Second Working Group Meeting of the BIMSTEC Coastal Shipping Agreement	India	<b>2019</b>
26.	Second Working Group Meeting to negotiate the Draft Text of the Motor Vehicles Agreement for the Regulation of Passenger and Cargo Vehicular Traffic between and among BIMSTEC Member States	India	<b>2019</b>

27.	3 <sup>rd</sup> Meeting of The BIMSTEC Transport Connectivity Working Group (BTCWG)	India	<b>2019</b>
28.	Working Group on Communication	TBC	<b>2019</b>
<b>TOURISM</b>			
29.	Second Meeting of the BIMSTEC Working Group on Tourism	Dhaka, Bangladesh	<b>27-28 March 2019 (TBC)</b>
30.	Third BIMSTEC Tourism Ministers' Roundtable	Dhaka, Bangladesh	
31.	Second Meeting of the BIMSTEC Network of Tour Operators	Sri Lanka	<b>TBC</b>
32.	BIMSTEC tourism conclave	Nepal	<b>2020</b>
<b>FISHERIES</b>			
33.	Third Meeting of the BIMSTEC Expert Group on Fisheries	Thailand	<b>TBC</b>
<b>AGRICULTURE</b>			
34.	BIMSTEC-India Agribusiness Forum (Conference)/ BIMSTEC- India week (Exhibition)	Bengaluru, India	<b>07-08 February 2019</b>
35.	Seventh Meeting of the BIMSTEC Expert Group on Agricultural Cooperation	Dhaka, Bangladesh	<b>24-25 April 2019</b>
36.	First Ministerial Meeting on Agriculture	Myanmar	<b>First half of 2019</b>
37.	BIMSTEC Workshop on "Food Standard and Food Safety and other related matters"	Thailand	<b>TBC</b>
38.	Second BIMSTEC Regional Workshop on "Public-Private Partnership to Develop Agricultural Value Chain"	Nepal	<b>2019</b>
39.	Second Workshop on Promotion of Agriculture Trade and Investment among BIMSTEC Member States	Bangladesh	<b>TBC</b>
40.	BIMSTEC Seminar on Climate Smart Farming Systems	India	<b>TBC</b>
<b>CULTURAL COOPERATION</b>			
41.	Second Meeting of the BIMSTEC Expert Group on Culture	Bangladesh	<b>TBC</b>
42.	Second BIMSTEC Ministerial Meeting on Culture and BIMSTEC Cultural Festival 2018	Bangladesh	<b>2019</b>
43.	BIMSTEC Band Festival	India	<b>2019</b>
<b>ENVIRONMENT AND DISASTER MANAGEMENT</b>			
44.	2 <sup>nd</sup> BIMSTEC Disaster Management Exercise	India	<b>2019</b>
45.	1-2 Week Training Course/Workshop on Disaster Management	India	<b>TBC</b>

46.	Working Group on Disaster Management	India	<b>2019</b>
47.	Second Meeting of the Governing Board of the BIMSTEC Center for Weather & Climate and a one day workshop on “severe Weather/Climate Disaster warning for BIMSTEC Region”	India	<b>TBC</b>
<b>PUBLIC HEALTH</b>			
48.	Second Meeting of the BIMSTEC Task Force on Traditional Medicine	Nay Pyi Taw, Myanmar	<b>24-25 January 2019</b>
49.	Second BIMSTEC Conference on the Protection of Traditional Knowledge and Genetic Resources		
50.	Fourth Meeting of the BIMSTEC Network of National Centers of Coordination in Traditional Medicine	Bangladesh	<b>TBC</b>
<b>PEOPLE TO PEOPLE CONTACT</b>			
51.	Fourth Meeting of the BIMSTEC Expert Group on Visa	Sri Lanka	<b>April 2019</b>
52.	Fifth Meeting of the BIMSTEC Network of Policy Think Tank	TBC	<b>TBC</b>
53.	BIMSTEC Youth Summit	India	<b>2019</b>
<b>POVERTY ALLEVIATION</b>			
54.	Fourth BIMSTEC Ministerial Meeting on Poverty Alleviation	<b>TBC</b>	<b>TBC</b>
55.	Third Meeting of the BIMSTEC Senior Officials’ Meeting on Poverty Alleviation	<b>TBC</b>	<b>TBC</b>
56.	Second Meeting of the BIMSTEC Expert Group on Poverty Alleviation	<b>India</b>	<b>TBC</b>
<b>COUNTER TERRORISM AND TRANS NATIONAL CRIME SECTOR</b>			
57.	Course on Counter Terrorism, Cyber Terrorism, Cyber Security, Counter Trans-National Crimes for National Security Officers of BIMSTEC Member States	Hyderabad India	<b>18 February 2019 to 01 March 2019</b>
58.	Third Meeting of the BIMSTEC National Security Chiefs	Thailand	<b>21 March 2019</b>

59.	Conference on Drug Issues for BIMSTEC Countries	India	<b>2019</b>
60.	Ninth Meeting of the BIMSTEC Joint Working Group on Counter Terrorism and Transnational Crime (JWG-CTTC)	TBC	<b>TBC</b>
61.	Sixth Meeting of the BIMSTEC Sub-Group on Prevention of Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and Precursor Chemicals	TBC	<b>TBC</b>
62.	Ninth Meeting of the BIMSTEC Sub-Group on Legal and Law Enforcement Issues	Sri Lanka	<b>TBC</b>
63.	Eleventh Meeting of the BIMSTEC Sub-Group on Anti-Money Laundering and Combating the Financing of Terrorism	Thailand	<b>2019</b>
64.	First Meeting on the BIMSTEC Sub-Group on Human Trafficking and Illegal Migration	Bangladesh	<b>TBC</b>
65.	First Meeting of the BIMSTEC Sub-Group on the Cooperation on Countering Radicalization and Terrorism	India	<b>TBC</b>
66.	Conference on Counter Radicalization among the Member States	India	<b>TBC</b>
67.	Fifth Meeting of the BIMSTEC Sub-Group on Intelligence Sharing	Sri Lanka	<b>TBC</b>
68.	Second Meeting of the BIMSTEC Track 1.5 Security Dialogue Forum	Bangladesh	<b>First half of 2019</b>
69.	Expert Group Meeting on Maritime Security Cooperation among the Member States	India	<b>TBC</b>
70.	Workshop on Coastal Security	India	<b>TBC</b>
71.	Working Group Meeting on Space Security Cooperation among the Member States	India	<b>TBC</b>
72.	Second Dialogue of BIMSTEC Think Tanks on Regional Security	TBC	<b>2019</b>
73.	Conference on Cyber Security	TBC	<b>2019</b>
74.	Training/Workshop on Narcotics Drugs	Bangladesh	<b>2019</b>
75.	First Meeting of the Expert Group on Himalayan Science Council	TBC	<b>TBC</b>
<b>CLIMATE CHANGE</b>			
76.	BIMSTEC Experts' Workshop on Climate Change	Bangladesh	<b>TBC</b>
77.	BIMSTEC Seminar on Climate Smart Farming System	India	<b>2019</b>

<b>OTHER EVENTS</b>			
<b>#</b>	<b>Title of the Meeting</b>	<b>Venue</b>	<b>Date</b>
72.	8 <sup>th</sup> Global Economic Summit	Mumbai, India	<b>06-08 March 2019</b>
73.	Workshop on Blue Economy	TBC	<b>2019</b>

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