

TERMS OF REFERENCE OF THE FRIENDS OF THE ARF CHAIR

Background

1. The Workshop on Preventive Diplomacy conducted by the Council for the Security and Cooperation of the Asia Pacific (CSCAP) in 2000 in Singapore cited the use of "Special Representatives" and the "Group of Friends" of the UN Secretary General as relevant mechanisms for ARF with regard to efforts to enhance confidence building and help set the stage for the creation of preventive diplomacy mechanisms in the ARF.
2. At the 10th ARF in Cambodia, the Ministers agreed to *"support the ARF Chair to have Friends of the Chair to assist the Chair in dealing with regional and international situations, which affect the peace and security of the region."*
3. The 2005 ASEAN Joint Communiqué issued in Vientiane stated that the ASEAN Ministers *"agreed to move forward the ARF activities by replacing the Inter-Sessional Support Group on Confidence Building Measures (ISG on CBM) with the ISG on CBM and PD (ISG CBM and PD); to consider developing the concept of the Friends of the ARF Chair..."*
4. During the 12th ARF in Vientiane on 29 July 2005, the Ministers *"agreed to establish 'Friends of the Chair' in the ARF, and welcomed the Philippines' offer to draft the terms of reference for this concept with the understanding that such an ad-hoc group shall have an advisory role to assist the ARF Chair and be flexible in terms of its membership."*

Purposes and Principles

5. The FOC is to assist the ARF Chair in the latter's enhanced role, in accordance with the principles enshrined in the adopted paper on the Enhanced Role of the ARF Chair, even as it is generally accepted by ARF countries that the concept of the enhanced role of the ARF Chair is itself evolving.
6. It is an ad hoc group, constituted for a specific task by the ARF Chair as and when the situation warrants, including in times of emergency, crisis, and situations likely to disturb regional peace and stability.
7. The FOC shall carry out its work in accordance with the UN Charter and consistent with the purposes and principles of the Treaty of Amity and Cooperation in Southeast Asia, and in particular the core principles of consensus, respect for national sovereignty, and non-interference in the domestic affairs of one another.

Organizational Matters

Composition

8. The Friends of the Chair is a troika composed of the (a) Foreign Minister of the incoming ARF chairing country (b) the Foreign Minister of a non-ASEAN ARF country, and (c) the Foreign Minister of the immediate past ARF chairing country.
9. Taking into account the preceding paragraph, the ARF Chair, in consultation with all ARF participants, will decide on the specific composition of the FOC, depending on the issue at hand. The decision will take into account the need for a political balance among various interests and the paramount importance of regional stability and peace.

Scope

10. The FOC is primarily focused on confidence-building and shall not be intervention-oriented. The FOC may advise the Chair in the performance of its good offices role and in facilitating discussions and negotiations on issues of critical significance for regional peace and security.
11. The FOC is an ad hoc group to support and assist the ARF Chair. It is not a decision-making body. It is only an advisory body. It is not intended to represent the ARF Chair beyond the specific tasks assigned to it.

Procedures

12. The ARF Chair will inform ARF countries before deciding when a situation warrants the constitution and convening of the FOC.
13. In discharging its mandate, the FOC will report and make recommendations to the ARF Chair. The ARF Chair decides on the next steps to take.
14. The FOC may meet as often as necessary. The ARF participants, which have representatives in the FOC, will bear the costs involved in the activities of the FOC. In the event that the FOC is constituted and convened, the ARF Chair may mobilize voluntary contributions from ARF participants, including through contributions to the ARF Fund for such purpose.
15. The ARF Chair and the FOC may request the ARF Unit in the ASEAN Secretariat for any assistance within the ARF Unit's mandate.

Future Review of the Terms of Reference

16. These Terms of Reference of the Friends of the ARF Chair will be reviewed for possible amendments and revisions when and if the need arises in the future. Any amendments and revisions shall be made on the basis of consensus of all ARF participating countries.